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Freedom of the Press 2016 - Afghanistan

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Press Freedom Status: Not Free

Legal Environment: 18 / 30 (↑2) (0 = best, 30 = worst)

Political Environment: 26 / 40 (↑2) (0 = best, 40 = worst)

Economic Environment: 18 / 30 (↑1) (0 = best, 30 = worst)

Press Freedom Score: 62 / 100 (↑5) (0 = best, 100 = worst)

Quick Facts

Population: 32,247,000

Freedom in the World Status: Not Free

Internet Penetration Rate: 6.4%

Overview

Conditions for press freedom in Afghanistan have improved in recent years amid greater media diversity, rising professional standards for journalists, and a decline in legal harassment and censorship. However, violence against journalists remained a serious problem in 2015 as the country suffered from growing insecurity, and the media continued to face legal and other interference from the authorities.

Key Developments

- The government dissolved a discredited media complaints commission in May, replacing it with a new body that has greater civil society representation and a stronger legal foundation.
- A total of 95 cases of violence against journalists were documented in 2015 by the watchdog group Nai Supporting Open Media in Afghanistan, though this represented a decrease from 125 in 2014.

Legal Environment: 18 / 30 (↑2)

Article 34 of the constitution allows for freedom of the press and of expression, and the Mass Media Law prohibits censorship. However, there are broad legal restrictions on content that is deemed "contrary to the principles of Islam and offensive to other religions and sects."

Cases involving journalists are supposed to be handled by a commission devoted to media issues, but the legal framework's ambiguity has led to muddled implementation. Five media laws have been approved since 2002, and journalists lack clarity on how different provisions are meant to be applied. Article 130 of the constitution vaguely stipulates that courts and Islamic jurists can rule on cases "in a way that attains justice in the best manner," creating leeway for discriminatory or contradictory rulings.

Freedom of expression and the free flow of information were subjected to interference on national security grounds on a number of occasions in 2015. Authorities at the national and provincial levels reportedly issued directives to subordinates to refrain from giving any security-related information to the media without first consulting higher officials, drawing complaints from journalists. In August, a satirical Facebook page called "Kabul Taxi" was temporarily shut down. While the cause was unclear, the National Directorate of Security (NDS) had been investigating the page after it carried criticism of senior security officials, and several journalists were summoned for questioning in an attempt to identify who was responsible for the page.

The 2014 Access to Information Law states that government-held information should be presumed available to the public, except in instances that would threaten national security, compromise privacy, or interfere with a criminal investigation. A new commission tasked with overseeing implementation was formed in September 2015; it would review all complaints and violations relating to the access to information process.

Under amendments to the Media Law adopted in January 2015, a new Media Complaints and Violations Investigation Commission was formed late in the year, headed by the minister of information and culture and including representatives of journalists' groups and media freedom advocates. The previous commission, which was established in 2005, was dissolved in May. It had been operating under questionable legal authority since 2009, and was frequently criticized for violating journalists' rights and lacking independent membership. The new commission is supposed to review all cases involving media and journalists before possible referral to prosecutors or the courts, but this procedure was not always observed. In November, the Attorney General's Office directly summoned the chief editor of the popular newspaper *Hasht e Subh* (8 AM Daily) for questioning about its coverage, drawing objections from civil society groups.

Journalists' organizations are able to operate and advocate for the rights and interests of their members, though the law offers few effective protections for unions and labor rights.

Political Environment: 26 / 40 (↑2)

Media outlets have proliferated in recent years, collectively conveying a diversity of views. The patterns of ownership and funding mirror the country's disparate political and cultural forces, leading to a highly partisan media environment. Major sources of support for and influence over outlets include political parties, ethnic factions, the military, international donors, and foreign governments such as those in Iran and Pakistan. However, some broadcasters, such as Tolo TV, are commercially viable and able to exercise a greater degree of independence in their reporting.

Local authorities have occasionally forced the closure of media outlets for reporting on official corruption and other sensitive topics, and journalists face an acute risk of violence from state and nonstate actors in the context of the ongoing military conflict. Women journalists in particular encounter regular harassment and threats, leading some to leave the profession. Journalists often resort to self-censorship to avoid violating cultural norms or offending local sensitivities, though this is less of a problem than in years past.

A total of 95 cases of violence against journalists were documented in 2015 by the watchdog group Nai Supporting Open Media in Afghanistan, down from 125 in 2014. The Taliban rebel movement was deemed responsible for 40 of the cases, 32 were attributed to government officials, and 1 was linked to international forces; the perpetrators in the remaining 22 cases were unidentified.

Nai reported four killings of journalists during the year, including three possible assassinations and one death during an air strike by international forces, though the Committee to Protect Journalists did not confirm any work-related murders for 2015. Following their brief occupation of the northern city of Kunduz in late September, the Taliban issued death threats against all employees of 24 media outlets that reported on their crimes. The year's other cases of violence included brief detentions by the Taliban as well as threats or illegal summonses by state agencies. In a number of instances, journalists were first abused by police or other officials and then threatened to suppress any formal complaint or legal proceedings. While authorities sometimes offered apologies and pledges to support journalists' rights, advocacy groups called for the perpetrators to be held criminally responsible.

Economic Environment: 18 / 30 (↑1)

Afghanistan is home to 83 local and national television channels, 161 radio stations, 325 print outlets, and 12 news agencies. The government owns some media outlets, but most are in private hands. While radio is still the main source of news for most Afghans, especially in rural areas, television is making significant inroads, as ownership of sets has risen. International radio broadcasts in Dari or Pashto – such as those from the British Broadcasting Corporation (BBC), Voice of America, and Radio Free Europe/Radio Liberty – remain key providers of information for many residents, supplementing the increasingly competitive national media. Newspaper readership is low, mainly due to the low literacy rate of about 36 percent, but also because of distribution problems and the rise of new broadcast options.

Internet penetration has gradually increased thanks to the wider use of smartphones and the expansion of mobile internet service, but the process is slowed by illiteracy and poor infrastructure. More than 8 percent of the population used the internet in 2015, whether through office and home connections or through mobile devices. Mobile-phone news alerts, blogs, and social media are growing in usage and importance, particularly among urban youth. Even mobile devices without internet service facilitate citizen journalism and participation in radio and television call-in shows, and digital communications in general have reduced the impact of traditional obstacles to news production and distribution.

The international community and local media organizations have for the past decade been supporting programs aimed at developing a genuinely independent media sector, and they have been fairly successful in this regard. However, there are a number of indications that the withdrawal of foreign combat forces – most of which had left Afghanistan by the end of 2014 – has had a

negative effect on both donor funding for media projects and the broader economic situation in the country.

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