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Freedom of the Press 2013 - Afghanistan

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2013 Scores

Press Status: Not Free

Press Freedom Score: 67

Legal Environment: 20

Political Environment: 28

Economic Environment: 19

Media freedom improved markedly due to a decline in attacks against journalists in 2012, coupled with an increasingly vibrant and diverse media landscape and a decrease in cases of legal harassment and censorship against journalists and media outlets. However, a number of challenges and potential risks, including some instances of censorship; violence, insecurity, and a lack of physical protection for journalists; and a proposed media law that could further restrict press freedom.

Article 34 of the constitution allows for freedom of the press and of expression, and the current Mass Media Law, which came into effect in 2009, guarantees the right of citizens to obtain information and prohibits censorship. However, there are broad restrictions on any content that is seen as "contrary to the principles of Islam or offensive to other religions and sects." Four media laws have been approved since 2002, and many journalists are unsure as to which applies in different circumstances, resulting in self-censorship to avoid violating cultural norms or offending local sensitivities. Article 130 of the constitution stipulates that courts and Islamic jurists can rule on cases "in a way that attains justice in the best manner," allowing for ambiguity and discriminatory rulings. Under Afghan law, cases involving journalists should be handled by the Media Commission, but this rule is not always observed in practice. In May 2012, authorities arrested and detained journalist Nasto Naderi for seven days for "false accusations" against government officials after broadcasting a program critical of the mayor of Kabul. In June, the attorney general launched a libel investigation against Pajhwok News Agency for an article alleging that legislators accepted bribes.

In 2012, the Afghan government drafted a new Mass Media Law, which would give the state increased control over the press. In addition, the proposed law would create civil sanctions for a long list of vaguely defined media violations, from changing bylaws to illegally broadcasting foreign programs. Media activists and rights groups complained that the government had not allowed time for their input before putting the bill in front of the legislature. The media

community also voiced concern that the draft would undermine free expression, restricting the ability of the media to debate or report on areas such as national security and religion. The draft remained under debate during the year and had not been passed by year's end.

Afghanistan has yet to pass a freedom of information bill. In 2012, local media and civil society organizations urged the government to consider such a law, which would ensure the right to access public information and provide a functional mechanism for obtaining it. However, the call was largely ignored by the government.

All proprietors of mass media must be registered by the government through the Ministry of Information and Culture and the licensing process, though potentially lengthy, is open with minimal regulations. In recent years, an oversaturated media market caused the Afghan Telecommunications Regulatory Authority (ATRA), the body responsible for frequency assignments, to run out of radio licenses for Kabul due to a lack of available frequencies.

In 2012, media were generally given more freedom to cover a number of cases of human rights abuses and corruption scandals, as well as taboo topics (such as rape), which in some cases involved officials. New and social media have been relatively open in Afghanistan, though the government still imposes online censorship. On September 12, the Ministry of Communications blocked the YouTube and Google websites to prevent people from watching a controversial U.S.-made video about the prophet Muhammad that had sparked demonstrations in the Muslim world. Google's website was unblocked later in September, but YouTube was blocked until December. The Afghan government also blacklists websites deemed to promote vices such as alcohol, gambling, pornography, and improper social relationships, and has at times put pressure on news sites as well.

The ongoing military conflict has entailed serious threats against journalists from various state and nonstate actors, and physical security remains an issue of great concern. However, according to Nai, an Afghan organization supporting free media, there was a 14 percent decline in violence against journalists compared to 2011, with 69 cases of violence against journalists reported in 2012, including two deaths. In February, unknown assailants stabbed and decapitated the manager of Radio Melma, a private radio station in Paktika province. Then in July, Abdul Hadi Hamdard, a presenter and producer for the state-owned Radio and Television of Afghanistan, was killed in a roadside bomb blast in the southern province of Helmand. Journalists in Afghanistan routinely face violence, threats, and intimidation by security forces, civilian officials, and the local elite, including some members of parliament. In May, journalist Mohamad Agaha Ghane was injured when a bomb destroyed the office of Dunya Radio. The station director had received prior threats. The Taliban appeared to be somewhat more hesitant in confronting the media, lessening their direct threats against media organizations and journalists, though at least one foreign journalist was kidnapped and the group did destroy a number of mobile telephone towers during the year. In 2012, the insurgent group also engaged more actively in the media sphere, regularly updating its website and issuing a number of "correcting statements" and "explanations" to deny or clarify reports that appeared about it in the media.

The media landscape is saturated, with more than 400 print media outlets (publishing in all of the languages in the country), around 150 radio stations, and more than 75 television stations operating in 2012. Radio is still the main source of news and information for most Afghans, especially in the rural areas, though television is making significant inroads as ownership of sets has risen. Newspaper readership is low, mainly due to the nation's poor literacy rate of around 30 percent. Other factors affecting readership of newspapers include distribution problems, competition from numerous broadcast choices and shrinking revenue. 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 sources of news for many Afghans. The government owns some media outlets, but most are in private hands. However, private ownership and funding of media reflects the disparate political and cultural forces present

in Afghanistan, leading to a highly partisan media environment. Major sources of support for media outlets include political parties, ethnic groups, the military, international donors, and foreign governments such as those in Iran and Pakistan, all of which are seeking influence in the country. Private broadcasters, particularly those that are commercially viable, such as Tolo TV, are able to exercise the greatest amount of independence in their reporting.

International and local media organizations have for the past decade been promoting training programs aimed at developing a genuinely independent media sector, and have been fairly successful in this regard. However, a number of analysts have raised concern about the possible negative impact on media freedom with the gradual withdrawal of foreign forces from Afghanistan, due to be completed by the end of 2014, noting that the country's vibrant press will face a crisis of survival if it does not continue to receive international funding, which launched and has kept alive many of the country's media organizations. In 2012, some smaller outlets had already begun cutting staffing and programming to make up for the expected financial shortfall, with an estimated 700 journalists losing their jobs by mid-year. However, financial constraints do not seem to pose as severe a threat to the successful commercial channels, as they have more diverse sources of income.

Illiteracy and infrastructural obstacles have hampered internet penetration, with 5 percent of the population regularly accessing the medium in 2012. There are thousands of blogs in the country, and social media use is growing, especially among young people in urban areas. Mobile phones are Afghanistan's principal means of communication, with more than approximately 45 percent of Afghans owning mobile phones. People are increasingly receiving news headlines on their mobile phones, and also participate in call-in radio and television shows via this medium. The recent launch of 3G mobile phone services and relatively cheaper and faster internet access has further empowered citizen journalism.

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