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Freedom of the Press 2011 - Afghanistan

Status: Not Free

Legal Environment: 22

Political Environment: 33

Economic Environment: 20

Total Score: 75

The media landscape in Afghanistan, although diverse and robust, faces issues of insecurity, censorship, biased media content, and little protection for journalists. Article 34 of the constitution allows for freedom of the press and of expression, and a revised 2005 Mass Media Law guarantees the rights of citizens to obtain information and prohibits censorship. However, there are broad restrictions on any content that is "contrary to the principles of Islam or offensive to other religions and sects." A newly revised media law, drafted by a coalition of journalists, government bodies, nongovernmental organizations (NGOs), and media organizations, was submitted to the National Assembly in 2010. However, because there have been four media laws approved since March 2002, many journalists are unsure of which media law is under effect and thus often practice self-censorship of content in an effort to avoid violating cultural norms or offending local sensitivities. In March, the National Directorate of Security (NDS), an Afghan intelligence agency, told the media not to cover stories live from the sites of terrorist attacks, a move that drew criticism from journalists. The government later distanced itself from that directive. In the same month, the Ministry of Information and Culture and the Afghan journalist community agreed to protocols for the media and state agencies regarding the coverage of terrorist attacks. In July, the ministry shut down Emrooz TV, a private broadcaster, following criticism from Islamic conservatives, though the station was reopened after several days.

In addition, the legal environment does not allow for extensive protections for journalists. Article 130 of the constitution stipulates that courts and Islamic jurists can rule on a case "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 is not always upheld. For example, in September 2010, the NDS arrested Hojtallah Mujadadi, a radio station director. They denied him access to a lawyer and detained him for helping insurgents, despite President Hamid Karzai's pleas to free him. Mujadadi was still detained at year's end. In March, journalist Ahmed Ghous Zalmai and two publishers were released from prison sentences that began in September 2008 for publishing a translation of the Koran in the Dari language without the Arabic original.

Afghanistan's state of war has left the political environment fraught with unclear

guidelines for journalists and threats from various groups. In September, NATO arrested Mohammed Nadir, a cameraman for Al-Jazeera, and Rahmatullah Naikzad, a journalist for Al Jazeera and the Associated Press, after accusing them of spreading propaganda for the Taliban; however, both journalists were released one week later. Violence and security remain issues of considerable concern. For example, a veteran Afghan television journalist, Sayed Hamid Noori, was stabbed to death in September, although the cause of his death is under investigation. Noori was known to be a political activist on behalf of groups opposed to Karzai. In March, Kosuke Tsuneoka, a Japanese freelance journalist, was kidnapped by the Taliban, but was freed in September. However, two French journalists and their Afghan translator and driver, who had been kidnapped in December 2009, were still detained at the end of 2010. In addition to targeted killings and kidnappings, journalists face the dangers of reporting in a war zone. Rupert Hamer, a war correspondent from Britain, was killed in January in an explosion, while another journalist was injured. In June, James P. Hunter, an army journalist from the United States, was killed in an explosion in Kandahar, and Joao Silva, a *New York Times* photographer, was injured in an explosion in October. However, according to the Committee to Protect Journalists, press fatalities have not risen in proportion to the overall dangers in the country. This may be due in part to journalists traveling with the military more often, and also being cautious about what they cover.

As of September 2010, there were 20 private TV channels, 220 radio stations, and 300 newspapers operating in the country. The government owns some media networks, including print press and radio and television stations, but it does not control most media. The media landscape reflects the disparate political and cultural beliefs across the country. Major sources of funds for media outlets include political parties, ethnic groups, the military, international donors, and foreign governments such as Iran and Pakistan, all of whom are pushing for some influence in the country. Private broadcast media outlets, particularly those that are commercially viable, such as Tolo TV, exercise the greatest amount of independence in their reporting. Low literacy rates and fragmented geography mean that local pockets of the population receive varying information from different media sources. International radio broadcasts in Dari or Pashto – such as those from the British Broadcasting Corporation, Voice of America, and Radio Free Europe/Radio Liberty – remain key sources of information for many Afghans. Despite high levels of government and self-imposed censorship, international and local media organizations have for the past decade been promoting training programs aimed at developing a genuinely independent media in the country.

Illiteracy also accounts for a low penetration rate of internet use, at 4 percent of the population in 2010. However, insecurity in the country has also hampered the development of an optic-based internet network. Though Afghan blogs and websites are not numerous or greatly developed, the government still imposes online censorship. In June, the Ministry of Communications blacklisted websites that "promoted alcohol, gambling and pornography, as well as ones that hosted dating and social networking services."

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