

AFGHANISTAN

THE KILLING FIELDS

Sultan Mahmood Khairkhah, a journalist working for Zhman TV network in Khost province, died after he was attacked by unidentified armed men on March 15. He became the fourth journalist to be killed in Afghanistan in 2019, with Islamic State-Khorasan (IS-K) claiming responsibility for his murder.

Soon after this incident, a group of Afghan journalists from eastern Afghanistan gathered at Nangarhar province to express concerns over their safety and that threats against media workers were increasing.

In March, Nisar Ahmadi, another journalist working for a local TV station in Helmand was wounded in a blast caused by an improvised explosive device (IED) in Lashkargah city. In February two local journalists Shafiq Aria and Rahimullah Rahmani, were killed by unknown armed men who attacked their office in the city of Taluqan in northern Takhar province.

January also witnessed the first summary execution of a journalist in south-western Afghanistan when local radio host Jawed Noori was singled out and killed by suspected Taliban insurgents. Ironically, 27-year-old Noori, frustrated with the increasing number of civilian deaths had posted an appeal to Afghanistan's President in November: "Dear Mr President, the land of Farah has no more capacity to build cemeteries for our youth." Two months later, he became a victim himself.

According to the IFJ report *In the Shadow of Violence*, Afghanistan was the deadliest country for journalists in the world during 2018. The killings in the first quarter of 2019 show that the country continues to be extremely hazardous for journalists.

Bearing witness to the continued loss of journalists across Afghanistan, media outlets and journalists are increasingly worried about a repeat of the 2018 and 2017 levels of violence against the Afghan media community.

The deadliest targeted attack was recorded on April 30, 2018 when journalists covering a suicide attack in Police District 9 of Kabul were targeted by a suicide bomber, killing nine and wounding five. This was the first deliberate attack on journalists who were covering the aftermath of an earlier terrorist attack in the same area. This attack changed the nature of threats and risks for the journalist community in Afghanistan, signaling a new trend to target groups of journalists. The same day, two other journalists in southern Kandahar and eastern Khost province were attacked and murdered.

DANGEROUS COUNTRY

Afghanistan's rank as the most dangerous country for journalists, includes over 120 cases of violence against journalists and media workers recorded during the year. Of the 16 journalists and media workers killed during 2018, the Taliban and IS-K have claimed responsibility for the majority of the deaths.

Beside killings, the Afghan media community faces other forms of violence including injury, physical assault, threats, intimidation, insult and abuse. In 2018 alone, 15 journalists and media workers were injured, 21 cases of physical assault were recorded, 38 reports of threats and intimidation documented and in 23 cases, journalists were insulted or mistreated. There was also a case of the abduction of a journalist.

Kabul and its surrounding provinces with 42 cases of violence topped the list, followed by western Afghanistan with 22 cases. The Southern and South-eastern provinces occupy the third



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place, with journalists facing 15 cases of violence in each.

Terrorist and insurgent groups have been behind the majority of the incidents of violence, murder and intimidation. The Islamic State-Khorasan (IS-K) and the Taliban are responsible for around 50 cases of violence against journalists. Another 44 cases of violence were perpetrated by individuals working with the government. Others, including local warlords, strongmen and unidentified actors were responsible for the rest of the cases of violence against journalists and the media community.

Afghan women journalists, already vulnerable, were also affected adversely. Of the total number of cases of violence recorded, 11 were perpetrated against women journalists.

The increase in violence and bloodshed against journalists has raised concerns among Afghan and international journalists alike. It has affected the work environment, the level of access of journalists to hostile situations and war zones and created uncertainty about the future of professional journalism.



An Afghan Taliban militant carries a rocket-propelled grenade as residents celebrate a ceasefire on the second day of Eid on the outskirts of Jalalabad on June 16, 2018. Taliban fighters and Afghan security forces hugged and took selfies with each other in restive eastern Afghanistan on June 16, as an unprecedented ceasefire in the war-torn country held for the second day of Eid. CREDIT: NOORULLAH SHIRZADA / AFP

PATCHY ACCESS TO INFORMATION

Access to information remains one of the markers of a free press and vibrant democracy. This principle has long been neglected as Afghanistan attempts to establish a strong media and civil society.

After years of effort for the right of access to information, in 2014 an access to information law was enacted for the first time. Although now in place, lack of access to information continues to be a major obstacle not only for Afghan citizens but also the media community.

In March 2018, a revised version of the law was endorsed by President Ashraf Ghani through a legislative decree. The newly-amended law is seen by many experts as meeting international standards of the Right to Information (RTI) and was rated among the top laws for access to information in the Global Right to Information Rating by Canada's Centre for Law and Democracy.

The provision for legal protection for whistleblowers, obliging all government institutions and authorities to abide by the right to access to information and establishing an independent access to information Oversight Commission, as well as other provisions, were among the elements lauded in the rating.

Afghan expert bodies on freedom of speech and RTI, have said the amended access to information law now guarantees the right of every Afghan citizen to access information and removes some of the barriers that were major challenges in the past.

While it is expected that a new law will make it easier for the media community to access information, particularly in terms of investigations, many reports emerged in 2018 about censorship and lack of access to information from government organizations and entities in Kabul and the provinces. A number of challenges still exist including: a lack of a culture of access to information from government authorities; a lack of political and legal support to the Oversight Commission on the access

The scene in Kabul following the deadly suicide blast that killed nine Afghani media workers in late April 2018. Afghanistan was the deadliest country for journalists in the world, according to the IFJ's report, *In The Shadow of Violence*, released in January 2019. CREDIT: AIJA



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to information law and, in many cases, lack of thorough implementation of the law.

On May 22, 2018, reporters from the southern Ghazni province complained to local authorities about the challenge of accessing information. This issue also surfaced in northeastern Badakhshan province, with complaints by several reporters about RTI access. In the same month, reporters in Daikundi province also criticized the process. Impediments to the right to access information were also documented in Herat, Kandahar, Uruzgan, Balkh and Kabul.

Besides the complaints about the lack of access to information, 23 complaints were reportedly referred to the right to access to information Oversight Commission in 2018 alone. Based on the findings of the Afghan Journalists Safety Committee (AJSC), the majority of cases were regarding the failure of government officials to provide access to information to investigative reporters, or lack of access to information about key projects and contracts. Despite the legal framework in place, there is clearly still a long way to go for absolute openness in access to information in Afghanistan in order to meet the target of the Sustainable Development Goals.

RESTIVE COUNTRYSIDE

While the country's capital, Kabul, has offered a more open environment for Afghan journalists, the provinces and remote rural areas of the country remain a challenge for the media community. This is particularly so, considering the fact that instability is increasing by the day and that the Taliban now control many areas of rural Afghanistan.

A survey by Pajhwok News Agency in January 2019 in Nangarhar, Kunar and Laghman provinces found that the most challenging issue for media was a lack of access to information. Journalists reported frequent failure to receive timely access to information and that information received was too often inaccurate.

In other instances, journalists in rural areas are facing threats or other impacts of the hostile environment which makes it

hard for them to report freely and safely. In Herat, which is considered a fairly stable province in western Afghanistan, the director of a local TV station reported in May 2018 that he was threatened with murder due to non-payment of taxes to the Taliban. In Ghazni province, Ahmad Farid Omar, the owner and director of a local TV station openly revealed that the Taliban was constantly threatening to extract a fixed amount of taxation on an annual basis.

In other provinces some journalists shared stories of how government officials mistreat them and ban their access to key government officials and gatherings. In Kandahar, around 12 reporters and photographers of different media outlets revealed that they were not permitted to cover the Afghan president's visit to the province in June 2018.

CHALLENGING IMPUNITY

Afghanistan has seen some progress in denting impunity of killers of journalists. However, questions remain about the process of meting out justice and whether or not the processes were fair and transparent.

On April 16, 2019, two persons accused of killing journalist Abdul Manan Arghand were sentenced to death in a closed-door trial. Arghand, a reporter with privately-owned Kabul News was shot to death on April 25, 2018 by unidentified gunmen while on his way to work. The identity of the two convicted perpetrators still remains unknown, though it is believed that they are associated with the Taliban. The Afghan Independent Journalists Association AIJA (AIJA) remains unsatisfied that the two sentenced to death are really connected to the killing of Arghand. The process of conviction was not transparent, and information, evidence, documents and recordings were not shared with the AIJA technical team which is a member of the inspection and monitoring team in the Ministry of Interior. Further, since AIJA and other media organizations were kept away from police, attorneys, investigations and court procedures, the lack of transparency does not bode well for the fair pursuit of justice.

Afghan presenter Zarmina Mohammadi of Tolo News takes part in a live broadcast on September 11, 2018. Moments after Afghan journalist Samim Faramarz wrapped up his live report on the latest suicide attack in Kabul, a car bomb exploded just metres away, killing him and his cameraman Ramiz Ahmadi. Colleagues at Tolo News choked back tears as they reported the deaths live on air. CREDIT: WAKIL KOHSAR / AFP



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Likewise, there are doubts about the real perpetrators of the killing of journalist Ahmad Shah. On January 3, 2019, a special anti-terrorism tribunal handed out a death sentence to one of the accused and imprisonment of 30 years and six years respectively to two of the other accused. Ahmad Shah, reporter with BBC's Pashto service was killed in Khost on April 30, 2018. The motive of the killing was unclear, and the identity of the accused was not made public. The family of Ahmad Shah was not fully satisfied that the real killers had been brought to book. The case is pending in the appeals court.

In an unprecedented initiative in January 2018, local media advocacy and support organization Nai announced that it had taken 190 cases of violence against journalists to the International Criminal Court (ICC). These included 48 cases of murder, 74 cases of injury, 15 cases of abduction and 75 cases of threats which had taken place since 2002.

Along with this initiative, the Afghan government has established the Joint Committee on Safety and Security of Journalists (JCSSJ), comprising government organizations, journalists and media representatives to address the cases of violence against journalists in Afghanistan. Meetings of the JCSSJ with the participation of the international community including the UN, the EU and representatives of embassies in Kabul are being held regularly since April 2018. In August 2018, representatives of the committee stated that, of 170 cases under investigation, 16 cases were referred to the National Directorate of Security (NDS) for further investigation. The spokesperson of the Attorney General's Office said of the 16 referred cases, six cases were addressed and another ten were under investigation. Meanwhile, the Ministry of Interior's Anti-Crimes Director General, Mohammad Farid Afzali, said that 69 suspects had been arrested in relation to 33 cases of violence against journalists.

If the Government of Afghanistan is demonstrating some level of accountability towards the Afghan media sector and the journalist community, this has been mainly due to the high level of activism and advocacy built up internationally and nationally. Media activism is a priority for influential organizations actively working to protect the media community, defend the values of freedom of speech and expression and raise a voice against threats faced by the media community.

SHAKY GROWTH

The hazards for the media in Afghanistan notwithstanding, in 2018 the sector added more jobs for journalists across the country. A reported 57 new media outlets were established, though 34 media outlets were also closed down in 2018. Among the newly-launched media outlets were 13 TV channels, 13 radio stations, 25 print media outlets and six online media outlets.

While the establishment of new media during a challenging year is evidence of the deep commitment within Afghanistan for freedom of expression and an independent media, the sustainability of the sector remains a concern. Many media outlets in Afghanistan face issues of viability and journalists are continually at risk of losing their jobs.

The big picture of the media sector in Afghanistan and journalists in particular, is that both face multi-faceted and multi-layered challenges ranging from terrorism, instability and insecurity, to shrinking and unstable media outlets and an overall lack of commitment by the government to support the right to access information. Despite this, a vibrant media community in Afghanistan continues to carry out the duty of informing the public, albeit at great personal risk.