



Unveiling the Shadows: An In-depth Analysis into the Barriers and Breakthroughs of Information Access in Afghanistan

By:

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A. INTRODUCTION

In 2014, the Afghan government took a landmark step by enacting the Access to Information Law, aiming to enhance transparency and improve public access to governmental information. The law specified several key provisions:

- It enshrined the right of Afghan citizens to request and obtain information from governmental bodies, albeit with certain caveats, such as concerns related to national security.
- Government institutions were mandated to actively disclose particular types of information—ranging from budgets to policies and procedures—to make them readily available to the public.
- The legislation detailed the mechanisms by which citizens could submit information requests, including specific time frames within which government agencies must respond.

Moreover, an independent watchdog, the Access to Information Commission, was established to oversee and ensure compliance with the law.

Following its implementation, the law provided a robust legal framework that bolstered the operations of media organizations and journalists. While these groups were the most frequent beneficiaries of the legislation, its full potential was hampered by systemic corruption and its insufficient integration into the social fabric. Even until the waning days of the previous regime, the law was not as effective as intended. Nonetheless, when questions surrounding the lack of information access arose, this law served as a foundational point of reference that necessitated adherence.

In the wake of the collapse of Afghanistan's republican system, the Access to Information Law—a cornerstone of legal support for journalists and media outlets—found itself suspended, a fate shared by many other laws in the country. Since then, under the two-year rule of the Islamic Emirate, the vacuum left by the absence of this pivotal legislation has bred a litany of challenges, obstructing the free flow of information. This void has not only hampered investigative journalism but has also been a major driving force behind the cessation of media publications across Afghanistan. The lack of a legal framework has heightened concerns over transparency and the public's right to know, leaving journalists in a precarious state and crippling an already fragile democratic infrastructure.

In this in-depth analysis, we aim to scrutinize the current landscape of access to information in Afghanistan, with a special focus on the challenges and opportunities facing the media sector.

Key Findings

1. **Exodus of International Media:** Following the rise of the Islamic Emirate in Afghanistan, international media giants like the BBC and Radio Free Europe/Radio Liberty have ceased their operations in the country. This has left a significant information gap and put global media at a disadvantage compared to domestic organizations.
2. **Constraints on Domestic Journalists:** Even as Afghan journalists try to fill the void, they face severe restrictions, including limited access to government information, fear of retribution, and selective engagement from officials. Many reporters are operating in an increasingly hostile and opaque environment.
3. **Impediments to International Correspondents:** International journalists have noted linguistic barriers, non-cooperation from officials, and limitations on access to sources as significant challenges. These challenges restrict their ability to maintain a balanced narrative, often causing tensions between foreign media outlets and the Islamic Emirate.
4. **Deteriorating Information Access Infrastructure:** Prominent organizations advocating for media freedom, like the Afghanistan National Journalists and Correspondents Union (ANJCU) and NAI, are raising concerns about the lack of a comprehensive legal framework for media operations and the suspension of existing access-to-information laws.
5. **Female Journalists:** Gender discrimination limits the professional reach of female journalists and has led to job losses for a substantial percentage (73%). Female journalists also face gender discrimination while gathering information from governmental bodies, with a majority (48%) asserting its pervasive existence.
6. **Government Initiatives:** Government insiders from the Islamic Emirate claim that both the Mass Media Law and the Law for Access to Information are under review for approval. They state that the Media Regulatory Commission is operational and working to address challenges, although no final decisions have been made public yet.

Research Methodology:

This comprehensive report draws on a diverse pool of 433 contributors, encompassing both male (390) and female journalists (43), leaders from domestic media outlets from 34 provinces, as well as national and international media organizations operating beyond the country's borders. Additionally, stakeholders from institutions that support media and journalism, international organizations, and officials from the Islamic Emirate of Afghanistan have lent their perspectives. Data for this analysis was meticulously gathered through structured interviews, guided by questionnaires, conducted across various regions of Afghanistan.

✓ Key Informant Interviews

For this study, we've conducted in-depth interviews with all contributing parties, ranging from stakeholders to field experts. This approach has proven invaluable, allowing us unparalleled

access to the nuanced insights of those directly involved in the issue at hand. Consequently, this methodology has yielded noteworthy findings that enrich the overall scope of our research.

✓ Desk Research

Conducted by the Afghanistan National Journalists Union-ANJU, our comprehensive desk research has employed meticulous methodologies to assemble a wealth of data and statistics. Our methodology involved a systematic examination of various primary and secondary sources, including both print and online materials. By meticulously reviewing academic publications, government reports, media articles, and official documents, this research forms an indispensable foundation. It not only offers a historical lens on the topic but also critically delineates the ebb and flow of access to information in Afghanistan."

B. Current Landscape

As Afghanistan grapples with seismic shifts following the dissolution of the republic and the rise of the Islamic Emirate, its legal framework, including foundational laws like the national constitution and the Access to Information Law, has been left hanging in the balance. Two years into governance by the Taliban, the operational status of these laws remains disconcertingly nebulous, marred by inaction and official apathy. Promises from authorities about the reinvigoration of the Access to Information Law and the setup of its regulatory commission have proven to be mere rhetoric, leaving the public, especially journalists and media organizations, in a state of limbo.

This dire absence of a formal legal pathway for information sharing has put journalists and media houses in a precarious position, forced to operate in an environment lacking transparency and accountability. This situation exacerbates the already formidable challenges of reporting in a nation undergoing complex political transitions.

In an effort to illuminate this critical issue, we've compiled viewpoints from a range of informed and influential figures—academics, legal experts, veteran and young journalists among them. By doing so, we aspire to provide a comprehensive snapshot of the state of information accessibility in Afghanistan today. It is our fervent hope that this will serve as a call to action for both national and international organizations, prompting them to intensify their work in resolving the many obstacles that impede the free flow of information in this beleaguered nation.

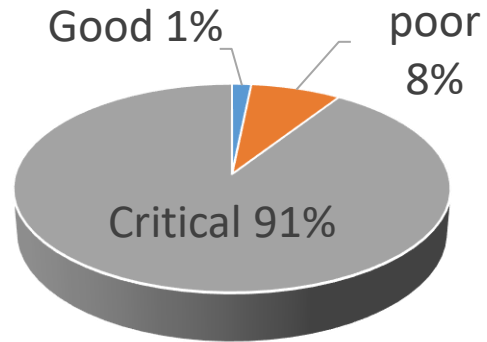
I. The Afghan Media Landscape: Journalists Weigh in on Access to Information

In an extensive inquiry involving 433 active journalists (390 male and 43 female) spanning Afghanistan's 34 provinces¹, we delved into their insights on the pressing issue of information

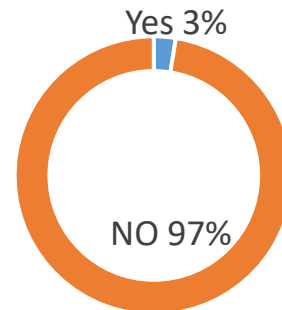
¹ Based on recent information collected by ANJU, currently, there are 1,960 active journalists in the country, with 1,764 male journalists and 196 of them being female journalists working in the media industry within Afghanistan.

accessibility. Their nuanced perspectives offer a window into the current complexities and challenges facing the Afghan media sector:

Journalists have assessed the state of information access in Afghanistan as dire and critical, covering a two-year span from August 15, 2021, to September 5, 2023. Of the 433 journalists polled across Afghanistan's 34 provinces, a meager seven (or 1%) viewed the situation favorably. On the other end of the spectrum, 33 journalists (or 8%) rated conditions as poor, while a staggering 393—an overwhelming majority—described the landscape as nothing short of critical².



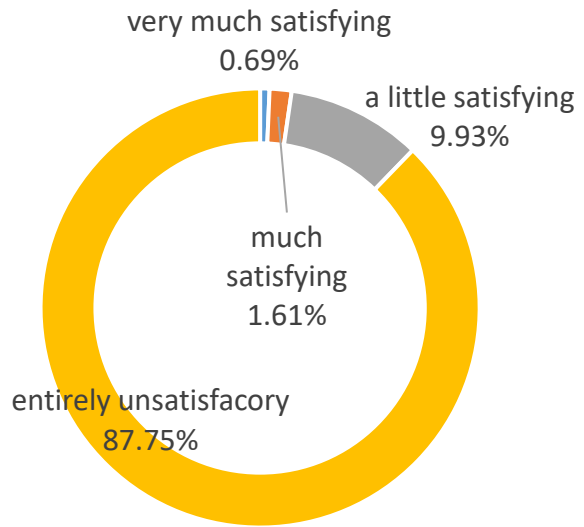
When queried about the government's stance on treating the right to access information as an inherent civil liberty, the response among journalists was almost unanimous in its skepticism. Of the 433 media professionals (390 male and 43 female) polled across the country, a scant 11 believed that the government acknowledges this critical right. Meanwhile, a staggering 422 journalists voiced a resounding 'no,' casting a long shadow over the government's purported commitment to transparency and openness.



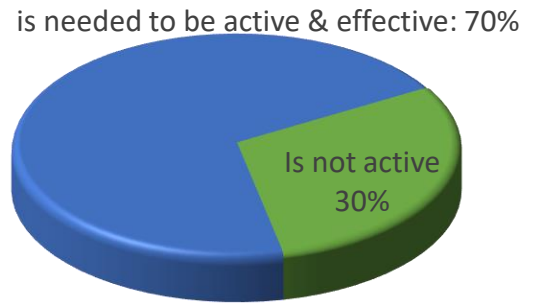
When evaluating their interactions with governmental spokespeople and the subsequent provision of information, the collective sentiment among journalists is less than optimistic. Of the 433 surveyed media professionals, a scant three (0.69%) labeled their experiences as 'highly satisfactory.' Seven (1.61%) found the engagement to be 'much satisfying,' while 43 (9.93%)

² The word "critical" here, suggests a situation that is extremely problematic and in urgent need of attention. It implies that conditions for journalists in Afghanistan are not just challenging but are alarmingly poor, to the extent that immediate action is necessary.

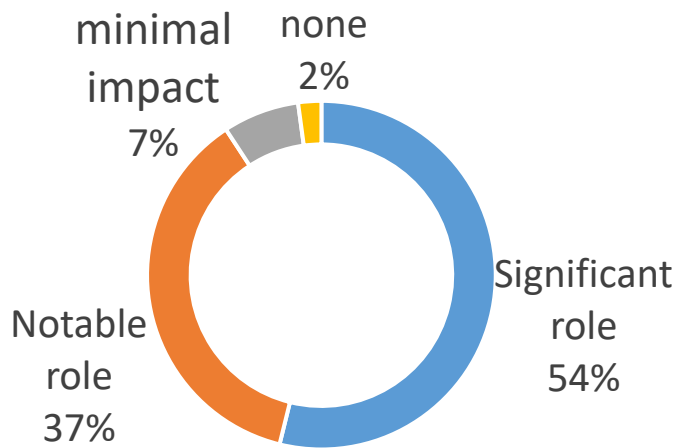
termed it 'a little satisfying'
Alarming, an overwhelming 380
journalists (87.75%) reported their
encounters as 'entirely unsatisfactory.'



Amid sweeping inquiries, a glaring consensus emerges: the Access to Information Commission is glaringly absent on the ground. Surveying 433 journalists spanning Afghanistan's 34 provinces, not a single respondent affirmed the commission's operational status in their respective regions. The unanimity underscores a troubling vacuum in information governance, with an overwhelming majority advocating for the urgent re-establishment of the commission.

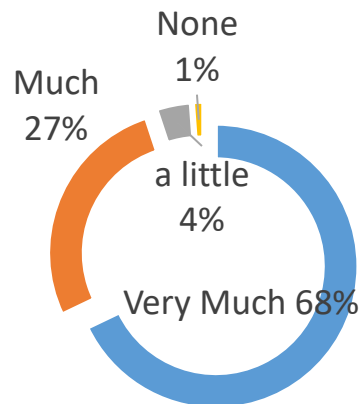


In assessing the extent to which restricted access to information impacts the cessation of media publications, the journalists' perspectives were strikingly clear. Among the survey participants, 251 journalists (or 54% of respondents) contended that the limitation plays an overwhelmingly significant role. Another 172 journalists (37%) believed it plays a notable role, while 33 journalists considered its

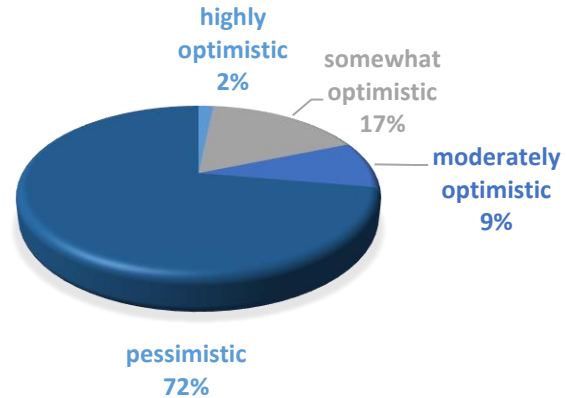


impact to be minimal. A scant group of 10 respondents indicated that restricted information access bears no influence on the halt of media publications.

When seeking the opinions of journalists on the need for the re-implementation of the Access to Information Law, the sentiment among survey participants is notably positive. A significant number of respondents, specifically 294 individuals, expressed strong optimism, indicating they were "very much" hopeful for the law's revival. Additionally, 117 participants conveyed a substantial level of hope, choosing "much" as their response. In contrast, a limited number of respondents, just 17 individuals, expressed minimal optimism, opting for "a little" in their assessment of the law's potential future enforcement.



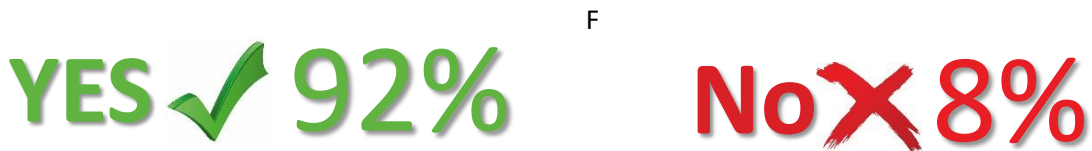
Regarding the Taliban's stance on reinstating the Access to Information Law and its governing commission, a sweeping majority of the 433 surveyed journalists express little to no optimism about the prospects of such reforms.



In the course of their news-gathering efforts, journalists have encountered a slew of obstacles. Topping the list of challenges, as cited by survey participants, are hostile interactions and a pronounced lack of access to critical information.

Is there a gender-based disparity in the access to information from governmental institutions among male and female journalists?

Among the 433 respondents (390 male and 43 female), 397 journalists chose 'yes,' while 36 journalists chose 'no.'



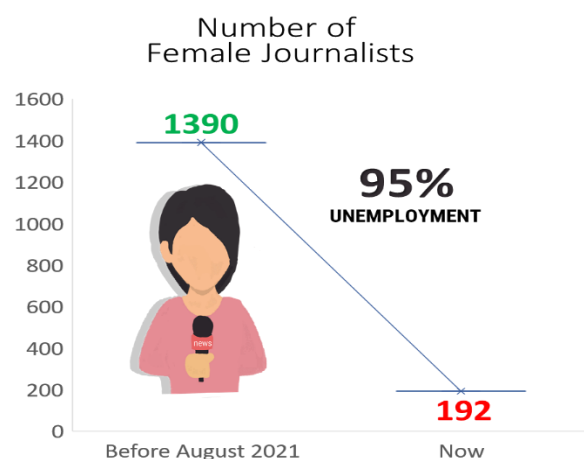
The landscape of information access for journalists across Afghanistan paints a bleak picture. Unfettered access to information is pivotal for fostering a society where free information flow can help eradicate corruption, enhance government accountability, and solidify democratic governance, as well as ensure that the population can receive access to humanitarian information. In this challenging environment, media organizations find themselves handicapped, unable to execute their journalistic responsibilities to the fullest. The gaping void in information accessibility is not merely an operational hurdle; it's precipitating a crisis of credibility for media outlets across the country. This vacuum doesn't just stymie in-depth reporting; it erodes public trust, gnawing away at the media's standing within the community. In a self-perpetuating cycle, the scarcity of reliable information is accelerating the decline of media publications, leading to their ultimate cessation. For the journalists on the front lines, the consequences are dire. Stripped of the essential tools for rigorous reporting, they find themselves stymied, unable to delve into the multifaceted issues that demand their attention.

Based on a report published by ANJU on September 25th, 2022, Afghanistan's media landscape has undergone a significant transformation, with one of the primary reasons for closures and challenges being the lack of Access to Information. Prior to August 2021, the country boasted a thriving media sector with 579 active outlets, encompassing 90 print publications, 36 news agencies, 150 TV stations, and 303 radio stations. However, a recent poll conducted by ANJU, 17 months after the aforementioned date, reveals a stark shift. By the close of 2022, nearly 48% of media organizations in Afghanistan have ceased operations. Presently, the country hosts 303 media outlets, comprising 75 TV stations, 202 radio stations, 9 news agencies, and 6 print magazines. This dramatic decline underscores the challenging environment that media in Afghanistan has faced in recent times, aggravated by the persistent lack of access to critical information.

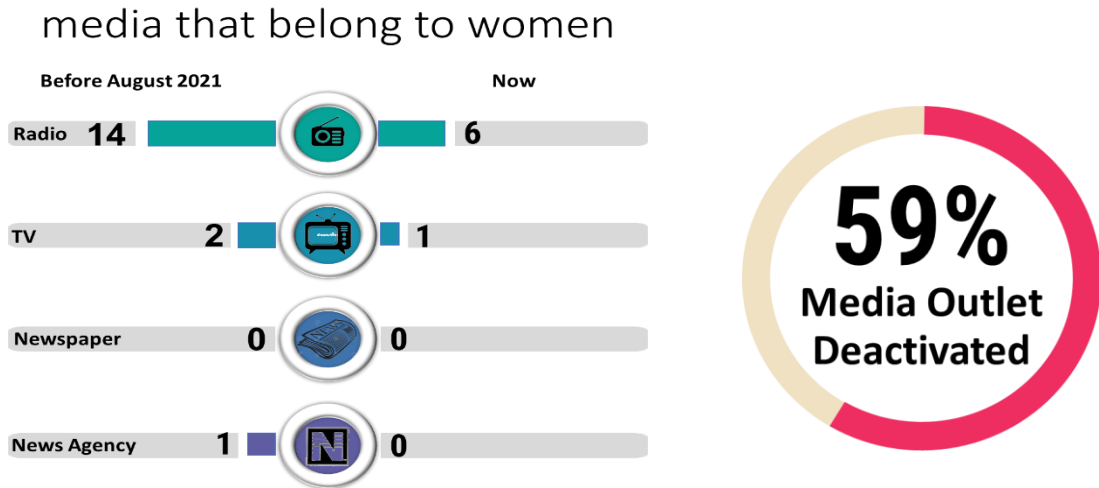
As a result, the stories that are most critical to public understanding often go untold, leaving a vacuum filled by misinformation and propaganda. The stakes are incredibly high. Without robust media scrutiny, government actions remain unchecked, and the public is deprived of the essential knowledge they need to make informed decisions. This bleak scenario has not just crippled the media as the fourth pillar of a state, but it has also set the stage for a more insidious erosion of democratic principles. The lack of access to credible information represents a betrayal of the public trust, undermining the media's role as a watchdog and guardian of democracy. In Afghanistan, where the democratic institutions are already on fragile ground, this constitutes a real threat to the future stability and governance of the country.

II. Through Her Lens: The Untold Perspectives of Female Journalists in Afghanistan

Prior to August 2021, there were roughly 1,390 women working as journalists in Afghanistan's media landscape. However, a recent survey conducted by The Afghanistan National Journalists' Union – ANJU reveals that the number has significantly decreased, with only about 192 female journalists currently engaged in media activities. Shockingly, the statistics indicate that a staggering 95% of women have been forced to relinquish their media jobs in Afghan media.

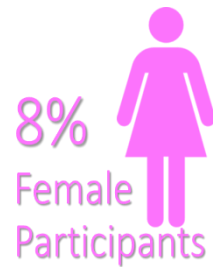


Prior to August 2021, Afghanistan had 17 media outlets including 14 Radio, one tv with one news agency that exclusively served women, including radio and television stations as well as a news agency. However, since the Taliban took over more than a year ago, only 8 of these outlets remain active, while 10 media outlets including eight radio, one tv with one news agency have become inactive. This amounts to a staggering 59% of women's media outlets that have been inactive for over a year. The majority of officials associated with these closed outlets and their employees have fled the country.

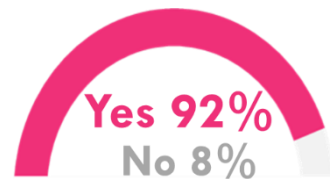


In this survey, which garnered responses from 433 participants, a distinct subset of 34 female journalists weighed in, offering invaluable insights into the complexities of information access as experienced by women in the Afghan media landscape.

Question: In the wake of the Islamic Emirate regime's ascendance in Afghanistan over the past two years, have you encountered gender-based discrimination in your role as a female journalist while collecting information?

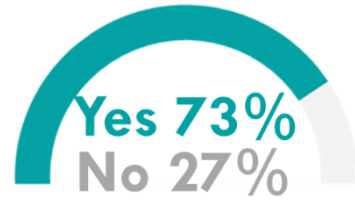


In a striking revelation, 92% of interviewed female journalists affirm experiencing gender-based discrimination in their work, while a mere 8% say they haven't. This underscores the pervasive issue of gender inequality within the journalistic landscape.

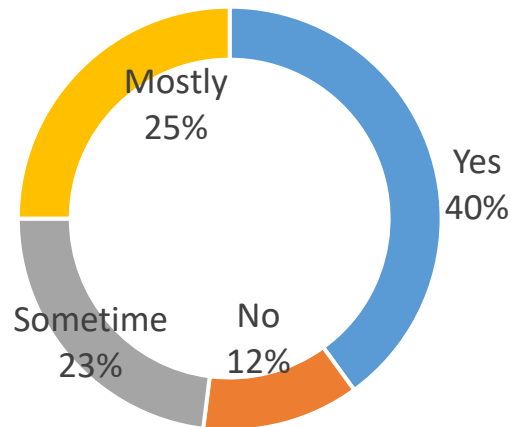


Question: Has Institutional Gender Bias Curtailed the Professional Reach of Female Journalists, Resulting in Job Losses?

In response to the pressing question, a substantial 73% of female journalists affirm that gender discrimination by governmental institutions has limited their professional activities and led to job loss. In contrast, a smaller contingent of 27% believe that such discrimination has had no bearing on their careers.



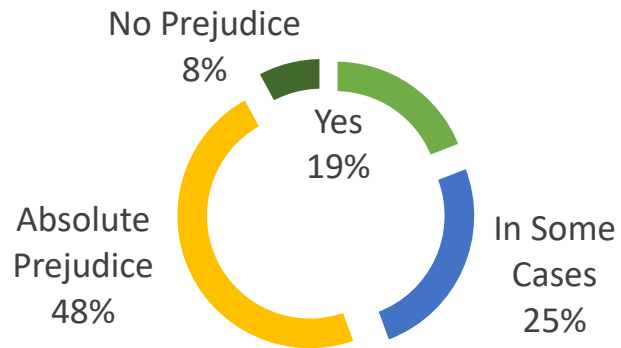
Question: Have you faced accusations of underperforming at your job due to restricted access to information, as determined by your supervisor or the governing body of the media organization you work for?



Question: Have you observed gender discrimination in gathering information from governmental bodies between male and female journalists?

- 19% of respondents (12 individuals) confirmed they have witnessed gender-based discrepancies.
- 25% (16 people) stated that such discrimination exists, but only in specific instances.
- A compelling 48% (30 respondents) assert there is pervasive gender discrimination.

- Only 8% (5 respondents) claim no such discrimination exists.



In a journalistic landscape already fraught with challenges, female reporters in Afghanistan face an additional, insidious obstacle: gender discrimination. This isn't merely a social or cultural issue; it's a barrier to vital information, severely hampering their ability to do their jobs effectively. The lack of access to critical data isn't just an inconvenience for these journalists; it has put their very careers on the line. Media executives, cautious about the perceived limitations of female reporters, are increasingly opting to cut them loose, exacerbating an already significant gender gap in the field.

This widening divide not only limits the scope and depth of news coverage but also perpetuates an imbalanced narrative. The absence of female voices leads to a lack of diverse perspectives, a crucial component in the democratic role of media. As more female journalists find their careers prematurely truncated, the media industry as a whole suffers, becoming an echo chamber that fails to represent the full spectrum of experiences and viewpoints in Afghan society.

In shedding light on the issue, , a seasoned reporter for one of the country's leading news outlets, recounts a telling experience: "I had scheduled an interview with a government official for an in-depth report. However, the moment they saw I was a woman, the interview was abruptly canceled. They stated outright that they don't engage in interviews with female journalists."

Another female voice in the realm of journalism, articulates the challenges succinctly: "Reportage involving women is an uphill battle. The mere visibility of a woman's face in a broadcast clip is an almost insurmountable hurdle. Even when we manage to secure their masked appearances on camera, these women endure hours under uncomfortable, suffocating face coverings. Moreover, when it comes to broaching topics of women's rights with officials from the Islamic Emirate, we encounter resistance and outright refusals to engage. It's a stark reminder of the deep-rooted gender discrimination that permeates our society."

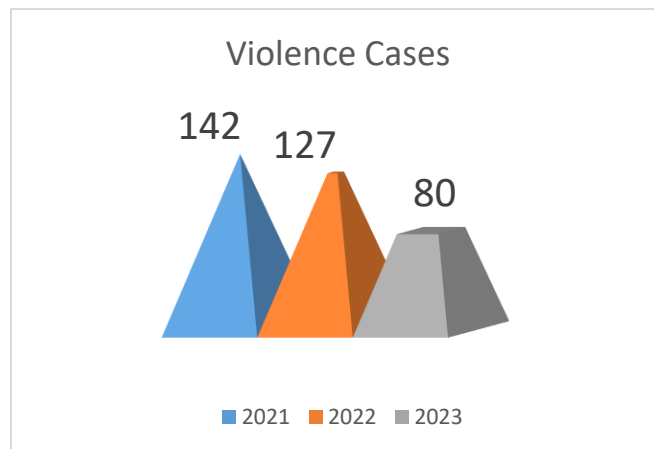
The Nai, supporting Afghanistan Open Media Organization, has issued a stark warning regarding the current state of information access under the caretaker government. They highlight that not only has the Access to Information Law been set aside, but the commission responsible for

enforcing it has also been dissolved. These developments, according to the NAI, are causing alarm within the journalistic community. They stress that unhindered access to information is not just an organizational requirement but a fundamental civic right that demands immediate attention.³

The Afghanistan National Journalists and Correspondents Union-ANJCU paints a bleak picture of information access in Afghanistan, citing the absence of enforceable legislation as a key factor stifling journalists' ability to obtain essential information. They stress that a robust legal framework is the sole solution to address these challenges. If the current situation persists, it may obstruct the flow of information to the public, ultimately depriving people of their rightful access to crucial information⁴.

III. Frontlines of Fear: Violence and Info-Access in Afghan Journalism

From August 15, 2021, to August 2023, Afghanistan has been the backdrop for a staggering 349 instances of violence directed at journalists. The incidents span a chilling range: from cold-blooded murder and arbitrary detention to beatings, public humiliation, imprisonment, and the calculated sabotage of professional equipment. The timeline of these attacks is equally concerning. The year following August 15, 2021, saw 142 cases alone. The violence slightly dipped but persisted in 2022, with 127 documented incidents. In just the first eight months of 2023, the tally has already reached 80, underscoring an unabated risk that hangs ominously over the nation's press corps.



The rise in violent incidents against journalists from August 2021 to August 2023 paints a grim picture of the challenges facing the media landscape in Afghanistan. This surge in violence not only threatens the safety of journalists but also poses a risk to the free flow of information and the very essence of democratic values in the country. In the face of escalating threats, beatings, imprisonment, and even killings, journalists are increasingly resorting to self-censorship. This not only cripples their ability to perform their duties but also undermines the integrity of media coverage in Afghanistan as a whole. The detailed breakdown of incidents, including 142 cases in the remainder of 2021, 127 in 2022, and 80 up to the end of August 2023, signals an unrelenting crisis. In this hostile environment, local and international organizations must make the protection of journalists a top priority. Failing to do so could have catastrophic implications for both the state of journalism and the democratic institutions that rely on a free press.

³ Interview conducted with Chief of Nai, supporting Afghanistan Open Media Organization

⁴ Interview conducted with Chief of The Afghanistan National Journalists and Correspondents Union-ANJCU

The overwhelming majority of violence against journalists, 81%, have been attributed to the Taliban, with the remaining incidents shrouded in the anonymity of unidentified individuals and groups.

Of the 349 reported cases of violence over the last year, a staggering 76% were directly linked to efforts to obtain or access information.

A journalists and media expert, commenting on the current landscape, underscores that while there are glimmers of hope in terms of information access, significant hurdles persist. "There's a legal vacuum—no law that governs access to information, effectively hamstringing journalistic activities. This problem comes into sharp focus particularly during security-related incidents. Journalists, eager to provide real-time coverage, often find themselves confronting hostile military personnel. In one egregious instance, I was investigating a child kidnapping case when I was assaulted and incarcerated by intelligence agents from the Islamic Emirate. I languished behind bars for days without a justifiable reason, finally securing my release through intense negotiations with media supervisors. Not only did they unlawfully detain me, but they also destroyed all my prepared documents."

A female journalist in Afghanistan, shares a harrowing experience: "I was on assignment in Kabul's third security district when agents from the Islamic Emirate's intelligence service detained me. They escorted me to the local command center, subjecting me to insults and humiliation along the way. Once there, I was met with a torrent of aggressive and demeaning conduct from the officials. In a final act of suppression, they forcibly erased all my recorded footage."

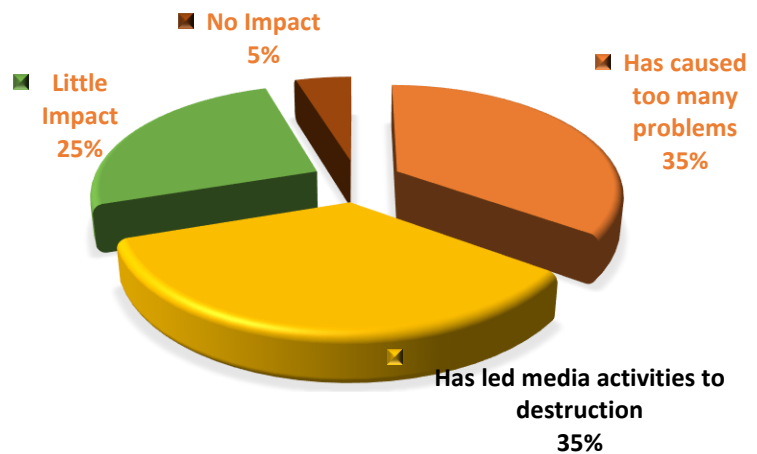
IV. Perspectives from Media Executives Shaping Afghanistan's Information Landscape

In this comprehensive report, we've spoken to 63 senior media representatives (all male) in Afghanistan's media landscape, garnering critical insights into the pressing issues at hand. The data gleaned from these incisive conversations yielded the following noteworthy findings:

Question: How has the media landscape been impacted by restricted access to information?

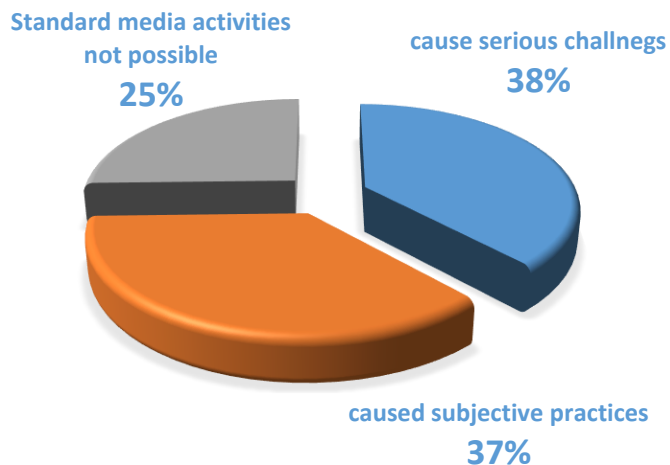
- A striking 22 respondents (34.9%) point to a serious impediment in their journalistic endeavors due to these constraints.
- Equally alarming, another 22 insiders (34.9%) assert that the limited flow of information has set the industry on a course toward disintegration.

- On a more optimistic note, 16 respondents (25.4%) believe that the impact has been relatively minimal.
- A scant 3 individuals (4.8%) contend that the limitation on information access has had no discernable effect on their work.



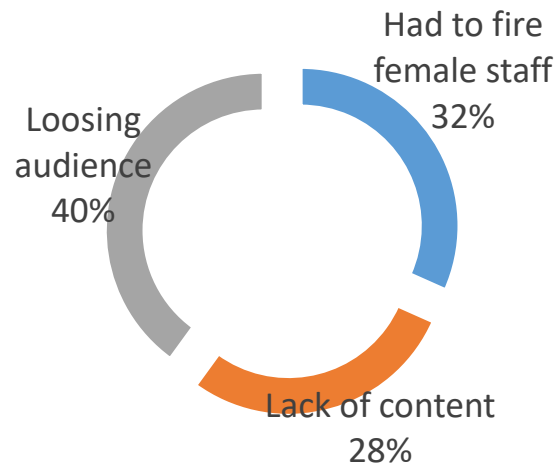
Question: How significantly has the absence of protective legislation, particularly laws governing access to information, impacted media organizations?

- A significant 38% of respondents, totaling 24 individuals, indicated that the lack of such laws has severely hampered the operations of media institutions.
- Almost as many, 37% or 23 individuals, stated that the legal void has given rise to arbitrary and subjective practices.
- An additional 25% or 16 respondents expressed that without formal legislation on access to information, standardized media activities are virtually untenable.



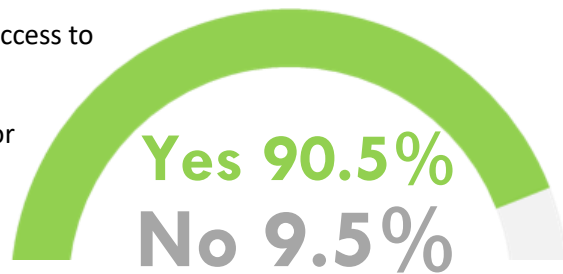
Question: How has gender discrimination in the media, particularly regarding access to information, impacted your operations?

- A telling 30.1% (19 respondents) reveal they've been compelled to lay off female staff due to these challenges.
- Another 26.9% (17 respondents) admit that the issue has impeded the completion of their news stories.
- A significant 38% (24 respondents) concede they have lost audience engagement as a result of this gender-based disparity in access to information.
- Remarkably, 0% of those surveyed claimed to be unaffected by these challenges.



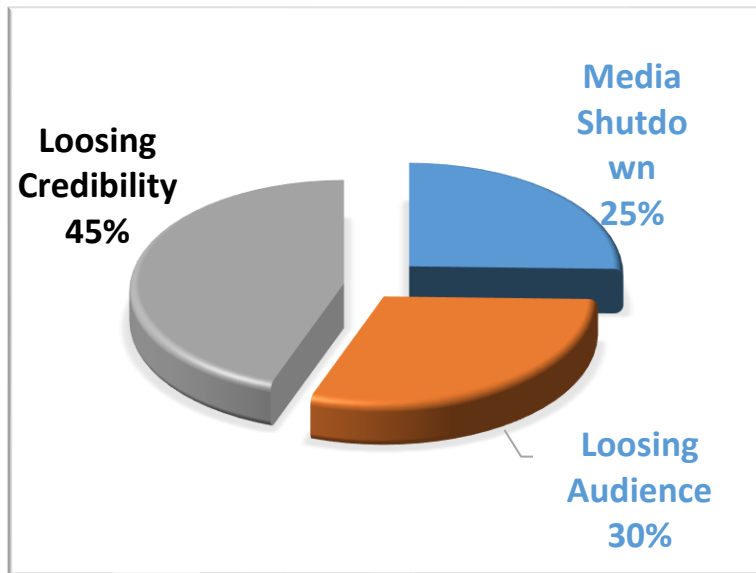
Question: Has There Been Any Improvement in Access to Information Over the Last Two Years?

- A mere 6 respondents, accounting for approximately 9.5% of those surveyed, noted improvements in the landscape of information accessibility.
- A staggering 57 participants, making up a significant 90.5% of the sample, reported no such advancements.



Question: In the Absence of an Information Access Law, What is Your Outlook for the Future of Media?

- 16 respondents, representing 25% of those surveyed, warn that the absence of such a law would force media organizations to shut down.
- 19 respondents, or 30%, anticipate that it would result in losing their audience.
- Alarming, 28 respondents — a full 45% — fear that this legal void could erode the public's trust in domestic media outlets.



V. Exploring the Viewpoint of International and Out of the Border Media Correspondents: A Global Perspective on News Reporting

"In the Wake of the Islamic Emirate's Ascendancy: International Media Outlets Retreat from Afghanistan amid Mounting Restrictions"

Following the collapse of the Afghan Republic and the subsequent rise of the Islamic Emirate, numerous international media organizations have suspended their operations within the nation due to increasingly stringent constraints. Notably, the BBC has halted its Afghan broadcasts after an 86-year run, while Radio Free Europe/Radio Liberty (also known as Radio Azadi) ceased its operations after more than two decades. This exodus has left a void, as many of these global media giants no longer maintain permanent correspondents in Afghanistan. Filling the information gap, Afghan journalists have stepped up to power cross-border media, navigating a complex landscape of heightened restrictions. While these international media platforms openly tackle issues that conflict with the Islamic Emirate's defined beliefs and values, their correspondents are consequently barred from physical presence within Afghanistan. This prohibition sets them at a distinct disadvantage compared to domestic media organizations, especially in terms of access to crucial information. Often, this informational void generates tensions between the foreign media outlets and the Islamic Emirate, with journalists invariably facing the most significant repercussions.

In this context, we've garnered insights through exclusive interviews with leading correspondents and media executives from international and cross-border outlets⁵;

⁵ We have obtained consent from the journalists to include their names in the report, with the condition that the report will not be published and will be used solely for internal purposes.

A seasoned correspondent for the BBC, articulates the media landscape's complexities in Afghanistan: "Faced with an array of restrictions, we found ourselves with no option but to suspend our operations. The absence of our correspondents on the ground compounds our challenges, particularly when it comes to information access. Additionally, high-ranking officials and spokespeople from the Islamic Emirate often respond to our queries in Pashto, further complicating our comprehension and reporting. This hinders our ability to collect information accurately and maintain a balanced narrative. Moreover, these officials selectively engage, choosing to respond only to questions that align with their interests, while conveniently ignoring others."

A reporter of Radio Free Europe/Radio Liberty (Radio Azadi) elucidates the predicaments of reporting in the current Afghan milieu: "Accessing sources on the ground is a significant hurdle, mainly due to fears of retribution from the Islamic Emirate's intelligence services. When we do find individuals willing to speak, they invariably request stringent anonymity, adding yet another layer of complexity to our reporting. Often, our repeated outreach to Islamic Emirate officials and spokespeople goes unanswered, compelling us to glean information from the social media accounts of those affiliated with the regime."

A journalist of Afghanistan International Television delves into the complexities of media access within the nation: "Information access is tightly restricted. While domestic media outlets already face formidable barriers in this regard, international media outlets confront even more insurmountable obstacles. In the current climate, the citizenry serves as the sole resource for foreign media outlets. Yet even they share insights into unfolding events and ongoing conditions with palpable caution."

A correspondent for a media outlet operating outside of the country, sheds light on the precarious nature of journalism in the current Afghan context: "Street interviews by journalists are often subject to interference. Should any comments critical of the Islamic Emirate emerge in these interviews, publication is outright prohibited. This serves as a glaring example of the constraints on information access. As for international media, they face a starkly hostile environment. Their operations are essentially forbidden in Afghanistan, rendering the discussion of information access moot."

Simultaneously, international media outlets under the stewardship of Afghan journalists find themselves barred from operating within Afghanistan's borders.

In a candid interview, a high-ranking journalist from a media entity operating from abroad, reveals a stark reality: access to vital information in Afghanistan has been dramatically curtailed. Citing the Finance Ministry of the Islamic Emirate as a case in point, he laments that not only is internal budgetary data conspicuously absent, but efforts to penetrate this informational void have also proven futile.

He highlights the systemic discrimination in disseminating information to international outlets, underscoring the dual standards and formidable obstacles that plague information gathering within Afghanistan's media landscape.

VI. Navigating the Tightrope: Insights from Organizations Championing Media Freedom in a Restrictive Landscape

A member of the Afghanistan National Journalists and Correspondents Union-ANJCU, paints a grim picture of the current state of information access in Afghanistan. He attributes this troubling landscape to the absence of enforceable legislation, noting that subjective behavior from various quarters is stifling journalists' ability to secure vital information.

He emphasizes that a comprehensive legal framework is the only solution to address these issues. If the current status quo persists, with its challenges in the information dissemination system for journalists, it may impede the flow of information to the public, denying people their rightful access to information.

An employee of the NAI- Supporting Afghanistan Open Media Organization, has issued a stern warning about the dire state of information access under the current caretaker government. "Not only has the Access to Information Law been shelved, but the commission responsible for overseeing its application has also been disbanded," he reveals. These developments, Karimi emphasizes, are ringing alarm bells across the journalistic landscape. He insists that unrestricted access to information is not merely an organizational necessity but a fundamental civic right that merits immediate attention.

The current climate for journalistic work in Afghanistan appears increasingly grim, marked by a near-impenetrable opacity when it comes to accessing vital information.

It's clear that these experts view the situation as a crisis not only for journalists but for civil society as a whole. With legal frameworks either absent or suspended, the de facto authorities have effectively put up walls around critical information. This environment not only undermines journalistic integrity but also poses a significant threat to the democratic ideals of open society. Access to information, , is a fundamental civic right, and its erosion could have far-reaching implications, beyond the newsrooms to the very fabric of Afghan society. The interviewees call for immediate action, recognizing that the current status quo, if left unchecked, threatens to shut down the vital channels of public information.

VII. Afghanistan's Access to Information: A National and Global Perspective

Before August 15, 2021, Afghanistan's dedication to the right to information garnered global recognition, as per the Global Right to Information Rating (GRIR). The country's constitutional and legislative safeguards in this regard were hailed among the strongest worldwide. The Afghani RTI Law, introduced in 2018, further fortified these protections by building upon a constitutional foundation. This legislation boasted an impressively wide-ranging scope, encompassing

requestors, public authorities, and the information itself, while adhering to international standards with only minor exceptions⁶.

Previously, Afghanistan had taken strides in access to information, as the GRIR ranked the country at 63 based on its Access to Information Law, which took effect in December 2014. This placed Afghanistan on par with countries like Switzerland and ahead of others, including Portugal, Spain, Turkey, and Pakistan, underlining its commitment to transparency⁷.

However, between August 2021 and August 2022, the dynamics shifted. Following the Fall of Kabul, the de facto administration merged the Access to Information Commission into the Ministry of Information & Culture. Early in 2022, the administration announced plans to amend the access to information law. During this period, the focus on access to information leaned toward the media's ability to obtain information from government officials, a realm not explicitly covered by the access to information law. The primary objectives of the law—to establish a legislative and institutional framework, mandate information release by government agencies, and create an independent oversight commission—were overshadowed. While the de facto administration disseminated information through press conferences and press releases, it fell short of full transparency requirements stipulated by the law. The merger of the Access to Information Commission with the Ministry of Information and Culture raised concerns about its independence. Although organizations, especially those advocating for journalists' rights, reported on access to information issues during this period, broader access initiatives faced limitations⁸.

According to a survey conducted by ANJU (Afghanistan National Journalists' Union) on access to information, the situation has witnessed a decline since August 15, 2021. Despite optimistic assurances and commitments from the de facto authorities, tangible improvements in this regard have been notably lacking on the ground.

VIII. Government Insiders Weigh In: The Current State of Information Access in Afghanistan

An Exclusive Interview with Muhajir Farahi, Deputy Minister for Publications at the Islamic Emirate's Ministry of Information and Culture, Sheds Light on the Challenges of Information Access;

Mr. Farahi said: "The Ministry of Information and Culture has drafted both the Mass Media Law and the Law for Access to Information, which are currently under leadership review for approval. We are eager for a prompt response, given the backlog of tasks and issues awaiting the leadership's attention."

⁶ Global Right to Information Rating (2015), available from: <http://www.rti-rating.org/country-data>

⁷ Afghanistan Public Policy Research Organization (APPRO) (2015), available from: <https://www.acbar.org/upload/149423827875.pdf>

⁸ Kabul Research Services, Policy Brief: Access to Information in Afghanistan from August 2021 to August 2022 available from: <https://kabulresearch.ca/project/policy-brief-access-to-information-in-afghanistan-from-august-2021-to-august-2022/>

"To ensure structured access to information for our media outlets, the Ministry of Culture and Information has conducted regular meetings with spokespersons from both cabinet ministries and provincial governorships. During these meetings, we've emphasized the crucial role media plays in the country and underscored their need for reliable information" he added.

"The Media Regulatory Commission is fully operational and maintains a regular schedule of meetings and activities. It's worth noting that they've achieved several key milestones: serving as mediators in disputes between various media organizations and holding regular consultations with outlets that there were complaints against."

Mr. Farahi said: "The Directorate for Access to Information is fully functional and actively working to address challenges media organizations face in obtaining information. Media outlets are encouraged to reach out to the Directorate to report any entities that are not being cooperative in information sharing. The Directorate will then engage with those uncooperative entities to resolve the issue."

Zabihullah Mujahid, the spokesperson for the Islamic Emirate, has announced that work on the country's new media law is nearing completion, with 80% of the drafting process already finished. According to Mujahid, the law is expected to receive official approval and be made public in the near future. He also noted that the Media Regulatory Commission, currently operating under the Ministry of Culture and Information, will be better positioned to fulfill its functions once the new law is enacted.

C. Recommendations

1. **Urgent Legislation and Enforcement:** The Afghan government should prioritize the swift approval and enforcement of the Access to Information Law, providing a legal framework for journalists and citizens to access government-held information. This law should also establish an independent commission to oversee its implementation.
2. **International Support:** The international community, including organizations like the United Nations and NGOs, should actively engage with Afghan media organizations and journalists to provide support, training, and resources aimed at strengthening media freedom and journalistic practices.
3. **Gender Equality and Inclusivity:** Efforts must be made to combat gender-based discrimination in the media industry, especially in terms of access to information. Female journalists should be supported, and initiatives promoting their participation and safety in journalism should be encouraged.
4. **Protection of Journalists:** Given the alarming rise in violence against journalists, both domestic and international media organizations should collaborate with Afghan authorities to establish robust security measures, including training and protective mechanisms, to safeguard journalists working in Afghanistan.
5. **Media Literacy Programs:** Initiatives to enhance media literacy among the Afghan population should be developed. These programs should educate citizens about the

importance of a free press, critical thinking, and responsible consumption of news, fostering a more informed and engaged society.

6. **International Pressure:** The international community, including diplomatic channels, should exert pressure on the Afghan government and the Taliban to respect media freedom and the rights of journalists. This includes advocating for the safe and unhindered access of international media organizations to Afghanistan.

D. Conclusion

The unsettling transformation in Afghanistan's media landscape following the ascendancy of the Islamic Emirate poses a substantial crisis not just for journalism but for civil society as a whole. Our extensive investigative report, informed by interviews with media professionals both within and outside Afghanistan, as well as officials from the current regime, reveals a dire situation with potentially long-lasting repercussions.

From the self-imposed exile of global media giants like the BBC and Radio Free Europe/Radio Liberty to the growing complexities and challenges faced by local Afghan journalists, the information void is palpable. While domestic reporters strive to fill this gap, they do so under an increasingly oppressive regime that has neither the legislative framework nor the apparent will to safeguard a free press. As interviewees from the BBC and from Radio Free Europe/Radio Liberty elaborated, international correspondents find themselves barred from the ground, wrestling with an array of linguistic, cultural, and bureaucratic barriers that further stymie their reporting capabilities.

Contradictions within the government's approach are evident as well. Muhajir Farahi from the Ministry of Information and Culture speaks of drafted laws and functional directorates aimed at easing media's access to information. Still, this rings hollow against the backdrop of testimonials from journalists who underscore the absence of enforceable legislation and the disbandment of oversight bodies.

Our comparative analysis reveals that while Afghanistan has never been a utopia for press freedom, the current climate presents new lows, especially when juxtaposed with regional trends. Many nations in the area may grapple with media censorship and freedom issues, but the swift and radical shift in Afghanistan's policies and on-ground realities presents a uniquely alarming scenario.

The international response remains equally concerning. Despite vocal concerns and diplomatic channels being engaged, direct intervention to support media freedom in Afghanistan is conspicuously minimal. International bodies like the United Nations and NGOs, constrained by the Islamic Emirate's policies and broader geopolitical complexities, have had their roles reduced to mere advocacy and monitoring, severely limiting their scope for active intervention.

In summary, the state of media freedom in Afghanistan today threatens to impair not only journalistic integrity but the foundational elements of an open society. It places the Afghan citizenry in a precarious position of informational scarcity, amplifying the risks of misinformation

while marginalizing voices of dissent. Urgent and coordinated action, both from within Afghanistan and from the international community, is required to counter this disconcerting trend and reestablish media as a robust pillar of Afghan society.

THE END