

# Reporters Without Borders

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Asia - Afghanistan

Unlawful proceedings

## Attorney general's office issues illegal warrant for writer's arrest

5 February 2013

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Reporters Without Borders is very worried to learn that an arrest warrant was issued in Kabul on 30 January for **Partaw Naderi**, a well-known poet, writer and contributor to Afghan news media, in connection with a libel action by transport minister Davood Ali Najafi.

"We call for the arrest warrant's immediate withdrawal," Reporters Without Borders said. "According to the media law, the attorney general's office cannot initiate proceedings until requested by the commission for the verification of press offences. As the commission has not met and has not issued any request, the decision by the attorney general's office to issue a warrant is illegal."

The origins of the case go back to August 2011, when several Afghan media including *Tolo TV* and the newspaper [Mandegar](#) published a letter by two transport ministry officials accusing Najafi of involvement in corruption within the ministry and involvement in electoral fraud in 2009, when he was a member of the independent electoral commission.

The letter quoted Najafi as saying "It was me who had Karzai elected president," implicitly recognizing that there was massive fraud.

Naderi quoted from this letter in a May 2012 article for the newspaper [Araman Mili](#), describing the minister's comments as an insult to the democratic process and popular sovereignty.

Although granted the right to reply in the same newspaper, Najafi filed a lawsuit against Naderi over his article and, on 3 February, attorney general's office spokesman Bassair Azizi confirmed on Radio [Azadi](#) that a [warrant had been issued for Naderi's arrest](#).

Reached by Reporters Without Borders, Naderi said: "I wrote my article on the basis of information that had been published several months earlier in the country's news media."

The information ministry said the attorney general's official notified the verification commission of the complaint, and then of the arrest warrant. But information ministry public relations adviser Zaryalai Nawabi acknowledged that "the case was never discussed by the commission and the commission did not issue its opinion."

"A week after Afghanistan's marked rise in the [2013 Reporters Without Borders press freedom index](#) (up 22 places to 128th), above all because there are no longer any journalists in prison, the authorities must ensure that the media law is respected," Reporters Without Borders said.

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