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Middle East/North Africa - Tunisia

Sudden action

Regulator reacts quickly after dispute forces TV station off the air

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Reporters Without Borders hails yesterday's announcement by the [High Independent Authority for Broadcasting Communication](#) (HAICA) of measures to accelerate the allocation of broadcast licences. TV stations created since the revolution will now be able to legalize their status.

HAICA's announcement came three days after *Attounissiya TV* suddenly stopped broadcasting on the evening of 6 July as a result of a dispute between the owner of its broadcast frequency and the company responsible for producing its programmes.

"The abrupt suspension of broadcasting by *Attounissiya TV* forced HAICA to react quickly to an [institutional block](#) we have long been criticizing," Reporters Without Borders said. "HAICA has proposed a solution that reconciles freedom of information and respect for the law, demonstrating a concern to preserve media pluralism during the transition to democracy."

One of the parties to the contract dispute at *Attounissiya TV* is Cactus Prod, the production company, whose owner, [Sami Fehri](#), is currently in prison. He launched the station in October 2011. The other is Slim Riahi, a Tunisian politician and businessman who recently bought Rainbow Media Tunisia and who controls the satellite frequency that *Attounissiya TV* has been using.

Cactus Prod's lawyer, Abdelaziz Essid, has filed three complaints against Riahi, accusing him of breaking a contract without warning, using the station's logo, and making baseless accusations of fraud and embezzlement.

The station has meanwhile found a stopgap solution that will allow it to resume broadcasting in the short term. **Tahar Ben Hassine**, the head of another station, *Al Hiwar Ettounsi*, has promised to let *Attounissiya TV* use his frequency to broadcast special Ramadan programmes until assigned a new frequency.

Attounissiya TV never received a response to the request for a licence that it filed in 2001, when a regulatory body called the National Body for Information and Communication Reform (INRIC) was functioning. It was unable to renew its request in 2012 in the absence of any regulatory authority, so it chose to circumvent the legal obstacles by broadcasting by satellite on Nilesat.

Legally, *Attounissiya TV* is now no more than an empty shell. The logo is owned by Fehri's brother, who registered it with the National Institute for Standardization and Intellectual Property (INNORPI). But Riahi has adopted it and wants to continue using it for the programmes broadcast on his frequency.

Legalization now possible

Although *Attounissiya TV* does not have a licence, the companies that produce its programmes are legal. The state acquired 51 per cent of the shares in Cactus Prod after its majority shareholder, Belhassen Trabelsi, the brother-in-law of deposed President Zine Ben-Ali, fled the country. It is currently under judicial control.

In [yesterday's communiqué](#), HAICA asked Cactus Prod to provide it with copies of its financial records for 2011 and 2012, its contracts with other production companies, and a statement of its editorial policies.

HAICA has decided that all broadcasting companies with no licence can legalize their status by submitting an application containing copies of their accounts, sources of funding, technical and logistical acquisitions, editorial policies, programming, staffing details and the owner's name.

They have been given 30 days to submit their applications. Legal proceedings for "illegal transmission" will be brought against those that fail to comply.

"The concern for fairness evident in HAICA's announcement is encouraging," Reporters Without Borders added. "To continue in this way, the regulator should quickly draft clear terms of reference for broadcast licence applicants."
