Egypt | The Supreme Council for Media Regulation's refusal to license "Fakar tany" website is a continuation of the attack on independent journalism in Egypt

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The undersigned organizations condemn the decision issued by the Supreme Council for Media Regulation (SCMR) on 8 September refusing to grant a license to the *Fakartany* website. This decision is part of a policy aimed at depriving independent websites of their right to license, exposing them to legal threats. It comes within a general framework of restriction on media freedom and the right to information, and the undersigned call on the SCMR to accept the petition submitted by Free Think Media, the owner of the *Fakartany* website, on October 20.

On 19 September, Free Thank Media, the owner of Fakartany, received a notification from the SCMR to the effect that the latter rejected the website's request for a license, citing three reasons related to the lack of clarity of the advertising policy, the funding sources, and the equipment insurance scheme. Fakartany describes itself as an independent website that aims to provide diverse news content that adheres to ethical standards of journalism and adopts human rights principles.

The website met all legal and administrative requirements, including paying the required fee of EGP 50,000 in July 2023. News websites in Egypt have to obtain a license from the SCMR, in accordance with Law No. 180 of 2018 on the regulation of the press, media and the SCMR, so they can work and publish news content. The Fakartany website submitted a petition to the Supreme Council for Media Regulation on October 20 to review its decision to deny the website's license, which cited the lack of clarity in the advertising policy, funding sources, and equipment insurance plan for the website, and which has not yet been resolved.

The SCMR's refusal to grant a license to Fakartany comes as part of a series of violations faced by independent news websites. In 2018, the SCMR rejected a request by the Mada Masr website to get a license, prompting the website to submit another request in 2020. The Public Prosecution notified Mada Masr's editor-in-chief, Lina Atallah, of the decision to reject the license request during an investigation session in Case No. 22 of 2023 (Appeals Prosecution) in February 2024. The website appealed the decision before the administrative court, but the court upheld the decision to reject the license request in May 2023.

In this context, the SCMR did not respond to a license request submitted by the Al-Manassa website in October 2018. The website's editor-in-chief, Noura Younis, was detained for two days on charges

of running a website without a license. This came after a security force raided the website's headquarters in 2020. The SCMR did not also respond to license requests submitted by Soulta4, Darb, Masr360, Zat Misr, and Masr al-Arabia websites. Masr al-Arabia stopped working in 2021 due to restrictions and the SCMR's failure to respond to their request.

The SCMR's policy on licensing independent news websites reveals several aspects of its approach. The SCMR does not comply with Article 60 of the law regulating the press, media, and the SCMR, which sets a time limit for responding with approval or rejection to license applications within 90 days from the date of submission. In most cases, the SCMR did not respond to the applications. It also refused to grant licenses to Fakartany and Mada Masr websites, with its response having come after the expiry of the legal period.

The SCMR also ignores the conditions stipulated in Article 15 of the licensing regulations, which are related to the provision of some basic information, most notably a copy of the commercial register after reviewing the original copy, the name of the website, its registered trademark, language, type of activity, sources of funding, budget statement, legal status, and location. The SCMR's responses show that instead of providing this basic information, it provides broad reasons for rejecting license requests under the pretext of "lack of clarity" of information.

Independent websites whose license requests were either rejected or ignored publish content critical of government policies. They face other forms of restriction, including blocking, arresting, and interrogating journalists before the Supreme State Security Prosecution.

The SCMR's policy draws attention to the problem of the lack of independence, as the Council's board is mostly composed of representatives of the executive authorities, and its head is appointed by the President of the Republic, although the constitution stipulates that it is an independent council. The term of the current board expired on 22 June 2024. This policy is complemented by other practices, such as the fact that most major media outlets in Egypt are owned by security agencies, and the media is subject to security control, which creates a continuous state of fear, self-censorship, and the violation of the guarantees of media freedom and freedom of information stipulated in Articles 68, 70, 71, and 72 of the Egyptian constitution.

The undersigned organizations call on the SCMR to stop its policy of depriving independent news websites of licenses. The Council must abide by the deadlines, laws, and legal controls that enable the independent press to operate freely. The undersigned organizations also call on the Egyptian authorities to commit to their international obligations and abide by the constitution to protect media freedom and ensure the citizens' access to information.

Signatories:

- Association for Freedom of Thought and Expression (AFTE)
- Egyptian Front for Human Rights
- Palestine Center for Development and Media Freedoms (Mada)
- Egyptian Human Rights Forum (EHRF)

- HuMENA for Human Rights and Civic Engagement
- EgyptWide for Human Rights
- Intersection Association for Rights and Freedoms
- Egyptian Initiative for Personal Rights (EIPR)
- Center for Egyptian Women’s Legal Assistance
- People in Need
- EuroMed Rights (EMR)
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