

## **AEJ 2015 MEDIA FREEDOM REPORT ON ITALY, November 2015**

**ON PRESS FREEDOM , THE ITALIAN SECTION OF THE AEJ COLLABORATES WITH THE OBSERVATORY "OSSIGENO PER L'INFORMAZIONE" (OXYGEN FOR INFORMATION')**

### **The Italian Paradox**

**Where the press is free but thousands of journalists are under attack - with threats, intimidation, and abuses of law**

The headline figure is indeed shocking from 2006 to October 2015 the Italian NGO "Ossigeno per l'informazione" has uncovered and published the names of more than 2,500 Italian journalists who have been threatened with violence or the law because of their work. Ossigeno estimates that at least 25,000 more cases of intimidation and threats have occurred in that time, but the victims remain silent out of fear and because they can not expect to receive justice in Italy.

Last July 2nd, in Rome, Ossigeno promoted - together with the European Centre for Press and Media Freedom and its European partners - a Conference on the theme "Protect those who report the inconvenient truth". This Conference was a milestone in Italy.

Opening the meeting in the Italian Senate, the president of the Senate, Mr Pietro Grasso, quoted Ossigeno's data and said: "We have undervalued what was happening. This situation forces us (politicians) to take concrete action".

Another MP, Mr Claudio Fava, vice president of the Anti-Mafia Parliamentary Commission, commented: "This data is alarming. And in Italy there are 30 journalists who live under armed police protection because they have received death threats. Those threats are nationwide".

Also the Minister of Foreign Affairs, Mr Paolo Gentiloni, clearly acknowledged the gravity of the situation. He said: "Many journalists in Italy are not free to write the truth, to investigate, to practise their profession to the full. In saying this. I am thinking about intimidation and daily threats".

At the conference, don Luigi Ciotti, a Catholic priest who leads the most influential anti-mafia movement, underlined the Ossigeno data and said: "In Italy there are powers that hinder the freedom of the press and use libel suits as a weapon, with the help of armies of lawyers, who help bullies to seek compensation for millions for every unfavourable piece of coverage."

Alberto Spampinato, director of Ossigeno, comments: "The intimidation, the threats, and the specious libel suits are a plague. At last some people are starting to admit it, but nobody is taking concrete actions to stop what is happening. These problems are happening offstage, out of the public arena. Nobody know how many journalists and bloggers were threatened last week, or in recent years, or how many of them were confronted with libel charges, for how long, and what penalties were imposed on them. This is all a very closely guarded secret. It is difficult to believe, but the government does not provide data, even to MPs who have asked for them many times. And not even to the whole Parliament, which has spent years discussing, a new draft bill to change the rules on defamation."

In this vacuum of information, Ossigeno was created to turn the spotlight on them and to collect the information with which to pressure the politicians and expose this scandalous situation to the public. In the course of 8 years, although we are few, this target is being achieved. The parliament has spent almost four years deliberating whether to abolish prison sentences for defamation. Recently Ossigeno revealed the fact that during that time as many as 30 journalists were in fact sentenced to jail terms.

The publishers organization FIEG has also published these impressive figures:-  
In Rome and Milan alone there are almost 400 lawsuits demanding compensation every year  
2 billion euro of damages were claimed in the past 10 years.  
9 years is the average length of the cases

Now politicians know all this, but they still do not take the necessary actions. Now the media, too, know that threats to journalists are a plague that obstructs the freedom of the press. But the media still do not report this as

an important issue. In fact, the Italian media only report a tiny fraction of all the cases of intimidation that have become commonplace in the lives of journalists in this country.

This is the Italian Paradox. It should be of concern to all western countries for three reasons. First, these things were only uncovered, and we can now speak about them, because one small NGO like Ossigeno went out and actively searched for this information, using its own advanced Monitoring Method. Secondly, the great majority of the thousands of cases of threats and intimidation directed at journalists were not reported by the media at all. So information about could not be found in newspaper clippings. Thirdly, we don't know if something similar may be happening even in France, in Germany, or in other countries.

In other western countries such exhaustive investigations have not been made. So we don't know what the same monitoring method might uncover there. To find out such things it is not enough to read the newspapers and official statistics. It is necessary to carry out thorough and detailed monitoring. It requires hard work by NGOs, and tough investigative journalism.

Already many signs tell us that the intimidation of journalists is increasing in all democratic countries, and are limiting the freedom to report important matters. This amounts to a new form of censorship which the law is failing to stop. And we don't even know much about it, because the media just don't properly report what is really going on in this field.

Thus the Italian Paradox should be seen as a case study – one among many which need to be properly followed up. In Italy the law punishes defamation very harshly, with up to six years in prison. And it is very easy to bring spurious legal proceedings against a journalist, alleging damage to one's reputation.

The Parliament has promised for many years to abolish jail terms for libel. But even now, the current draft bill does not achieve that goal.

So what can we do to correct this injustice?

First of all we need to know what is really happening. So we have to work diligently to collect the information about intimidation in all its forms.

For this we have an excellent tool, which is called journalism. Journalism can and should assist journalism itself, and the freedom of the press. Let's use it.

#### OSSIGENO's PROPOSALS

We propose to create *a solidarity fund* and *a network for legal assistance* for victims of intimidation. We propose to set up, in each country, *a special office* through which any case of intimidation may be reported to the appropriate public institutions. We advocate the establishment of *Press Councils* in each country to reconcile conflicts between journalists and readers without resorting to the courts.

Moreover Ossigeno supports the proposal of the Commissioner for Human Rights of the Council of Europe, Nils Muiznieks, to establish "*a pan-European network of national observatories on violence against journalists*".

Ossigeno also supports the Italian Anti-Mafia Parliamentary Commission's proposal to create a new criminal offence to punish anyone who deliberately *acts to impede or obstruct the freedom of the press*, because we need to increase the legal penalties for such obstruction.

Rome, 4 November, 2015