

WHY IN ITALY PRESS IS PARTLY FREE AND THERE ARE TOO MANY THREATS



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REDAZIONE



1 COMMENTO

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OSSIGENO – Offida (Ap), October, 27 – This is the report of Ossigeno per l'Informazione to the session “Europe and Press of Freedom” at the 50th International Congress of AEJ – Association of

European Journalist. Chair, William Horsley, AEJ special representative to the Council of Europe and Jan Malinowski, head of the department DG I of the Council of Europe. (The map shows the Freedom House Report classification).

Italy is the only country in the European Union where information is only “partially free”. This is what Freedom House first determined in 2005. It's been confirmed from 2009 up to the present day.

Nowhere else in Europe is this the case. The state of press freedom in Italy deserves close attention because it reveals the emergence and spread of a new disease afflicting modern democracies: insidious, undeclared censorship. There are three main reasons why in Italy information is not free:

1. The publishing environment is characterized by a concentration of media and advertising ownership; the media are not sufficiently separated from politics and government; as seen, for example, with the conflict of interest involving Silvio Berlusconi.
2. The legislation regulating the press is outdated, and instead of updating it, Italy is trying to pass more laws that would limit the freedom of the press and freedom of expression, as for example, the proposed law on wiretapping.

3. The high number of journalists under threat police escort and the small percent of threats that are punished.

In Italy, freedom of the press and freedom of expression are weak because the law allows censorship easily, cases of intimidation are difficult to punish, libel lawsuits are threatened to intimidate journalists, and defamation in the press is a crime punishable by imprisonment, as in authoritarian states. Many journalists have been sent to prison, but only the recent sentence of the journalist Alessandro Sallusti to 14 months in prison created a scandal.

Journalists can be easily threatened by those taking advantage of the right to seek monetary compensation for damages. Anyone can demand from a journalist or a publisher extremely large sums of money as compensation for presumed defamation and the publisher must include this sum in the budget until a final legal judgement is passed, which occurs three to five years later. The confidentiality of sources is not well protected: a journalist who refuses to reveal the identity of a source can be arrested.

The threats against journalists are numerous, as the press freedom group *Ossigeno per l'Informazione* has documented. About ten journalists in Italy live under police escort. From 2006 to 2012 more than one thousand journalists have been the target of threats, assault, property damage, isolation, loss of work, theft, judicial seizure of documentation and files, invasive investigation, unreasonable use of state secrecy, unfounded defamation lawsuits and unfounded demands for monetary compensation. For every documented threat there are at least ten more that remain unreported. In Italy between 1960 and 2003 eleven journalists have been killed.

All this has created a climate of intimidation; it has stifled the news that the citizens should know. Threats and outdated laws still limit the citizens' fundamental right to know the facts. They limit democracy.

This situation is not new. It has been noted numerous times with admonitions from the United Nations, the Council of Europe and the OSCE, the European Court of Human Rights and other prominent international institutions. These warnings the campaigns for change in Italy have so far been ignored.