**ITALY**



***MINISTRY OF FOREIGN AFFAIRS AND INTERNATIONAL COOPERATION***

***inter-ministerial committee for human rights***

**ITALY’S CONTRIBUTION**

*January 2022*

**ITALY’S CONTRIBUTION**

*ohchr-freedex@un.org*

Italian Authorities are in a position to provide the following contribution, **for your information only**.

**Introduction**

The Italian Constitution (1948), coeval with the Universal Declaration of Human Rights, protects freedom of expression and freedom of the press under Article 21, which sets forth: “*Anyone has the right to freely express their thoughts in speech, writing, or any other form of communication. The press may not be subjected to any authorisation or censorship […]*”.

**Turning to specific issues**

Internet

In line with the constitutional principles of the rights to freedom of opinion and expression, including press freedom and pluralism (Art.21), the widest variety of information and views and the independence of the media are effectively guaranteed. There are no restrictions on access to internet or to create blogs - which have become, over the years, an important source of information.

Strategy against digital divide

By considering the Italian Digital Agenda and the Strategy for Digital Growth, 2014 – 2020, data with regard to regular internet usage indicates the use of Internet for the 99% of youngsters, aged 18-19. This is a figure decreasing up to 10% for those aged 75 and more.

In this context, of relevance is *Agenzia per l’Italia Digitale*, under which the National Action Plan for ICT in the Public Administration, 2017 – 2019, as a strategic and economic policy document for all Public Administrations, oversees the digital transformation of the country. This Plan defines *inter alia*: The operational course of action in the development of public information technology; and ICT investments in the public sector according to the European and Governmental guidelines.

More recently, the Italian Government has established the Ministry for Digital Transformation.

Communication sector

As for the communication sector, AGCOM is an independent and “convergent” regulatory Authority covering all segments in the communications sector in Italy.

Mostly, AGCOM is in charge of regulation and competition enforcement under the EU Regulatory framework of electronic communications, news-media pluralism, media concentration and market monitoring, including online, audio-visual media content regulation and surveillance, online copyright protection, regulation of scarce resources (radio-spectrum and numbering), regulation and surveillance of the competition and consumer protection conditions in the postal services sector.

On top of its traditional functions, AGCOM promotes voluntary commitments by online platforms in the online news-media system (e.g. search engines, social networks) aimed at tackling disinformation.

AGCOM also monitors the news system.

In 2014, AGCOM established an Observatory on Journalismwithin which, starting from 2016, a specific focus is devoted to the intimidation of journalists, a threat to the fundamental right to information.

In May 2019, AGCOM adoptedspecific “Regulation” against hate speech.

In 2017, AGCOM established a self-regulatory body, called “Roundtable to guarantee pluralism and correct information on digital platforms” aimed at promoting self-regulation and co-regulation among its members, which include online advertisers, press publishers, traditional media companies and digital platforms. This initiative anticipated commitments and guidelines by online platforms in the context of political elections. AGCOM designed the methodology of a new monitoring system of online disinformation (fake news).

The situation of journalists

At the Council of Europe level, Italy is part of the “Platform for the Protection of Journalism and Safety of Journalists”, a public space which allows organizations such as Reporters Without Borders, the International Federation of Journalists, the European Federation of Journalists, the Association of European Journalists and Article 19, to disseminate information on events resulting in threats or violations of media freedom and of the security of the journalists within CoE area. By this Platform, bodies and institutions can be timely alerted in a more systematic way, thus to take timely and coordinated action to protect media freedom when necessary.

At the Ministry of the Interior-Department of Public Safety, the Central Bureau of Inter-Forces for Personal Security (acronym in Italian, UCIS) provides guidance to ensure that the most appropriate protection measures be implemented with regard to domestic and foreign dignitaries, as well as for those persons, including their relatives, who, for their duties or for other proven reasons, are exposed to potential or actual danger or threat (Article 1, Act No.133/2002). Such a situation usually – and this must be stressed – mainly concerns those journalists investigating organized crime.

The UCIS, jointly with the competent *Prefects*, determines the level of risk in light of the degree of exposure to danger (level from 1 to 4, in descending order of danger), in accordance with Ministerial Decree dated 28.5.2003. Measures range from providing the person concerned with an armored car to a round-the-clock police escort. Moreover the Ministry of Interior established in December 2017, the "Coordination Center for monitoring, analysis and permanent exchange of information on the phenomenon of intimidating acts against journalists". This has been the first initiative of this type in Europe. Given the multi-stakeholder approach and the use of territorial divisions, the Coordination Center can be immediately operational in cases of threat by evaluating the individual episodes and arranging the appropriate protection measures to protect journalists and to guarantee the right of citizens to be informed.

AGCOM (The National Regulatory Authority on Communications), in collaboration with NGOs, such as *Ossigeno per l’Informazione*, defined and classified the threats to journalists, for comparable data. It also identified a new detection methodology, for both the emerged and the submerged phenomena.

**Conclusion**

The Italian Authorities take this opportunity to reaffirm their full commitment to effectively cooperating with UN Human Rights machinery.