



FREEDOM OF THE PRESS 2009

Draft Report—Embargoed for May 1, 2009

Italy

Status: Partly Free

Legal Environment: 11

Political Environment: 11

Economic Environment: 10

Total Score: 32

Survey Edition	2004	2005	2006	2007	2008
Total Score, Status	33,PF	35,PF	35,PF	29,F	29,F

Freedoms of speech and of the press are constitutionally guaranteed and are generally respected despite ongoing concerns regarding concentration of media ownership. The 2004 Gasparri Law on Broadcasting, which introduced a number of reforms (including preparations for the switch from analog to digital broadcasting), was heavily criticized for providing measures that served prime minister Silvio Berlusconi's interests and enabled him to maintain his control of the private media market. In June 2008, the cabinet approved a bill that would impose heavy fines or jail terms on journalists who use the transcripts from wiretaps without a judge's permission. The bill, which had yet to win parliamentary approval at year's end, was similar to one passed by the lower house in 2007. Libel cases continued to burden Italian journalists during the year. A libel case was brought against the writer/journalist Alexander Stile by Fedele Confalonieri, a close associate of Prime Minister Berlusconi. Confalonieri, who is the chairman of Berlusconi's media company, Mediaset, objected to several passages in Stile's 2006 book, *The Sack of Rome*, which details the rise of Berlusconi. In May, the president of the Senate, Renato Schifani, sued journalist Marco Travaglio for libel after he hinted at ties between Schifani and criminals during a program aired by the public television network, Radiotelevisione Italiana (RAI). These cases, and at least two others brought by government officials, were ongoing at the year's end. On a more positive note, in September a Milan court acquitted the *Economist* magazine of libel in a suit brought by

Prime Minister Berlusconi following the 2001 publication of an article that characterized Berlusconi as unfit to lead the country.

Pluralism in the Italian media faced a serious threat this year when Italian TV channel La7 announced its intention to cut more than a quarter of its workforce by laying off 25 members of its 88-person news department staff, citing vague and unfair accusations of “unproductiveness.” La7 is the only alternative, at a national level, to the public broadcaster RAI, controlled by Prime Minister Berlusconi’s government, and the channels owned by Mr. Berlusconi outright through the country’s largest private television company, Mediaset. Until now La7 has been considered the most impartial and independent channel in the highly politicized Italian TV landscape. Organized crime also significantly impacted media freedom in Italy. Roberto Saviano, a writer, has been living under police protection for the last two years out of fear of being killed by the Neapolitan crime group, the Camorra. In 2006 Saviano published the book *Gamorra*, which was about the clandestine operations of the Neapolitan mafia. There were also a series of attacks on journalists in Rome during the year, organized by far-right groups. These attacks spanned the range from harassment while attempting to cover stories to vandalism of journalists’ vehicles and the storming of the state-owned RAI’s studios following the broadcasting of footage of student demonstrations at Rome’s Piazza Navona in which the faces of certain far-right activists could be clearly seen. The far-right has opposed the media attention on their anti-immigrant activities as well as their student demonstrations.

Italy suffers from an unusually high concentration of media ownership by European standards. With the 2006 election of Romano Prodi, overt government interference regarding media content began to diminish. However, Berlusconi’s return to power during elections in April 2008 gave him the potential to once again control up to 90 percent of the country’s broadcast media, through the state-owned outlets and his own private media holdings. The prime minister is the major shareholder of Mediaset, and of the country’s largest magazine publisher, *Mondadori*, and its largest advertising company, *Publitalia*. His brother owns one of the country’s nationwide dailies, *Il Giornale*. Together the state-owned RAI and Berlusconi’s Mediaset control 87.5 percent of the market share. Nonetheless, a 2006 Council of Europe report found that despite the ownership concentration of private broadcast outlets, there was considerable diversity of content in the country’s news and other media. There are many newspapers and news magazines, most of them with regional bases. Newspapers are primarily run by political parties or owned by large media groups (two are controlled by the Berlusconi family) and continue to provide diverse political opinions, including those critical of the government.

Although the internet is generally unrestricted, the government blocks foreign websites if they violate national laws, and the police monitor websites in an effort to catch child pornographers. After the 2005 London bombings by Islamist extremists, Italy’s parliament approved a new antiterrorism law that requires internet cafés to obtain a government license in order to operate, legalizes internet surveillance, and obliges internet café users to show photo identification. Blogs have become an important source of news for many Italians. One such blog, *beppegrillo.it*, run by the popular Italian comedian Giuseppe Grillo, has been ranked among the 10 most visited blogs in the world and many posts receive over 1,000 comments. Approximately 48 percent of the population accessed the internet regularly in 2008.