

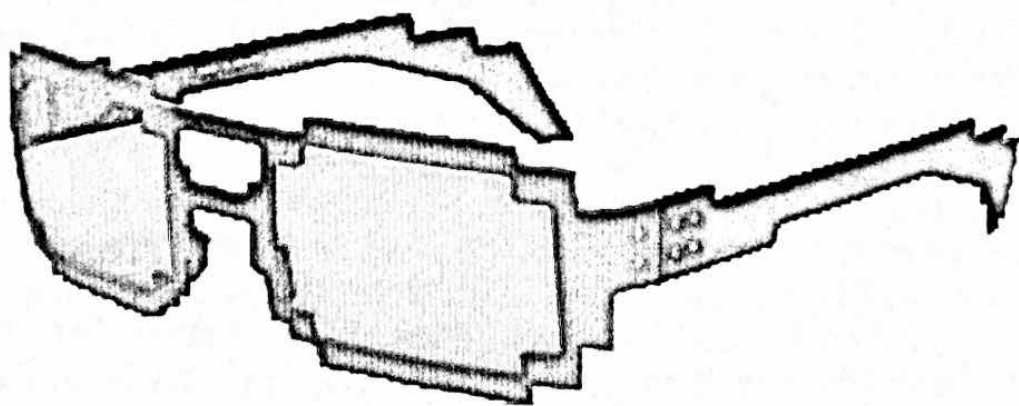
OSSIGENO

per l'informazione



osservatorio sui giornalisti minacciati in Italia promosso da FNSI e Ordine dei Giornalisti
con il sostegno di: OdG nazionale, OdG di Lombardia, Emilia Romagna, Puglia e Sicilia, USIGRai, AST, ASR, INPGI

New lenses to see the hidden censorship



*The "Ossigeno Method" that uncovered over
two thousand intimidation invisible to the naked eye*

The e-book "The new lenses against censorship" shows in detail the method of monitoring developed by Ossigeno and experienced in Italy, and its results.

The manual provides answers to the main questions posed by those who want to observe such an elusive phenomenon: how to collect the information, how to verify and classify this data, why and how to make the intimidation public, what resources are needed, how to involve the threatened journalists and the organizations of journalists.

In addition, the e-book exposes the problems that still need to be explored.

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In the last six years the Italian NGO "Ossigeno per l'Informazione" (Oxygen for Information) has published the names of more than 2,000 journalists, bloggers, photo and video reporters, who have been victims of intimidation, threats and abuse in Italy because of their work informing the public.

Most of these threats were not reported by the media. Ossigeno has verified, analyzed and contextualized the cases, and has published and spread news reports to make them known. Ossigeno has also provided assistance to the threatened, and shown that in many instances, intimidations could be prevented.

The alarming state of freedom of information and expression in Italy is not perceived, although the observation and monitoring method created ad hoc and applied by Ossigeno has revealed how serious the problem has become.

The "Oxygen Method" estimates that in Italy, in the same six-year period, at least 20,000 other journalists, about 40% of all active Italian journalists – whose names remain unknown – have been affected by similar intimidation.

The monitoring carried out by Ossigeno has helped many journalists to resist the pressure of intimidation. It has also created conditions for dealing with a problem, in Parliament and in the newsrooms, which is overlooked and often denied. The question is finally on the table, but for answers, we need to get it on the political agenda. This will be possible only when we overcome erroneous, deeply rooted beliefs that feed resignation and fatalism.

Therefore it is necessary to frame the "Italian case" in the European context and to know if other countries also suffer from the same disease. We can know it only by subjecting these countries to the analysis of the Oxygen Method. We must answer the following questions: Is Italy the only country that suffers from this evil that produces a covert censorship and prevents conscious participation in public life? Or does this disease, as seems likely, also affect other countries where information is free as it is in Italy? And if so, does this disease perhaps deserve to be cured more energetically and on a larger scale?

In asking these questions Ossigeno proposes a reflection to the organizations that defend freedom of information and expression in other countries like Italy, to evaluate together the hypothesis to develop surveys in their countries that could benefit from the experience and the method of Ossigeno. These questions are now more relevant than ever, at a time when the Council of Europe is preparing to launch a surveillance system for intimidation and improper censorship and a ready alert response against the most serious violations. This international monitoring requires the production of homogeneous, reliable, comparable data, in other words, a standard.

According to the analysis of Ossigeno, many cases of intimidation, threats, abuse and other violations, are carried out in order to censor or restrict the ability to publish news and opinions that are of significant interest to the public, but that are also disliked by the power that, everywhere and incessantly, by its very nature, attempts to circumvent limits, rules and prohibitions.

This happens in authoritarian states as well as in democratic states like Italy. The main difference is the form in which censorship is implemented: through laws or even with illegal methods.

Another difference is that so far in democratic countries the problem has been largely underestimated, and even denied.

In a democratic country, it is easy to believe that serious violations of press freedom occur only elsewhere, in other countries, in distant places, in extreme situations, in countries without freedom, in war-torn areas, in places where the failure to respect human rights is the norm. This wrong belief is deeply rooted, despite the analysis of influential observation centers, which reveal that more than two-thirds of the journalists killed were operating in countries where there was no war. Ossigeno agrees with the campaigns of the organizations that defend journalists, bloggers, photo and video reporters and citizen-journalists, who circulate free information, ideas and opinions on war-torn countries, and in countries without a recognized right to freedom of the press. We need to ensure them better protection.

But monitoring the limits placed on freedom of information, and the timely reporting of violations that occur in democratic countries is complementary to these campaigns, and it is no less important. The "Italian case" makes it clear. Italy is a democratic country and among the most industrialized ones in the world, is a founder of the European Union, has been at peace for 70 years, recognizes international treaties and formally respects the freedom of speech, of expression, of information. Yet in this country serious and numerous violations of freedom of expression occur. Why does this happen? We need to understand the phenomenon and analyze it in the historical and political context of the European Union. In this frame, it is also necessary to ascertain what is happening in other countries that defend freedom of information with rules similar to those in Italy.

To develop this proposal Ossigeno will promote conferences and meetings in several Western European countries. To fulfill this plan Ossigeno requests the collaboration of organizations that care about the active defense of the freedom of information and expression.

Ossigeno per l'Informazione

- **Treats and intimidations against journalists, Oxigen for Information's activity in Italy and suggestions for other countries**
- **The new Report "So much Mafia, so little news".**

Over the past ten years Ossigeno per l'Informazione (Oxigen for Information) has documented and found that threats and intimidations against journalists are frequent and remain unpunished, even in countries based on the rule of law like Italy. From 2006 to 2019 Ossigeno has documented around 4,000 threats and incidents of intimidation suffered by journalists in Italy, but that is only the tip of an iceberg. We estimate that the figures should be multiplied by as much as 15 times.

Therefore even in countries based on a democratic system it is important to establish an efficient monitoring process, based on a fact-checking scientific method. It should include 3-4 verification steps for each episode of threats and intimidation against journalists who report on the organized crime, but also on other crimes such as corruption, abuses of power and abuse of office by public officials and politicians.

The monitoring procedure is necessary to immediately single out and help those journalists who are under threat. With its monitoring Ossigeno has helped many journalists to resist the pressure of the intimidation and to create conditions for dealing with a problem, in the Parliament, in the newsrooms and in the public opinion, which is overlooked and often denied. It is necessary to have enough elements to convince the public authorities – the legislative bodies first of all - to perform all their duties in order to guarantee freedom of the press and information.

But is also necessary to frame the "Italian case" in the European context and to know if other countries also suffer from the same disease. And we can know it only by subjecting these countries to the analysis of the Oxigen Method.

Is Italy the only country that suffers from this evil that produce a covert censorship and prevents conscious participation in public life?

In asking this question Ossigeno proposes a reflection to the organizations that defend the freedom of expression in other similar countries, to evaluate together the hypothesis to develop surveys that could benefit from Ossigeno's experience. But an international monitoring requires the production of homogenous and standard data.

In democratic countries it's easy to believe that serious violations of press freedom only occur elsewhere, in authoritarian regimes or in war-torn areas. We certainly need to ensure better protection to journalists, bloggers, photo and video reporters, citizen-journalist in those countries. But reporting of violations that occur in democratic countries is complementary to these campaigns, and it is not less important.

OSSIGENO's MONITORING OF THREATS TO JOURNALISTS: AN OVERVIEW

Ossigeno per l'Informazione is the only independent non-governmental observatory in Europe that for ten years has been conducting continuous monitoring of threats to journalists, bloggers and other information workers. Our monitoring is based on direct observation and recording of the phenomenon through a scientific method that we ourselves developed and which is recognised by national and international institutions. The handbook on Ossigeno's method in english can be downloaded here: <https://www.ossigeno.info/le-nuove-lenti-per-vedere-minacce-e-censura/?lang=en>

Between January 2006 and June 2019 Ossigeno has documented and revealed details of as many as 3,921 certified threats and cases of intimidation, of which 137 were recorded in the first six months of this year. Every episode made public by Ossigeno has been confirmed through our rigorous fact checking process.

Ossigeno has also obtained **official Italian government statistics which reveal that in Italy each year there are on average some 5.900 new criminal allegations for libel, and more than 90 percent of them are found to be baseless and are dismissed by judges in court. Nevertheless each year some 155 people (mostly journalists) are found guilty and sentenced to jail terms amounting in all to over 100 years.**

The quality and value of Ossigeno's work is well known to the **Office of the Representative for Freedom of the Media of the OSCE, the Organization for Security and Cooperation in Europe, which has often used Ossigeno's documentation** to raise urgent cases and request explanations and remedies from the Italian Government.

Thanks to the scientific methodology used and this ability to detect episodes never reported by the media, **Ossigeno data also provide an important indication of how, in other European countries too, the freedom of expression and information may be repressed and limited in ways that are not yet properly understood.**

THE LATEST DATA

YEAR 2019 - In the first 6 months of 2019 Ossigeno per l'Informazione verified and reported more than one threat per day: we received information about 249 threats (on average 1.4 per day). Of those we were able to verify 137 as definite, while the rest were classified as probables because of a lack of indisputable evidence.

YEAR 2018 - During 2018 Ossigeno per l'Informazione reported 482 serious attacks in Italy against 959 media workers. Only 270 of those episodes could be verified. The names were added to the **Table of Threatened** and to the main **Counter of Threats**. All the other 689 names were publicly signaled as victims of probable violations of Article 10 (freedom of expression) of the European Convention on Human Rights.

TREND – The main reason for the wide variation in figures published from year to year is that the number of violations Ossigeno can verify depends crucially on the amount of funding we are able to collect to finance this highly intensive and skilled work. It must be done by trained observers, some of whom are volunteers while others are paid.

ONLINE THREATS detected were **11% of the total.**

Women account for 40 percent of recorded online threats.

Online attacks on women journalists were recorded in 7 different regions, **and 71 percent occurred in just two of Italy's southern regions: Lazio and Sicily.**

THE SUBMERGED PART – The great majority of incidents of threats and intimidation are not visible because so: **many cases are not reported by the victims themselves;** that is because of the high risk of reprisals against them if they speak out. To obtain information from those who face such threats it is necessary to gain their confidence and also to promote public solidarity toward them. **The great majority of cases are never mentioned in regular newspaper reports or on the Internet.** It remains an uphill task to collect the funds necessary to seek out so many violations and verify them. **Ossigeno's funding comes exclusively from public donations and from grants for specific projects that we have received from public institutions. The**

consequence is that we are able to monitor only a small part of the whole area of Italy, and our focus shifts from year to year.

Ossigeno is convinced of the need to break down the wall of public indifference towards violence and abuses directed against journalists. Rhetorical denunciations have been ineffective. **It is essential to document and make public as many violations as we can verifying each in a way that make it impossible to deny. The work is necessary. It must also be possible in any country where the rule of law is applied.**

Many of the cases of threats and incidents of intimidation suffered by journalists could be prevented by strict laws and better law-enforcement practices. Some improvements to Italy's very harsh laws on libel and defamation, which are often used against journalists, have been promised for several years, but have still not yet been introduced. Unfortunately the political will is lacking. And it is difficult to change the situation because these deep-seated problems are not yet the subject of proper public debate, and voters do not know or care much about them.

Italy presents a serious case of media capture in several different ways.

- **First of all, a major problem of conflict of interest arises because leading Italian politicians have direct interest in, and control of, media and publishing. This problem became internationally famous twenty years ago when Silvio Berlusconi was Italy's prime minister for about ten years.** His media empire included a large part of the commercial television market as well as magazines and a national newspaper (Il Giornale, owned by his brother) . And he exerted dominant control of the main public TV channels of RAI, the national public broadcaster. Berlusconi misused this extraordinary control over the Italian media scene to largely set the news agenda in his own way.
- **Recently Ossigeno sent a file of evidence on the ongoing issue of inadequately regulated conflicts of interest to the Geneva Human Rights Council,** which is now considering various human rights issues in Italy as part of the process called the Universal Periodic Review (UPR), to which every UN member state is subjected once every four years. In that note we said that **another important unfilled commitment concerns the governance of the public broadcasting system, which is still subject to political control by the government and the parties that make up the parliamentary majority.** In 2015, contrary to Italy's commitment under international law, the government parties strengthened their control over TV and radio with a new law. The negative effects on media pluralism, and the partisan TV reporting of politics and elections are plain to see.
- **Organised crime - the mafia - also exerts powerful controls over media reporting, as has been well documented by experts.** And that influence is

now increasing due to the economic crisis and the severe difficulties of the media and publishing sector. **On this issue Ossigeno recently led a fact-finding mission together with its international partners of the European Centre for Press and Media Freedom (ECPMF). The results were published in in the report "Much mafia, little news" that you can read in the English section of Ossigeno website** (<https://www.ossigeno.info/?lang=en>)

- This malign **mafia** influence shows itself in various ways. Firstly it means that **systematic pressures and threats against the media are not reported. Secondly, many important news developments, which are of obvious public interest, are effectively censored. Thirdly, the high level of intimidation and threats --** aimed at big media and small media alike, include all who strive to faithfully do their job as journalists -- **means that those who dare to publish information that is unwelcome to the powerful and to criminals are forced to live in anxiety, or fear of being targeted either by violence or else the threat of severe damage to their livelihoods.**
- The situation is indeed dramatic. **For the past several years as many as twenty journalists have had to be protected round the clock by police because of death threats. Currently some 167 others are receiving a lesser level of police protection. Many hundreds more are also at risk but have no protection at all,** and often feel isolated and defenceless. It must be remembered that the mafia carries out its lucrative business with **the complicity of politicians and business people.** The worst kind of pressure is of course the **physical threats, intimidation and reprisals** that affect many Italian newspapers, as well as **malicious and spurious libel lawsuits with massive claim of compensation for "damage to reputation". In Italy that is a real scourge because of the punitive legislation which puts media operators at an unfair disadvantage under the law.**
- **Ossigeno works to expose this reality and to assist victims. The climate of intimidation represents an existential threat to freedom of the press.** Until this deep-rooted problem is overcome we believe there will be no hope of seeing other serious problems for Italian democracy resolved either.

SO MUCH MAFIA, SO LITTLE NEWS

In July 2019 Ossigeno handed over to the Italian President of the Republic, Sergio Mattarella the ECPMF facts-finding mission report **"Much mafia, little news"**.

The report highlights the different obstacles – editorial, journalistic, political, criminal – that prevent Italian readers and viewers from knowing much information of great public interest.

The research was carried out by Ossigeno together with its partners from the European Center for Press and Media Freedom in Leipzig (ECPMF), with the support of the European Commission.

The study is based on 25 structured interviews with journalists, magistrates, jurists, experts and parliamentarians. A section is dedicated to the Italian system of protection of journalists who suffer threats because of their work. Of particular interest are the innovative proposals made by the National Anti-Mafia Prosecutor, Federico Cafiero De Raho. The text of the report (also published in English) can be downloaded free from the Ossigeno website at this link

<https://www.ecpmf.eu/activities/fact-finding-missions/fact-finding-mission-to-italy>

“Much Mafia, Little News”. The text of the report

Survey by Ossigeno per l’Informazione (Oxygen for Information) and the ECPMF European Centre in Leipzig, with the support of the European Commission.

On the dramatic theme of the criminal roots of the Mafia, on its influence on society and on the phenomena of corruption, newspapers and journalists in Italy produce less coverage than it would be desirable

. This assessment is widely shared. There are numerous reasons: fear, threats, retaliation, connivance, punitive and discouraging legislation for reporters, intolerance.

These, in the opinion of experts, are the main reasons, even if they are often masked by false motives, to minimise or to make, out of necessity, an apparently objective choice to remain silent. Thus, for example, publishers and chief editors often do not provide space for these issues and tell whoever asks for explanations that the readers are not interested in reading news on these topics.

All this emerges, clearly itemised, from the dossier entitled “*Much Mafia, Little News*” produced by *Ossigeno per l’informazione* with the support of the European Commission, on behalf of the European Centre for Press and Media Freedom in Leipzig (ECPMF).

The report presents the results of the Fact Finding Mission for which 25 structured interviews were conducted to gather the opinions of experts, magistrates, parliamentarians, government representatives and journalists.

Their answers provide a broad overview of points of view on each topic. The picture that emerges is as merciless as an X-ray. But the diagnosis is not entirely negative.

It states that Italy, along with the disease, also has the best remedies available and also has the most committed laboratories to study yet more effective ones.

Local newspapers and reporters appear to be the most exposed targets and the weakest link in the information chain. At the same time, they are strategically the most important element for information on this subject.

Among the many issues highlighted by the dossier to be solved, some concern the responsibility of publishers, others of newspaper editors, others of the legislators.

Important and original proposals are formulated by the National Anti-Mafia Prosecutor Federico Cafiero de Raho. The Prosecutor proposes, inter alia, to grant journalists some prerogatives to protect them from the risks of retaliation to which they are frequently exposed, in particular from spurious and groundless lawsuits.

The Italian protection system is also described and evaluated by showing its positive and negative aspects.

With this objective study we believe we have made a contribution to those institutions committed to guaranteeing the broadest possible press freedom and the removal of both the legal and illegal reasons for which many journalists who report on Mafias risk their lives and their personal assets.

We will present this study to the Parliamentary Anti-Mafia Commission and to all the other institutions that want to examine the issue in greater depth.

The composition of the answers given by the respondents

How important is information on the Mafia? Very important according to 95% of the 25 experts interviewed by Ossigeno for the report "Much Mafia, Little News". However 80% of the people consulted say that not enough is provided. 40% believe that what is reported is little, another 40% consider it barely sufficient. When asked if the state broadcaster Rai does enough in this field, 50% responded with a clear "no", the remaining 50% with a "no comment". Why can't more be done and done better? 79% of respondents blame journalists and publishers, the economic conditions in which they work but also the connivance of some of them with organized crime or corrupt individuals. 16% attribute the scant information to

self-censorship practiced for fear of violent retaliation, threats, invasive searches, judicial seizures or other proceedings. Only 5% believe that the reduced volume of reporting is due to the restrictive laws on defamation, the confidentiality of ongoing investigations and the protection of sources. Two thirds of those interviewed believe that some news items do not reach the pages of newspapers or program schedules because publishers and chief editors refuse to publish them. Among the reasons given for this refusal, half of the respondents cite the alleged lack of interest of readers, a third cite connivance with criminal circles and corruption, and 19% the fear of incurring retaliation. There is no doubt that journalistic inquiry can open the way for important official investigative developments. 26% of respondents cited the case of Federica Angeli's investigations in Ostia. 35% remember the investigations by Lirio Abbate on Mafia Capitale (corruption in Rome). 39% indicate other investigations that have also had important judicial results. It also clearly appears that journalistic reporting has been used, at times, as an improper weapon to damage someone, as a "mud-slinging machine". 23% recall the Boffo case, from the name of the then chief editor of L'Avvenire, who was targeted and forced to resign.

Respondents consider Ossigeno data on threatened journalists in Italy to be fully reliable (almost four thousand cases have been verified since 2006). 73% of respondents mostly attribute this to organized crime although the statistics of Ossigeno indicate that only 40% is from this source.

Two journalists out of three consider the Italian protection system for threatened journalists to be adequate and 91% consider it to be the best in the world. However, some interviewees pointed to a limitation: the system is difficult to access for reporters who are not classified at very high risk but still need protection. 95 per cent of respondents said that Ossigeno's threat monitoring helped make reporters' work more secure.



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