

OSSIGENO/1
A few numbers
From 20 to 95 cases in five years

The number of cases of intimidation against journalists reported by Ossigeno has increased from 20 to 95 a year in only five years. The number of journalists involved has grown from 40 to 325 a year. Only five years ago, threats against journalists were isolated and rare episodes, or at least that is what it seemed. Just like the drops of our metaphor. Ossigeno per l'Informazione counted, between 2006 and 2008, 20 cases a year on average, a number that emerged from an indirect observation made through a reading of statements of solidarity and available press cuttings.

Later, in 2009, Ossigeno started a more active search for cases and discovered that the phenomenon is more widespread. In 2010 there were 54 verified cases of intimidation. In 2011 there were 95. The increase is largely due to a change in the observation method, to a more active, more careful and more systematic investigation of the cases. This said, we are facing an alarming progression, which is far more alarming considering that some of these threats hit groups of journalists, and sometimes entire newspaper staffs.

Ossigeno calls them “collective” threats. These threats are like gunshots that hit not only the journalists they target, but also those around them. Ossigeno defines these collateral targets “involved journalists” and considers them victims just like the principle target. There are many “involved journalists”. Their number increased eleven times over five years: from 30 in 2006, to 150 in 2009, to 250 in 2010, to 324 in 2011.

Table 1

Year	Number of threats	Journalists involved	% (1)	% (2)
2006	20	40	0,04	0,08
2007	20	60	0,05	0,13
2008	21	100	0,09	0,22
2009	20	150	0,14	0,33
2010	54	250	0,22	0,55
2011	95	325	0,30	0,72
2006-2011	230	925	0,84	2,06

(1) % of the professional journalists involved

(2) % of the “active” professional journalists involved

The shadow side

How widespread is the phenomenon of intimidation against journalists in Italy? Do these preliminary figures accurately reflect its alarming dimensions? Or is the problem even greater? Ossigeno deepened its investigation and came to the conclusion that the phenomenon is definitely wider, but it is difficult to accurately measure its true extent, because a portion remains in the shadows: it is intentionally kept in the hidden by means of violence. As a matter of fact, one of the goals of the people who

intimidate journalists is to hide the harassment and abuse from the public, since they would be less effective if known.

From this point of view, violent intimidation against journalists aimed at forcing them to silence a news story is similar to money extortion. In both cases the intimidators force the victims to do something by threats of violence if they report the abuse. It is apparent that these threats push most of victims to keep the abuse secret. It is hard to disobey violent people with guns, who can burn a shop or an office, who can harm the victim's relatives. It is difficult to break one's silence in these conditions, but it is possible. It is possible, as we will see, if certain measures are taken, if a solidarity network is built. It will become more and more possible if those who report their abusers obtain justice, if they see their abusers convicted in a court of law.

Table 2

Journalists threatened in 2011 (in brackets data of 2010)					
Individual episodes	% of episodes in a year	Collective episodes	Total episodes	Involved journalists	% of involved in a year
55 (32)	+170%	40 (12)	95 (54)	324 (250)	+125%

Table 3

Modalities of threats in 2011 (in brackets data of 2010)*			
Physical assaults	Damages	By letter or by voice	Legal actions
18 (7)	6 (8)	48 (17)	23 (8)

*The data of 2010 are calculated on the average of the period 2009-2010

It is difficult to disobey to someone who says: "shut up or I'll shoot!", but the journalists mentioned in this report succeeded in reporting the abuses and in some cases they obtained justice.

The journalists who are able to break their silence are still a minority. According to Ossigeno's estimations, for every journalist who does it, who defeats the fear, there are another 10 who suffer the order of silence.

The shadow side is therefore vast. That is the reason why Ossigeno's data need to be read carefully. We must imagine what is behind what we see with our eyes, beyond the figures we are able to report.

That is what we must consider when speaking of threatened journalists in Italy, when asking for something to be done to neutralise the threats.

Let's try to imagine what more than 10,000 direct and indirect victims of intimidation in six years means on a population of 110,000 registered journalists; of which less than the half earns money from their job.

It represents a great incidence: it means that in Italy intimidation against journalists is a common practice and the news is only "partially free", as certified in 2004 by Freedom House, one of the most authoritative international centres.

Table 4

Year	Threats	Involved journalists	% (1)	% (2)	Involved shadow side	% (3)	% (4)	% (5)
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2006	20	40	0,04	0,08	400			
2007	20	60	0,05	0,13	600			
2008	21	100	0,09	0,22	1000			
2009	20	150	0,14	0,33	1500			
2010	54	250	0,22	0,55	2500			
2011	95	325	0,30	0,72	3250			
2006-2011	230	925	0,84	2,06	9250			

(1) % of the professional journalists involved

(2) % of the “active” professional journalists involved

(3) % of the professional journalists involved who didn’t report

(4) % of the “active” professional journalists involved who didn’t report

(5) % of active journalists involved + those who didn’t report

Recognising and reporting the abuses

Animated discussions must not be mistaken for threats. But neither must we make the reverse mistake. It is therefore important to understand where a fair contrast of opinions starts and where it ends.

The discussion, the contrast, that a journalist can have with someone who dislikes a news article, even if animated or unpleasant, is not serious if handled with mutual respect. It is not unwarranted interference if someone complaining about an article sends a letter of protest to the editor. This is dialectics. And journalists must accept and even encourage it. As long as this happens, everyone does his part and there is no need to worry. Everyone has a right to express an opinion.

A threat is something else: it is a crime, a serious violation of the rules of a civilised and peaceful life, it is the attempt to impose one’s view by means of violence. It is a crime under Article 612 of the Italian Penal Code: «Whoever threatens another with any wrongful harm, shall be punished, on complaint of the victim, by a fine of up to 51.00 euros. If the threat was serious or was made in one of the ways specified in Article 339, the punishment shall be imprisonment for up to one year and prosecution shall be exercised *ex officio*». Some cases of intimidation include also other crimes, like private violence, as provided by the Article 610 of the Penal Code: «Anyone who, through violence or threat, forces another to do, tolerate or omit something is liable to up to 4 years’ imprisonment».

It is important that journalists report the threats they receive. To do that, they must get over the helplessness and the fear of retaliation, which make this choice so difficult. This is the only way they have to defend themselves without stooping to compromises. And it is often a rewarding choice: the journalists who follow this path can make the abusers pay, even if they are members of organised crime.

Reporting the threats is necessary, useful and right. Every form of intimidation must be recognised and fought, knowing that sometimes it comes in unusual forms, knowing that sometimes it has a vague and fleeting shape, that it can seem like something else, something less serious. We must not be fooled. In some cases, just to achieve their goal, threats are disguised, they try not to be recognised. They try to seem good advice, little things, due diligence, even claims of a sacred right, even when they are only abuses. We must realise that some threats disguise themselves by sophisticated

means, like viruses, which escape antibodies by mutating their DNA without losing their harmful potential.

Threats hinder the public service

Whoever intimidates a journalist causes not only personal damage but also social damage. This social element must never be ignored. That is the reason why we need specific rules of protection. Journalistic information is essential infrastructure in a democratic society. Without free and independent information there is no transparency and there cannot be informed participation of the people in public life. Intimidation of journalists doing their job is a more serious offence than intimidation of a private citizen, just like insulting, threatening, hindering a public prosecutor, a mayor, a public official, a traffic officer is more serious than doing the same to a private citizen. For this reason, to protect these categories, the criminal codes provide the crime of insult (*oltraggio*) of a public official, which is a deterrent. But it would be absurd to invoke this crime against those who insult, offend or threaten a journalist. It would instead reasonable and useful to have a different sanction specifically for those who deliberately and consciously contrast journalistic information, for those who “highjack” the news destined to the public opinion. It would be opportune to establish specific aggravating circumstances for the crimes of violence already described in the code, to be applied every time they are realised with the aim to hamper press information.

The trend. What has changed from 2010 to 2011

2011 was not a peaceful year for Italian journalists. In twelve months Ossigeno reported 95 episodes of threats, intimidation, serious abuses done against them, with 324 journalists involved.

Some of these episodes were really serious: especially, the new threats of deaths sent twice to Lirio Abbate, and the attack of the newspaper office of the *Metropolis* in Castellammare di Stabia, near Naples, followed by a raid which prevented the newsagents from selling the newspapers. There were many cases of physical assaults to reporters, photographers, and television cameramen covering the news. There was a steady stream of threats of torture, threatening letters, bullets sent in the mail. Some unbelievable sentences confirmed the difficulties which come from outdated and defective legislation: blogger Carlo Ruta, whose conviction for the offence of illegal press was affirmed by the appeal court; reporter from Enna, Giulia Martorana, who was sentenced to twenty days’ imprisonment for abetting, for not revealing her sources; three journalists of Pescara who were sentenced to one year’s imprisonment, without suspension of the sentence, for libel.

All these cases reveal the rising intolerance towards the journalists’ work.

Some relevant data are:

- the increase of compensation claims and of libel suits, often with no basis, presented by politicians and public administrators of large and small municipalities, who do not tolerate negative coverage of their job: the most famous cases are those of the Mayor of Rome Gianni Alemanno, of the Sicilian Regional Councillor for public health, Massimo Russo, of the president of the Senate Schifani, of the president of the region of Calabria, Giuseppe Scopelliti;

- the punitive reactions of some public prosecutors against the journalists who criticise their activity. The most significant cases are those of Ferrara, Vicenza and Perugia.

Some positive sentences

However, 2011 registered a general positive trend of the judiciary, open to the arguments of free information and the right to criticise. This trend is represented by a high number of acquittals of journalists, in particular those of the Court of Rome, that in September rejected Silvio Berlusconi's claim for one million euro, for libel damages from *La Repubblica* newspaper, which over a six-month period insistently asked him the famous ten questions formulated by Giuseppe D'Avanzo. Other demonstrations of this positive trend are the judicial enquiries developed thanks to the initiative of brave journalists, who for this reason were threatened (in Molise, in Pignataro Maggiore, in the province of Caserta, in San Marino and other places), and by the investigative commitment of the Court of Reggio Calabria that discovered the authors of the threats against Pietro Comito and Antonino Monteleone, and that of the public prosecutors of Naples, who discovered those responsible for assaulting the journalists of *Metropolis* and a cameraman of Sky TV.



The map shows the territorial distribution of the 95 cases of threats, intimidation and serious abuses against the Italian journalists reported in 2011 by Ossigeno per l'Informazione. The number of cases is shown in black, the number of journalists involved is in grey. Out of these 95 episodes, 55 were against single journalists, 40 against groups of journalists (collective threats). The total number of journalists involved was 324.

Facing the data

An analysis of the cases reveals an increase of more than 100% compared with the two previous years: the 95 cases of 2011 are in fact compared to the 78 of 2009-2010 counted together.

Regarding the territorial distribution of the threats, the southern regions still keep the sad and undefeated record with 58 episodes out of 95, followed by the centre of Italy

with 19 cases and the northern regions with 17. In the regional ranking there were important changes. In 2009-2010 Calabria was in last place with 20 episodes of 78; now there is Campania with 22 cases of 95 (the cases were 10 in 2009-2010). In Calabria there were a total of 7 episodes, a change that is discussed in deeper detail later in this Report. Lazio goes down to the third place with 13 cases (16 in 2009-2010). Sicily wins the second place with 16 episodes, a triplication on an annual basis compared with the 10 cases of 2009-2010. In fourth place there is Lombardy with 9 cases (there were 9 in 2009-2010). These are absolute numbers. The rankings change if we consider the resident population and the number of journalists region by region: the situation gets better especially for Lazio and Lombardy and gets worse for Molise, where there are few journalists and there was a change from one to three episodes.

Who is more in danger

All journalists are under the risk of threat. But some journalists are in more danger than others because of the duties they cover. The most exposed had always been war journalists and mafia reporters. Recently, local reporters have joined this group. All over the world, the number of local reporters appearing on the list of the murdered or threatened journalists has increased dramatically. Their job seems to have become more dangerous than ever, because local journalism always goes further, it reports on news that earlier was unreported because of censorship or self-censorship.

In Italy, telling with honesty what happens in one of the thousands of local realities is a dangerous job. This Report confirms, with the evidence of names, places and statistics, how true this is.