

# OSSIGENO THIRD ANNUAL REPORT 2011/2012



**THREATS ARE LIKE DROPS  
THAT DIG INTO THE STONE**

*by Ossigeno per l'Informazione*

O2

Observatory on threatened journalists and news  
overshadowed by violence in Italy  
Promoted by Fnsi and Ordine Nazionale dei Giornalisti  
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OSSIGENO aims to document all the Italian cases of violent or abusive limitation of freedom of expression against journalists, writers, intellectuals, politicians, trade unionists, public officials and other citizens, with special attention to information and to what happens in journalism in the areas where strong and deeply rooted is the influence of organized crime.



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Here it is, the third Ossigeno Report. As with the previous editions (2006-2009, 2009-2010 Parts I and II), the magazine *Problemi dell'informazione* is honoured to host the 2011 edition on its pages, before it is released on the internet.

Thanks to the patience of Il Mulino, our magazine's publisher, we were able to cover all 2011 events until 31 December, coming out a few weeks late, but with a complete report.

The Ossigeno director, Alberto Spampinato, did a meticulous and monumental job, as usual. Not only did he write the introduction, but he also authored all five chapters of the Report. Above all, he was responsible for finding the observers (all volunteers, naturally), collecting the daily news, editing the regional reports written by Dario Barà, Matteo Finco, Roberta Mani and Roberto S. Rossi, covering not only Sicily and Calabria, but for the first time covering northern Italy as well. The updates and previous editions of the Report are available at [www.ossigenoinformazione.it](http://www.ossigenoinformazione.it).

«Drops that carve the stone» is the title we chose for the 2011 Report. With this title, Alberto Spampinato wanted to draw attention to the worrisome increase in threats and unreported news that occurred in one year: from 54 cases in 2010 to 95 in 2011.

However, perhaps the lower number of cases in 2010 is misleading. Perhaps Ossigeno simply improved its methods of collecting news and reports. Ninety-five cases of threats and attacks against the freedom of information may seem a huge number compared with past years, but it can be a small part of a reality that remains hidden. The truth is that 95 drops of fear and intimidation can actually carve the stone of the hardest and bravest form of journalism.

## DROPS THAT CARVE THE STONE

By Alberto Spampinato

A sticky and filthy liquid is dripping. It falls in drops. Little drops, sometimes big drops. One single drop can fall in two days, or many drops can fall in one single time. Recently, more drops fell. These drops damage our clothes. They inflame our skin. There is no way to take shelter. And this is a huge problem.

Up until recently, this was not the case. The dripping was there, but it was so slow and rare that only a few people noticed it. We noticed those strange stains on our clothes, on our skin, on our soil. Strange stains, really. Indelible. They leave iridescent marks on the fabric and little chaps on the skin. We noticed the first ones five years ago. We counted one every eighteen days. About twenty a year. Only later we linked the stains to the dripping liquid, which we still hadn't noticed. It was easy to connect the cause to the effect. When we started to talk what we discovered, other people reported to us the stains they saw. And the number increased. Three years ago we counted 54 strange stains in twelve months, in 2011 we counted 95. From 20 to 95. A big leap. But the problem is not the quantity. Ninety-five drops do not even fill up one glass. Even if a hundred thousand drops fell, we would not risk a flood. What is more frightening is the nature of the liquid, more corrosive than acid rain, more polluting than flue gas. The drops inflame the skin, carve the stone and contaminate the air. And down, around the stains, there is just death.

We cannot just keep watching. We must do something. We must find the origin and the nature of the phenomenon and a way to stop it. We must understand if actually, as some say, more drops are falling than we can count. It seems that many of them blur with rain and frost. We must definitely know why those drops are falling, and we must stop them.

In Italy, unsolicited advice, warnings, intimidation and threats keep falling just like contaminated and corrosive drops. It is one of the most urgent matters we must deal with in order to ensure true freedom of the press and expression. On 29 December 2011, at the year-end press conference of the Order of Journalists, the president Enzo Iacopino presented the matter in these terms addressing to Italy's Prime Minister Mario Monti, whose attention to this issue was a hopeful sign.

*Let it go. Don't publish it. What's the point?*

The problem is apparent. In Italy many journalists receive strange "advice" every time they cover inconvenient and delicate news, especially news disliked by powerful people. Often in these cases someone comes out and tells the reporter: "Let it go. Don't publish the news. What's the point?". It happens even if the news is clearly of public interest. There always is someone who questions if the news is worth publishing. Some go further: they ask the journalist to evaluate whether to publish a piece of news based on non-journalistic criteria, like personal convenience, the problems it could cause other people, and the trouble that it would create for the journalist... It's raining unsolicited advice. Some people give advice lightly. Some people give it with authority, with the best intentions and with sincere empathy. Others give advice to actually intimidate. We must be careful with this rain of advice. We must really understand, every time, why somebody gives us a piece of advice, what does it mean to follow or not follow it, why in Italy are hundreds of journalists victims of interested advice.

Whoever follows it is censored; whoever does not follow it becomes the target of retaliation, violence, punishment, denigration, exploitation, isolation.

The attempts to hinder the work of journalists by means of violence, with devious threats and unwarranted intrusion, have multiplied in the last years. The number of threats increased at an alarming speed, with the frequency and the effects similar to the falling drops we have described above. In the past, little attention has been paid to this phenomenon. Now, though, it is impossible to ignore. Intimidation disguised as good advice, real threats coming from organised crime, from public personalities who do not accept criticism and from those businessmen who work in the grey zone of misdeeds and illegality, have become a big problem for Italy – a problem that cannot be ignored. This problem affects not only journalists; it affects the public's rights and thus, society as a whole. As the threats silence important news, they endanger the citizens' right to be informed and to make informed choices. The present Report shows the alarming evolution of the phenomenon in 2011 and presents possible remedies, such as legislative reforms with zero costs, but high profits for freedom and democracy.

### **How Ossigeno works, how the cases are classified**

Ossigeno per l'Informazione keeps count of episodes reported directly by the people involved, or those reported to the trade union, to the Order of Journalists, to other organisations, entities, journalists or other people that work with our monitoring activity. Ossigeno verifies each case and discards those which cannot be proven true. The Centre publishes the verified episodes when the victims consent it or when the facts are already known publicly.

In addition to death threats, physical assaults, home break-ins, property damage – which are crimes regulated by the Italian Penal Code – Ossigeno also considers other forms of intimidation. For instance, the Centre considers intimidation:

- the investigations on journalists performed without judicial warrant;
- the seizure of files, computers and other instruments of work and memorization belonging to the journalists;
- the invasive searches, arrests, incriminations of journalists ordered by public prosecutors to force the divulgence of confidential sources which journalists want to keep secret, based on the prerogatives recognized to journalists under the law.

Ossigeno considers as intimidation also the serious insults addressed to journalists in public by the representatives of institutions, public administrators, politicians or those who represent the economic power. Moreover, intimidation includes a series of specific legal abuses:

- libel actions apparently founded on pretexts;
- the summons to appear in court to obtain financial compensation when based on pretexts or exploitation, aiming at preventing news and enquiries from being published;
- the requests to block blogs and websites, with similar intentions.

For each episode that falls into these categories, the Centre reports the names of the journalists directly threatened and counts the number of those indirectly involved, with a conservative estimation of the newspaper office or the news team.

We must clarify that Ossigeno looks after not only professional, registered journalists, but anyone who is threatened or intimidated while carrying out activities related to

journalism and reporting or the acquisition and diffusion of information with journalistic value. Therefore our statistics include bloggers, photographers, cameramen, TV programmers and directors engaged in news coverage.

Ossigeno keeps a tally, registers the names of the victims and, every week, tells their dramatic stories. For what they represent, for the rights that are jeopardized, the stories of threatened journalists affect not only the reporters themselves, but every citizen. In democratic countries, when a journalist is threatened, the freedom of the press itself is threatened and everyone loses part of that freedom. In democratic countries, preventing journalists from doing their jobs is the equivalent of interrupting a public service. In every democracy the press is a social infrastructure, an activity of public interest. The citizens have the right to be free and to be informed. This right is protected by Article 21 of the Italian Constitution, by Article 19 of the Universal Declaration of Human Rights and by Article 11 of the European Charter of Fundamental Rights. To be informed correctly, promptly, without omissions, without partiality, without censorship is the necessary premise to make informed decisions and to make choices based on the knowledge of the facts.

**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.

## OSSIGENO/2

### Interpreting the data

Over the last five years Ossigeno has documented 925 journalists struck, directly and indirectly, by physical threats, intimidation, retaliation or serious legal abuses. The episodes are reported on the Ossigeno website. However, as we mentioned, there are at least ten thousand Italian journalists actually struck by these types of intimidation. This is the seemingly incredible number which emerges from the data collected by our Centre, taking into account the total dimension of the single episodes and considering that the phenomenon is mostly hidden, just like the episodes of extortion and usury. To give the real dimension of the phenomenon, or at least to get closer to reality, we must multiply the known episodes for a rectifying parameter. Ossigeno estimated that this parameter is roughly equal to ten.

To calculate the value of this rectifying parameter Ossigeno considered the following circumstances:

- The number of cases which Ossigeno was aware of but could not record and report because the people involved did not consent it: this number is higher than the number of verified and reported episodes;
- Many episodes of violence and abuse come out after many years, usually only after that a sentence is passed by a court;
- Some cases pass unseen by everyone;
- The investigative instruments of Ossigeno are insufficient to monitor everything that happens in every single reality;
- Institutions do not provide any data;
- There is no specific collection of statistical data.

These are the characteristics and the dimensions of the phenomenon. It is more widespread than one could possibly believe. Data reveal that in Italy threats and abuses against journalists are very common: they are used very frequently to prevent unwelcome news and inquiries from being published. These methods are so common because the authors of threats and retaliation have so far remained practically always unpunished. Such considerations can explain the increase of legal abuses, which bring low risks and limited costs to the abusers.

#### *Threatened journalists? It's not news*

Among the most underreported news stories of the last few years are those dealing, in fact, with threatened journalists. Even today, if a journalist is threatened, it is rare for national newspapers and TVs to report the news. Silently, with no previous announcement or notice, this practice found its way, even if it does not comply with the standards of journalism: each newspaper reports only its own threatened journalists, without mentioning the others, without saying that that the episode is not isolated. Only in very few cases the whole scenario is presented to the public opinion. And this is not a minor fact. It is one thing to say: "a journalist was threatened", but it is entirely different to say that he or she was one of the 925 journalists who suffered intimidation in 2011. It would have a deeper impact. Omitting that is a way to understate the situation.

A further way to understate this type of news is to confine it in the pages of local news, even if it has, with no doubt, general relevance. The circulation of the news exclusively on a local level reduces its effect and impact on public opinion. It is a technique of

misinformation used in authoritarian regimes and should be banned in every democratic country.

### *The Italian case*

Violent conditioning of information is a widespread phenomenon all over the world. In Russia, over the last twenty years more than two thousand journalists have been murdered. In Mexico, in the last five years, there has been a slaughter of journalists. Threats, intimidation, censorship are very frequent in authoritarian regimes or in unstable democracies.

In Italy, luckily, we are far from these levels. That is because Italy is a democracy that practices and recognises human rights and fights for them to be exercised everywhere in the world. Yet, in Italy over the last 50 years, 11 journalists have been murdered by mafia and terrorism, the latest case being in 1993. Yet, in Italy there are hundreds of journalists who were censored and threatened. They are less than those who suffer the same treatment in Belarus or Turkey. However, people in Europe and in the rest of the world talk about the “Italian case”. They find the Italian situation strange, unusual, inexplicable for a stable democratic country. People talk about it because nothing comparable happens in other countries like Italy, in consolidated democracies with similar histories and legislations. The “Italian case” is caused by the incapacity to remedy such a widespread menace to information. If something remotely similar to this happened in the United States, in Great Britain, in France, in another western country, if in these democracies this kind of problem, even in minor proportions, happened, everyone would say that democracy is in danger and the problem would be taken very seriously. That is why the “Italian case” is so impressive for the rest of the world, it arouses questions, admonitions, warnings.

Italy lives through this condition with embarrassment and shame. This is demonstrated also by the inexplicable silence that surrounds the threatened journalists’ issue. An issue that people tried to chase away by denying it. When Ossigeno published its report in English, Spanish, German, and Chinese some journalists who were asked to circulate it in foreign countries objected: “It’s not good to make these problems known, since Italy would make a poor impression”. This objection reveals not only embarrassment for the situation, but also a certain degree of provincialism. Ossigeno considers useful and necessary for problems, including this one, to be known and discussed for what they actually are. Silence does not solve the problem. The first step to take is to talk about it, to break the taboo that hampers the discussion, to discover that other people also have or had the same problems.

To make the Italian case and its true implications known to the international community helps to break the taboo and – as Ossigeno’s experience testifies – it helps other countries to discover and cure their own illnesses in their latency or incubation period.

We can and must speak about threatened journalists without denying the merits of Italy and its journalism. Italy can legitimately boast quality journalism; it has great and historic newspapers, eminent journalists, a high level of professionalism, vital and dynamic newspapers deeply rooted in the territory. All this is Italy’s pride and nobody can deny it. But we need to talk without rhetoric and admit that the great Italian journalism has a few problems, too. First of all, press legislation is defective, outdated, contradictory, and punitive towards journalists, and puts newspapers and reporters in a disadvantaged position against all forms of power. Journalists must speak about it

and fight for reform laws to comply with the European standards and the norms of the great Western democracies, as the UN and the international centres like Reporters Sans Frontières, the IPI, and Article 19 are urgently demanding.

In Europe, the Italian information system is already under special surveillance, because of what is called for short the “Berlusconi affair” (concentration of media ownership and conflicts of interest with politics), for the high number of threatened journalists, for the substantial impunity of those who intimidate journalists by means of violence, for the abuses allowed by inadequate public behaviour and laws, especially the defamation law that led to resounding sentences that were later rectified by the European Court of Justice.

In January 2010, the Council of Europe discussed the Italian case. There, Rapporteur MacIntosh (see 2010 Ossigeno Report), in asking all member countries for a stronger commitment to ensure the journalists’ safety, named a few Italian journalists forced to live under police protection.

Another relevant document for the Italian case is the biennial Report of IPDC (International Programme for the Development of Communications) published on 25 March 2010 by UNESCO, reporting on the journalists who lost their lives in the course of duty. The Report lists 125 murdered journalists in 28 Nations in 2008-2009 (three more than the previous two-year period) and urges interventions and initiatives to end the substantial impunity of those who threat, attack or kill journalists.

### *UNESCO Report*

The UNESCO Report allows us to understand three essential aspects:

- 1) Local journalists are the ones at greatest risk. As a matter of fact, the 80% of murdered journalists in 2008-2009 were not to war correspondents. Those journalists did not work in war zones, but in countries at peace like Italy, and they covered local news;
- 2) For each journalist killed there are many more who are threatened and exposed to serious violence. According to UNESCO, the substantial impunity of those who threaten or kill journalists must be defeated because it makes the reporters “an easy target”. In other words, if threatening a journalist carries a low risk, “whoever wants to prevent a journalist from investigating and revealing information of public interest” has fewer qualms about striking him or her.
- 3) The third aspect highlighted by the UNESCO Report deals with the effects of an intimidating climate: “The absence of threats against the reporters is the essential condition protecting the people’s right to be properly informed and, at the same time, to ensure the journalists’ right to tell the news without fearing for their life. A journalist’s murder, while being the most serious attack to press freedom, is only the tip of the iceberg. News professionals have to deal with many other forms of violence, such as threats, intimidation, kidnappings, harassment and physical assaults, as pointed out by the associations of journalists and the centres on press freedom like Reporters San Frontières, the CPJ (Committee to Protect Journalists) and the IFJ (International Federation of Journalists). Those sources also reported attacks on media organisations and initiatives that aim to destroy their resources”.

These statements contradict erroneous, though deeply rooted, beliefs about who, among journalists, is most at risk. It is unusual that they drew very little attention, especially in Italy, where the problem is particularly grave.



**OSSIGENO/3**  
**The weapons**  
**Visibility, solidarity, public attention**

Local news is the most exposed frontier of Italian journalism. As a matter of fact, the highest number of threatened journalists is represented by the reporters, copy-editors and collaborators of local newspapers, by the correspondents who pass the news to the central offices.

On the average, these journalists suffer more conditioning than those who work in the big cities. In little towns, the reporters who observe reality and tell the citizens what they see with their own eyes, run more risks because it is difficult to avoid direct and open conditioning. The abusers are often very close to the reporter and they act from a short distance. The reporter who reveals inconvenient truths is a personal enemy to them and their attacks are specifically aimed at defaming, isolating and neutralizing him or her.

The isolation of the targeted reporters can take different shapes. First of all, there is the lack of solidarity, or the false and poor solidarity shown by colleagues through official solidarity notes, which are sent late and without conviction, signed with the “left hand” and weakened by the behaviour of the signers. It’s easy to recognise false solidarity: it sounds weak, just like a false coin. The people who want to show real solidarity put themselves on the victims’ side, identify with them, defy the abuser to pick on them, share the danger, as the inhabitants of Locri did, in October 2005, when they demonstrated in the streets after the assassination of Francesco Fortugno with the slogan: “And now kill us all”. It is rare for journalists to do something like that for their threatened colleagues. Rare, but occasionally it happens. The most famous case was in September 2009, when hundreds of journalists came from all over Italy to join in a solidarity walk in Palermo for the reporter Lirio Abbate. It looked like the beginning of a more appropriate way to respond to intimidation, but it remained an isolated gesture, which was not repeated when other episodes occurred.

A threatened journalist’s colleagues find thousands of reasons not to take action, to deny the “media guard”, which has been often identified as the most effective defence that a threatened reporter could possibly receive.

People usually try to make distinctions. At first, threats are always put in doubt. Then, if the threat itself is considered believable, it’s the victim’s conduct that is put in doubt. Some openly ask the victim the famous questions: “You just had to report the news, didn’t you?”, leaving the rest of the sentence implied “You could have done like me, you could pretend not to know anything”. Sometimes, the victim who dares to question this point of view is attacked with other typical lines: “Who do you think you are? Don’t you see you put all of us in danger?”. As a result, sometimes the victim can be accused with a few pretexts and called to explain himself or herself in front of the disciplinary committee. It does not always end that way, but it happens.

*Where journalism is weaker*

We are talking about Italy, but Italy is a mix of many different realities, also when it comes to journalism. There is the central heart of the nation powerfully lit by journalism, while all around there is a vast peripheral zone hardly touched by light. In big cities there are the most important newspapers and television offices, where two or more media with a large audience compete to gain readers and listeners, where there

is a large number of professional journalists, where a reporter in trouble can go away and work for another newspaper, where (almost) everything that happens is put under the light by journalism.

And then there is the rest of Italy, that is the greater part of the country where the light of journalism is poor and leaves many zones in the shadow or in the dark. This vast periphery of journalism begins in the suburbs of the big cities. Every zone is under the influence of a prevailing publisher that, like a feudal patron, keeps the monopoly of local news, often after signing a pact with the other publishers, pacts that would be sanctioned by the Antitrust Authority if they were made in the well-lit part of Italy. The people who work for the newspaper of poorly lit Italy have to choose the news with criteria very different from those quoted in journalism manuals. The journalists who work in this “periphery” and for these newspapers do not have the same rights generally recognised to metropolitan journalists. The coexistence of such different areas is the source of many problems in Italy. And it is appalling that so little is done to make the rules of good journalism prevail throughout the nation.

### *Public money and good journalism*

Much can be done, some even immediately. For example, we must update the regulation of public funding to publishers – the most powerful and effective public instrument in the publishing field, which should serve, above all, to encourage good journalism. While the budget difficulties of the State have led to a reduction in this funding and new rules for its allotment, these resources must be used to encourage good and brave journalism. For instance, publishers who request public funding should be required to make a few commitments: to respect free competition, information pluralism and people’s right to be properly and impartially informed, to work with the highest degree of professionalism, to function as a public service publishing news of general interest without omissions, especially local and socially relevant news. Those commitments will measure the results of public funding, which currently represents a generic contribution to the publishing companies’ expenses. The glaring violation of those commitments should bring the exclusion from further funding, especially for the newspapers that publish unilateral information, that censor, underreport and omit news of public interest. At this moment, trying to prove these kinds of violations would be unrealistic, but when there are explicit norms ensuring the people’s right to be properly informed and punishing those who breach this right, those commitments will be respected.

### *Weaker because of the temporary employment*

One of the factors that weakens good journalism are the working conditions of many journalists who are defined “temporary employees”: many of them do not have a stable work contract, they are on piecework and their articles are shamefully underpaid. This type of employment scheme, especially outside of the great urban centres, created a sort of corporalship with poor reporters working only occasionally and trying hard to put together the minimum wage. Working in those conditions pushes everyone to think that deontological rules are optional, a luxury which few people can afford. Temporarily employed journalists, because of their condition, are particularly exposed to blackmail and threats. How could a journalist struggling for survival fight against powerful sources over inconvenient news? Who’s helping such a reporter when he or

she is threatened? Who's paying for his or her legal assistance when he or she is wrongly accused or sued for damages? Except for rare cases, these struggling journalists must manage with their own meagre means. All this falls both on their families' shoulders and on the quality of the information. Lawmakers must do something in this regard and the required reforms must be applied.

### *Like in the authoritarian regimes*

As we mentioned above, local journalists, even those with a stable contract, are the most exposed to local criminals' harassment, which aims at silencing them. Let's see how these exploitations are performed.

The harassers can limit the freedom of the press by means of violence, arrogance and blackmail staying essentially unpunished. Their abuses narrow the journalists' field of action. The widespread climate of intimidation often pushes the journalists not to report on controversial issues and on what is going on beyond the arbitrary line traced by the abusers. In other words, the abusers impose a pre-emptive censorship by means of violence, just like what happens in authoritarian regimes.

Up until short time ago, this kind of things only happened in certain areas of Italy, which are under the strong influence and control of the mafia. Over the last few years things got worse. The "line of the palm" – as famous Sicilian writer Leonardo Sciascia defined the border between "hot" areas and the rest of Italy – has moved further to the north. The abusive methods employed by mafia have spread throughout all of Italy, just like a cancer that spreads throughout the body. What has also spread is the violent limitation on news reporting.

This violent and arbitrary limitation of information is present in all regions of Italy, both in towns and big cities, and it deals not only with mafia. It is performed by all types of power (political, economic, etc.) towards every kind of inconvenient news. Violent limitation of information is a social problem which everyone, not only journalists, must face. It is a problem for democracy.

### *News blackout, the armour of invisibility*

The most effective defences for a threatened journalist are visibility, solidarity and public attention. It is difficult to deny and it is even more difficult to understand how anyone could claim the contrary by now. But some still think that keeping the threats hidden, not giving them strong publicity, would be safer for the journalist. This is true only in special cases and in certain moments: when the people involved request it or when the on-going investigations to identify the abusers could be compromised. But except for those cases, this is not true. When they overcome their fear, the victims themselves ask to go public because they do not want to be isolated.

It is hard to understand how someone could suggest, without being publicly contradicted, that a news blackout could be a solution to this problem. Whoever believes it, is wrong. Ossigeno per l'Informazione considers high visibility for the threatened journalists as the most effective shield to protect them.

## *Understatement*

The understatement is a big curtain behind which we can hide everything, even a social drama as deep and widespread as that of threatened journalists. The ways of understatement are infinite.

One can understate, for example, saying that the threats are occasional, that they have no general relevance, that the threatened ones are, in part, responsible for what is happening to them... This is like giving false coordinates that do not reflect the right spot on the map.

How could one possibly define the threats as “occasional” when there are twenty cases a month? How could one possibly say that local journalists are second-rate when in fact they are all first-rate? Local journalists are often fundamental elements of information gathering system: they are like sensitive antennae on the ground, they are the historical memory, they are the “sherpas” who help the big newspapers correspondents.

However, the greatest form of understatement is the silence in the news when a journalist receives threats, assaults or unfair accusations. Sometimes threatened journalists’ colleagues – it must be said – try to keep the news secret. This is one of the problems we must face.

There is no reasonable excuse for silencing this kind of news. Yet, most newspapers and TV news do not report this news. Threatened journalist? That is not news! That is what many editors say, unless their own newspaper or a famous journalist is involved. In these last two cases, the news is put in the spotlight, but without mentioning that other, lesser known journalists suffered the same fate. In these cases the personality is the news. The problem is just an accessory circumstance. Not connecting the facts between them is another devious form of understatement, and a common one.

Some justify themselves by saying: «This is the umpteenth threatened journalist». Imagine if a sports commentator said: «This is the umpteenth goal of the match!». That is not journalism, it is crude reporting. It is a way to say that a repetitive event is not important and is not of interest.

Another way of reducing the impact of news is to keep it in a narrow environment: it is another way to understate the succession of intimidation cases.

When a journalist is threatened, the normal practice is that only the newspaper for which he/she works reports the news, and sometimes not even they will do so. Behind such behaviour there are various reasons and some of them are really pitiful: competition between newspapers, political or trade union issues, personal jealousy between journalists, fear of siding with the weaker party against the stronger party, the desire to show the harasser that the victim will not be defended, not even by his or her own colleagues...

The attitude of public figures also influences the understatement. Politicians could do a lot, but they seldom intervene. It is rare for a leading politician to show solidarity with a journalist. When he/she does it, it is almost always for a famous journalist or for a personal or political friend of the politician. Even rarer is political solidarity shown through a parliamentary inquiry, which, almost always, remains unresolved. During the last few years, the government has not even answered requests to know how many Italian journalists are living under armed guard and other types of police protection.

*Elsewhere it is worse. But where?*

Why do the newspapers, the Parliament, the politicians, the institutions not address such a serious, widespread and recurring phenomenon? There are many different auto-justifications, but the most common one was to deny the problem. Then, the ample, qualitative and quantitative documentation presented by Ossigeno per l'Informazione changed everything. Now the main justification is: «Okay, but in other countries it's even worse, far more serious offences are committed: journalists are deprived of their freedom, they are imprisoned and killed».

That is true, but many of those countries are ruled by authoritarian regimes or by new and weak democracies. Those are the only countries with something quite similar to the Italian situation.

The seriousness of the problem must be measured in proportion to the degree of democratic evolution of each country. As a stable democracy, what happens in Italy is really serious: Italy is the ancient cradle of Roman law, it is one of the five founding countries of the European Community, it has been, for sixty years, an example of freedom and respect for human rights. How could Italy possibly preach the European lesson to the new democracies that dream of entering the European Union, if one of the fundamental human rights, the right of expression and information, finds such incredibly high obstacles?

**OSSIGENO/4**  
**The world is looking at us**  
**International observatories on Italy**

In March 2011, Dunja Mijatovic, the OSCE (Organization for Security and Cooperation in Europe) Representative on Freedom of the Media, commented on some serious cases of intimidation and threats against Italian journalists reported by Ossigeno per l'Informazione. She said: «I call on the Italian authorities for an open and fast investigation on all the cases of threatened journalists. I am really worried» – she added – «about the climate of violence and intimidation in Italy against the journalists who work on issues of public interest and on news dealing with organised crime. The attempts to silence investigative journalism threaten the principles of democracy. It is even more alarming that this kind of attacks remain unpunished».

*Vienna, three admonitions from OSCE*

In 2010, Mijatovic had already reprimanded Italy about the “wiretapping bill”. Berlusconi’s government answered on 15 June 2010 with a notice of protest, defining the OSCE intervention as inopportune and bordering on interference. A few days earlier the Senate had approved the wiretapping bill. It was only awaiting ratification by the Chamber of Deputies, a step the government was pushing, although the bill was strongly criticised by public prosecutors, journalists and international organizations. Mijatovic had warned that «the bill would seriously interfere with investigative journalism and that the Parliament must reject it or modify and adjust it according to international standards of press freedom. I am worried» – she stated – «that the Senate approved a bill which would seriously damage investigative journalism in Italy. Journalists must be free to report all the news of public interest, they must be free to conduct a responsible inquiry». A few weeks later, especially after the substantial veto of the Italian President Giorgio Napolitano, the “gag bill” (as it is called in Italy) was definitively abandoned.

OSCE mentioned the problem again on 7-8 June 2011, in Vilnius, at the “Conference on Safety of Journalists”, which ratified a document calling on «the governments’ duty to ensure safe working conditions for media professionals and to openly fight acts of violence against journalists. Attacks against them must be considered as attacks against democracy». The Vilnius Conference stressed that journalists can do a lot to improve their own safety, but their initiatives can be effective only if governments perform the duties mentioned by the document and if they implement «the capacity, the tools and the structures that can rapidly and firmly punish the acts of violence (against journalists) and run proper investigations, in order to create the transparency which could give credit to the efforts of the courts».

In particular, the 70 OSCE participating States, and Italy among them, were given the following recommendations:

- Strongly encourage governments of OSCE participating States to treat violence against journalists as a direct attack on freedom of expression, and publicly refute any attempt to silence critical or differing voices in the society.
- Recommend that governments give their full political support to the strengthening of media freedom by promoting safe and unimpeded conditions for journalists to perform their professional duties.

- Encourage legislators to increase safe working conditions for journalists by creating legislation that fosters media freedoms, including guarantees of free access to information, protection of confidential sources, and decriminalising journalistic activities, including defamation and libel.
  - Advocate that the authorities make it their priority to carry out swift and effective investigations, sending a message to society that perpetrators and masterminds of violence against journalists will be efficiently brought to justice.
  - Urge that law enforcement agencies be given sufficient resources and expertise to carry out effective investigations in the particular field of the media and to develop practices that respect the legal rights of members of the media, including their unhindered access to information during public protests or in cases of civil and public unrest.
  - Call for due weight to be given to the public interest in judicial procedures initiated against journalists as a result of their professional duties, and to ensure that such cases are handled without delay and in a transparent manner.
  - Call upon law enforcement agencies and media to jointly establish good practices that can increase the safety of members of the media and to engage in joint training activities to promote these practices.
  - Support the work of the OSCE field operations in their important role in assisting participating States in this regard and encourage field operations to undertake further projects aimed at capacity building and training for the media, including the promotion of dialogue between the media and law enforcement agencies.
- These recommendations are implicitly addressed especially to other OSCE participating States, but they speak to unsolved problems in Italy.

*New York. The CPJ on the “Monster of Florence” and the Meredith Kercher murder*

The Committee to Protect Journalists (CPJ) of New York is an eminent American NGO that in April 2011 reported to the Italian authorities, with great concern, a few serious violations against freedom of the press in Italy. The same violations were reported in May 2011 by OSCE. They dealt with the behaviour of public prosecutor Giuliano Mignini who supposedly threatened and harassed blogger Frank Sfarzo and other journalists working on the investigations of the “Monster of Florence” and on the Meredith Kercher trial – the British student murdered in Perugia in 2007 - led by Mignini himself. The Italian authorities did not answer those reports.

According to the CPJ, the Italian investigators committed misdeeds against journalists, bloggers, writers of enquiring essays and columnists, who were presumably attacked after analysing and criticising the investigations, after raising doubts about the evidence on the basis of which American Amanda Knox and Raffaele Sollecito were sent to prison for four years and found guilty of homicide in first instance. Those journalists had expressed doubts since the very beginning of the trial, which three to four years later, ended with a verdict of not guilty. So their opinion was legitimate, reasonable and valid. Those who expressed their doubts, openly dissenting with Mignini and questioning his impartiality, were harassed and attacked.

Something quite similar had happened a few years earlier, when the same prosecutor led the investigations of the “Monster of Florence”. The targeted journalists were: Mario Spezi, Vincenzo Tessandori, Gennaro De Stefano and Roberto Fiasconaro. Then Mignini moved from Florence to Perugia and led the investigations of Kercher’s

murder and, according to the CPJ, other journalists were attacked: blogger Frank Sfarzo (beaten up and illegally arrested); Giangavino Sulas and Umberto Brindani, respectively, reporter and editor-in-chief of the magazine *Oggi* (both sued for libel); American writer Douglas Preston; the newspaper *West Seattle Herald*; and American writer Joe Cottonwood.

In a report from 23 June 2011, at the OSCE Permanent Council the Representative on Freedom of

the Media brought up the Sfarzo affair and suggested that in Italy the freedom of the press seems not to be fully guaranteed.

Dunja Mijatovic said: «On 24 May 2011, I reported the case of journalist Frank Sfarzo to the Italian authorities. Sfarzo was repeatedly harassed after he started to write about the investigations on the death of the British student, killed in November 2007 in Perugia, while she joined an international student exchange programme. I will make reference to three particularly worrisome incidents. On 10 May Giuliano Mignini, public prosecutor of Perugia and leading prosecutor on the Kercher case, obtained an order from the Court to “precautionarily close” Sfarzo’s blog, *Perugia Shock*, dealing with the criminal investigation on Kercher’s murder. On 23 February, Sfarzo was criminally sued by Mignini for “libel through a website”. In September 2010, five police agents, presumably supervised by Mignini, burst into Sfarzo’s apartment, without showing any warrant or identification badge. In my letter I pointed out that no website should be closed as a precautionary measure, because it violates the citizens’ right to be informed about issues of public interest. I also stressed that a criminal action against a journalist based on his critical opinion violates the international standards for freedom of the media, and I recalled that my Bureau held a long campaign for the decriminalisation of libel».

On the eve of the appeal trial of Perugia, the CPJ described with concern the same circumstances and asked the Italian authorities to take “rapid measures to ensure that the reporters following the trials have the freedom to write reports and articles with no fear of retaliation”. The CPJ’s request was addressed to a number of authorities (among them, the President of the Republic, the Prime Minister, several ministers) and also sent to some newspapers.

The OSCE’s admonition did not resound on the Italian press. The CPJ’s request caused a sensation in the USA, where the trial of Amanda Knox was followed from the start by the media with worry and emotional participation, starting off a real campaign in Amanda’s defence. A few Italian newspapers simply reported that this CPJ document existed, without describing its contents and presented it as an initiative of the American pro-Amanda Knox lobby. Italian authorities did not answer the OSCE nor the CPJ.

Nobody cared to check on the condition of Sfarzo, defined a victim both by the CPJ and the OSCE. After the CPJ report, thanks to Andrea Gerli’s patient work, Ossigeno contacted Sfarzo, who is understandably reluctant to speak publicly about his troubles. The blogger is worried about the legal actions against him, which are still not entirely clear. The silence and the climate of isolation around his case – an inexplicable climate – increase his worry. It is clear that Sfarzo deserves solidarity as a victim of the abuses of the criminal law on libel. An abuse which is far more serious because it involves a public prosecutor, an officer of justice, making excessive and exploitive use of the often-decried law against someone who openly criticised his work. A representative of the prosecution deserves the highest respect and must not be mocked, but he cannot expect to be considered infallible and to avoid criticism.



Giuliano Magnini is already known for his rough and sometimes excessive behaviour towards journalists who do not worship everything he says and does. In January 2006, in Florence, he was sentenced in first instance to 16 months' imprisonment for abuse of authority, for running illegal and punitive investigations on a few enquirers and journalists who did not share his methods and criticised his enquiries on the Monster of Florence. On 22 November 2011, the sentence was nullified by the Appeal Court of Florence on the grounds of territorial incompetency regarding another aspect of the trial. The acts were conveyed to the Court of Turin where the trial will begin anew. It is likely that the crime will expire because of the statute of limitations before the new sentence is handed down.

The most serious aspect of the facts of Perugia, according to the experts of CPJ, is that in front of such abuses and the victims' protestations, there was not a proper response from the Italian public authorities, who should have protected these journalists' right to information and expression.

### *Vienna again. The IPI's mission in Italy*

Recently, the International Press Institute of Vienna also dedicated special attention to Italy. Founded in 1950 at Columbia University of New York, the IPI is one of the world's oldest organisations for the protection of human rights, and especially, freedom of the press and expression. The institute's staff includes eminent journalists and columnists from all over the world. The institute publishes on its official website a counter of the journalists killed in the world during the running year. It constantly monitors the violations to the freedom of the press and carries out field missions, every year in a different country, to test the climate in which publishers and the press operate. Over the last years, the IPI carried out missions in Bangladesh, Sri Lanka and Nepal. But for 2010, the IPI chose Italy. The Italian mission certified that «although the media in Italy have a high degree of freedom, there are a lot of serious problems». In particular, the IPI, as well as other observatories, expressed «worry for the concentration of media ownership and for the absence of incisive law on conflicts of interest» and also «for understanding the difficulties encountered by journalists when they deal with organised crime, especially in the south of Italy, where criminal organisations have a strong influence».

After the Italian mission, the IPI expressed its concern over the punitive use of defamation laws against journalists, for the effects it has both in criminal and civil actions, in terms of compensations. The IPI stresses that the fact that press libel is considered a criminal offence, which can be punished with up to three years' imprisonment, is a violation of all the international rules on the matter. On several occasions, international courts have expressed the opinion that imprisonment is an excessive punishment for libel.

The claims for damages in civil courts from those who consider their reputations damaged by the media, the IPI observed, lead to undue interference on media content, as publishers limit publication of news so as not to become involved in long and expensive legal proceedings.

The IPI considers that, faced with the possibility of being sued for libel and demands of expensive claims for damages, journalists are pushed into self-censorship and this leads to the obscuring of information that is in the public interest.

*London. Article 19: «Italy, abolish imprisonment for libel»*

In September 2011, the prominent British NGO Article 19 also demanded the decriminalisation of press libel, ruled in Italy by anachronistic laws that stipulate detention for journalists. Article 19 sent an open letter to the president of the Chamber of Deputies Gianfranco Fini, and to the president of the Senate, Renato Schifani. It is an authoritative and justifiable admonition.

Article 19, founded in 1987, is headquartered in London and has branches on all continents. It is committed in «protecting the victims of censorship and dissenting voices, in fighting against the laws and the methods that silence those voices». Article 19 considered it necessary to petition the Italian Parliament after reading the sentence of 10 May 2011 of the Court of Chieti that sentenced to prison three journalists of the newspaper *Il Centro*: copy-editors Walter Nerone and Claudio Lattanzio, sentenced to one year's imprisonment; and ex-editor Luigi Vicinanza, sentenced to eight months. The case caused great sensation because the judges were extremely harsh and denied the possibility of parole, generally granted to first offenders and to all journalists declared guilty of libel. The three journalists were not imprisoned only because they appealed.

All this is «extremely worrisome», says Article 19, pointing out that the Chieti trial is only one of a number trials for defamation through the press that in Italy end with imprisonment.

Recalling historical admonitions of the United Nations and OSCE addressed to Italy to decriminalise libel, Article 19 stresses that the presence in Italy of criminal norms to punish these kinds of violations «does not comply with the elementary principles of democracy nor the international norms on freedom of the press providing that the individual's reputation must be defended against every injustice, but the injustices must not be rectified by sending journalists to jail».

Article 19 takes its name from Article 19 of the Universal Declaration of Human Rights, which ratifies freedom of expression and opinion. Its advocacy for decriminalisation in Italy is passionate and justifiable on the political, juridical and ideological level. It is useful to read the letter in full.

Here, we will quote the most significant passages:

«The experience of many countries that have abolished criminal defamation laws (such as Armenia, Bosnia and Herzegovina, Cyprus, Georgia, Ireland, Moldova, Montenegro, Ukraine, and the UK) shows that civil law can provide remedies for harm to individual reputation along with the possibility of action by self-regulatory bodies».

«The original aim of all criminal defamation laws was to make criticism of monarchs or governments a criminal offence and to silence dissent. Today, defamation is, arguably, a private matter between two individuals with few public consequences. Any criminal law regulation, and especially the potential for imprisonment, is therefore inappropriate».

«ARTICLE 19 is strongly convinced that the imprisonment of journalists for defamation is an anomaly in a democratic state such as Italy».

In the letter to Presidents Fini and Schifani, Article 19 recalled two previous authoritative admonitions: in 2006, UN Committee for Human Rights called on Italy demanding that «defamation be no longer punished with detention»; in 2007 the Parliament of the Council of Europe, by Resolution 1577, called on the member States for «the abolition, without further delay, of sentences of imprisonment for libel».

### *Ossigeno's international agenda*

The “dark illness” which strikes the Italian press, as we have seen, worries foreign countries, strikes the imagination and, therefore, grabs international attention. In consideration of this, and in order to discover if similar cases can be found in other countries, Ossigeno per l’Informazione has developed an international agenda of activities. The first step was made with the translation of the annual Report 2009-2010 into English, Spanish, German and Chinese and its promotion internationally.

During 2011, Ossigeno promoted three international conventions with the participation of foreign journalists;

-on 9 February in Rome, together with the Spanish Cultural Institute “Instituto Cervantes”, on the topic “News that bothers and threatened journalists: a comparison between Italy and Spain”;

-on 19 April in Rome with “Goethe-Institute”, the German cultural institute, on the topic “Germany and Italy: News on mafia and threatened journalists”;

-on 16 November in Naples with the Università l’Orientale on the subject “Facts and opinions fading away – The gag on the press in Italy and China. Legislation, threats, abuses”.

This agenda will go on with other initiatives. The project includes, among other things, the circulation of an English-language edition of the Latest News from Ossigeno.

## OSSIGENO/5

### Agenda

#### Journalists, public opinion, Parliament: things to do

«The number of threatened journalists in Italy has increased considerably over the years», said the President of the Italian Order of Journalists, Enzo Iacopino, on 21 January 2011 during the Information Day which took place at Italy's Presidential Palace in front of the President of the Republic Giorgio Napolitano.

«A fact – Iacopino added – that is confirmed by the work of Ossigeno per l'informazione, the centre on threatened journalists, created by the Order of Journalists and by FNSI. The number of threatened journalists is alarmingly high. This fact forces us to look at the picture of the real Italy. The journalists who witness the truth are always inconvenient, because they are enemies of crime and corrupted business. The attempts to condition journalists' freedom are frequent and continuous. Apart from those represented by proposed laws quite similar to norms recently approved in Hungary and immediately criticised by the European Union, there are other attempts. The most devious attempt is temporary employment».

Iacopino raised the issue again on 29 December 2011, during the year-end press conference of Prime Minister Mario Monti, asking him, with Ossigeno's data in hand, to focus the government's attention on threatened journalists.

On 22 June 2011, in front of the growing number of cases of intimidation, the FNSI National Council, prompted by the repeated death threats against the reporter Michele Mignogna from Larino (in the province of Campobasso), expressed its "concern" over the high number of journalists threatened in Italy. By a unanimous vote, the national trade union of journalists approved a resolution urging the Minister of the Interior to adopt the appropriate protection measures for each member of the union. It asked the Parliament and the Government to adopt «norms more suitable for a situation in which the right to inform is increasingly hindered by means of violence and by legal manipulations, such as lawsuits used as an excuse or unreasonable claims for compensation». Michele Mignogna's name, as written in the FNSI document, «is the last of a very long list of reporters seriously threatened or intimidated in Italy. According to Ossigeno's data, since 1 January 2011, 23 episodes were added to that list. Mignogna was repeatedly threatened after writing reports of specific episodes of mafia infiltration, of corrupted politicians, of the waste of public funds; these articles led to judicial investigations».

Two days after the FNSI appeal, reporter of the *Corriere di Caserta* Tina Palomba received threats. The FNSI secretary Franco Siddi, interpreting the will of the National Council, raised the issue. «Crimes against journalists, especially in the South, still are» – he said – «the object of a permanent social and union initiative, also through future extraordinary campaigns». Moreover, the FNSI Secretary brought the question before the Ministry of Internal Affairs and the bureau of the General Director for Public Security.

«The serious threats against Tina Palomba» – Siddi stated – «are a disturbing attempt against individual freedom and the freedom of all those who believe in the importance of proper and detailed information as a public resource». The firebomb that a few nights ago destroyed her car, in Caserta, is the last of a series of episodes of intimidation, which become every day more frighteningly intense. The measures taken so far, like a soft protection program, are not enough anymore. Spreading terror among journalists is a serious and intolerable attempt to weaken the power of

information. The FNSI is sending a clear message to organised crime: «You won't make it! You're doomed the very day you commit – as you did – such a dangerous and hateful attack. The trade union is ready to expose itself to deliver news about organised crime and its activities, which must be fought with every means. In Caserta, as in other southern areas, the spiral of violence must be stopped. Nobody will be left alone. It is not only a matter for the police, but also a matter that requires an intense activity at the cultural level. The free circulation of news is essential».

Sadly, up until now, the dramatic appeals of OSCE, CPJ, the IPI, Article 19, FNSI and the Order of Journalists, seem to have fallen on deaf ears. The Italian authorities simply ignored them. No feedback came from the politicians, Parliament or the institutions. And many Italian newspapers kept ignoring both the appeals and the steady trickle of threats, attacks and abuses. This carelessness, sadly, is not new and it's part of the problem.

It is apparent that the disregard and the denial of the problem have been justified so far because of the lack of data, the victims' fear and, more generally, the question of threatened journalists in Italy being a taboo. It is hard to talk about their tragedy just as – until short time ago – it was hard to talk about miscarriage, rape and usury.

### *Finally, a little space*

But something is changing. There is increased attention. That is proved by the growing space given to the phenomenon by the press and the television media. The disregard is doomed to disappear in short time, because the situation is alarming and it is now difficult to deny that the use of harassment and intimidation is one of the main problems of information in Italy, a problem that goes beyond that “Indian reservation” where the mafia reporters live. It is one of the daily problems all journalists must face when dealing with inconvenient news. It is one of the problems that prevent the citizens from knowing everything that actually happens and could influence them when they read the news.

Ossigeno claims the credit for this change of behaviour. With its work, the Centre offered an objective picture of the situation, measured the extent of the phenomenon, introduced the nature and the implications of intimidation, and reported who was actually targeted and why. It did not allow the problem to be denied. Denial is no longer possible, and the first effects of awareness are beginning to be seen.

Attention to the problem has increased, and maybe the missing answers will start to emerge, too. This is possible also thanks to the end of a self-serving political season. We are confident that our questions will soon be answered.

Ossigeno will keep on doing its part, giving voice to voiceless journalists, making visible the threatened journalists that criminals would like to silence and make disappear. It will continue to give a face and a voice to a tragedy that affects hundreds of reporters and dozens of newspapers every year. Ossigeno will continue to report what it is that prevents the citizens from knowing the news of relevant public interest. But Ossigeno also wants to take a step further. After closing the first part of its mission with this and the two previous Reports, which proved that in Italy “the problem that isn't there” does exist and has a very specific dimension, nature and characteristics, the Centre will more actively urge the institutions to do what is needed in order to confront the problem.

## *Agenda*

As the OSCE requested, it is necessary to break the spiral of ever-intensifying violence and abuses of power to condition the press and prevent inconvenient news from being published.

It is necessary to break the widespread climate of intolerance towards journalism and any form of critical information. A climate that becomes more and more restrictive for those who observe the facts, collect information, for those who do not stop in front of the partial versions, to the “regime” news, the official statements.

To break the spiral, it is necessary to support and encourage the victims of intolerance, who are mainly local reporters, journalists, photographers, TV cameramen of small, local media outlets, freelancers and bloggers who report the crimes and injustices that happen in little towns and in mafia territories. These are the journalists who are in the midst of the events, who care more for the implications of the events, who gather direct evidence, who push themselves further. They need to be supported, rewarded, encouraged and recognized as examples. That is necessary to give oxygen to the entire information system, to reject a resigned, bureaucratic, accommodating concept of journalism, which is verging on propaganda and advertising, two forms of unilateral communication in which the reader is not the subject but the “target”.

The measures needed to improve the safety of Italian journalists are well known. Some of them were presented in the previous Ossigeno Reports. Hereby we present a larger list, at the end indicating the legislative reforms submitted to the attention of the Italian Parliament.

### *Police protection*

The most exposed journalists must be provided with police protection and other measures, proportionate to their true needs, finding solutions that satisfy the growing need for protection, while saving personnel and means of public safety. Law enforcement agencies, judicial authorities, and provincial committees for order and public security are growing increasingly more sensitive to this problem. In many cases, their investigations have revealed useful information to thwart attempts or to punish the perpetrators and offer suitable protection services for the victims. We must be thankful to these public organs but we must also urge them to be more systematic in their actions, in order to encourage the journalists who resist these criminals and to discourage those who assume impunity.

### *Media guard*

The media is finally realising the seriousness of the problem. But it must make a greater commitment to action. It must carry out concrete and effective forms of support. In the case of threats, it must set up a “media guard”, composed of the newspapers and journalists that stand at the victims’ side, to demonstrate that the targeted journalists are not alone, to prove that attempting to hide inconvenient news by threatening the journalists is useless and counterproductive. And the press can do that by publishing and spreading that news in various publications, making it public knowledge.

### *Statements of solidarity*

Active solidarity prevents the victims from being isolated. This form of protection is more effective than any armour. Receiving solidarity gives strength to the weak and allows them to triumph. That is why statements of solidarity are necessary, the more the better. Journalists, newspaper committees, associations, public figures and institutions must be encouraged to write statements of support each time they are needed. But they must be clear and neat stances, real testimonies of solidarity. When read carefully, some statements of solidarity seem to affirm the exact opposite. It is necessary to look at what is stated, beyond all the rhetoric and ritual. It is necessary to react against cold and generic statements, which, in fact, attest isolation. The position of those who explicitly deny solidarity must be stigmatised, because each threatened journalist or individual is a victim and needs support, regardless of what that person thinks or writes. It is necessary to read and analyse the motives of those who publicly deny solidarity, and thus increase the effects of isolation.

### *Teamwork*

After a threat, but also before, for prevention, the newspaper staff must study and adopt suitable measures to increase the personal safety of the most exposed journalists, that is, those who work on the most inconvenient news. The simplest instrument, used by many publications, is teamwork: it is useful and effective because it depersonalises the risk. When a journalist becomes a victim of intimidation because of a news item, the newspaper must visibly take his or her side. The news must be by-lined by other journalists, in order to keep on working on the same subject. The editor and the rest of the staff must clearly show to the readers that the threatened journalist is not alone, and they must build up solidarity outside the newspaper. Everybody knows that teamwork is essential, but it does not always happen.

### *Personal commitment*

The most dedicated journalists must commit to help their newspaper to do what is fair and necessary, every time. Besides being necessary, it is also right to be personally committed, to help others overcome moments of hesitation. Personal commitment counts. Each one of us is called to raise awareness and prevent the process of isolation from becoming unstoppable. What can be done concretely? Some things are apparent, expectable and we must do them. Other things can be done in special cases, so along with commitment, we need imagination, too.

### *Stand up for people, stand up for freedom*

In general, every time we stand up for an intimidated journalist we must declare our aim to defend, at the same time, freedom of the press and expression and its actual execution. It is essential because this aim demands the attention of not only the media world, but also civil society, politics, and institutions. We must involve all these groups, suggest common initiatives and find the means, instruments and effective initiatives to protect, along with freedom of the press, the right of each citizen to be informed. This goal cannot be accused of being corporative or partial, and it can allow mobilization on a larger scale.

### *Let the news spread*

In 2010, especially thanks to the monitoring and promotion activities of Ossigeno, media visibility of threatened journalists has significantly increased, but the matter still does not have the attention it deserves. It is essential for the news on threatened journalists to be published as soon as it happens, to circulate beyond the local areas and not only by the newspaper where the involved journalist works.

It is important that every item of news about a threatened journalist be given the proper context, that the history and the scope of the phenomenon be reported, according to the data in the Ossigeno tally, constantly updated and available on our website: [www.ossigenoinformazione.it](http://www.ossigenoinformazione.it).

Spreading the news and giving visibility to the victims helps to break their isolation and makes them safer. Showing that the threats are not sporadic helps to bring the question to the attention of state institutions. It is up to each and every journalist, whatever his or her role within the newspaper, to call attention to this matter. Anyone affected by the plight of a threatened journalist has the responsibility to raise the issue that other people do not see.

### *The most urgent reforms*

The majority of the threats are made possible by four circumstances:

- impunity of the perpetrators;
- exploitation of defamation law;
- civil actions with excessive claims for damages;
- only partial acknowledgment of professional secrecy.

To solve these problems, we require urgent legislative reforms, which have been the object of discussion for many years.

### *Decriminalisation of press defamation*

In Italy, unlike most Western countries and in spite of the recommendations of the UN Committee for Human Rights, as well as the UN special Rapporteur on promotion and protection of the right to freedom of opinion and expression and the European directives, press defamation is still a criminal offence, punishable with imprisonment from one to three years. Only in authoritarian countries this kind of violation is still considered a criminal offence and sanctioned with imprisonment.

The possibility for an Italian journalist to be imprisoned is not remote, also because sometimes the sentence is imposed without granting parole. It has happened many times. The most famous cases are the sentences of Stefano Surace in 2001, Lino Lannuzzo in 2002, Massimiliano Melliti in 2004 and Walter Nerone and Claudio Lattanzio in 2011.

Melliti's sentence brought a reaction by FNSI and international organisations like OSCE and Reporters San Frontières, which appealed to the Minister of Justice stating: «Although those who consider themselves defamed apparently have the right to be compensated, it is unthinkable that a journalist is sent to jail for writing an article in a country that is a founding member of the EU», as declared by the international organisation for the protection of the freedom of the press.



In 2011, after Nerone and Lattanzio's sentences, Article 19, the eminent London NGO, signalled to the presidents of Italy's two legislative chambers that the presence in the Italian criminal code of sanctions for libel «is not compliant with the basic principles of democracy and with the international rules for the freedom of the press, providing that people's reputation must be protected from all injustices, but cannot be compensated sending journalists to jail».

### *Stop to the misuse of complaints*

Currently, Italian law allows anyone to sue for libel or to claim damages, from both journalists and newspapers, also without factual assumptions. Those who exploit and take advantage of this situation get away with it, even when – years later – the judge rules that they acted recklessly or in bad faith.

Sanctions should be provided for those who summon a journalist and claim damages that the judge considers groundless and based on false assumptions. Making them pay the legal fees is not enough. It is necessary to apply Article 96 of the Civil Code, which provides equal compensation for those who were summoned without fair reason. Recently, a paragraph that opens this perspective was added to the article, but it is still difficult to apply.

### *Coverage of legal fees*

Coverage of legal expenses for journalists must be added to the formal list of publishers' commitments, when they request public funding, and to the clauses of the collective labour agreement of workers. Awaiting the formal introduction of the reform, publishers, trade unions and social organisations must find a rapid way to provide the journalists hit by unreasonable and unfair lawsuits with legal assistance and the coverage of legal fees. If we want to protect free information we must find the tools, the means and the resources suitable for providing legal assistance for journalists on a larger scale.

### *Correction and limitation of compensation*

Another subject that needs to be regulated, together with the reform of defamation law, is the right of correction and the amount of pecuniary compensations. Today in Italy anyone who feels damaged by an article can sue a journalist for libel or for damages, even without having requested the publication of a correction or clarification. Today, anyone who feels damaged by an article can sue a journalist or the newspaper, can claim material or immaterial damages as he or she has calculated, establishing the amount as he or she sees fit. The judge is not expected to perform an evaluation on the degree of reasonability or the amount of the damages claimed, and the trial can last from three to ten years. The indiscriminate exercise of this right has become the principle source of a number of abuses to silence inconvenient journalists. Powerful politicians, public administrators and rich businessmen are those who particularly employ these tactics and, under the current legislation, by simply presenting these claims they can heavily influence the journalists' lives and the newspapers' lines for many years. The newspaper that has been sued must immediately add to its expense budget a tenth of the claimed amount. The excessive claims and the long length of the trial can financially cripple the weakest newspapers.

The journalists who have been sued have to contend with many years of high legal fees, often beyond their means. Only a few journalists, as we mentioned, can count on their employer to cover legal fees. The attempts to cover those costs with civil responsibility insurance will be useless until the amount of damages is limited or fixed according to objective criteria.

It is apparent that there is an exploitation of legal means to silence inconvenient journalists. The legal proceedings should come only after the refusal to publish a correction and the evaluation of the reasonability of the claim. The exploitation of claims for damages should be prevented when the immediate correction of the news is published.

### *Strengthening professional secrecy*

Another weakness of Italian journalism is the controversial law on professional secrecy, regulated by Article 200 of the Penal Code. This law states that, in certain circumstances, the judge has the option to obligate the journalist to reveal his or her sources in order to avoid the accusation of aiding and abetting or other more serious offences. It is also necessary to extend professional secrecy to non-professional journalists, who are currently excluded, and to insert this change into the Order of Journalists' reform project and linking it to the path to reach the profession.

### *Aggravating circumstances and unregulated crimes*

In Italy there still is not a full awareness of the citizens' universal right to be informed without omission and unwelcome interferences, that is why civic participation against the frequent and numerous violations of this right is low, very low.

The right to be informed is almost unknown and it is rare that it is invoked and exercised. Thus, people tend to consider threats against journalists only a matter that affects journalists.

A great number of cases of intimidation against journalists are not identified as specific offences. There are intimidating acts that are very hard to prove. There are ambiguous cases of abuse. Censorship and gags are imposed by bending laws and procedures... It is possible but difficult to fight all this, since the abuses carried out to minimise information and silence a newspaper and its journalists violate principles that, while universally recognised, are not protected by law. Thus, those who breach those principles do not break the law and remain unpunished. There is no law saying «Whoever hinders the freedom of the press and information will be sanctioned». If there was one, if sanctions were imposed in case of abuses, if there was an aggravating circumstance for criminal offences against public information, many serious attacks against journalism could be averted, stopped, prosecuted and punished with fair severity and the press would be freer. It would be an important deterrent. Lawmakers are thus called to fill in the legislative gap that allows such a glaring violation of fundamental human rights.

## On the field

### What happens in Sicily

*By Dario Barà*

Sicily is a goldmine of precious news, but it is difficult to extract and show it in full light. It is hard and sometimes dangerous, much more risky than in other regions. This is confirmed by the sad list of murdered journalists: 8 in Sicily over the last fifty years. An absolute record, without equal. It is confirmed by the long list of journalists threatened over the last few years. And it is also confirmed by the more recent monitoring work of Ossigeno. In 2011, 16 episodes were registered with 43 journalists involved. In the period of 2009-2010 there were 10 cases. A reality that is before everyone's eyes, especially the journalists who work on the island.

#### *Working in small towns*

«Threats and intimidation are real, they are sensed. Some are apparent. Others remain hidden. They strike especially – says Riccardo Arena, legal reporter for *Il Giornale di Sicilia* – those who work in the provinces, in small towns, journalists without a stable contract, who have few job guarantees and are underpaid. They are the weakest and the most exposed to being influenced. There is general climate of suppression that weakens the instruments of protection. In small towns this kind of suppression is undoubtedly stronger». Journalists who work in regional newspapers' offices or in RAI are part of strong organisations, which makes their working conditions safer. A correspondent who works in a little town and has to report unpleasant facts about someone knows that he can find himself face to face with the target of his investigation. In some places, moreover, criminal power is stronger and the distinction between crime and political or administrative power is thinner. That is why being a local reporter is difficult and sometimes risky.

#### *Salvatore Maiorca, Rosario Cauchi, Saro Cannizzaro, Pino Maniaci*

Local reporters are thus the most exposed on the island: from Syracuse to Palermo, from Caltanissetta, to Gela, to Modica.

Salvatore Maiorca is 72 and has been working at *La Sicilia* for many years. He has seen a lot of things and always managed to be safe. But now the climate has become heavier and he has had some problems. He wrote a few articles on property speculation in the old port of the city and in the Ciane river valley. He reported on the current battle between some builders and environmental associations like WWF and "Italia Nostra", that are decrying the increased level of construction in the city, which is a UNESCO World Heritage Site. He wrote those articles with his usual carefulness and exactness. And he received threats. In March 2001, he received an anonymous letter that warned him against investigating the urban plan of Syracuse and the plans for building on the coast. «You have to stop looking into the Pirillina, the ports and the holiday villages, those are works which have to be done», these are the anonymous orders. It had happened to him before, a few years ago. He had received an anonymous phone call. A voice ordered him not to report on the bidders for a contract to clean the

trains. This time, like before, Maiorca reported the threats to Digos<sup>1</sup>, which is investigating. The Provincial Committee for Public Order and Safety provided him with a surveillance service.

Rosario Cauchi, a 28-year-old freelancer, lives in Gela and works for several newspapers, including *Liberainformazione* and *Siciliainformazioni*. He reports with journalistic curiosity what happens in his city and the province of Caltanissetta: he usually writes about organised crime's business dealings and mafia inquiries, the battle against the mafia, the activities of associations and institutions. In July 2011, he found an anonymous, threatening message in his garage. This is what was written in it: «We read what you write and we don't like it, this is our last warning». There were also two saint cards, one of which was burnt. Rosario took an action against persons unknown. The *carabinieri* considered the threat very serious and are running investigations. Recently, Rosario has written some articles about fraud in the European Union and a contract that was awarded and then cancelled by the Municipality of Gela to an entrepreneur under investigation for mafia.

Saro Cannizzaro is 53 years old. He is the correspondent from Modica for the *Giornale di Sicilia*; he also works for *Ragusanews* and for the local radio Rtm. He has been covering crime and trial news for twenty years. He knows how to write a news story. Yet, his articles caused a really violent reaction. On the night between 14 and 15 September 2011, some anonymous arsonists set a fire in front of his main door. Saro and his family were sleeping. They were awoken by the heavy smoke and by a strong smell of burnt. While open the main door to get to safety, the journalist suffered burns on his arm. He reported the fact and a few days later the suspected perpetrators were arrested. It turns out that they lived in his neighbourhood. In the past, Saro had written some articles about one of them because he was accused of a few crimes, but there had been no personal problems.

Pino Maniaci is the head of *Telejato*, a small TV outlet broadcast out of Partinico since 1999. He reports on dirty business of the mafia and the dirty business of local politics. He has been assaulted and threatened more than once. The last episode was in September 2011. One morning, scrawled on the walls of the town was the following: «Long live the mafia! Pino Maniaci you stink!» with drawings of coffins and a series of curses. The message to Maniaci was really clear. This was only the last episode in a series of episodes. A few months earlier some threatening warnings were addressed to other people working at the TV broadcast. And before that, Pino had been physically assaulted and received threats addressed to him, his family and his co-workers.

### *A controversial bit of news*

At the end of 2010, the *Fatto Quotidiano* and other newspapers wrote that Mario Ciancio Sanfilippo, the ex-president of Fieg (The Italian Federation of Newspaper Publishers), vice-present of Ansa and editor of the newspaper *La Sicilia*, is under investigation for external cooperation in the crime of mafia association, as part of an inquiry on a shopping centre. Ciancio Sanfilippo owns shares of the *Giornale di Sicilia* and the *Gazzetta del Sud* as well as of local TV and radio shows. He is considered by many people to have a monopoly on news in Catania and criticised for the concentration and control over regional information. In 2009, the inquiry “The Viceroy” by Sigfrido Ranucci for the TV programme *Report* talked about the

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<sup>1</sup>General Investigations and Special Operations Division

investigation and Ciancio's personality, upon which he used the programme for defamation, asking damages of 10 million euro.

The Public Prosecutor's Office was criticised for taking so long before investigating the publisher. Claudio Fava, the son of the late journalist Pippo Fava, murdered in Catania in 1984, said: «Over twenty years, we have been reporting, supported by the facts, that Mario Ciancio was protecting the criminal power system. Over twenty years we reported the lies written in his newspapers, the proximity with mafia, the daily omission of the truth». Sonia Alfano, the daughter of Beppe Alfano, another journalist murdered by the mafia in 1993, agreed, stating: «The Public Prosecutor's Office of Catania has finally opened its eyes on Mario Ciancio Sanfilippo, but this investigation comes terribly late».

### *Crime changes its face*

When analysing the mafia phenomenon in Sicily, it is necessary to place the analysis in the context of the territory. Salvo Palazzolo, legal reporter for *La Repubblica* in Palermo explains: «Today mafia is not a unique body. Hence, the relationship between threats and journalists must be put in a certain context. We must evaluate case by case. In the province of Palermo, for example, there are two mafias: the more aggressive one, the one that shoots, and the more "urban" one, which is historically smarter, more devious, but equally dangerous». It is a business mafia «that has chosen a different approach» – Palazzolo adds – «and that has a different relationship with information, aiming at influencing it».

The mafia that killed 8 journalists in Sicily «doesn't kill anymore, but it threatens and intimidates», as observed by Giacomo di Girolamo, editor of *Marsala.it*, who has for some time been the victim of threats and intimidation. «We must think beyond the traditional idea that the journalist can be murdered. The risks must be contextualised according to the current times» – says Antonio Condorelli, copy-editor for «*S*» Catania. Of course, "classic" and easily recognisable threats, sent through anonymous letters and phone calls, are still used, as well as property damage and assaults, but the *mafiosi* now know that the less noise the better for them. Threats must be silent because the news about a journalist being threatened must not be known and must not pass the Straits of Messina, because it would cause a boomerang effect. That is the reason why threats have become more silent and devious, but not less effective. «The modern boss has got his own press and communication agents (the lawyer, a relative, a friend). They form a real network – explains Palazzolo – composed of people, seemingly above reproach, who try to suggest to the reporter how he or she should interpret the news. The risk of being manipulated by these "agents" is really high».

In the past, when a *mafioso* read a news story he disliked, he would go in person to the newspaper's office and complain to the editor or the author of the article. Today it's different. There are the intermediaries who request "meetings" and send letters to explain the position of the person concerned, to vindicate him.

Then, there is the big problem of the claims for damages «that more often are not excessively high – explains Palazzolo – but they are well targeted» and strike especially the little local newspapers who are almost pushed to self-censorship.

But threats against journalists do not come only from organised crime. Today, those who threaten freedom of information are the white collars, the professionals, the public administrators. The attacks against journalists' freedom to inform are many.

### *Is she an illicit journalist?*

Miriam Di Peri, collaborator of the magazine of Palermo «S», could not realize her dream of becoming a professional journalist, despite all the work she had to do to achieve it. «After being accused» – she explains – «I actually doubted what I wrote. I've read the dossier again so many times and every time I get relieved». She is talking about the dossier on Sicily's public health service published by the magazine she works for. She wrote a few articles for the dossier. The Regional Councillor for Public Health, Massimo Russo, did not like the dossier and reported it to the regional Order of Journalists: «It is apparent that they wanted to decry, in a political way, the reforming action of our department [...]» – writes Russo – «I ask whether it is true that Miriam Di Peri, who wrote some articles for the dossier, is not a professional reporter and she is not listed in the Journalists Register. And, should that be true, I ask if that is not a clear example of illicit behaviour».

Thus, the councillor did not question the contents of the dossier and did not write what he considered wrong about it, instead he sent a letter to the Order to check on the legal position of one of the authors. Only later he sent a notice to say that the contents of the dossier would be discussed in a more «suitable place». The complaint will be evaluated by the Council of the Order that will decide whether to file it or take proceedings against Miriam.

In May 2010, Alfio Sciacca, a reporter for the *Corriere della Sera*, wrote an article about the “Iblis” inquiry of the Public Prosecutor's Office of Catania that led to the arrest of 48 people. The article stated that the Governor of Sicily, Raffaele Lombardo, and his brother Angelo were involved in the inquiry and were under investigation for external cooperation in the crime of mafia association. The news had already been reported by *La Repubblica*, arousing bitter controversy. The Governor decided to report the fact to the Public Prosecutor's offices of Messina and Catania since, according to him, some journalists had violated the secrecy concerning a preliminary investigation. «Lombardo wrote a “black list” of bad journalists» Sciacca says. Zinniti and Viviano of *Repubblica*, together with Condorelli and Sciacca himself, are in that “list”. Proceedings were brought against them.

«My colleagues and I obtained that news from the official registered acts of the inquiry, so they were not secret. Other elements came from other sources that were proven to be more than reliable. This made me think» – explains Sciacca. «In that story, there were other real violations of the secrecy of the investigation and I could tell some of them. But the Public Prosecutor's office, not one of the people accused, should have taken care of secrecy breaches. The prosecutor, moreover, made a mistake, since he summoned the editor De Bortoli and Sciacca, rather than the Judge for the Preliminary Investigation, who has the scope to remand the people accused.

«When we reported the irregularity, the acts were sent to the Judge for Preliminary Investigations and he cleared us of the accusation. The funny story is that the Public Prosecutor's Office acted fast against the journalists and failed, while it moved very carefully against Raffaele Lombardo. As a matter of fact, the trial is still at the beginning».

In December 2011, Alfio, along with the other journalists of *La Repubblica* Alessandra Zinniti and Francesco Viviano, was cleared of the accusation of breaching the investigation secrecy but he was remanded for the arbitrary publishing of documents of a criminal proceeding, along with the editor-in-chief, Ferruccio De Bortoli.

According to Sciacca, the problems of news reporting in Catania are apparent: «Journalists here have a really hard time because of the local monopoly of information. Those who strike a discordant note easily get in trouble».

### *The journalist becomes “cautious”*

In a place like Sicily, some journalists become “cautious”, more than they should. Since they are aware of the risks they may run, if they are “asked” to take down a video from the Internet, they do it in order to avoid further problems. «When I receive strong warnings after an inquiry has come out, I give up writing on the same subject» – Di Girolamo confesses – «and I focus on other important news».

Some journalists avoid writing about certain types of news and subjects, because they do not want any problems with their publisher or “unpleasant” consequences.

«Sooner or later, it could happen to me: I might receive a threatening letter, a phone call or I could be approached, insulted». That is what many journalists think: threats and intimidation are part of their job and that is why they do not report them.

Filing a complaint, moreover, is often considered a waste of time: the lawyers, the hearing, all the questioning would steal time from the research and the actual writing of the news.

But when a journalist is good at doing his/her job, and does not bend to exploitation, someone could try to silence him/her.

### *When speaking about a bishop can cause trouble*

«When the first article came out on *L’Isola* – tells Giuseppe Pipitone, journalist for *I Quaderni de l’Ora* and *Il Fatto Quotidiano* – the bishop Miccichè called the editor Criscenti to know where we had found the news, but naturally the editor did not give him any explanations. But there were bigger reactions when the news was published on *La Voce delle Voci* of Naples».

The young journalist had investigated on the “Auxilium” and the “Antonio Campanile”, two charity organisations managed by the diocesan chancery of Trapani, writing about their merger in 2007 and areported cash deficit of about one million euro. In the articles Pipitone spoke about the nomination of the bishop’s brother-in-law as representative of Auxilium and about the role of the bishop’s driver, Orazio Occhipinti, in the organisation, which had come out from a series of anonymous letters sent to cardinal Tarcisio Bertone. Auxilium is one of the most important charity organisations in Sicily, it has 200 employers and signed an agreement with the Health Agency of the province of Trapani for 5 million of euro a year. «I was told that someone was looking for me» – continues Pipitone – «and was calling my family and friends to get information about me, then a man started to follow me and I later discovered that he was Orazio Occhipinti’s brother. Then, a professor called me and told me that the bishop wanted to talk to me, provided that I did not bring a recorder with me. I refused and I never met the bishop or received any request for a correction».

In February 2011, it came out that the Guardia di Finanza<sup>2</sup> was investigating the business of the organisations. In May, the Pope sent an “apostolic inspector” to the diocesan chancery of Trapani.

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<sup>2</sup> Law enforcement agency under the authority of the Minister of Economy and Finance

«What really hurt me was that some, even a few co-workers, came down on me, questioning my working methods and writing that the investigations had started after the bishop's complaint» Giuseppe tells. «Since then, someone spread a rumour that I was under investigation for trying to extort money» and then the newspapers were asked to withdraw his articles about the Trapani affair.

Furthermore, an anonymous letter was sent to the *Giornale di Sicilia*. The letter asked journalist Gianfranco Criscenti and Pipitone to «Leave the bishop alone» and also mentioned journalist Giuseppe Lo Bianco, who wrote about the affair in *Il Fatto Quotidiano*. All this was reported to the police.

The story does not end here. In October, some sources refer that two reporters from Trapani were presumably under investigation for defamation and libel. They say that the two reporters had received false information from a priest who was the former administrator of the diocesan chancery and that they wrote that the bishop was under investigation for withdrawing one million euro from the chancery cash. During a press conference, the bishop's lawyer stated that the bishop was never under investigation and that «for a year, things had been written that were not true». But reading Giuseppe's and Criscenti's articles it is apparent that they never wrote the bishop was under investigation and they confirmed it with a notice on *L'Isola*.

The affair is still unclear. Actually, the two reporters are not officially under investigation and they did not receive any notification. Vittorio Corradino, president of the Order of Journalists in Sicily, wrote in a notice that «In Trapani the climate is heavier than ever. A climate of insinuations and suspicions. Two colleagues like Gianfranco Criscenti and Giuseppe Pipitone, whose coherence and professionalism are undeniable, are suffering the consequences of this climate. Speaking of them as “conspirators” is part of a behaviour which I firmly condemn: their only “fault” was that of writing about a complex and obscure affair dealing with the chancery of Trapani». The notice ends with the president's wish «that the investigators cast light on the affair as soon as possible and that all those who commit themselves to informing the citizens can keep doing so without being attacked».

However, the investigations about the threatening letter did not go on and Giuseppe did not know anything more about it.

### *Catania. Every journalist must make some choices*

Antonio Condorelli's experience as editor of *Sud* only lasted six months. Six months of hard working that led him to develop, along with his co-workers, investigations that proved inconvenient to some. For some of these investigations he received threats, which he always reported to police. «My experience at *Sud* shows that Catania desperately needs serious and thorough news reporting and that the consolidated habits need to be broken». *Sud* reported on Rita Cinquegrana's activities: she was the councillor for Tourism at the Municipality of Catania and supervisor at the Bellini Theatre, while her husband, Edoardo Gari, was a judge at the Court of Catania and an adjunct President of the Judge for Preliminary Investigation office, which among other things decides on judicial investigations of the city administration. «We noticed some conflicts of interest between her duties and we wrote it». A short time later, a strange association called *Amici di Sud* (Sud's Friends) came out using the name and the logotype of Condorelli's newspaper. «This association» –Condorelli says – «brought a complaint to the Public Prosecutor's office reporting a conflict of interest about Mr Gari's activity in Catania». Condorelli knew that something strange was going on and



immediately distanced himself from the association and asked his publishers to clarify their position about it. The publishers stated that they had nothing to do with it. «But that same night, investigating the association, I traced it back to Antonio Fiumefreddo, the publishers' lawyer». Fiumefreddo was also the predecessor of the judge's wife in the role of theatre supervision. Condorelli understood that he was being exploited and decided to resign. In his letter of resignation he wrote: «A newspaper committed to doing investigative journalism cannot be the symbol or the instrument of associations or politicians promoting collateral actions».

«The publishers reacted to my resignation» – says Condorelli – «with personal attacks. They said publicly that I was dismissed». On 13 February 2011, an article on the *Sud* website reported those statements and raised the following questions: «Who wanted to use our work and our money? Which sources are they using for their scoops? And what kind of protection must they ensure to keep on obtaining their famous “cards”? Investigation or prostitution?».

Today, Condorelli works for the Catania edition of the magazine *S* and continues his collaboration with the TV programme *Report* and *Il Fatto Quotidiano* developing the investigations he started at *Sud* and working on new stories. Some of his inquiries were relevant for judicial investigations. He keeps on making what is called “pure journalism” while at the same time keeping a “low profile”. Antonio is trying to start up an audio-video press agency to allow young journalists to work and to be paid for it. «Meanwhile *Sud* goes on and I am happy about it because pluralism is important in a democracy» – concludes Condorelli. «Every journalist, while doing his or her work, must make choices. The choices we make are not always financially rewarding, but they give us a better reward: they give us freedom».

### *Modica. The social role of information*

*Il Clandestino* is a local magazine born in October 2006 from the idea of ten young high school students who wanted to discuss the problems of their city, Modica, in the province of Ragusa. At the beginning the newspaper was printed on A3 paper photocopied, and distributed exclusively in schools and at concerts. No one of the founders had ever written on a newspaper. In 2008, they decided to register the newspaper and to distribute it at newsstands in Modica and in the province of Ragusa. «Today we have 15-20 reporters. We print 800 copies and we also distribute a PDF file on the Internet», says Giorgio Rutta, one of the most dedicated reporters of *Il Clandestino*.

Meanwhile, the group's activity has widened. Since 2009, it is enriched by the organisation of the annual festival of journalism in Modica, an occasion for exchanging views with citizens and other journalists working for national newspapers. Thanks to the festival, a lot of young people get to know the newspaper and some of them join it. «In February 2011, we heard that the major hospital of Modica was in very bad condition» – says Giorgio – «and we wanted to check it out. We found an appalling situation». Various types of waste was strewn along the corridor, also special waste like machinery and medical equipment were thrown among the garbage. The plumbing leaked and there was even water under the electrical panels, too. Anyone could have entered there and damaged the wiring. The reporters of *Il Clandestino* recorded it all on a video that was put on YouTube and caused great sensation on the web. The news on the conditions at the hospital of Modica was picked up by regional and national newspapers.

The hospital reacted and threatened to sue the newspaper and to report the authors of the video for breaking into a forbidden area and tampering with the chains at the entrance. «As everyone can see in the video» –Giorgio says – «we didn't force any door and we didn't break any chain. There weren't signs forbidding access to that area». Some associations and political groups showed solidarity with the newspaper and their report on the hospital, which had a high social value. The Mayor of Modica also supported for the young reporters. Finally, the Director of the hospital withdrew the complaint.

*Enna. When only professional journalists are entitled to their rights*

Giulia Martorana is 51 years old. She is a freelance journalist. She is the correspondent for *La Sicilia* and for the AGI agency in Enna. In October 2011, she was convicted in first instance to twenty days of prison, with a suspended sentence, for aiding and abetting, because she did not reveal to the judge her news source. In 2008, Giulia reported on a hearing for a trial for sexual abuse on two young sisters. «The judge ordered me to reveal my secret source – Giulia explained. As I refused to do it, the prosecutor accused me of aiding and abetting a person who was subject to professional secrecy, the person who revealed me the news».

Giulia had the same problem in another case. As a matter of fact, she faced the same accusation, along with her co-worker José Trovato, for news about the discovery of a burnt corpse in Armerina Square. José Trovato stressed the absurdity of Italian laws which do not provide professional secrecy for freelance journalists. «In Italy, two laws establish two opposite rights. The first one – the constitutive law of the Order of Journalists – establishes that the journalist has the right not to reveal the secret sources of information. The other one – article 200 of the criminal code on professional secrecy – ensures this right only to professional journalists. Thus, every freelancer that finds himself/herself in my position» – explains bitterly Giulia – «could be accused and convicted for aiding and abetting, an offence for which the code stipulates up to 3 years' imprisonment».

## What happens up in the North

*By Matteo Finco*

In the Centre and North of Italy threats, assaults, huge claims for compensation and other forms of intimidation are all used to keep journalists quiet, to hide important news. As a matter of fact, these sad episodes, which have downgraded Italy to the rank of a weak democracy, happen not only in the South, which is contaminated by mafia, but also in Milan, in Turin, in Vicenza. They are frequent, very frequent, even though newspapers very seldom report them. These bad things actually happen and perhaps it is out of a sense of shame that we try not to see them. Today, this reticent and distracted attitude is part of the problem. We should start by saying that these events happen in Italy, and since Italy is one, when there is a problem it affects every part of the country.

First of all, these episodes happen because organised crime – everybody knows– has migrated to and taken root in the centre and north of Italy. Furthermore, using violence to protect particular interests is not only a prerogative of mafia, it is a prerogative of power: violent censorship and legal abuses are used every time people with power, wherever they are, want to hide from they public something they said or did which, if known, could damage them. So they do anything to escape, at any cost, from the inquisitive eye of the journalist, even if they have to blind that eye. Ossigeno's data reveal that in central and northern regions, those people can be mafia bosses, sports executives, hooligans protected by their gangs, civil servants, local administrators, or politicians who threaten with violence, who abuse their position by intimidating, who sue a journalist for thousands or millions of euro in order to ruin him or her. These things happen every time that an someone breaks the rules, every time that someone – instead of exchanging views, instead of asking for a clarification, a denial or a news correction– chooses to abuse his or her power and says «I want to ruin them», using every means available.

In the centre and in the north of Italy these episodes happen. The proof of this is in the following report of facts documented by Ossigeno.

### *Assaults*

«You know you're a dead man, right?». On 16 May 2010, Alessandro Capatano, reporter at the *Gazzetta dello Sport*, was asked that rhetorical question,. He was at the airport of Verona with a group of reporters waiting for their flight to Rome. They had followed the football match Chievo Verona vs. A.S. Roma. A Roma hooligan stood behind him, repeated the threat three times and added: «We can't touch you here, but you know you're done for». Other hooligans stood in front of him, insulting and warning him against writing bad things about the team. Once at home, Capatano reported them to the police. But the danger did not cease. Still today there is a Facebook group called «Alessandro Capatano, in friendship, Roma loathes you», in which one can read things like: «Fucking traitor, we are fucking fed up with you! All of us!». If you look at the wall, you can see that people who insult and threaten are not deterred by the fact that their names and faces are made public.

Remaining in the world of football, let's go back to 19 June 2011. The protagonists are: Alessio Corazza, from the *Corriere del Veneto* and Gianluca Tavellin, from the local channel *TeleArena*. The location was the Arechi stadium of Salerno, where the two journalists were following the match Salernitana-Verona. After the match, Corazza

was writing the report of the game in the press room. There, he and Tavellin were insulted, attacked and threatened of death by a group of hooligans. In this climate of «intimidation and violence», as reported by the staff of the *Corriere del Veneto*, «not only our co-worker, but also other journalists were forced to work before, during and after the match surrounded by people who moved in complete freedom, threatened with death by supposed fans sitting in the stands, they were literally forced to take shelter in the changing rooms at the end of the match».

At the Court of Bergamo, on 9 December 2011, Claudio Galimberti alias “Bocia” (“young guy”), a very well known hooligan, head of the die-hard supporters of the Atalanta team, and two other people, saw Stefano Serpellini, trial reporter at the *Eco di Bergamo*. They assumed that he was collecting information about the arrest of a hooligan who was accused of selling drugs to other Atalanta supporters. They thus waited for him outside and assaulted from behind, pushing him under the arcades of via Burfuro and smashing him against a shop window. Then Galimberti grabbed the journalist by the collar and told him: «I don’t want to see anything in the newspaper, otherwise I’ll come, burn down the newspaper office, and break your legs, even if I have to go to jail». To show that he was serious, before running off, he hit him with his head. Serpellini, with his nose bleeding, was treated at the hospital, where he was given a prognosis of five days.

The newspaper staff of the *Eco di Bergamo* expressed full solidarity with the journalist, remembering that the episode is not an isolated case, but «the last of a troubling series of episodes of intimidation (around in the city there are still some very eloquent graffiti on the walls) and requires a serious reflection on the protection of journalists».

Let’s go back to 2010: on 12 May, in Chivasso, near Turin, two people, father and son, entered the office of *La Nuova Provincia* to protest against an article about thefts and acts of vandalism at their amusement arcade. They did not want the news to come out. They threatened the journalists and the office secretary, who asked them to leave. Later, they attacked Marco Bogetto, the writer of the article, kicking and slapping him. First, they boasted: «Call the police if you want, we are not afraid of them».

Maurizio Maule, a photographer from the photo agency Fotogramma, whose pictures are published every day in several Milan newspapers, was attacked, too. On 11 October 2010, he took pictures of a burnt car in the southern periphery of Milan. The car had been set ablaze the night before as retaliation against its owner, a woman who had reported an attack she witnessed on Luca Massari, a 45-year old taxi driver. The man was driving when he accidentally struck and killed a dog, out walking with its owner. An acquaintance of the owner, who was also present, became enraged at the pet’s death and beat up the taxi-driver, who died a month later as a result of his injuries.

Maule had been at the scene of the attack the day before, after Massari had been brought to the hospital. «Other journalists were there» - Maule told Ossigeno - «we were trying to understand what had happened, talking to the people who were there. That day I met one of Massari’s assailants: we talked calmly for two hours, he told us his point of view. At the end of our talk he even left me his phone number».

The next day, he returned to the scene to take photos of the burnt car. «I was the first one there and I started taking pictures of the car» – Maule says – «Suddenly this guy I met the day before, Piero Citterio, appears with a broomstick in his hand. He starts yelling at me, insulting me, ordering me to go away: “You, journalists, you have to fuck off!”, he cries. Then he starts running toward me, so I decide to go back to my

motorcycle, but he reaches me and hits me in the back with the broomstick. Then he continues hitting me until I fall down, almost unconscious. The camera falls, too, and breaks. The guy starts to walk away, so I stand up and call the police. As I try to get away, the assailant comes back with three more people. They stay a few meters away while he starts beating me up again, now with his bare hands, with punches and kicks. Luckily, the police arrive and stop him but he is able to get away. I was brought to the hospital». Many journalists showed solidarity with Maule: «Many of them felt really bad for me, here in Milan we know each other quite well. Some TV channels wanted to interview me to reveal what had happened».

Another more recent case happened on the night of 23 June 2011. In Brescia, a Moroccan man climbs up the Palazzo della Loggia, one of the historical palaces of the city centre, to protest against the denial of his request for a residence permit. He wanted to go to Morocco to see his family and wanted to be sure he could return to Italy legally. Near the palazzo, a demonstration for immigrants' rights is taking place. The editor of the *Telepadania* channel<sup>3</sup>, 35-year-old Aurora Lussana, arrives in the square with her co-worker Camilla Venaria, an intern. While taking in the scene, she starts to record a video with her mobile phone. A few people from the demonstration head towards the two reporters and when they say that they work for *Telepadania*, the demonstrators tell them: «*Telepadania* cannot stay here because it represents the Northern League party and its protectionist policies that forced that poor immigrant to climb up Palazzo della Loggia. So it's also your fault if he's risking his life». «They hemmed in us and started to insult us because they didn't want us to shoot the video», Lussana tells. Then a young woman grabbed the phone out of her hands and punched her on the chin. Luckily, the Digos<sup>4</sup> arrived and order was established.

Lussana admits bitterly: «Among the attackers there was a journalist, too. He's the editor of a local radio broadcast that supports the activities of the community centres. He dared to say that we were yelling racial slurs at the immigrants and the demonstrators: we couldn't have done that, since the square was full of immigrants, and we actually didn't do it».

Lussana was treated but refused hospitalisation; she went directly to the police station. «I reported the assault and the malicious mischief to the police that same night. My co-worker gave her testimony as well. Then I recognised our attackers in a video made by the police and I was even able to recover the sound of the video I had taken with my damaged iPhone».

Lussana received a few statements of solidarity: «Some local journalists called from Bergamo», she says. The Order of Journalists also issued a statement of solidarity. And some politicians showed solidarity, too: «We can say that this attack was politically motivated. I wasn't seen as a journalist doing her job, but as a representative of the Northern League party. Moreover, I'd like to clarify that *Telepadania* is a private channel, it's not the Northern League's official channel, we don't receive any funding from any political party».

Do the assaults change a journalist's behaviour? Aurora Lussana answers: «The hard part was managing the stress of the assault, of an unexpected act of violence that happened in a public place. I felt safe there, I didn't think I might be in danger».

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<sup>3</sup>TV channel of the North of Italy.

<sup>4</sup>General Investigations and Special Operations Division.

## Threats

Gisella Roncoroni was not physically assaulted: no one punched her, no one used any weapons against her. Yet, she was victim of a different form of violence: direct, rough and savage verbal abuse. It happened in Como, the city where she works, during a City Council session, in front of administrators, journalists, TV cameras and citizens. She works at the newspaper *La Provincia* and in 2009 she received the award “Guido Vergani, Reporter of the Year”. In May 2011, she gave, along with another journalist, “marks” to the City Councillors. A few days later, on 24 May 2011, Gisella Roncoroni was at the City Hall with other reporters.

Councillor Augusto Giannattasio was not happy with the mark that he received – 4 out of 10 – and started to say: «I was very upset by the bad mark I received». Then, he went on and insulted the journalist making fun of her surname, and said: «This journalist, this lady... I don't know her, I've never seen her...». But he was lying, because a few seconds later he kept on talking while staring at her and addressed her directly: «You say useless things. Please, do something else, there are other jobs you can do. You could be a beautician, I can help you find a job... in Switzerland!».

The video of the scene is available on the internet at [www.quicomo.it](http://www.quicomo.it). Roncoroni, who managed to stay calm during the verbal attack, received many statements of solidarity from the Order of Journalists, the Union of Reporters in Lombardy, and from several journalists and associations.

Apparently, many politicians from different parties cannot bear criticism and are intolerant of journalists. The leader of the Northern League party, Umberto Bossi, for example, at the Pumpkin Fair of Pecorara, on 31 October 2011, told the journalists: «You should go to prison for the articles you write about my family, sooner or later either we report you or we smash your face. Someday, somebody will beat you up, people are sick of you. Some of you deserve to be punched in the face».

Davide Pambianchi is a photoreporter who lives and works in Genoa. He has been working for the oldest newspaper in the city, the *Il Secolo XIX*, for ten years. He takes thousands of photos every year and he often covers trial news, at the Court of Genoa. One ordinary day in June, Pambianchi was at the Court while two people, arrested the day before, were brought before the judge. He was alone there and ready to take the pictures of the faces of the local crime bosses. Pambianchi tells us: «The background story dealt with a national investigation on the 'ndrangheta organised crime network, which centres around a grocery store owned by Cangemi, a 'ndrangheta boss. In the summer of 2010, Cangemi was arrested, along with others. One year later, there is another wave of arrests, 16 people throughout the region of Liguria and 7 in Genoa alone. The next day I went to the courthouse to take pictures of the people arrested, as they awaited questioning by the judge. One of them was Angelo Condidorio, whose relatives headed towards me and tried to intimidate me, yelling threats in my face, such as: «Scumbag journalist, don't let this photo come out, because we saw you». But I kept on taking pictures. Then, my co-workers arrived and informed the newspaper about what happened. The next day, the Order of Journalists put out a statement in which they praised me for going on with my job».

So Pambianchi was not beaten up, he received no physical assault. But being threatened by a family connected to mafia is certainly not encouraging. He nonetheless went on; he did not give in to intimidation. For this reason, last July he was recognized by the association “daSud” for «doing his job with passion and commitment».

Another episode happened in December 2011: in Aosta someone wrote «Genco, you dirtbag!» on a wall. The message was addressed to journalist Daniele Genco, who works for the newspaper *La Stampa* in Val d'Aosta.

«I didn't think that ghosts would have come back here, after all this time. I feel fine and I thank my colleagues for their solidarity, as well as the police forces and the judicial authorities», Genco commented. This is not the first unpleasant attack for him: in April 1998, he had been assaulted during the funerals of two anarchists, Edorardo Baleno and Maria Soledad Rosas. In August he received a mail bomb, which, thankfully did not explode. Those episodes led him to live under police protection for three years.

*Primorski Dnevnik* is the Slovenian newspaper of Trieste, especially published for the Slovenian minority living in Friuli-Venezia Giulia. In 2011, it was threatened twice. The first time on 17 March, the day of the 150<sup>th</sup> anniversary of the Unification of Italy, when a few envelopes containing bullets and threatening messages were delivered to the newspaper's office. The second time, in June, when a fake gun, a can of solvent and a threatening letter were found in front of the newspaper's door. However, it seems that this time it was the work of a fool. As Dušan Udovic, editor in chief of *Primorski Dnevnik*, explained to Ossigeno: «The investigations led to the identification of the person responsible for both episodes, who was mentally ill». Udovic was more afraid of the possible consequences of the episode on the good relations between the ethnic groups of the city, Slovenians and Italians. «We are always cautious when something like that happens, because a good relationship was built in a long time, but could be spoiled in a very short time», he says.

### *San Marino*

San Marino is not Italy, but there is a close relationship between the two countries, so we cannot skip it. In San Marino there is also crime, mafia infiltration and money laundering. David Oddone is an Italian journalist who works at *L'Informazione di San Marino*. In the past, he has received death threats because of his articles on mafia and white-collar crime. Recently, along with Antonio Fabbri and Monica Moroni, he wrote a book called *Mafie a San Marino* (The Mafias in San Marino). Oddone says: «For a long time, the politicians and businessmen of San Marino were not aware of the problems related to mafia infiltration. The journalists who openly speak of mafia like me were accused of spoiling the country's image. I was labelled as the "Italian who wants to hurt San Marino". Today, however, thanks to the excellent work of the Court of San Marino and to journalists' investigations, nobody can say that they don't know». Oddone received two, very explicit, death threats saying: "You'll die". «I was also warned by the Gendarmerie. It's a way to try to silence the reporters who try to do their job with integrity. But it's not the only method. In San Marino there's a "gag law" stating that the journalists who breach the secrecy on preliminary investigations have to pay a fine of 10,000 euro. Apparently, the law is unconstitutional since journalists are not bound to that kind of secrecy, which applies only to lawyers and the police. The first draft of the law foresees imprisonment!» says Oddone, who received statements of solidarity from the Italian Order of Journalists, but not the institutions of San Marino.

Oddone knows well the "legal" threats, the specious lawsuits filed only to stop unwanted inquiries: «Our newspaper received about fifty of them over a few years, but they were all dismissed. In 2010 I reported on a mafia bank connected to a holding

company in San Marino. I was sued for libel, but the lawsuit was dismissed. And then I was proven to be right. But before that, I was sued about twenty times».

### *Delegitimisation and interference*

Fabiana Marcolini, reporter of the newspaper *L'Arena* of Verona, was the victim of an unpleasant episode: she was summoned twice by the Public Prosecutor's office of Verona and heard as "person informed of the facts", regarding some articles she had written in 2010. She was asked to give the names of her sources about the news of the arrest of some criminals and police officers. But, in both cases, the information was not bound to secrecy.

The first time, she was summoned on 22 August 2011, to give testimony about two articles published in September 2010 on the arrest of two officers of the Guardia di Finanza<sup>5</sup> of Verona. The prosecutor accused her of breaching secrecy on preliminary investigation. «The truth is» - Marcolini says - «the officer's superiors didn't want the news to be made public. But there were no secrecy on the facts», so they could be reported.

On 13 September, she was summoned again to understand how the reporter had received the news about an order of arrest expected on 22 August. According to the prosecutor, the news may have spoiled the investigation, since, when the article came out, not all the arrests had been made.

There is a third episode: the journalist wrote about a complaint against the Guardia di Finanza for sponsoring the Hellas Verona Football Club. The day after the article was published, the Guardia di Finanza asked the complainant to clarify how Marcolini knew about the complaint: the investigators talked of a news leak, but also in this case, there was no secrecy on the investigation.

«I don't care if I'm not praised for my articles» - Marcolini says - «what I do care is that the roles between journalists and magistrates are mutually respected and recognised».

### *Complaints and sentences*

Renzo Magosso is an experienced journalist. In December 2010 he was sentenced by the court to pay a fine of 1,000 euro (pardoned) and a compensation of 240,000 euro for libel. At the same time, there still is an on-going civil action with a claim for a compensation of 1,5 million euro.

The story started in 2004, when Magosso wrote for *Gente* magazine some new revelations about a scoop he had published in 1980: Magosso was in fact the one who had first revealed the name of Walter Tobagi's killer, only 10 days after the *Corriere della Sera* journalist had been murdered. Twenty-four years later, on 17 June 2004, Magosso interviews the former *carabiniere* Dario Covolo (codename "Ciondolo"), who had been his source in the past. Covolo said that six months before Tobagi's death, he had informed his superiors that a known terrorist group was planning the murder.

However, this fact has always been denied by General Alessandro Ruffino and General Umberto Bonaventura, Covolo's superiors. After the article came out, Ruffino and Bonaventura's sister (the general had since died) sued Magosso for libel.

«If investigating and collecting new evidence on the events that led to Tobagi's murder is a crime, then I am guilty», Magosso says. «Covolo worked until 1980 for the anti-

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<sup>5</sup>Law enforcement agency under the authority of the Minister of Economy and Finance



terrorism unit of General Carlo Alberto Dalla Chiesa, gathering from terrorist-turned-informant Rocco Ricciardi, called the “postman of Varese”». It seems that Covolo felt in some way guilty for not saving Tobagi, since «we had the chance to do it».

«When I was sued» - Magosso continues - «Dario Covolo spoke before the Court and confirmed word for word everything I had written in the interview in *Gente*. General Niccolò Bozzo also testified on my behalf and showed an internal document of the Carabinieri with a list of the “things to say and not to say”, in case he was questioned at Tobagi’s trial in the eighties. But all this was not enough to acquit me, to save me from a definitive sentence of guilty».

Along with him, Covolo and the former editor of *Gente*, Umberto Brindani, were also convicted.

«A ruling of the Supreme Court will set a precedent for every journalist who writes an article that goes beyond the official documents of a closed trial. That’s the point: the Supreme Court stressed that all journalists must refer only to the official documents of Tobagi’s trial, ignoring, essentially, all new evidence that comes out». According to Magosso, this would represent a threat for all the reporters who would like to investigate past closed cases.

### *Specious lawsuits*

Over the last few years, there has been a large misuse of lawsuits and legal actions. When someone feels injured by an article or a news report, several things can be done: first of all, one can ask for a correction, as provided for by the 1948 law that regulates the press.

Not many people ask for corrections and it is true that these requests are often ignored or disregarded. Another possibility is to call on the regional Order of Journalists. However, more often people choose to sue the journalist and to claim damages. These claims often are excessive, ranging from a few thousands to a few millions euro: these types of complaint are “frivolous” and specious.

In June 2011, Paolo Colonnello, reporter at *La Stampa*, wrote an article in *Tabloid*, the official magazine of the Order of Journalists in Lombardy, wondering «what’s the proportion between a claim for damages of “up to” 2 million euro (I didn’t make up the amount) and a bottom of the page article on a final verdict? What could be the possible damage to a company – even if it’s listed on the stock exchange – that it should seek to financially ruin you and your family because of an article published perhaps a year ago and that nobody, except some zealous legal offices, can even remember? And finally: how is it possible that once the journalist wins the lawsuit and the charges are proved false, the complainants, who pursued the action for months or years, are not accused of threatening the freedom of the press?».

The only option for journalists is to hire good lawyers and to hope they are not convicted.

However, little can be done in this regard, as lawyer Oreste Flamini explains. Although the Criminal Code provides that – in case of declaration of nonsuit – the complainant can be sentenced, actually in penal actions «this option cannot be applied because the majority of them end because the fact is without foundation and because of the journalist’s acquittal. The majority of acquittal sentences mention the right of information and expression and state that the fact is not an offence. To sum up, it is a shameful that although the codes provide for specious lawsuits to be punished, in practice this premise is excluded if the acquittal comes due to the exercise of a right!».

Ossigeno has spoken about specious litigation in the course of two conferences (in December 2010 and April 2011) in Milan. The matter is extremely complex, but there may be a few solutions that could be applied: changing the 1948 law regulating the press, creating the offence of «hindering information», or establishing assistance and advisory committees for sued journalists. This last proposition is becoming concrete with the creation of an “anti-complaint office”, sponsored by several associations and entities like Ossigeno. The help-desk is conceived to assist especially freelancers, who are the most exposed to threats and are not covered by the publication’s legal assistance.

The last cases of complaints against journalists are those that happened to *L’Informatore Lomellino*, *VicenzaPiù* (and its website) and to Daniele Predieri of *La Nuova Ferrara*.

In Mortara, a town of 15,000 inhabitants in the province of Pavia, the newspaper *L’Informatore Lomellino* has existed for 60 years. It is a weekly newspaper published in about 3,500 copies by a cooperative of journalists. Last December, editor in chief Giovanni Rossi reported that the periodical is having a hard time: they are charged with libel and other charges may come soon, as announced by some local administrators. Should they be convicted, it would be the end of the newspaper.

Rossi tells Ossigeno: «On 31 October 2011, the *Carabinieri* came into the office armed with submachine guns. They took copies of seven issues of the newspaper, which came out from the end of August to the end of September». The agents were collecting material after the libel suit filed by the president of a public company of Mortara, Simone Ciaramella. Rossi cannot explain the grounds of the charge: «In one of those seven numbers the company is not even mentioned. In the other ones, I checked, there is nothing libellous. We hired a lawyer to defend us, but we still don’t have any further news», he says. Then there are the charges that have been only announced. «On 18 June, the City Council of Mortara gave a lawyer the mandate to sue us. The complaint is supposedly based on an article in which we wrote that two “parties” held at the Municipal Library had been paid for with public money. But we had made a mistake and we published a correction in the following issue». Apparently, this was not enough for the City Council.

Another episode: on 21 November 2011 the City Councillor for Culture also announced that he wanted to sue the *Informatore*. The Councillor – who is himself a journalist and had worked at the newspaper for 8 years – «said that he would sue the newspaper, but he did not explain why and didn’t give us the chance to respond», Rossi says. For the time being, the newspaper is not aware of that any charges were filed. «Neither of them has ever asked the newspaper to deny or correct the news, they didn’t send any letter of protest. Never said anything, never written anything», Rossi explains. And he describes what the surrounding environment is like: «Local powers threaten to sue you for whatever you write, knowing that they can intimidate the newspapers that don’t have the means to hire a lawyer like Perry Mason or the young journalists who stop writing once they are sued. That had never happened before».

In Vicenza, since 2006, there is a periodical newspaper, *VicenzaPiù* that started with 2,000 copies and now, after 220 issues, is printed in 10,000 copies. The newspaper staff is composed of the editor in chief, two reporters for the principle inquiries, six steady collaborators and other occasional collaborators. Moreover, they have a website, with about one million views every month.

In February 2011, editor Giovanni Coviello, along with reporter Marco Milioni, was investigated by the Public Prosecutor’s office of Vicenza for breach of file secrecy (as

provided by articles 621 and 110 of the Criminal Code). Coviello says: «We received some documents dealing with a senator of the Northern League, Alberto Filippi (expelled from his party on July 2011), and an affair regarding the permitted use of some plots of land in the province of Vicenza, that passed from agricultural to commercial use. The documents contained commercial transactions, exchanges of letters, etc... Some of them were signed, others not. The same documents were also sent to other people, not only to us. And they were sent to Franca Equizi, former City Councillor of the Northern League, who brought a petition to the Public Prosecutor's office of Venice and to the Guardia di Finanza of Vicenza and organised a press conference in the City Hall to inform the public about the situation. The press conference was broadcasted by the TV programme *Annozero*: Equizi declared that she had registered the documents at the Public Prosecutor's office four days earlier».

«Once a document is registered, it is of public domain, so it can be published», Coviello explains. «On 21 February, we published this 62 pages document. We were the only ones who published it, no other newspaper did it. A few days later, at the beginning of March, Marco Milioni – the author of the article – and I were summoned by the prosecutor. By the way, they made a mistake because I was summoned as the publisher and Milioni as the editor»

Coviello and Milioni were ordered to black out two (of the 62) pages of the document: it was a letter sent by Filippi to the president of the manufacturers of Vicenza, Roberto Zuccato. Coviello says: «I pointed out that those were public documents, but I respected the sentence and blacked out the two pages. Later, we received statements of solidarity from everyone. Then, we brought a complaint before the Court and two months later the sentence was annulled because the material could be published in its entirety, as it was part of a lawsuit. Then we sued the prosecutor and the head of the Digos because they had mistaken our roles».

But the story does not end here: Coviello and his newspaper are currently involved in another, unresolved situation. Paolo Pecori, interim prosecutor of Vicenza, brought a libel action against Coviello for failure to verify the news. Pecori contests Milioni's article (that reports an extract from the *Fatto Quotidiano*) in which Pecori is said to have two sons working as lawyers in Vicenza, and that one of them was also City Councillor for legal affairs. So the article had reported the Public Prosecutor's conflicts of interest.

Coviello and Milioni were notified of Pecori's lawsuit in November. They commented: «If our telling the naked truth bothers somebody, it's not our problem. We will go on with our job and we will assert our rights in court. The complaint is built on false assumptions. The prosecutor didn't perform a preliminary examination of it. Moreover – and this is the most important and saddest part of the whole story – in his article Milioni reported only facts, criticisms and opinions that had already appeared in other media».

Daniele Predieri covers the trial news at the *Nuova Ferrara*. He has been sued many times for compensation, for both big and small amounts. He tells Ossigeno about two lawsuits he received while he was covering very important stories dealing with the recent history of the city of Ferrara.

The first one deals with the case of Federico Aldovrandi, an 18-year-old boy who died in circumstances that are still unclear (despite the many trials), after being arrested by the police. Predieri explains that, after the first trial, the four policemen involved were sentenced to «three years' imprisonment for the boy's death, caused by the agents' negligent use of force. But the witness testimonies revealed some mistakes and

omissions in the course of the investigations. In fact, during the second trial, three more people were arrested, among them the Chief of the General Prevention Unit, for misleading the public prosecutor Mariaemanela Guerra, who, when informed of Aldovrandi's death, didn't perform the inspection personally but assigned the investigation to the Carabinieri. Now, Aldovrandi's mother, Patrizia Moretti, has always stated that prosecutor Guerra didn't run the investigations properly and that she never actually committed herself to discovering how her son had died».

The libel action is brought against Predieri, his co-worker Marco Zavaglia (who had never written anything about the story: another journalist's byline appeared on one of the controversial articles, but he was not summoned in court) and their newspaper, represented by the editor Paolo Boldrini. The grounds of the action are: reporting Mrs Moretti's statements (who had only quoted the text of the first instance sentence); retracing the failures of the investigation and the chronological order of the events; stating that, after Guerra's was replaced by prosecutor Nicola Proto at the head of the inquiry, the investigations finally took off and brought to the agents' sentences.

Furthermore, Predieri says that «I was remanded to the Court because I had written that “the Council of Magistrates had proceeded against prosecutor Guerra and had discharged her”. They contest that it was not a disciplinary proceeding but only a case of conflicts of interest». Predieri refers to an internal proceeding against Guerra, whose conduct was judged positively. This aspect is related to Predieri and his newspaper's second subpoena in the civil court.

This summons deals with Guerra's personal life. At the time of the Aldovrandi inquiry, Guerra's son was involved in a drugs investigation in Ferrara (and he was later convicted). That inquiry was interwoven with the Aldovrandi case. Predieri and his newspaper had worked on that story: the prosecutor considered herself to be a «victim of a defaming and detracting campaign». Predieri says: «The prosecutor and her lawyers sued three editors, four journalists and my newspaper's publisher seeking compensation of 1,500,000 euro».

The second legal trouble for Predieri deals with the “Costruttori-Donigaglia case”, a trial, still ongoing, on the bankruptcy of Coopcostruttori, one of the biggest cooperative of builders in Italy. That bankruptcy caused a 1 billion euro loss and fell on the backs of 3,500 families in the province of Ferrara, who lost their savings invested in the cooperative.

The principle defendant (30 other people were accused along with him) is Giovanni Donigaglia, ex-president of the cooperative, charged with bankruptcy fraud. Donigaglia asserts – just like prosecutor Guerra – that he had suffered a defaming and detracting campaign. Thirty newspaper articles are attached to the trial documents and Predieri explains that «they were all based on the documents of the Public Prosecutor's office of Ferrara. They are facts and documents that are being discussed at the trial against Donigaglia». Donigaglia brought a civil action before the Court of Rome against Predieri and the former editor of *La Nuova Ferrara* Valentino Pesci, seeking compensation of 2 million euro.

Predieri says: «The paradox is that I was not sued for breach of secrecy on preliminary investigation: in fact, I had published wiretappings and documents taken from the prosecution's file. Donigaglia sued me for libel. I am his target, he wants to intimidate me, but he will not succeed in doing it. Luckily, my newspaper has always been on my side, even when the editor changed. But it's hard to bear this situation in the long term. Our last editor, Paolo Boldrini, is the one who exposed himself the most», by asserting the journalists' right to inform and to defend themselves against any

accusation. «And he did well» - Predieri continues - «we could not tolerate such a situation».

Predieri has received a few statements of solidarity: «Also in this case, what gives me the strength to go on is the solidarity received from people like me, who feel miserable and abandoned by everyone. For years, I was like a psychologist to all these people who call me at any hour, who open their heart to me, I tried to give them some advice: all this goes beyond your professional duty, because at that point you are personally involved and you cannot step aside. These stories are humanly fascinating, because they involve people who are suffering, sometimes you have to deal with a mother crying right in front of your eyes», he says.

Therefore, he explains that the people living in the province of Ferrara «are a little “cold” because, for example, both the institutions and Donigaglia’s victims, those who have left him at the head of the cooperative for twenty years, all these people, who might say something against Donigaglia or might show solidarity with me, don’t do it because they are scared».

Predieri was involved in another legal case when he was questioned by a judge as person informed of the facts and when he had to appeal to professional secrecy. He says: «The questioning dealt with three articles I had written about Rosario Minna, Chief Prosecutor of Ferrara, who had been accused by prosecutor Angela Scorza to have taken away her, without valid reasons, the investigation dealing with the alleged bullying by some *Carabinieri* officers of a female colleague». The prosecutor’s office wanted to know Predieri’s sources, wanted to understand where he had got the information regarding the controversy between Minna and Scorza. All this, in the middle of an apparent conflict of interest. «But after the questioning, I didn’t receive any further notification», he finally says. He was lucky. Because that is another way to threaten journalists: when they are asked to reveal their sources, which they should and are expected to protect, and when they are accused of knowing something that should have remained secret.

That too, happens up north.

## CALABRIA/1

### Tales of ordinary violence

*By Roberta Mani*

«I am the victim of persecution. They've been threatening me for the last three years. Only because I do my job as a photo reporter. Only because I documented their arrests». Mario Tosti is a well-known photographer working for the *Quotidiano della Calabria* and today, as usual, he is running to take pictures of the daily news. He is always in the field. He loves his job and he does not want to give up on it. But he does not feel safe. He was targeted by a family of criminals in Cosenza. Hounded, shadowed, insulted. Every time he goes to Cosenza for work, he is attacked. He has reported it to the police, but the problem has not been resolved. They say that it takes time, that "justice must run its course". In the meanwhile, he has received spits, threats, verbal and physical assaults by the same group of criminals who do not quit. «Six months ago» – he says – «I dodged a stab and on 7 July 2011 I was hospitalized for twenty days. Head trauma, bruises, kicks, punches, slaps. They attacked me under the eyes of the police. They feel so invincible and untouchable that they don't care about the police».

Mario has taken pictures of all their arrests. Mario was there when, in October 2008, one of them was arrested for stabbing his own nephew. Mario was there for the newspaper. He was always ahead of the news. They promised revenge. Threats keep on coming. The last one was in October 2011, when the investigation of his attack was dismissed: «Spits and swears, again. They told me: "we'll cut your head off, you'll not end well". But I won't stop. My job is my life», he explains. His photos are published every day on the *Quotidiano*. Mario does not feel safe but he is waiting for justice to run its course.

#### *The Soriano clan against the "Quotidiano della Calabria"*

«The bad thing about working in this region is the climate», says the editor in chief of the *Quotidiano della Calabria* Matteo Cosenza. His photographer was beaten up, a few reporters were intimidated and on 20 July 2011 two Molotov cocktails were found near the newspaper's central office in Castrolibero, near Cosenza. A plastic bag was left on a little wall at the entrance. Inside, there were two Molotov cocktails with the fuse primed. A worrying message, which is still not entirely clear.

«Dear Mr Lopreiato, I am the "Mafioso" Leone Soriano, born in Vibo Valentia on 21 November 1966 and currently a prisoner at the prison of Cosenza. I am writing because you're not a serious journalist, you're a fool».

The intimidating message was sent to the *Gazzetta del Sud's* office in Vibo Valentia, on 19 May 2011. The addressee is Nicola Lopreiato, department head of the newspaper. Leone Soriano is the head of the Filandari family, the enemy clan of the powerful Mancusos. Soriano writes from prison and says: «... I invite you to publish this letter (...) and you can report me for calling you a fool, but I couldn't find any other nicknames, I leave you to your stupidity, you can have the judges order my shooting».

«I often wrote about the legal issues of the Sorianos» – Lopreiato says – «and over the last three years I have received three or four letters ordering me not to write anything more and to be careful with what I write. They are offensive to me and to

investigators, like the police force and the judicial authorities. That is delegitimisation. Soriano's last letter mentioned Angela Napoli, parliament member of the Future and Freedom party, a person who is really committed to fighting the mafia. Soriano wrote that in 1994 she had asked votes to fugitives. He sent a letter to her, too. Obviously all this was reported to the police».

Investigators considered it a serious threat and on 25 November 2011 arrested ten members of the Soriano clan and took heavy measures against Leone Soriano. The Sorianos are a dangerous and powerful criminal family. In four years they were responsible for 50 fires and 100 assaults. Their criminal activity is called the "Spider Operation". The criminal spider web consists in a large control of the territories, based on a strategy of terror. The targets are not only businessmen and entrepreneurs, but also policemen and journalists, like Nicola Lopreiato and Pietro Comito, who received a warning call after writing some articles about the new generations of the Soriano clan of Vibo Valentia. «We'll shoot you and bury you in Jonadi», they warned him on 4 July 2010. The grave is ready and the cemetery chosen.

### *Pietro Comito and Riccardo Giacoia are targets*

The Sorianos are not the only ones interested in Pietro Comito's articles. At the end of April 2011, Comito received a threatening letter at the newspaper's office in Catanzaro, where he had just started to work: «Dear bastard, the next time you write something about this city we'll hang you in Piazza San Leoluca and we'll let you dangle there. So that all the cops like you will see you». Piazza San Leoluca is the main square of Vibo Valentia. A few days earlier Comito had written about a possible mafia infiltration in some municipalities in the province of Vibo Valentia.

«I wrote a paradigmatic story. I didn't tell any name or place, I didn't quote official documents, although I had the possibility to. I only wrote a story about an anonymous city councillor for public works that one day hires a driver to work at his hotel. The driver is a *'ndrangheta* boss. Since he is a previous offender he doesn't have a driver's licence. So the councillor becomes the driver's driver». The first warning was sent to Comito from a lawyer. The second one, from the councillor himself who, inexplicably, acknowledged himself as the protagonist of Comito's tale. Finally, Comito received a letter threatening death.

In Cosenza, on 16 April 2011 the target was Riccardo Giacoia, 48 years old, a RAI journalist, former correspondent for the Calabria regional TV news and who lives now in Rome working for the national news on RAI 1 channel. He received a yellow envelope at his office. It contained a perfectly preserved 9x21-bore bullet and a white sheet of paper with a black cross on it. No stamp, which means that the letter was delivered by hand.

Giacoia has written a lot about the *'ndrangheta*. He covered all the assaults, murders, bloodsheds, but he also deepened the relationship between politics and organised crime, he reported the names of the families involved, without hesitation. And he became a target. The bullet came after he wrote some articles about the "Affruntata", the Easter procession that in Calabria is often an occasion for the new generations of criminals to debut. Last year, there was a fight between the Bonavota clan and the prefecture. It is called the "Sant'Onofrio controversy": the Prefect openly challenged the mafia bosses by saying that the holy statues would have been carried by police agents, if the pressure from the mafia did not cease. In fact, the procession of the Affruntata is an occasion for *'ndrangheta* families to reaffirm their power, to restore

the general agreement while their members carry the statues on their shoulders, revered by the whole community.

It is not the first time for Giacoia. He had already been threatened on 16 July 2010 with a threatening letter and dozens of text messages sent to his mobile phone. His name was in the long list of intimidated journalists in Calabria in 2010. A list composed of 20 journalists, it was a record, and brought attention to the Calabria affair.

It's raining threats and violent messages in Calabria, damaging the professional, personal and family lives of many journalists. For many of them, it has happened more than once. And sometimes the invitation to silence comes from a city council or from the governor of the region.

### *The City Council of Reggio Calabria and the Region of Calabria against the local and national press*

The climate is hot on 21 October 2011 during the City Council session of Reggio Calabria. The members must vote on a financial measure to recover a 170 million euro loss. The session starts two hours late. The tension can be felt, the situation is delicate. So journalists and cameramen are roughly thrown out of the hall, a few minutes after the session starts. Enough filming, no more photos. A cameramen of TeleReggio and the reporter of the *Corriere di Calabria* Sergio Conti try to protest. They are asked by the municipal police to identify themselves, and their identity cards are photocopied.

The Public Prosecutor's office and the Ministry of Finance were investigating the Municipal balance sheet. An investigation that dealt also with Orsola Fallara's suicide, since she was the head of the Department of Finance and Taxes of the City Council. It also involved Giuseppe Scopelitti, current Governor of Calabria.

Giuseppe Scopelliti is the one who, on 16 November 2011, harshly insulted three journalists: Guido Ruotolo of *La Stampa*, Enrico Fierro of *Il Fatto Quotidiano* and Roberto Galullo of *Il Sole 24 Ore*. These three reporters cover the news in Calabria and had inevitably written about the financial scandal of the City Council of Reggio. Scopelliti did not refer to their articles or about the inquiries. He only states that «those reporters are fools who think to build their own fortunes on other people's disgraces» and that «they are corrupted».

### *Living in a tense climate, only few cases end well*

2010 was a tough year for journalists in Calabria. Twenty cases in a few months. In 2011, far fewer episodes were reported: only seven. But this does not mean that the risk has ceased. On the contrary, sometimes the silence is even more worrying. Fewer episodes, but the same tension for those journalists who work in troubled areas, where every word is weighed and commented and a single word can cause retaliation.

On 27 December 2009, in Vibo Valentia, a car was set on fire few days before New Year's Eve, representing the first of a long series of threats in 2010. The car belonged to reporter Francesco Mobilio's girlfriend. The investigators never found the people responsible. It often happens. The perpetrators' impunity leaves a constant fear that it could happen again.

The burnt car, the smell, the flames. Antonino Monteleone, a young blogger and now journalist at La7 TV channel, also went through that, on the night between 4 and 5



February 2010. He caught a glimpse of the perpetrators and described them in his police report. They were as young as him, 25 years old, members of the Serraino family. Monteleone had mentioned them in an article about money laundering in the city centre of Reggio Calabria. On 30 September 2010, thanks to the police operation “Epilogue”, they were identified and imprisoned. The wiretappings gave evidence of their revenge plan against the journalist. They said: «He’s a son of a bitch, do you know how many bad things he wrote about the *mafiosi*, about their wives...? He called me “jester rat” in an article about me greeting my neighbour when he was arrested». The investigators caught them. For the first time in Calabria, someone has been put on trial for intimidating a journalist. Antonino Monteleone chose to bring a civil action in the criminal proceedings. A clear and firm choice. Agostino Pantano, ex-reporter of *Calabria Ora* made the same choice. On 1 June 2011, the Court of Palmi accepted his request to bring a civil action in the criminal proceedings against a civil servant who, in 2009 – when the City Council was dissolved for mafia infiltration – insulted him in the course of an anonymous call. Agostino Pantano says: «Episodes like these must not be understated. Over the last a few years, they have become very frequent, especially in Calabria. It is useful that Ossigeno per l’Informazione reports these episodes and points out the risk of underestimating threats and intimidation against journalists. These threats have a national importance».

*«Mind your own fucking business, if you don’t wanna die»*

For the time being, there are no more episodes with a happy ending. In the other cases, the only hope is that justice can run its course. In Calabria, there are still so many journalists who are afraid to write their articles, who constantly watch their backs, who open envelopes hoping not to find bullets, crosses on their names or on pictures of their families. But there are still many journalists who continue writing in spite of the threats.

«Mind your own fucking business, if you don’t wanna die». This “advice” was given to Saverio Puccio on 22 July 2010, at the office of the *Quotidiano della Calabria* in Catanzaro. He had just written about the dissolution of the City Council of Borgia, reporting the reasons of the Ministry of the Interior. Puccio had written that the vice-mayor was there thanks to his relationship with *ndrangheta* bosses, who conditioned the elections. He had written things that were already written in the trial documents. So, what had been his fault? That he had published it.

On 14 January 2010, an intimidating letter was sent to Michele Albanese, a correspondent from Polistena for the *Quotidiano della Calabria*. The message said: «Wash your mouth before you speak about Rosarno», and a black cross was drawn on the white sheet. Albanese was covering the immigrants’ riot against their exploitation in the fields where they work picking oranges.

On 15 February 2010, reporter Filippo Cutrupi’s sister received the following threat: «Don’t write “the *ndrangheta* is attacking the State”, anymore», which quoted the Cutrupi’s article published the day before, about the bombs found in front of the Public Prosecutor’s office.

In Calabria, a journalist is in danger also when he or she gives a news already written by the national newspapers. Guido Scarpino of *Calabria Ora* reported the violent incursions – Clockwork Orange style – of a group of misfits belonging to the Paola clan. Every newspaper and TV had reported the news, but Scarpino was the only one

to be threatened. On 8 July 2010, he was called on the intercom and he heard crying: «Stop writing such things, or we'll kill you».

They are watched, shadowed, stalked. Giovanni Verduci, correspondent from Siderno of the *Quotidiano della Calabria*, is called by a male voice: «We know who you are and where you live». You cannot feel safe even in your own house. And on 20 July 2010, Antonio Anastasi, correspondent from Crotona for the *Quotidiano della Calabria* received a threatening call, as well. Four years ago he risked his life: he was beaten up by three individuals covered in hoods, very close to his office.

Ferdinando Piccolo, a 23-year-old correspondent from San Luca for the *Quotidiano della Calabria*, was “warned” twice in ten days, on 11 and 21 September. He had reported the story of an unfinished street between Polsi and San Luca, the works stopped for twenty years. The same old story of some contract, and a lot of money, 12 million euro, that somehow disappeared. Two letters threatening him and his family were delivered by hand in front of his father’s shop. The first one included five bullets.

### *«Going too far means death»*

When a journalist receives a bullet, the message is clear. Michele Inserra, a journalist of the *Quotidiano della Calabria*, received a 12-bore bullet. It was a shotgun bullet. With his name on it. He had written about San Luca and the families involved in the Duisburg massacre. His article could have damaged some delicate dynamics. He had gone too far. Yet another example is Beppe Baldassarro, a reporter for the *Quotidiano della Calabria* and for the *Repubblica* in Reggio Calabria. On 22 February, he received a bullet and an anonymous letter composed of cuttings from his article “Going too far means death”. The message was clear: stop writing about the relationship between the members of a Reggio Calabria clan and some candidates running in the regional elections. He had only reported the content of the trial documents against the Crucitti clan.

On 21 May 2010, freelancer Leonardo Rizzo received an envelope with some bullets and had his electrical cables cut. Three years ago, he risked dying by asphyxiation when three Molotov cocktails were fired onto his house’s main door. Someone sent an envelope with bullets to the President of the regional Order of Journalists Giuseppe Soluri, which was intercepted by the Italian post office. Some say it did not have anything to do with his activity as a journalist.

«This gasoline isn’t for your car, but for you. Stop writing about the ‘*ndrangheta*, follow Paolo Pollichieni and get out of here». This message was found by Lucio Musolino, 27 years old, ex-reporter for *Calabria Ora*, on 1 August 2010, inside a petrol can left on his porch. His editor in chief Paolo Pollichieni had just resigned, along with other eight journalists, because of a dispute with the publisher. Musolino, a trial reporter, covered the most important investigations of the Reggio Calabria clans. Before receiving the warning, he had investigated the alleged relationship between the ‘*ndrangheta* and the Governor of Calabria, Giuseppe Scopelliti.

Politics and mafia. Threats also struck Fabio Buonofiglio, a blogger of Sibari.net. A long series of threats that begin on 5 January 2010, when Buonofiglio reported the alleged connection between the Strafaces, a well-known family of Corigliano Calabro – whose mayor is Pasqualina Straface – and the local ‘*ndrangheta* clans. The mayor and her brothers – well-known entrepreneurs – were imprisoned on 21 July 2011. Two

*pentiti*<sup>6</sup> accused them and told prosecutors about the alleged electoral support to Straface from mafia members. Sibari.net published all the documents, the minutes, the interrogations. More warnings arrived through the internet: «Buonofiglio, sooner or later, by hook or by crook, you'll stop spreading poison against Corigliano». Then, he was threatened in person, as well. On 28 September 2010, during a press conference held by the vice president of parliamentary anti-mafia commission, he heard a local criminal saying: «Now we'll do something with Buonofiglio». The threat was considered credible.

Journalists are insulted also at the seat of the institutions. This happens, too. On 16 September 2011, Giuseppe Merduri, media advisor for the Region of Calabria, is verbally and physically assaulted at the seat of the region during a meeting between the governor and a few mayors. Seven days before that, on 9 September, someone breaks into Emiliano Morrone's house. Morrone is a journalist and the author, together with Francesco Saverio Alessio, of *La società sparente* ("The fading society"), an investigation into the *'ndrangheta* and political power. A strange burglary. The burglars steal two personal computers and a bag full of trial documents, notices, phone numbers, but leave the computer which is not used for work. Morrone had already received threats because of his book. Both authors had to leave Calabria. And we all know that this is just the latest sophisticated attempt to silence a journalist.

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<sup>6</sup> People in Italy who, formerly part of criminal or terrorist organizations, following their arrests decide to "repent" and collaborate with the judicial system to help investigations. Their correct technical name in Italian is collaboratori di giustizia (collaborators with justice).

## CALABRIA/2

### Is the volcano extinct?

#### Fewer threats, less competition, less news

By Roberto Rossi

As previously mentioned by Roberta Mani, in 2011 in Calabria the cases of intimidation against journalists were “only” seven. Death threats, assaults, unexploded bombs, and also some less violent, but still intimidating, episodes. One of these cases involved three journalists, and another one involved other three journalists, as well. The most worrying one (the Molotov cocktails left in front of the *Quotidiano della Calabria*'s office) put the whole newspaper staff in danger. So, we can say that last year, the journalists threatened in Calabria were 29. In 2010, there had been 20 individual cases, and the attention was focused on Calabria as the most dangerous Italian region for journalists. In 2011, the riskiest region was Campania and it seemed that the situation in Calabria was calmer. But is it really so? What is beyond the statistical data?

In order to understand that, we tried to go beyond the numbers, gathering the opinions, the stories and the testimonies of those who keep on working on the edge of a dormant volcano.

#### *Media protection and the mafia truce*

Antonio Nicaso is one of the leading experts on the *'ndrangheta*. He wrote four books with public prosecutor Nicola Gratteri on organised crime in Calabria. «Maybe, -- he says -- there really was a decrease of violence, but only because of the recent media attention of the on situation in Calabria.

The media protection has worked, also according to Paolo Pollichieni, former editor in chief of *Calabria Ora* and now editor of a new periodical, the *Corriere della Calabria*. «A lot of attention was paid last year to threatened journalists,” he says, “and now the mafia clans don't want the focus to be on them». And he introduces another concept: the mafia truce. «In some periods the mafia clans don't kill, not because they've given it up, but because they don't need to. At the moment, the local press is not an issue for organised crime».

Angela Napoli, a Parliament member committed to monitoring the connection between mafia and information in her region, who was repeatedly threatened by the clans, provides us with a neater hypothesis: «The number of threats against journalists in Calabria decreased in 2011 because many reporters are “limited” by their own publishers' instructions. They are forced to follow the editorial policy and are less free to give the news. And maybe not all the threats of 2010 actually came from organised crime, but from the so-called “grey zone” and they were aimed at preventing wiretappings and judicial inquiries from being published».

Matteo Cosenza, editor in chief of the *Quotidiano della Calabria* also speaks about the mafia truce, but he remarks that the potential for violence is still high. He says: «It's true, the number of threats decreased. But this doesn't mean that the potential danger for journalists decreased, too. This outward calm worries me more than a threatening letter, because I know that this land didn't find peace at all. While we talk, probably a car was set on fire in Vibo, Lamezia or Reggio. And we know that threats against administrators, businessmen and prosecutors are still part of the daily routine».

Matteo Cosenza does know what he is talking about. On 20 July 2010, two Molotov cocktails were found near his newspaper printing house. The message was clear: they could have easily make them explode and destroy the building. He explains: «That was something new for us and we were shocked. It was strange because there was no explicit message that could allow us to understand which specific article we were attacked for. And it's not easy to understand it because we cover so many news stories every day that could possibly put us in danger».

Up until now, only twice has a bomb blown up the printing house of an Italian newspaper. The first time it happened in Palermo in 1958: the Corleonesi clan put a bomb inside the rotary press of the *L'Ora*, the newspaper that, from 1960 and 1072, had three journalists murdered by the mafiosi. The second time was in 1981 in Catania, at the newspaper *Giornale del Sud*, whose editor was Giuseppe Fava, killed three years later by Benedetto Santapaola's clan. It is clear that two bombs, with the fuse primed, left so close to the rotary press, are an intimidating message to the whole newspaper, to its editorial policy, to its role in a social context deeply influenced by criminal power. The role and the editorial policy of the *Quotidiano della Calabria* did not change over the last year. The newspaper keeps on giving voice to a widespread will for change and on taking the lead in mobilising public opinion: on 25 August 2010, the editor wrote a leading article in which he called for an anti-mafia demonstration and the event drew, a month later, 40,000 people.

#### *A “rabble-rouser” journalist and the mobilisation of public opinion*

It is unusual that a journalist calls up the masses, that he makes himself a “rabble-rouser”, according to Alberto Spampinato's definition. Matteo Cosenza shies away. «That's a bit of an overstatement. I just wrote a lead article. The day before the general prosecutor Di Landro was attacked in front of his house. It was the last of a long list of threats against the prosecutors of Calabria, a dramatic series that started at the beginning of 2010 with a bomb at the prosecutor's office in Reggio. I felt that I had the duty to tell my region, the institutions, the political parties, that statements of solidarity are not enough. I spoke about the absence of civil society and I said: let's do something and go to Reggio to show our solidarity with the men and women that are risking their lives for our freedom. They listened to my appeal, but I couldn't imagine such widespread participation. I believe that was also the result of the deep discussion published in our newspaper in the month before the demonstration. That day we showed that in Calabria there is a strong desire for civil participation, but there is also a huge political void. Without being aware of it, at that moment our newspaper filled that void. But I am a journalist and an editor, which is what I want to continue to be». So, Matteo Cosenza states that we must not feel relieved by the decrease of open threats. He says that we cannot talk about a situation of calm after the storm, but we must rather speak about a dormant volcano, cold and silent on the surface, but extremely hot under the earth's crust. Cosenza says: «Public prosecutors also watch over us to ensure that we are able to do our work. They asked us, more than once, to report any possible anomaly or any little sign of trouble. The prosecutors didn't advise us to be cautious, but they warned us, especially when we write in complex environments like those of Reggio Calabria and Crotona. Our line is clear: check the facts and give the news promptly, all the news».

*More subtle than the threats that come from mafia*

Giuseppe Baldessarro works in Reggio Calabria. He is a trial reporter for *Il Quotidiano*. He is also a correspondent for *La Repubblica*. He was threatened with death. At the beginning of 2010, he received an anonymous letter. He clarifies: «We must say that there are many more ways to intimidate a journalist, apart from death threats, lawsuits and accusations. For instance, the warning could come from a lawyer asking the journalist to use less aggressive words towards his powerful client. It could come from a journalist's friend or relative, who is in a friendly way advising him or her not to defend the prosecutors' position. Or maybe they could advise him or her not to take for granted what the police say. Another way to hit a journalist is to discredit him or her publicly or internally within the newspaper staff. A businessman or a politician could call the journalist's publisher or editor and imply that he or she wrote some articles for personal interest. For example, they could say: «That journalist is attacking me because his cousin is my competitor», or something like that. Sometimes they attack you personally to hit the newspaper».

He then says: «The world of local politics has got several instruments to make the newspaper pay for an negative coverage: for example, the allocation of institutional advertising – which, in a moment of crisis like this and in a poor context like Calabria, weighs on the newspapers' balance, especially small newspapers'. If you lose that kind of advertising and it is assigned to your competitor, the effects are far worse. If you want to receive certain advertisements, you must write some things and omit some others. This type of conditioning actually influence on the frequent changes that happened last year at the head of many small newspapers, radios, TVs and websites. This kind of pressure and interference exercised by politicians on the press has increased incredibly over the last year».

Doing our job with awareness and professionalism is not enough. Sometimes that is actually the problem. In this regard, during a convention of Ossigeno in Rome, on 9 February 2011, Giuseppe Baldessarro told two exemplary episodes. «About two years ago, during a City Council session in Reggio Calabria, the then-mayor and current Governor of Calabria Giuseppe Scopelliti said I was a problem for the city: “In this city we have a lot of problems. As long as journalists like him – he pointed at me –keep on writing about cheating, we'll lose credibility and we'll have negative consequences on financial investments and tourism”. I found that calling me “a problem” for the city was a very serious matter, and I asked my trade union to show public solidarity with me. Nothing happened, and now, knowing the context, I'm not surprised».

He goes on: «The other episode is more recent (February 2011). I was a consultant on an episode of the TV programme *Presca diretta* by Riccardo Iacona about the connection between politics and the '*ndrangheta*. The day after the episode aired, during a regional council session, a councillor proposed a motion to censor the programme because «it defamed our region». The motion was not seconded, but the fact that someone had presented it is symptomatic. It proves that someone actually thinks that the problem are the journalists and not the exchange of favours between politicians and the '*ndrangheta*. I would have expected a reaction from the Order of Journalists or the trade union in defence of the journalists who had made that programme. But it didn't happen».

Another symptomatic story deals with Mario Meliadò, anchor of ReggioTv and correspondent for *Il Sole 24 Ore* in Calabria. On 11 May 2011, four days before local elections, his article on the financial distress of the City Council of Reggio Calabria

came out in the southern section of *Il Sole 24 Ore*. Meliadò also mentioned a parliamentary inquiry of nine parliament members of the Democratic Party – among them the coordinator at the Chamber of Deputies Dario Franceschini – stating that the 2009 financial statement was approved with delay.

The same day, the electoral committee of the candidate mayor Demetrio Arena of the People of Freedom party, issued a press release in which, without explanation, personally attacked the journalist. The release said: «We are shocked by Mario Meladò's article [...] For example, it mentions a total debt of 330 million euro (a completely false and unfounded statement) [...]. One should check the facts before writing such cock-and-bull stories [...]. A perfect occasion for the other candidates for mayor who, despite the emptiness of their own proposals find the time to join in the chorus of denigration».

Nino Amadore, editor of the southern section of *Il Sole 24 Ore* comments: «I consider it absurd and unbelievable that a press officer could issue a release in which such things are said about a journalist who is only doing his job. And we don't understand why they attacked only Mario Meladò and not Roberto Galullo who, on the same day, had written even more explicit things on the same subject: "In this electoral campaign talking about mafia infiltration is not a priority, in spite of all the pending judicial inquiries and despite the fact that assistant Giuseppe Lombardo, on 21 September 2010, at the anti-mafia parliamentary committee stated: "To do business, the mafiosi in Reggio go to the source, the De Stefano clan". They are actually managing the city budget"».

Meliadò is still upset about that press release personally addressed at him, because, among other things, he felt he was left alone. He recalls: «The release was published in full by many local newspapers and websites. Nobody distanced himself from it. So it was believed that I made up the news and nothing was said about what actually mattered: the financial situation of the City Council». A matter that is under investigation as a result of Orsola Fallara's suicide, on 17 December 2010. Fallara was the head of the department of finances and taxes. Meliadò concludes by saying: «No journalist spoke in my defence».

We must talk also about the "Pollichieni affair", involving Governor Scopelliti, one more time. The affair proves that a journalist can be hit and discredited without any reference to what he or she wrote. Paolo Pollichieni says: «Since the foundation of our periodical, the *Corriere della Calabria*, on August 2011, Governor Scopelliti, without making any explicit reference, but clearly talking about us, in every public occasion has said: "How is it possible that in a region with poor financial resources and poor advertising investments, new newspapers can be founded, unless they receive dubious funding?" Thus, he implied that our newspaper was financed by some criminal group. It was apparent that he was talking about us, and at some point it was very clear because he made an explicit reference to me in a newspaper».

The explicit reference happened on 11 August, when Scopelliti mentioned Pollichieni in a letter of protest he sent to the *Corriere della Sera* against an article written by Sergio Rizzo and Gian Antonio Stella, who cited an article from the *Corriere della Calabria* about the Region Council sponsoring a beauty contest, using resources allocated to help poor families». In that letter Scopelliti said not to trust the news published by «a man known for his judicial problems and who, at the same time, had a series of well-paid professional assignments financed by the region of Calabria». For those words, Pollichieni has sued him, and today he says: «Finally, instead of making allusions he put his face and his signature under his slanders».

When the Governor mentions Pollichieni's past, he is probably referring to the inquiry on the health service, headed in 2000 by Salvatore Boemi, the then assistant prosecutor of Reggio Calabria's DDA (Anti-mafia district department). Pollichieni, who at the time was department head of the *Gazzetta del Sud*, was arrested and charged with criminal conspiracy and threats, but he was fully acquitted by the appeal court for not having committed the crime. He says today: «I was acquitted and compensated by the State, and regarding the professional assignments, I never had any professional relationship with the Region of Calabria. I challenge him to prove it, if he can».

Pollichieni was vice-president and head of the office of "Report Porter Novelli" in Rome, a press and PR agency that in 2007 managed the planning of an expensive institutional campaign for Reggio Calabria, realised by photographer Oliviero Toscani. Pollichieni states: «I don't understand this behaviour. Whether a journalist writes something about the Governor's work, he should be criticised on the basis of what he wrote, of the articles' content, he should not be attacked on the personal level, with false and biased accusations. I immediately resigned from "Porter Novelli", when I became editor of *Calabria Ora*».

Another controversial issue in Calabria deals with the positions of professional advisors for institutional communication at the Region of Calabria that were given to the relatives of some influential journalists. When the new administration took over, new institutional information platforms were introduced in addition to the already existent press agencies for the governor and the regional council. The regional union of journalists reported that the Region Council hired thirteen new professionals, with a public contract whose rules were «changed in the process».

### *The complex story of Calabria Ora*

Pollichieni left the head of the newspaper *Calabria Ora* on 20 July 2010, writing a lead article in which he reported the publishers' unacceptable interference into his editorial policy, while the newspaper was covering the judicial investigations on the alleged relationship between the Governor Giuseppe Scopelliti and some businessmen connected to the De Stefano clan and to the Alvaro family. After Pollichieni's resignation, the majority of the newspaper's managing board resigned, as well: the central managing editor, two vice-editors of the central office, two department heads, the manager for political news, a trial reporter in Catanzaro, the head of the office in Gioia Tauro.

Young reporter Angela Corica, correspondent from Gioia Tauro, who had been threatened in 2008 with five gunshots against her car, resigned three months later. She says in her resignation letter: «I was wrong to think that things would be the same as before. After Pollichieni's resignation I had believed that, if we all made efforts, we could have continued working peacefully and without conditioning. [...] That was just an illusion because, in fact, things changed within the newspaper, regarding both the internal organisation and the newspaper contents».

In that letter, Angela pointed out another important change: «The newspaper's office in Gioia Tauro was downgraded to a correspondence office [...] nobody explained to us the reason for that decision, while the newspaper was still a reference point for the area of Gioia Tauro. [...]. Apparently, the newspaper also changed its editorial policy regarding the news and politics sections».



Other peripheral offices were downgraded to correspondence offices, like in Vibo Valentia, at a time in which the constant increase of crime in the city would have required a strengthening of the resources.

Furthermore, in October 2010, after of a long series of arguments with new chief editor Piero Sansonetti, reporter Lucio Musolino was dismissed. Musolino, over the past years, had been repeatedly threatened by the *'ndrangheta*, and was one of the most committed reporters in covering Scopelliti's legal troubles. His dismissal was then ruled unfair by the Judge of Work of Reggio Calabria who ordered Musolino's reinstatement, but Musolino didn't want to return and now, along with a lot of other former reporters of the newspaper, he works at the *Corriere della Calabria*».

Piero Sansonetti's management style marked a significant change of the editorial policy of *Calabria Ora*. We can define it a policy of "hyper-guarantism" that led to openly criticise some choices made by the Public Prosecutor's office of Reggio Calabria; especially the use of the *pentiti*.

Some of Sansonetti's choices made clear that the winds had changed. On 7 October 2010, the newspaper published a long interview by Sansonetti of the newly elected Governor of Calabria, Giuseppe Scopelliti. In the interview he talks about politics, the problems with developing the south, and also the *'ndrangheta* and journalism. At some point, referring to the rumours of his alleged involvement in judicial inquiries, Scopelliti states: «I believe in the protection of civil liberties and I await for the pending investigations. But don't you think that there are many people who know *mafiosi* but that doesn't make them *mafiosi* as well? I think about some of your reporters, too... I finally understood the importance of protecting civil liberties. Before destroying someone's reputation, we need to be careful. Some journalists at your newspaper know very little about guarantism. Lucio Musolino for example...». Sansonetti replies: «Musolino is a very good journalist who does his work with seriousness and accuracy».

So Sansonetti stood up for his reporter. But that defence was considered too weak by some people, and raised some criticism.

On the same day, some journalists, including Enrico Fierro and Guido Ruotolo, showed public solidarity with Musolino, who had been attacked so directly by Scopelliti. They wrote in a statement: «The governor's words represented a threat towards the reporter, but also towards the autonomy of autonomy, and the attack was made public by the same newspaper where Musolino works. Criticising Musolino's brave work is an attempt to isolate him, and that is unacceptable».

The issue raised controversy. On the same day, Musolino was guest of Michele Santoro's programme *Annozero* and told his story, he spoke about the death threats he received as a result of his articles. Editor Sansonetti answered two days later writing a lead article called "Against the mafia, but not avengers". The article says: «They say that Scopelliti called Musolino a "justicialist". But then, the other night at *Annozero* I listened to a few journalists, and one from my newspaper too, saying far more serious things about Scopelliti. He was called *mafioso* and nobody defended him. [...] I am persuaded that we can fight the mafia only if we comply with guarantism. Using repression, authoritarianism and avenging methods means playing into the hands of mafia».

### *The hidden pentiti and those on the front page*

A few days later, on 13 October 2010, the *Quotidiano della Calabria*'s opening title is: "The *pentito* reveals the names of the politicians". The article reports *pentito* Paolo Iannò's declaration about the relationship between the '*ndrangheta* and politics: « People said – Iannò states – that Giuseppe Scopelliti was supported by the '*ndrangheta*: they used to say that even when I was a fugitive». This news does not come out in *Calabria Ora* on that day nor on the following days.

A few weeks later, between 19 and 29 November 2010, while the health service of Calabria suffered a financial crisis, the Region assigned new funds to the psychiatric department of some clinics connected to Pietro Citrigno, one of the two publishers of *Calabria Ora*.

On 22 June, Pietro Citrigno was sentenced to 4 years and eight months' imprisonment for usury. On 24 May, he was remanded to a court for trial, along with the other publisher Fausto Aquini, charged with extortion. The charges dealt with the purchase of a closed textile factory in 2006. The two of them forced the owner to sell the establishment for less than the twentieth of its value.

On 15 March 2011, the DDA of Catanzaro asked for the dismissal of the judicial inquiry of the ships full of dangerous waste that may have been deliberately sunk near the coast of Cetraro. *Calabria Ora* started a campaign against «the media case that brought the region to its knees». The editor wrote: «Poisoned by lies, and now who pays for it?». The newspaper sponsored a conference on the subject and became the centre of the renewed debate on the realisation of works to help tourism in Cetraro, works that should be financed with the 2009 Cetraro Law.

One of the most important projects is the conversion of the textile factory into an aquarium. But the media campaign ended few days before the conference, when the Court of Paola requested a trial against the two publishers and scandal broke out.

Another key event that marks the new direction of *Calabria Ora* is the case of Giuseppina Pesce, a *pentita* who belongs to one of the most fearful families of the '*ndrangheta* in Rosarno, in the area of Goia Tauro. The prosecutors succeeded, in one year, in hitting hard the Pesce clan, also thanks to Giuseppina's collaboration, while she was put under police protection.

Last April, a few days before some members of her family were remanded to court, Giuseppina changed her mind and decided to exercise her right to refuse to answer, publicly accusing the prosecutors of having forced her to collaborate with justice. She turned back again in September 2011, stating that she had stopped collaborating because of fear and of pressure from her family.

The false accusations by Giuseppina against the Public Prosecutor's office of Reggio were documented in a letter which she admitted she had signed but that had been written by her lawyer, who sent it to the «only newspaper that would have listened to them».

It was *Calabria Ora* that, on 26 April 2011, published the full letter, dedicating to the event to its front page for two days and bringing on the accusations against prosecutor Giuseppe Pignatone through a series of lead articles in which Sansonetti asked Pignatone to explain himself.

On the other hand, the *Quotidiano della Calabria* deals with the news for the first time on 27 April, introducing the hypothesis – which was later proved to be correct – that Giuseppina's retraction had been ordered by her family. Baldessarro, who detected some inconsistencies between the letter and Giuseppina's first statements,

wrote: «Pesce is not convincing» and he defines as “strange” that «retraction only few days before the first hearing of the preliminary investigation». On 30 April, the journalist wrote an article in which, based on the documents, he demolishes Giuseppina’s new version. The next day, Pignatone himself stepped in and wrote a statement to the *Riformista*.

Sansonetti answered back and on 3 May he wrote: «In that article Pignatone confirms some of the statements made two days ago by the *Quotidiano di Calabria*, but not explicitly attributed to Pignatone, they were instead signed by a reporter of that newspaper (a newspaper being the official prosecutors’ spokesman is a common practice that we do not share)».

The attack against Baldessarro was serious, but very few people showed solidarity with him. His newspaper staff however, issued the following statement: «Today the editor of *Calabria Ora*, Piero Sansonetti, accused Giuseppe Baldessarro of being the “prosecutor’s spokesman” only because he had published some trial documents that were already public [...]. We consider this to be a very dangerous practice both for the physical safety of our co-worker and the entire profession, and for the effectiveness of the fight against organised crime and corruption».

Referring to a journalist as the «spokesman of the prosecutors» in a land like Calabria is very dangerous. It does not only insinuate, like it would in Milan or Rome, that a journalist is conditioned by his or her sources. “The cops’ friend”, “The police confidant”, are typical phrases used by mafia to identify the “vile”, those who speak too much and who are hated for that. Using those words in a land like Calabria may provide a reason to fuel that hatred, to expose the reporter to mafia retaliation. This is what Angela Napoli said: «It’s extremely worrying, because it puts the journalist’s life at risk». And Antonio Nicaso added: «In cases like this, the risk is to give the idea that a journalist’s behaviour is different from the others».

Piero Sansonetti expressed his convictions in the lead article «Journalists or soldiers?», written on 7 May 2011. He wrote: «I’ll tell you the truth, I actually don’t care about lawfulness. [...] Lawfulness means respect of laws. That being a value or not depends, obviously, on the laws and how they are applied. According to me, to respect the laws is not always a merit. As a certain Father Milani used to say, disobedience is a virtue. Yes, but who still remembers Father Milani! I often dislike the laws. I’ve never been on the side of laws. I tend to think that it’s right to stand up for the weak, whoever they are, regardless of whether they’re good or bad, guilty or innocent».

He also set a campaign against the prosecutors’ choice to collaborate with *pentiti* and against the mafia bosses that serve hard time in prison. Antonio Nicaso explains: «Before the law of hard time for mafia criminals, many of them could still manage their businesses from prison. The prison system was modified to prevent any contacts with their organisations»

Another questionable choice by Sansonetti was the publication of a letter written by the member of a historical and feared *‘ndrangheta* family, Antonio Alvaro, who complained about Father Pino De Masi’s attitude regarding the funeral of Alvaro’s father: «Father Pino, why did you forbid the church to my father?» was the front-page title on 20 July 2011. Angela Napoli says that «Publishing the letter of the son of a mafia boss on the front page is extremely worrying, because it’s clearly a threatening message to Father Pino. The mafia lives on the people’s fear, that’s what they do, they scare people. We can’t fight organised crime if we gave them space in the newspapers».

### *The coverage of the territory*

Finally, there is the issue of the coverage of the territory, as already mentioned by Angela Corica. Michele Albanese, a correspondent for the *Quotidiano della Calabria* and the target of repeated threats reveals to us: «*Calabria Ora* doesn't cover the trial against the Pesce family of Rosarno, or it dedicates ten lines to it, while we write two pages. If our competitor steps aside, we are more exposed, there's no doubt of it». Giuseppe Baldessarro shares the same feeling, as he stated on 9 February 2011 at the Ossigeno conference: «After Paolo Pollichieni's resignation and Sansonetti's arrival, *Calabria Ora* has completely changed. Even if I didn't like Pollichieni's style very much, after his resignation I am the only one left writing these kind of things. Today I feel poorer: as a citizen because we have lost something in terms of pluralism; as a journalist because I feel more alone; and as a professional because there isn't a competitor pushing us to be more accurate. Maybe there is a competitor, but it's a poorer one».

Keeping down the quality of information, hindering the circulation of inconvenient news is a form of censorship used by many prominent figures— politicians, businessmen, criminals. When this fails— more often at the national level — retaliation becomes violent against those — especially at the local level, which is more exposed to conditioning — who do not want to bend.

We had proof of this with two overreactions by the governor of Calabria Giuseppe Scopelliti after major national newspapers revealed news critical of his administration. The first protest — as we mentioned — was a letter addressed to the *Corriere della Sera*, to complain about a report in a local newspaper about the alleged funding of a beauty contest using the public money allocated to initiatives against poverty.

The second protest, formulated by Scopelliti in a public speech on 16 November, was addressed to Roberto Galullo, Enrico Fierro and Guido Ruotolo, three experienced journalists of *Il Sole 24 Ore*, *Il Fatto Quotidiano* and *La Stampa*, who, for weeks, were writing news articles and updates on the judicial inquiry of the financial crisis at the City Council of Reggio Calabria for which the Governor is under investigation.

## CALABRIA/3

### Dear editor, may I ask you...? Four questions to Piero Sansonetti

*By Roberto S. Rossi*

For obvious reasons of thoroughness and journalistic accuracy, we believed we had to ask some questions to Piero Sansonetti, editor in chief of *Calabria Ora*, and we decided to do it in a separate article to give significance to his answers. We sent him four questions by e-mail. Sansonetti, very kindly, answered promptly, and made the following premise:

*I believed this was an interview, now I realise it's an interrogation... Well, I knew that sooner or later I would have been subjected to questioning. I could refuse to talk unless my lawyer is present! Ok, this time I will accept it and I will not contain myself (and I'm glad that I proved my old idea that journalists and public prosecutors lately have exchanged their roles: the former doing the investigations and the the latter issuing press releases...).*

On 22 June Pietro Citrigno, one of the publishers of *Calabria Ora*, was sentenced to 4 years and eight months' imprisonment for usury. On 24 May he was remanded to a court for trial, along with the other publisher Fausto Aquini, charged with extortion. How is it that you, with your past, decided to keep on working with them?

*Are you asking why I didn't abandon the newspaper when Citrigno was sentenced? Look, I could give you several answers, but I'll give you the simplest and most sincere one: because I am convinced that Citrigno is innocent. I studied the case, I checked the documents, I listened to a lot of people informed of the facts – as my predecessor did and, aware of Citrigno's innocence, he didn't have any problem working with him and leading the newspaper – and I truly convinced myself that the accusations against Citrigno have no foundation. And the public prosecutor, who had charged him and then requested his acquittal to the Appeal Court, shares my conviction. I got persuaded that the judges decided to convict Citrigno – and arrogantly despite of the request of acquittal presented by the public prosecutor – had something to do with some internal fights between judicial authorities. You'll tell me: «A sentence is a sentence, it cannot be contested. Laws are laws!». Yes, of course, I've heard that so many times... But, you know, I don't believe it. I actually do contest sentences. Quite often. You mentioned my past. Well, I have always considered lawfulness as a value – a highly respectable one, naturally – that belongs to conservatives. I like other values, absolutely unlawful. Rebellion, social equity, freedom, guarantism. To me, lawfulness means defence – very honest defence – of the status quo. Citrigno is an excellent publisher, I can assure it to you. He grants full freedom to his editors. I am the one who decides the newspaper policy. I work very well with him.*

On 13 October 2010, a story comes out saying that the *pentito* Paolo Iannò, questioned by the prosecutors about the connection between the '*ndrangheta* and politics, stated: «People said that Giuseppe Scopelliti was supported by the '*ndrangheta*». The news was published by some newspapers, causing great sensation. *Calabria Ora*, instead, did not publish a line of it.

So, you justified that by writing in several lead articles that you do not agree with the prosecutors using the *pentiti* for investigations. But then, on 26 April you published the letter of a “*pentita*”, Giuseppina Pesce, accusing the prosecutors of compelling her to collaborate with them. You put that news on the front page for two days and wrote a lead article in which you asked public prosecutor Giuseppe Pignatone to explain himself.

Isn't there a contradiction? Would you explain your reasons?

*I can't recall how my newspaper gave the news about Iannò's declarations. Maybe we missed the news, even if it seldom happens – usually we're the first with the news – and obviously, should that be the case, we didn't miss it for ideological reasons. That said, I consider that the news – apparently spread by some prosecutors for some purposes that I don't want to know – that a not very reliable pentito states that he “had heard” that someone was connected to mafia, has very little importance. You obviously understand that valuable journalism is not based on “hearsay”, the “hearsay” of people accused of mafia crimes, and, moreover, the “hearsay” reported by some judges for their own purposes. I think you'll agree with me on this, won't you? Mrs. Pesce's testimony was a different story. There was no “hearsay”, it was a direct and dramatic testimony, reported in a letter officially written and signed by her. Everyone could have published it, it wasn't a scoop. The woman informed us about her decision to collaborate with justice – “her” decision, not anyone else's – criticising the prosecutors' behaviour. As we are serious journalists, we had the duty to publish that remarkable news! Now, you tell me: why did no other newspaper publish it? I frankly don't know, maybe, in that case, they shamefully missed the news. I obviously don't believe the voices saying that they didn't publish it because they were afraid to bother the Public Prosecutor's office, thinking that it was better for them to have the prosecutors on their side, since the prosecutors are those who give (or do not give) the news to newspapers. I frankly don't believe such slander.*

Why did you dismiss Lucio Musolino?

*I did not dismiss Lucio Musolino. There is no letter of dismissal. There is no request of dismissal. Despite Musolino having a very bad relationship with the staff, I did my best to avoid a definitive break between him and the newspaper. If someone said that I dismissed Lucio Musolino, I will sue him or her. (Well, if I sue I'll have to rely on the prosecutors, whom I don't really trust, and I should ask that lawfulness is respected, and I don't like lawfulness... well, I'll think about it!).*

Last October, during a City Council session of Reggio Calabria, the cameramen of three local TV networks were thrown out of the hall and a journalist who was protesting was asked to identify himself by the police. Governor Giuseppe Scopelliti has repeatedly and publicly insulted journalists of local and national newspapers. How do you judge this behaviour?

*To criticise journalists is legal. To insult and kick them out and prevent them from doing their job is not legal. In fact, that day one of my journalists wrote an article about it and harshly criticised Scopelliti's behaviour, calling it intolerable. So I actually don't understand why are you asking me that question. I suspect you think that my newspaper is protecting Scopelliti. It's not so, really. I can assure you*

*that. We don't call him a mafioso, because we really think that is not true. We know that prosecutor Pignatone – whom I believe you appreciate – always ruled out the possibility that Scopelliti could be accused or suspected of any offences. Categorically. What should I do? Should I think – considering I believe in guarantism – that the Public Prosecutor's office of Reggio Calabria is protecting Scopelliti for some shameful reasons? Frankly, my dear friend, I don't think that. I could criticised Pignatone about so many things, but I absolutely cannot question his honesty.*