



OSSIGENO PER L'INFORMAZIONE

2010 REPORT



**Protecting
threatened journalists
in Italy:
challenges and suggestions**

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OSSIGENO per l'informazione
Osservatorio FNSI-Ordine dei Giornalisti sui cronisti sotto
scorta e le notizie oscurate in Italia con la violenza

Centre on Information and journalism
on the news overshadowed by violence in Italy

Promoted by Fnsi and Ordine Nazionale dei Giornalisti
in association with Libera Informazione,
Unione Nazionale Cronisti Italiani and Articolo21

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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.



OSSIGENO per l'informazione 2010 Report

Threats and intimidating actions

Relevant episodes in 2009-2010: 78, 54 of which against individuals and 24 against groups

Estimation of involved journalists: 400

Professional situation

Stable contracts: 52 Temporary contracts: 18 Other: 8

Modality of threats

Physical assaults: 13

Damages: 15*

Threats and intimidation (oral and/or written**): 34

Complaints and legal actions: 16

* among the damages we include the hacker attack to the LiberaInformazione website

** the category includes the sending or finding of bullets and other materials

Where

Calabria 20, Lazio 16, Sicily 10, Campania 10, Lombardy 9, Puglia 4, Basilicata 2, Piedmont 2, Veneto 2, Tuscany 2, Friuli Venezia Giulia 1, Liguria 1, Abruzzo 1, Emilia Romagna 1.

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OSSIGENO per l'informazione 2010 Report

WHERE





OSSIGENO per l'informazione 2010 Report

WHO and WHEN

(Updated September 30, 2010)

Alessio Di Palo	Auto inc. + percosse	Altamura	09.02.07
Davide De Stavola	pesci in auto	Pignataro M. CE	27.12.07
(collettiva)	avviso garanzia	Palermo	29-12-07
Carlo Pascarella	bomba carta	Pignataro M. CE	31-12-07
Salvatore Minieri	spari a finestra	Pignataro M. CE	31-12-07
Massimiliano Saggese	Aggredito	Pieve Emanuele MI	10-01-08
Mara Del Fante	Aggredita	Pieve Emanuele MI	10-05-08
Giulio Cavalli	minacce morte	Tavazzano - Lodi	10-05-08
Dardo Rigamolti	perquisiz e sequestro	Sondrio	2-08-08
Stefano Barbusca	perquisiz e sequestro	Sondrio	1-02-09
Filippo Cutrupi	Lettera	Reggio Calabria	1-02-10
Fabio Pistoia	Lettera	Cosenza	15-02-10
Saba Viscardi	Aggredita	Imbersago Lecco	1-06-10
Davide Bortone	danni ad auto	Buccinasco MI	10-06-10
(collettiva)	richiesta danni	Roma	18-06-09
(collettiva)	richiesta danni	Roma PZ	10-08-09
Diego Longhin	avviso garanzia	Torino	10-08-09
Rino Giacalone	richiesta danni	Trapani	26-08-09
José Trovato	verbali + indag.	Leonforte EN	20-09-09
Nello Rega	minaccia morte	Roma PZ	25-09-09
Francesco Di Maio	Lettera	Roma	27-09-2009
Alessandro Bozzo	Lettera	Cosenza	29-09-09
Sandro Ruotolo	Lettera	Roma	1-10-09
Michele Santoro	Lettera	Roma	3-10-09
Marco Travaglio	Lettera	Roma	3-10-09
Angelo Ciavarella	Auto bruciata	S.Severo FG	3-10-09
Gianni Lannes	auto bruciata	Orta Nova FG	14-10-09
Barbara Ciarcia	Aggredito	Avellino	5-11-09
Francesco Lignite	Aggredito	Avellino	8-11-09
Giulia Martorana	avviso garanzia	Enna	8-11-09



OSSIGENO per l'informazione 2010 Report

WHO and WHEN

Fabio Fioravanti	minaccia morte	Treviso	22-11-09
Marco Menduni	auto bruciata	Genova	3-12-09
(collettiva)	Chiesto risarcimento da Schifani	Roma	Dicembre 09
Alessandro Migliaccio	Verbali	Napoli	1-01-10
Daniela Senapa	minaccia morte	Pescara	10-01-10
Michele Albanese	Lettera	Polistena RC	14-01-10
Lirio Abbate	Intercettazioni	CL-TP	28-01-10
Antonino Monteleone	auto bruciata	Reggio Calabria	31-01-10
Antonio Condorelli	lettera e telef	Catania	4-02-10
Rosaria Capacchione	Verbali	Napoli	7-02-10
Fabio Folisi	Proiettile	Udine	11-02-10
Paolo Nencioni	perqu sequestro	Livorno	11-02-10
Elena Durante	perqu. Sequestro	Livorno	20-02-10
Giuseppe Baldessarro	lettera pallottole	Reggio Calabria	20-02-10
Enzo Palmesano	auto bruciata	Pignataro M. CE	22-02-10
Roberto Galullo	Lettere	Milano	24-02-10
Michele Cagnazzo	Proiettile	Bari	01-03-10
Giorgio Italia	auto bruciata	Buscemi SR	11-03-10
Francesco Viviano	avviso garanzia	Roma	13-03-10
Giuliano Foschini	avviso garanzia	Roma	18-03-10
Michele Inserra	bossolo esploso	Siderno RC	18-03-10
Davide Desario	Facebook	Roma	22-03-10
Silvia Resta	Intrusione	Roma	06-04-10
David Oddone	Lettera	San Marino - Rimini	8-04-2010
Roberto Morrione	Hacker	Roma	13-04-10
Rosaria Capacchione	Intrusione	Napoli	21-04-10
Angelo Augusto	auto danneggiata	Licata (AG)	22-04-2010
(collettiva)	Striscioni	Roma	27-04-10
Marco Bogetto	Aggredito	Chivasso TO	6-05-10
Alessandro Capatano	Verbali	Verona -Roma	12-05-10
Francesco Mobilio	auto esplosa	Vibo Valentia	16-05-10
Leonardo Rizzo	cavi telefonici tagliati	Cariati (CS)	21-05-2010



OSSIGENO per l'informazione 2010 Report

WHO and WHEN

Giovanni Verduci	telef anonima	Siderno (RC)	giu-10
Alfredo Gasponi	condanna x danni	Roma	24-06-2010
Pietro Comito	telefono	Vibo Valentia	5-07-2010
Guido Scarpino	citofono	Paola (CS)	7-07-2010
Riccardo Giacoia	lettera	Cosenza	16-07-2010
Antonio Anastasi	telef minatoria	Crotone	20-07-2010
Saverio Puccio	lettera	Catanzaro	22-07-2010
Gerlando Cardinale	verbali	Agrigento	22-07-2010
Lucio Musolino	Intrusione in casa	Catona (RC)	1-08-2010
Giuseppe Soluri	Lettera 2 proiettili	Catanzaro	2-08-2010
Marco Di Caterino	agredito +danni	Casalnuovo Napoli	6-09-2010
Emiliano Morrone	furto computer	Roma/ S.Giov. in Fiore(CS)	09/09/2010
Ferdinando Piccolo	proiettili in busta	San Luca (RC)	11-09-2010
Giuseppe Meduri	agredito +danni	Catanzaro	16/09/2010
Maurizio Belpietro	Tentativo di agguato	Milano	30/09/2010
Redazione quotidiano "Sud" (collettiva)	Polizia postale in redazione	Catania	30/09/2010



OSSIGENO per l'informazione 2010 Report

Protecting threatened journalists in Italy: challenges and suggestions

by Alberto Spampinato

«Threats against journalists are the most serious and dangerous violation of press freedom, a violation which is made far more serious by the fact that the authors of these crimes remain practically unpunished». These are the words of British labourist Andrew McIntosh, former Minister for the Media and Heritage at the Department for Culture, Media and Sport of Tony Blair's Cabinet, and rapporteur of *Respect for Media Freedom*, a report adopted by the Council of Europe in January 2010.

This valuable document draws a detailed map of the most serious cases of violation of press freedom within the 47 member states of the Council of Europe, focusing on the extremely alarming situation of Russia (220 journalists killed since 1989, 13 from 2007 to 2009 and still no justice for the murder of Anna Politkovskaja), of Azerbaijan and other Eastern European Countries. It also calls attention to the situation of threatened journalists in Italy.

The MacIntosh report was conceived to call on the countries aspiring to maintain closer relations with the European Union or to join it, to ensure more protection for the safety of journalists. The Council of Europe calls on these countries in order to channel their approaching process and offer external support to the Europeanists who combat for the necessary reforms in their own countries. That is the general aim. But the

MacIntosh report is not restricted to this. It urges coherent application of the principle of press freedom and more adequate protection of journalists also within a few EU Countries: Greece, Hungary, Spain and Italy, where, according to the Report, threats against journalists are the most serious of Europe. Italy is one of the six historical Founding States of the European communities, a model in several fields for the Candidate Countries, but under observation for a long time regarding its information and media situation in consideration of what is simply called “the Berlusconi affair”, that is – as recalled by the Report – the Italian Prime Minister's conflict of interests and the concentration of media ownership into few hands.

*A European document
passed unnoticed
in Italy*

The document of the Council of Europe states that in Italy there is a high number of threatened journalists. The report mentions the 2007 threats against journalist Lirio Abbate and journalist/writer Roberto Saviano, who's been living under police protection since then, and quotes some Italian judges saying that “death threats and harassment are common means used by criminals, including mafia, to silence Italian journalists”. Therefore, the Council of Europe asks Italy and other countries, to commit themselves to ensure the safety of journalists.

It is an important stance. But it caused no sensation in Italy although, in those days, an appalling fresh outbreak of the phenomenon was recorded in Italy: new serious threats against Lirio Abbate, considered reliable by the investigators; explicit intimidation against Rosaria Capacchione; a series of attacks to five reporters (Francesco Mobilio, Michele Albanese, Francesco Cutrupi, Antonino Monteleone, Giuseppe Baldessarro) in the province of Reggio Calabria in 60 days; threats against television crews in Rosarno after the serious

clashes happened in January 2010, with 37 immigrants wounded. But other serious episodes had happened over the previous months and weeks in various Italian regions, without being properly reported by the media: in the province of Foggia, threats against a reporter of the *Gazzetta del Mezzogiorno* and Gianni Lannes, who obtained police protection in December; in Treviso, Fabio Fioravanti received threatening calls in the course of his live TV programme; in Rome, two television journalists, Nello Rega and Guido Ruotolo, were object of serious intimidation; and more cases in Naples, Palermo, Genoa, Florence, Turin...

Before this alarming scenario, in February 2010 the National Federation of the Italian Press (FNSI) launched the alert, saying that the situation is “no more tolerable” and soliciting the attention of the Government and all political forces. The syndicate of journalists observed that not only the safety of journalists is at stake, but also the principle of freedom itself because, “by striking and intimidating information they strike and weaken democracy”. In other words, such widespread intimidation prevent journalists from doing their job, pushing a lot of them into auto-censure and weakening the social function of information. How can people make their way and aware political choices, without knowing the facts?

*The President,
the report,
the inquiries.
And all around
the pneumatic vacuum*

“Ossigeno per l'informazione” (Oxygen for Information), the observatory of FNSI and the Italian Association of Journalists for threats against journalists and censorship of information, carried out a detailed and comprehensive diagnosis of the situation of threatened journalists in Italy, which – though without reaching the extent of the Russian massacre, where more than 200 journalists have been killed since 1989 – is

incomparable, in terms of extent and seriousness, to those of the other 26 EU State members. The 2009 Report, delivered to President of the Republic Giorgio Napolitano, recalled the eleven journalists killed in fifty years by mafia and terrorism and assessed at least 200 cases of threats against journalists in Italy, from 2006 to 2008.

The calls coming from the the Council of Europe and the syndicate of journalists are thus completely well-founded. But they are not enough to break the deadlock: they dropped as well as the circumstantial condemnation of the Ossigeno Report, the parliamentary inquiry presented in February 2010 by three members of the Parliament (Paolo Gentiloni, Giuseppe Giulietti, Franco Laratta) and other parliamentary and various actions urging the Government to provide an updated picture of the situation.

The deafness of politics and institutions as well as the indifference of media before this dramatic situation are over any imagination and represent a part of the problem. As a matter of fact, the topic is taboo among the journalists themselves. Although directly involved, journalists have reacted so far with a mix of underestimation, resignation and shame, which is an attitude that contributes to obscure and hide the problem and it certainly does not help to react, to find solutions and to adopt the necessary and possible remedies for a situation which is becoming gangrenous. There are two types of solutions: the first one regards the active reaction of journalists and editors; the other one regards the interventions of the institutions, dealing with physical protection and reforms to legislation, especially for the protection of the right to inform at the judicial level. Let's see them in detail.

Breaking the habit of silence

It is undeniable that, if only journalists demanded it, some things could immediately be done to better protect the safety of

the reporters who deal with inconvenient and dangerous news. Therefore, first thing to do is to promote this awareness among the journalists themselves. It's time to break the silence taboo that prevents the journalists from talking about such things. We need to properly highlight all the episodes of threats and intimidation as soon as they happen, placing them into the right context to understand and make understand that they are not isolated facts. Second thing to do is to show full solidarity with the journalists who are threatened, intimidated and censored by means of violence. Solidarity should be addressed to all the journalists that are silenced with violence, without distinctions of newspaper, political ideas and geographical place, though this does not commonly happen. Showing solidarity with the reporter of one's own newspaper, of one's own political party, of one's own region is not enough... Every honest journalist must be able to identify with the situation of any other threatened journalist and with their condition of victims. Must be on their side to support and protect them. Must help them to obtain wider solidarity, from citizens and from institutions. Must not deny testimony if he/she witnesses threats or knows episodes that could help threatened reporters to defend themselves. It seems obvious, it should be taken for granted, but often this is not the case. And the other journalists must not let go when someone deny solidarity or testimony. Something must be done in order to preserve the credibility and the honour of the category. It is important that the Association of Journalists begins to reflect on this point – said Enzo Iacopino, general secretary of the Association, on 30 October 2008, during a meeting in Casal di Principe. «Let's start talking of our duties and of those who, in order to accomplish them, put themselves in danger and then – he said – suffer attacks not only by the camorra, but also, inexplicably, by other journalists. This is a shame we cannot tolerate. There is no place in the Association of Journalists for those who, with this behaviour, with conspiracy of silence, bring shame to the category. The regional associations must understand that it is time to clear our ranks out. Before these things we must act

without forgiveness. There is a need of clean air».

«No threatened journalist must feel alone, there is the syndicate behind them», assured on the very same occasion, the FNSI secretary, Franco Siddi, while Roberto Natale, president of FNSI, solicited a more active role of media. «It is very important – said Natale – that the public radio-television services give more space to the mafia news: or, at least, the same space they give to the news of domestic crimes». Personally, I am convinced that solidarity, in association with more visibility and public attention for media freedom, provides the best protection for threatened journalists.

*Why is so difficult
to show
public solidarity
with a threatened
colleague?*

To show public solidarity with a threatened reporter has become difficult. We must wonder why. Certainly, it depends on the poor credibility of the category, deriving from the abuses of a few journalists and of the activity of those organs which should restore the rules, considered very little effective by the public opinion. But it also depends on those factors – such as the technological revolution and the stratification of various crises – which made less sure the funding for a lot of newspapers, suffering a genetic mutation which saw fading into the background the mission of any modern newspaper: to spread the news for the citizens' sake. Likewise, the profession of journalist underwent a deep transformation, reversing historical distinctions of genres and roles. Now in the same newspaper office, very different journalists coexist with the same dignity. Some of them do not agree on the vision that a journalist must work in full independence and autonomy of judgment from his/her sources and for the exclusive public opinion's sake; that the news to be published must be chosen by the journalists themselves and not by others exclusively on

the basis of their general relevance. Some of them base their choices on marketing or other criteria. There can also be the case that in the same office there is a reporter threatened for writing inconvenient – but important – news, and another reporter who dodged the same news, just for quiet life or because someone asked him to do it, and now, not only he/she denies solidarity, but in superior tone, says: “Did you see what happened? What was the point of doing that?”

This is shown in the film *FortApàsc*, on the tragic story of reporter Giancarlo Siani: it touches on a sore point and represents this dynamics with a provocative distinction between journalists-journalists and journalists-employees. How should we react to such a provocation? I think that we must not feel offended. It must be discussed in journalism schools, in newspapers offices, in conferences, and in every occasion it must be made clear that professional ethics is not an optional, and it is valid for every journalist. Otherwise, the only option will be to accept the distinction made by Marco Risi in his beautiful film, with the word *journalist* becoming vague and generic and needing that distinction and other specifications in order to mean something; as well as the word *driver*, for example, that doesn't mean anything precise and demands other specifications, such as: *taxi driver*, *lorry driver*, *bus driver* and so on. It would be really sad if it was necessary to specify whether a journalist works with news strictly speaking or with other things: public relations, advertisements caption and so on. Likewise, the name of some newspapers would also need such a specification, since some of them operate an inadmissible waste separation of news and provide a biased information, which denies and contrasts with their function to inform as a public service, which they nominally are, and for which they receive conspicuous public funding.

It is apparent that if some newspapers finance themselves impeding the spreading of news of decided public interest, and some journalists support this task, the job of those reporters who persist in respecting the number one professional rule becomes more dangerous. We have countless examples from

the stories of the threatened reporters: often the target is a young and temporary reporter, even still not professional, writing on a little newspaper or on a blog and publishing news rejected or neglected by very famous newspapers or by journalists with a long experience and assisted with all the contractual guarantees.

Teamwork

The work of a reporter can be made safer, only if we want it, respecting professional ethics and applying elementary but well-known rules: teamwork, collective signature, editorials accompanying the most critical news, turnovers to cover the most dangerous investigations. In the so-called Italian “years of lead” (1970s and 1980s) such measures were taken for the reporters who followed the news on terrorism. Why nobody has thought of something similar for the reporters of mafia?

LEGAL PROTECTION – It is known that reporters don't receive intimidation only through the rough-and-ready threats method, but also through the abuse of legal means, especially claims for damages in civil courts, a more devious but equally effective method. Up to a few years ago, when someone thought that his/her reputation had been damaged by news, started a libel action in a penal court. If the libel was confirmed by the penal judge, the injured party could claim damages in the civil court, but often didn't do that. Then things changed.

Now there's a juridical culture which is more respectful of the right to inform, convictions for libel have become rarer and, for various reasons, less incisive. Today, who feels damaged and wants to stop a news investigation goes to the civil court claiming a financial compensation, usually with an amount that can ruin the newspaper and the journalist.

The two well-known and exemplary cases of 2009 are the multimillionaire compensations claimed by Prime Minister Silvio Berlusconi against *La Repubblica* and *L'Unità*. But there are dozens, maybe hundreds of other cases, against less known newspapers and journalists and with amounts overriding their

personal finances. There's a growing number of cases of that kind.

*A right
to be achieved*

At the present moment, a variety of people are thinking over the right way to cope with these attacks, although no univocal position has been reached by now. An unofficial teamwork, consisting of members of FNSI, *Libera Informazione*, *Articolo 21* and *Ossigeno per l'Informazione*, along with a few jurists, is evaluating the hypothesis of proposing the decriminalisation of libel (like in the US and – since 2009 – also in Great Britain) and considering this violation as a civil crime when a journalist is acknowledged to have damaged other people's reputation, in a serious and aware manner, with criminal intent, knowing that the reported facts were false. The reform would rule out the penalty that, for the time being, provides: from 1 to 6 years of detention (although not applied in the last years), a 500,000 lira fine and damages equally shared among the journalists, the editor and the publisher. Furthermore, it provides a financial compensation whose amount is determined according to the seriousness of the offence and the extent of the circulation of the printed matter (article 12 of Law 47 of 08/02/1948 - Provisions about the press).

The hypothetical reform would introduce the *dolus malus* principle and provide the damages compensation if and when a denial or refutation is not immediately published, with fixed graphical criteria, in special pages introduced into the daily layout and programs. The amount of the compensation would consist of two parts: that corresponding to the repayment of the property damage and that resulting from the multiplication of a fixed amount of some euro cents for the number of readers.

It's a very interesting proposal. I personally agree with it. However, I think that it doesn't wholly fit the specific cases of compensation used as a mean to intimidate and censor

journalists and the right to inform. These excessive and pretentious claims for damages, added to threats, attacks and harm, became endemic, taking advantage of the indifference of public opinion and a legislation that does not take into the right consideration threats and other attacks to journalists, as if it was only a question of fair play. The seriousness of actions limiting the right to inform as well as the right to criticize, which is the ultimate essence of journalism meant in its function of monitoring and checking on all forms of power, is being generally underestimated. Most people ignore that the article 21 of the Italian Constitution, as well as any other European and UN constitution, establish, together with the right to inform, the right to be informed at the right time and in the right way.

*The crime
that wasn't there*

It's an onerous task to defend the right to inform and to be properly informed: two rights which should be given for granted. Yet, most people don't even know to own those rights. Whereas, journalists have to struggle to demonstrate that the right to inform and to criticize does exist and is self-evident, that they enjoy and use it for the public's sake and that, if properly applied, it does not damage other legitimate interests. In other words, when journalists report inconvenient news, provoquing the reaction of someone who matters, even without damaging the reputation of the claimer, but only reporting faithfully the facts, find themselves in an absurd and inconvenient situation that resembles that of the mafia victims until 1985, before the introduction of the article 416 bis into the Penal Code, which recognised mafia association as a crime. As a matter of fact, previously, every single victim had to demonstrate the existence of mafia. Therefore, in this field, there's one of those "real or presumed gaps in the legislation regarding issues difficult to construct at an hermeneutic level", that is, entailing the interpretation of more general rules, as

said Giovanni Maria Flick, honorary president of the Constitutional Court, with regard to the Eluana Englaro case (view the “Final considerations” of President Giovanni Maria Flick, during the extraordinary session of 28 January 2009, at Palazzo della Consulta). In a situation of “boom” of new rights, Flick observed: “only the enunciation of a detailed set of rules can circumscribe the application of a “jurisprudential right” that, in the opinion of some, would risk to cross the limits of interpretation, but at the same time, it is somehow justified by the exigence – strongly felt by the community – not to leave legislative areas (especially the most “critical” ones) without guarantees and legal protection”.

In conclusion, as in Italy a large number of actions is aimed at restraining, limiting, influencing, erasing the free exercise of the right to inform, I think it is necessary and fair to provide: explicit legal protection on this subject; specific – both civil and penal – sanctions for those who intentionally thwart the right to inform; finally, a specific charge for crimes against people (intimidation, threats, assaults, harm) when done in order to limit journalists and their right to inform and express themselves. I believe that in this field there is, within the Italian legislation, one of those “gaps” mentioned by Flick: a preferential passage for intimidation against outspoken journalists, as happened over the last years.

The action of the Government and Parliament

So this is the situation by far. In short times no solution is expected – only a worsening. Over the next months, unless the government and the majority changed their mind, the Parliament is going to pass the bill on tapping. Whether the text approved by the Senate last July is confirmed, explicit prohibitions will be provided for newspapers and journalists with regards to their right to inform (especially in the judicial sector) and very heavy financial compensations will be applied

to transgressors, damaging their personal finances and companies' capitals.

It's easy to figure how the risk to face so heavy penalties may lead to a news blackout wider than the actual one, represented by the decision of a few reporters and newspapers to give up on the most critical news on account of the easiness to claim and obtain damages; of the decision of some publishers not to ensure legal protection to their journalists; of the attitude of some other publishers who make their journalists pay for the claims they receive. Whether a newspaper gives up, from the very beginning, on defending before a court the truthfulness of the news and the good intention of the reporter against unjustified and instrumental claims for denial, it's clear that the work of journalists becomes a troubled path which pushes them to write "soft" news, harmless or welcomed by the subjects involved; purged, conditioned and partial version of the facts, unilateral information which is more propaganda than journalism.

The problem of legal protection puts on the table practical, legal and principle issues. It's not a minor problem and we can't avoid it. The associations of journalists are expected to be more active: an effective common service of legal assistance and a strategy to improve the opportunities provided by the actual legislation must be carried out. On this subject, on 15 December 2009, in Rome, in the course of the seminar of *Libera Informazione* on "Words and mafia", lawyer Domenico D'Amati suggested a possible "counterattack" strategy. He suggested that whether the complainant lost the cause he would be bound to pay, besides legal costs, a compensation to the counterpart, based on a little-known rule of the new Code. D'Amato also suggested appealing more frequently to the European Court of Human Rights, that on the case of Claudio Riolo, one of the most sensational of last years, reversed the heavy sentence provided by the Italian justice, which had provided a compensation of one hundred million lira.

The need of a proper legal protection for journalists calls on all

those who care for media freedom and recalls the aforementioned issue of reforming the legislation on libel and drafting an explicit law to implement and protect the right to inform. It's a necessary reform in order to create the juridical and legislative conditions for civil liability insurance for journalists. It won't be possible to take out such insurance until the right to inform is so uncertain and it will be possible to obtain compensations from a newspaper or a journalist without limits of amount, with no regard for their personal finances and for the real damage caused.

note:

The document *Respect for media freedom*, presented by Andrew McIntosh on 6 January 2010, to the Committee on Culture, Science and Education of the Council of Europe is available at: http://www.rferl.org/content/Journalists_in_Trouble_Attacks_on_Journalists_Shock_Parliamentary_Assembly/1943183.html





Now they are raising their sight

**IN FEW MONTHS 35 MORE
REPORTERS GETTING TARGETS**

by Roberta Mani and Roberto Rossi

«Dear Sandro, although your big moustache is still black, you're getting old. Whereas your brother hid behind the lawyer, you didn't care. Did you wonder how many people you ruined, how many you drove to suicide, how many you made sick? [...] In a few years you'll pass, but we can't wait for you to regret with sorrow. That's why we inform you that you're the second of the list. The first one, we already recorded and registered him: we know everything about him and, above all, about his family. [...] As far as you're concerned, be careful, watch your back when you go out with your dogs (black and white) in the morning or when you go to the newsstand, even if it's not always the same. You and the other one only have one possibility: to move; but I personally don't recommend it: we'd waste time and you'd take advantage of it, but then we could decide, much to our regret, to make someone very close to you pay for your debt. [...] We are serious, we have been waiting for too long. Talk to anyone you want, nobody can protect you forever».

*A letter
to Sandro Ruotolo*

«The letter arrived at home on 3 October after a phone call, always at home. The investigations are on. The Digos¹ of Rome is in charge of them. They are also analysing any other letter arrived at the *Annozero* office. All of them bring almost the same message: You are all going to die, Travaglio, Santoro, Vauro, Ruotolo. However, the letter arrived at my house is certainly more worrying. It's clear that they followed me, they know my habits. It's the classic strategy of intimidation. Still today I look round me when I go out. I lost my peace of mind and this is the worst thing, I think, the element conditioning your existence: the loss of serenity. Also because I have no protection. Of course, I have strong confidence in the investigators who decided that I don't need it. Yet, threats make you think, they make you worry. But you have no choice. I'm 54 year old. I cannot think to change. This is the only way I know to do my job, I learned to do it this way, the way I always did it».

On the phone, Sandro Ruotolo, a RAI historical journalist, collaborator and long date friend of Michele Santoro, anchorman of the TV programme *Annozero*. The famous threatening letter of last October, exclusively published by *Problemi dell'informazione*, arrived in a very particular moment. Ruotolo was working on the agreement between mafia and the State during the period of transition from the First to the Second Republic. An agreement that, according to the most reliable hypotheses, would have restored the situation as it was before the heavy convictions of the Maxi Trial conducted by the Antimafia Pool of Palermo, in the 1980s. Mafia groups, after convictions were confirmed, looked for new political references. And they did it their own way, by means of force and violence. Applying the strategy of a direct attack to the State. Which led to the massacres of the early 1990s.

A very important topic, not only for the public opinion's

1 Division of General Investigations and Special Operations

expectations, but above all for the revelation of a new and reversing element dealing with the murder of Paolo Borsellino. Claudio Martelli – Minister of Justice in 1993 – states that, a few weeks after Giovanni Falcone's death and before Borsellino's death, he already knew that some ROS² officers were in contact with Vito Ciancimino, former corrupted mayor of Palermo, reference for the “boss of bosses” Totò Riina, in order to negotiate the cease-fire. A circumstance supporting the hypothesis that Borsellino knew about the agreement and that he was murdered because he contrasted it or, in any case, because the negotiation was about to fail due to Toto Riina's unacceptable requests. In the letter addressed to Ruotolo there's a reference to that period: «Marshal Lombardo – says Sandro – the carabinieri who killed himself on 4 March 1995. In the letter there are exact references to that story. Furthermore, another letter addressed to Michele in that same period also mentioned Lombardo. They knew that we were going to talk about mafia. In the long letter written at the computer, Dino Boffo is also mentioned – “bolshevik” Dino Boffo, at that time at the centre of a political and media clash”.

Lombardo killed himself ten days after the broadcasting of *Tempo Reale*, a Raitre programme anchored by Santoro, where Leoluca Orlando, at the time Mayor of Palermo, alleged that «pieces of the State in Terrasini are on the mafia side» and asked the prosecutors to «investigate on the former head of the carabinieri department in Terrasini», marshal Lombardo. The carabinieri, three days after the broadcasting of the programme, should have left for the U.S. to take under his custody Tano Badalamenti, the old boss of Terrasini, leader of the first *cupola* of the “Corleonesi”. He should have witnessed at the Andreotti trial, to dismantle, as they said, the “Buscetta theorem”. Sandro says: «Who wrote the letter knows well our history, he's not a random lunatic, someone like Tartaglia. However I believe that, paradoxically, for my situation, as well as those of Michele and Marco, a single individual is far more dangerous than a whole organisation. We are public people, inevitably overexposed, in a very hot period of the political history of this country”.

*Thirty-five
new threats*

There is no doubt that the Italian social fabric is being deeply lacerated by a persistent political, economic and cultural crisis, especially harming its dynamics of democracy. The symptoms are many, the most serious being the hard relations between the institutional powers. Another important sign inevitably is the situation of media and information, how they are trying to put a gag on them, to subject their role, function and destiny to the will of few, often not clear, economic and political powers. In this regard, data on threatened reporters are not exhaustive, but they are a functional indicator of the loss of serenity which is inevitably affecting the whole country. Since the first report was published by “Ossigeno per l'informazione”, less than a year ago, the observatory has detected 35 new serious cases of threats against journalists.

The problem affects not only the colleagues directly attacked. It's apparent and self-evident that the threatening extent of a burnt car or a death-sentence letter involves the whole category. It means we are not allowed to talk about some specific topics, which most times deal with the connections between the political or entrepreneurial class and crime associations. The aim, partially achieved, is to eclipse the public debate on some fundamental and still pending problems of our Country, like the mafia question.

Among these 35 cases, besides that of Sandro Ruotolo, there are other known names. Already and always involved in threats that are getting more and more dangerous and evident. We're talking about Rosaria Capacchione and Lirio Abbate. On 11 February, during the presentation of a book at the Feltrinelli bookstore in Naples, Rosaria Capacchione, journalist of *Il Mattino*, already living under police protection for the frequent threats received by the Casalesi, was attacked by the cousin of absconder Antonio Iovene, who protested for a few articles she had written the previous year on his another “famous” relative, Riccardo Iovene, arrested in January 2009,

together with the boss Giuseppe Setola, author of the Castelvoturno massacre. Besides the escort, in the bookstore there were dozens of people, officers of carabinieri and magistrate Raffaele Cantone.

*The attempt
against Lirio Abbate*

On the other hand, it passed quite unnoticed the news of a plan to attempt to Lirio Abbate's life, the journalist that in 2007 wrote with Peter Gomez one of the most amazing reconstruction of the relations between mafia and politics which had made possible the long period of abscondence of Bernardo Provenzano: *I complici. Tutti gli uomini di Bernardo Provenzano da Corleone al Parlamento* (published by Fazi). Abbate has been threatened more than once for it. On 4 September 2007, a bomb was discovered under his car in Palermo. Yet, he never stopped working on these topics. On the contrary, since when last year he passed from the Ansa³ to *L'espresso*, he increased his investigating activity focusing on the news regarding the organised crime. He worked in depth on the “agreement”, he wrote about 'ndrangheta and the implications between mafia and companies. He explained, in an interview to an anonymous entrepreneur of the North of Italy, one of the mechanisms used by mafia to transform the remission for tax evaders in an immense recycling operation, asking the subjected companies to lend names and means to let dirty capitals come back.

On 20 January, the newspaper *Il Fatto* and then the Ansa reported the content of an anonymous letter revealing the plan of an attempt whose targets were Abbate and the national antimafia prosecutor Pietro Grasso. Very strict secrecy from prosecutors and investigators. The only information leaked out mentions Caltanissetta – where the explosive for the bomb was said to be hidden – and Matteo Messina Denaro, the number one absconder of Cosa Nostra: the plan was probably worked out in his territory, between Palermo and Trapani.

3 National Agency of Associated Press

*From Sicily,
Josè Trovato
and the others*

In Sicily, where a slaughter of journalists has already taken place, the climate is still hot. Especially for a provincial reporter whose story is somehow similar to that of a lot of young colleagues murdered in the island. A five-year-long story, made of fear and threats, revealed only a few months ago by Josè Trovato, the 31-year-old correspondent from Leonforte (Enna) of the *Giornale di Sicilia*.

He followed for his newspaper the trial of his town boss, charged with the murder of a young criminal, who presumably operated without his agreement, and his girlfriend, «happened in the heart of the “stupid” province – he says – as they usually call it, whereas it's being for years the real crossroad of the most dangerous Sicilian clans». Rural mafia, always feeding itself with public funding, with a special obsession for the control of the territory, discouraging the local economic development with intimidation and commercial impositions. «Although arrested more than once – he says – the boss always managed to go out of jail, often thanks to formal defects contained within the documents for precautionary detention. That's how he came to silence me so many times». Finally, the boss is in jail. Convicted for that murder. Josè can find peace. At least until he receives a call from the carabinieri. The rage of the boss is not over: a just released informer reveals a plan worked out in jail to make him pay. Since then, Josè is protected by the forces of order, even if he has no escort.

From Palermo to Enna to Catania. Catania, only Catania. His city is the unlimited source of his work. Actually, he's one of the best informed journalists of the city. Troubles began after his collaboration with *I Vicerè*, a video report by Sigfredo Ranucci and showed on the Raitre TV programme *Report*. The programme talked – without reserve – about some of the most shameful contradictions of the city. From the bankruptcy of the city council, to the third-world conditions of the popular suburbs, from the unnecessary public works to the millionaire speculations obtained thanks to the emergency status established for years in Catania. From the

celebrations for Sant'Agata, tainted by the clans' influences, to the incredible political and entrepreneurial power hold by publisher Mario Ciancio, who has the media monopoly of the city and who claimed 10 million euros damages to *Report*. His own newspaper, *La Sicilia*, became, after the broadcasting of *Report*, the preferential medium for local politicians and citizens to express their disappointment: they called it a scandal to defame “our beautiful Catania”. Antonio was the infamous. He worked on the situation of the waste for a provincial newspaper. «Every time we talk about waste – he says – someone in the province gets angry». They had the bravery of incising his name on a grave, take a photo and send it to his office. At the same time, he often receives anonymous and threatening phone calls, which no one of the investigators seems to take seriously.

Syracuse is under attack as well. The target is Giorgio Italia, young copyreader of *La Sicilia*. He writes from Buscemi, a cape with little more than one thousand inhabitants, surrounded by a countryside, 50 km far from Ortigia. Besides public employment, the sole possible sources of economy in town are agriculture and breeding. In the night between 12 and 13 March, unknown persons damaged Giorgio's car parked outside his house, after a few threatening letters had arrived, a few days before, at his address. It's not difficult to understand the possible motive, because Giorgio never worked on inconvenient news. Local news, entertainment, short reviews and no more. Only recently, he wrote a series of articles of an abusive pasture and a series of cases of cattle-stealing. Poor attention on poor interests, but enough to bother someone and to cause the reaction of the little rural mafia present on the territory. And to keep a brave reporter, earning five euros at article, awake at night.

In Campania
the man biting
the dog

Things are still troubled also in Campania, even if in 2009 it's worth to record at least one good news. On 10 July, the Court of Naples sentenced boss Salvatore Giuliano to two years' jail and to pay a

compensation of some thousands of euro for repeated threats against Arnaldo Capezzuto who, at that time, wrote for *Napolipiù*, one of the most dynamic editorial experiences of Naples ever, characterised by a strong autonomy of the staff, but closed several years ago. The reporter worked on the accidental death of Annalisa Durante, a sixteen-year-old girl hit by a random bullet in a street of Forcella. In the court, during the trial of Giuliano, Capezzuto was asked to stop writing the name of the camorrista. He kept on, wrote about the intimidation and started to receive a series of threatening letters.

This time a criminal pays for threatening a journalist. This is a paradox: it's "the man biting the dog", as this news was defined by the director of Ossigeno per l'Informazione Alberto Spampinato, still admitting the total lack of interest showed by the media towards that sentence.

«It was useless – bitterly comments Arnaldo –, that sentence did not even touched the arrogance too much often addressed to whom is just trying to tell the facts. It didn't succeed in raising awareness of the problem within the category, either». Capezzuto's relate is the demonstration of how information is resigned to pressures and influences. «The episodes are really frequent, but nobody says a word. If all the journalists that receive intimidation told it, there should be special prosecutors working exclusively on this. Three weeks ago a camorrista was arrested, and his relatives had it in for the journalists in front of the police station. This happens almost always. Not a very long time ago, there was the scandal of the popular houses. The camorristi threw out of the houses their legitimate owners in order to manage the buildings as they wanted. Nobody could approach the zone, especially not with a camera». «It's a consolidate practice – he goes on – how many times, during press conferences or for little or big scandals involving local important people, they put the hand on my pad, to prevent me from writing or they took it from my hands and threw it away. This kind of episodes can be defined intimidation and worst thing is that they are not done exclusively by camorristi. Nobody says anything – he repeats – auto-censorship is the only option».

In Naples, on 5 December 2008 a journalist, Andrea Migliaccio, was beaten up by the chief of the urban police, after being kept at the

police station against his will.

«Grand bazar of illegality in the chief's district». «Commander-in-chief Luigi Semanta cracks down in the rest of the city, but next to his house laws are not respected».

These are the heading and the subheading of the piece published by *E-Polis/II Napoli* the same day of the aggression underwent by the journalist who wrote it.

Migliaccio also works for the TV programme *Le iene*, carrying out some report for them. One of these dealt with a priest who presumably harassed a few parishioners in trouble. For this reason, on 10 January, while standing with a colleague near the church, he was assaulted by some supporters of the priest. His car windscreen pelted with stones.

A very similar episode happened in the province of Avellino on 8 November, when Barbara Ciarcia and Francesco Lignite, journalist and cameraman for a local TV, were assaulted by about thirty enraged people. They wanted to tell the story of a man who had killed his wife and then committed suicide. What follows is the unbelievable testimony given by Barbara and reported on a blog: «Unfortunately, none of those people will be ever identified. We didn't want to make the complaint. We should have rather sued the carabinieri and the agents who were there and didn't tried to give us an hand and calm that enraged and barbaric crowd assaulting me and the cameraman, who, by the way, wasn't shooting. Even some colleagues mocked and laughed at us. We work and risk our life for poor money. It's just for passion that I keep on doing this job.

Enzo Palmesano

The camorra, not only the one which use weapons, remains the greater obstacle to free and complete information, the greater danger for the outspoken journalists. In this regard, Enzo Palmesano's story is paradigmatic. His entire life and that of his family members have been conditioned by the reactions to his full commitment in telling the dynamics of crime in the Agro Caleno, the North area of Caserta. He defined more than once the area around Pignataro Maggiore, his city, the “mafia Switzerland” for the concentration of business aimed

at the recycling of black money. In the same area, in Sparanise, a thermoelectric power station was built and was often at the centre of his investigations over the past years. Roberto Saviano also wrote about it on the *Manifesto* at the time of the facts, telling that whoever opposed its building ran a material risk. «When I wrote a few reports on that power station – says Palmesano in a interview to an online tv website – current deputy Minister of Economy Nicola Cosentino, whose family has some interests in that station, intervened to silence me». We remember that Nicola Cosentino – in-law of Peppe “*o padrino*” (the godfather), member of the Casalesi clan – received an order of precautionary detention from the public prosecutor's office of the Court of Naples under request of the Dda (District Antimafia Directorate), for external complicity in camorra association, whose execution was stopped by the Parliament.

Palmesano was editor in chief of the *Roma* and he was thrown out because he insisted in making it a critical newspaper. A sheet of paper which reported without reserve on the connections between the families of Caserta – for decades connected to the Corleonesi – and apparently clean entrepreneurs and politicians. From a recent investigation of the Dda of Naples, evidence of pressures put by the Lubrano clan on the *Corriere di Caserta* to oust him aroused. Same treatment for his son, sacked by a building company. In a letter sent to *Articolo 21* the journalist says: «In the course of the investigation set by prosecutor Giovanni Cozzo it also came out that the Lubrano-Ligato clan imposed – besides the end of my collaboration with the local newspaper *Corriere di Caserta*, under convergent local and national political pressures – the dismissal of my son Massimiliano to a builder of Pignataro». In those same documents, put down in black and white, the transcripts of the tapping clearly witness the hatred against two journalists who “bothered the crap out of us” showed by the head of the clan Vincenzo Lubrano, instigator, together with the Nuvoletta, of the murder of Giancarlo Siani. The two reporters mentioned were the same Siani and Enzo Palmesano. 24 February 2009, during the press conference held by the antimafia judges during that operation, the same that led to the arrest of 15 members of the Lubrano-Ligato clan, free-lance Palmesano was

publicly thanked for the fundamental help his reports gave to the investigators during the investigations. That same night, the journalist and his family managed to put in flight someone who had put gasoline on their car to burn it.

This is what Palmesano said to *Libera Informazione*, explaining that he's not the only one, in the “mafia Switzerland” to be a target of camorra: «In these lands, attacks to journalists are getting more and more common. Besides me, there are at least three other journalists in Pignataro who received threats and intimidation. They're Carlo Pascarella, Davide de Stavola and Salvatore Minieri. On 31 December 2007, in a context of a large number of threats, two bombs exploded almost at the same time. One at the bakery of a carabinieri's girlfriend and the second at the shop owned by Carlo Pascarella's sister. People talked of racket but it was apparent that the intimidation came for other reasons. Above all to frighten Pascarella. I was already sent out and young Davide de Stavola already found fishes in his car twice. It only left Salvatore Minieri and his will to inform, with De Stavola obliged to write almost nothing on his newspaper. In January 2008 an attempt in the night tried to finish the intimidatory work. A few gunshots directed to the window of Minieri's house stopped at the gate. Salvatore, sacked by his newspaper, emigrated to Molise where now works for a local journal of the province of Isernia. Four cases that would be unexplainable if not seen within a mafia strategy».

At that time the three journalists worked on the case of “Villa del Conte”, a mansion house seized from boss Raffaele Ligato. Their articles condemned the decadent state of the mansion-bunker that, as demonstrated by facts, it was practically available for the Ligato family. «When Carlo and I personally went to document the conditions of the bunker – Davide de Stavola says – there we found Pietro Ligato, son of the boss, talking to Tommaso Verazzo, head of “Bio Power”, the company in charge of the realization of a waste-energy power station in the surroundings of the mansion with the funding of the Region of Campania».

Carlo Pascarella and Davide de Stavola wrote at that time for the *Giornale de Caserta*, Minieri was instead at the *Gazzetta di Caserta*.

«Our work – Davide continues – brought to us a lot of enemies, especially among the local politicians. After a few time, Enzo Palmesano, who worked with me on the Agro Caleno pages of the *Giornale di Caserta*, and I were sent away. Carlo, who was a copyreader, had to “align himself”». Since January 2008, the name of the newspaper is *Buongiorno Caserta*. «A reformation – Davide explains – that finished to cut all collaborations, the local pages don't exist any more. Now it's a newspaper written and realized exclusively in the office. As regards Salvatore Minieri, for a period he couldn't write at all, so finally he decided to go to *Tele Molise*». «The press depends completely on the arrogance and intrusion of politics – Davide says in the end – which is not an exclusive circumstance of our lands, but here there's the mafia, with all the consequences in term of influence on politics and then on press». Two of the four publishers of the province of Caserta were arrested. Maurizio Clemente, publisher of the *Corriere di Caserta*, arrested in 2003 for blackmailing through press with the aim to obtain advertising contracts. Pasquale Piccirillo, head of the publishing company of *Buongiorno Caserta* and *TV Luna*, arrested last January, instead, for fraud to the Ministry of the Economic Development. According to the public prosecutors of Santa Maria Capua Vetere, he emitted false bills to obtain a funding of 782 thousand of euros.

And in Apulia cars explode

Sicily and Campania. Regions accustomed to the intrusive presence of the organised crime. As well as Apulia, where the Sacra Corona Unita never ceased to exist, despite the total indifference of the national press. The hot October of the Apulian journalists begins on 14 October 2009, when in the province of Foggia Angelo Ciavarella's car explodes. Ciavarella is a quiet science teacher of San Severo with the passion of journalism, and correspondent for the *Gazzetta del Mezzogiorno*. He writes of politics. Judicial news is written in Foggia, but if it regards San Severo, the articles appear on the pages of the province without signature, next to political news bringing the name of the author on top. According to him, that's the reason why

they attacked him: they attributed to him lines he never wrote. It happens. At least this is his interpretation. Investigators keep the silence.

Three weeks later, on 5 November, it's the car of Gianni Lannes that explodes. For the second time. First time it was burned on 2 July. Two weeks later, the brakes were tampered with. He's the editor of an online news website, *Terra Nostra*. He carries out reports on dirty businesses, traffic of human beings, weapons and waste. Notably, he writes about the environment: his inquiries on polluting water and radioactive waste are very popular within the blogosphere. Leoluca Orlando set a parliamentary inquiry to the Minister of Interior asking to protect the journalist. «Investigations on the attempt never began», he declared to *Il Fatto Quotidiano* after «freezing publications» in sign of protest. He had written on the website *italiaterranostra.it*: «We are free, independent and non-influenceable, but the editor will not risk the safety and the life of his staff». Gianni Lannes obtained police protection only on 22 December 2009.

In Abruzzo

In the lands of the earthquake and health system scandals, Daniela Senepa, a RAI journalist, is the one who received death threats. She finds it early in the morning on her computer, on 14 January 2010. It is a postcard showing the most beautiful places of her region. But on the back, there's a definitely less seductive message. «I was calm when I took it in my hands. I usually receive some messages from my audience – says the reporter – but that message mentioned “Sanitopoli”, the big trial that is about to start in Pescara in the next months. Notably, there was a mention to one of the subjects involved in the inquiry. I was accused to pick on this “poor man”, who's been summoned by the public prosecutor together with other 31 people. Since a media promoting campaign already absolved him, I had to pay. I don't understand: the prosecutors investigate on a presumed thief and I just report what the prosecutors do. Why must I die?!».

Daniela Senepa has been working for years on black and judicial news for the RAI regional office. She documented everyday the calamity that devastated her land, on 6 April, and she is on the front

line to report on the other calamity that stroke her region: presumed bribery within the Abruzzo health system. A dirty affair that in 2008 led to arrest former Governor Ottaviano del Turco, a few members of the regional council and a few entrepreneurs.

«This is not organised crime, this is political crime – she says with rage – I'm quite sure, but it's not my only opinion, that this threat comes from a specific entourage, that always felt protected by bad information and strategic manipulation of dossiers which were told to bring the evidence of this individual's innocence, the “poor man” of the threatening postcard.

«The Public Prosecutor's office of Pescara – continues Daniela – provided a few checks. Police cars pass near my house and that of my parents. This is crazy: being watched by the police, I mean. First because a part of the security service is taken away from the rest of the city and then because the criminal it's not me. I feel limited, for what? For reading the prosecutors' documents, for making a reflection not “aligned” with a bipartisan political power that decides who's guilty and who's innocent? I think this is appalling, culturally appalling».

Daniela expressly asked her editor to keep on working on “Sanitopoli”. «Otherwise, these idiots would win», she explains. «I received the most solidarity from common people. The best demonstration of civilization comes from them. People are my real protection. My colleagues showed solidarity with me, but also jealousy, because someone is so stupid to think that such a thing brings you glory and popularity. Only an idiot can think that way but I assure you that idiots do exist».

Nello Rega

Another RAI journalist, Nello Rega, received a series of threatening letters. An alarming escalation until the delivery of a few 22-bore bullets, accompanying a death sentence in the name of Allah. Threats arrived at his office in Rome – the Televideo foreign affairs department – but also in Potenza, where his family still lives. Heavy threats, slipped under the door or placed on his car's windscreen. «The most serious thing is that I'm sure I'm being followed –

explains Rega – because some notes were put on my car while I was in a dinner at my friends' house. This means that they are monitoring not only my houses but also my movements».

He is the target of extremist Lebanese Shiites for publishing an inconvenient book where he tells his experience in the Middle East, his contact with the Islamic culture and his relationship with a Shiite girl. *Diversi e divisi*, that's the title of the book: it's the story of «a love between a man and a woman who are different from each other. Different in the way they communicate, kiss and make love», as written on the back of the book.

The harassment began far before the book was published, when the news of the intention to write it started to circulate on websites and blogs. At the end of September, threats began with the first bullets found in the parking of the RAI building. Since then, non-stop threatening pressures. Lamb's heads in his car, explicit messages sent to his mother's house. «You're going to die in the name of Allah by the hand of the Hezbollah because you go on the TV and you say lies». Finally the bullets.

«Now I have fear. I'd like to go on and not let them put a gag on me, but I was left alone by institutions with no points of reference – says Rega – all this sounds crazy to me. When I go to Potenza, where my mother lives, I'm under protection. But as I move from there I'm in God's hands». Nello keeps on crying his fear out. He still doesn't feel safe: «I'm being only half-protected. This is pointless. It's also a waste of public money». It doesn't seem to live in a normal country when we listen to the words of Felice Belisario, senator for Italia dei Valori, who asked the Minister of the Interior Maroni to ensure more protection to Rega: «If Rega was a lunatic or a fool he would be investigated. But he's not. I've been soliciting the intervention of the Minister for three months. Letters, parliamentary inquiries, requests of meeting. No answer. Only a deplorable silence. Belisario, the FNSI, Ossigeno per l'Informazione: the requests are various. But the Ministry is still not able to provide adequate measures of protection to a man whose life's at stake.

«Did you receive the bullets?» The phone call arrives at 8.40 in the morning. Journalist of *Antenna Tre Nordest* Fabio Fioravanzi is on air with his daily programme. Voice is clear, as well as the threat. It's not the first time. In 2007 Fioravanzi already received intimidation. He received a letter with heavy words against him, against a few Venetian judges, politicians and businessmen, signed by "First terrorist organization of Trieste". And dust. It seemed anthrax. It turned to be harmless. For that episode the Court of Trieste sentenced to 25 months of detention a habitual criminal of Trieste. Then the anonymous call during the programme. Fioravanzi has a fit of rage. But keeps on with the live broadcast. He denounces to the police.

Far North. North-East. «Where seemingly the organised crime does not to have any influence or affair – as Fabio Folisi tells us on the phone – and where, on the contrary, this very apparent calm finishes to provide the best conditions for recycling black money. Especially because we are next to the Slovenian border where there are casinos that almost surely are financed by capitals of the Cosa Nostra of Catania». Fabio is 51, he's got wife and a child. Coordinator of the newspaper *E-polis/Il Friuli* and editor in chief of the online journal *Friulinews*. On 11 February, around 5 p.m., out of the newspaper's office, he found a letter in the leaf of his car's door bringing an "ungrammatical" message – *medle* in your own business – and a bullet. «That wasn't my car – Fabio says. I had been driving that car for a few days because mine broke down. That is what the investigators are worried about. As a matter of fact, someone did follow me. Nobody, except my colleagues and family, knew I was using that car those days».

It's not the first time that Fabio receives threatening messages. «I already received a letter two years ago – he says. At that time I was working on the project of remaking the district heating system of the hospital of Udine». It doesn't sound strange that also in that occasion threats came from a few cases of illicit tenders to public works that are still running. «The loop is there – he says – and there's also the reasonable doubt that a few politicians, from both parties, can speculate on it to their own advantage. I wrote about the public

works of the third lane on the A4 motorway, a 2,3 billions euros affair, and about the indictment of the management of a company projecting an irregular purification plant. However, with this I don't want to say that threats deal with these particular cases – he wants to specify». The shadow of mafia? «Of course I can't rule out mafia – he concludes – but it's more likely to be a simple dirty affair between politics and business».

Also in Genoa

Lives at a gunpoint. There's no difference between the South and the North. In Veneto, in Friuli, in Lombardy, in Liguria. Known journalists, names related to inconvenient investigations, to bothering articles. Marco Menduni is 48 year old. He's a reporter of the *Secolo XIX*, in the central office of Genoa. A few days ago, his last scoop: the scandal of the forged signatures for the presentation of the lists at the Regional elections. The prosecutor's investigations started from his articles published on the newspaper. An expert journalist, committed for years in critical inquiries. Organised crime, public money wastes, favours within the health system and politics.

«It happened the first day of this year. In the night, my car was burned outside my house. They hadn't to search a long time for it, because it's a very recognizable car. A Smart Roadster, very few models running. Everyone knows that's mine. The Digos also arrived with the firemen because they already know I was previously threatened. I touched a lot of interests, it's not easy to identify the responsible. I am many people's target». Investigators are vague as well, they can't provide an explanation.

The exploding car was just the last of an alarming series of threats. «In 2005 there was a sort of nocturnal invasion into the porter's lodge of the newspaper: they filled it with rubbish and then wrote “lousy Menduni”. Then, there were other less significant episodes, leaflets with similar sentences attached in the city centre and on the advertising panel of the *Secolo XIX*».

Anything to do with mafia? «I don't want to make connections. But I can witness that the organised crime exists here, too. Mafia families, seizures of goods and other episodes of this kind happen also here.

Surely I am one of those who take more risks. It depends on how you want to do this job, if you want to do it well, it's not so easy. It's hard everywhere. But Genoa is a very closed city, I don't want to say that there is conspiracy of silence, but it's a place where the power elites are very reserved. A city which is very hard to explore in full».

Giulio Cavalli

For many people it's not the first time. As it isn't for Giulio Cavalli, born in 1977. He's not a journalist, he's an actor and critical director, writing critical plays and working together with reporters and judges. He's been living under police protection for years, a half life. He is danger because in 2006 he directed *Do ut des*, a critical play which mocked mafia bosses. He is in danger because death threats did not silence him and since a few weeks he is in further danger because, with that story, he stood for regional elections. In Varese. Not in Calabria, in Sicily or in Campania. But in Lombardy. Where the most serious intimidation for him are not anonymous calls or threatening actions, but the guilty indifference towards the mafia situation from a large part of the society and the governing class. Because there's no mafia in Milan. Lombardy is not touched by this cancer. Even prefect Gian Valerio Lombardi said that. They said the same in Ragusa when Giovanni Spampinato was murdered. They said the same in Barcellona Pozzo di Gotto, in the province of Messina, when Beppe Alfano was killed, as well as in Catania, when Pippo Fava was killed by five gunshots at the head.

«A few days ago we received – as Giulio Cavalli writes in a note – threats at the party's office, a threatening phone call, and then a bullet left in front of the door of the office in Via Lepontina. Threats regularly denounced, but that we didn't link the one to the other. Today we find ourselves receiving intimidation that are more and more related to our political commitment». The “new facts” appear under the shape of a leaflet left on the cars parked near the Intesa San Paolo bank in Viale Monza, in Milan. «Mafia controls the Intesa San Paolo agency of Via Palmanova», the same where his supporting staff had a current account for Cavalli. It's hard to think of

coincidences. And then, still more bullets. A total of 23, in front of the Oscar theatre, a few hours before the opening of the curtains. Play suspended. He goes on the stage to explain in first person the reasons of the cancellation to the audience and to say, once more, “don' leave me alone”.

*There's
no mafia
in Lombardy*

“There's no mafia in Lombardy”. Not in Brianza, where in 2008, in a few months time, three people working in the building sector are murdered. Murders related to a 'ndrangheta showdown. Not in Buccinasco, whose city council is administered through an external commissioner, for mafia intrusion. Not when absconders are arrested. Not in Milan, despite the great interest of mafia groups into the multimillionaire affairs regarding the Expo 2015. Not in the local news. «There isn't – says Gianni Barbacetto, journalist and head of the observatory on the organised crime in the North – because on the local pages, even that of the most famous newspapers, news reports the single murder or the single fact dealing with mafia, but I never read an article linking up the facts between them or providing a general outlook on the danger of mafia intrusion». «There's a problem of information – say the journalists of *Narcomafie*, who publish the journal *Libera* in Turin – it seems that local journalists are not ready to report on mafia, to interpret its arrival at the North, although it started 30 years ago».

Someone tries to do it. And pays for it. Davide Bortone worked with *Il Giorno*. He wrote from the area of Buccinasco, Gaggiano and Cusago. He was editor of the online news website *giornalelibero.com*, where he reported on organised crime and intrusions into the city council. He often reported on the Calabrian family Barbaro-Papaglia, owning a place run by 'ndrangheta and operating in the areas of Assago, Buccinasco, Cesano Boscone, Corsico and Trezzano sul Naviglio. On 18 June 2009 he finds the rear window of his car broken. On his website he talks of a

hypothetical mafia action, and the very day after he writes about toxic waste in the south area of Milan. Davide was previously punched on his face, while he was writing on the slums occupied by Rom people. But he didn't give up. However, now he has stopped. He has changed of job, he's a not a journalist any more. He released the news himself, on 30 January, on his website: «Dear readers, with so much regret I announce that *GiornaleLibero.com* stops publishing for the lack of concrete funding proposals from possible sponsors. I thank everyone for the affection demonstrated in this last period, which I would define “troubled”». No one at the south of Milan wants to finance an antimafia journal.

Still Milan, still southern suburbs. Massimiliano Saggese, correspondent for the *Giorno*, was with photographer Maria Del Fante when, on 10 May 2008, he was attacked in the streets of Pieve Emanuele, by 15 people. Punches on their faces, kicks in their car, ten days of hospital. They had written about the accidental death of a 17-months-old baby. While she was in the car with her family, she opened the car door and she fell on the ground. The mother is under investigation for manslaughter because there was no child's chair in the car. «I wrote the story – Massimiliano explains – and the day after I came back to Pieve with Mara, to report on the developments of the case. They recognised us and attacked us. Among them there was also an habitual criminal I already mentioned in one of my articles». «They were camorristi – Massimiliano continues – linked to the Pesce clan from Pianura. Not that from Rosarno – he says – this one runs the racket in Pianura». Pieve Emanuele, Buccinasco, Trezzano, Corsico, Rozzano. «These are places where you can “breath” the organised crime just walking on the street. They own bars, restaurants, cafés and a lot of other places, all in their hands. In Rozzano, there are 8000 convicted of 40000 inhabitants. When there was the funeral for the little girl of Pieve, they forbid the newsagents to put out newspapers with articles regarding the accident and our harassment».

Saba Viscardi, journalist of *Merateonline*, was also beaten up. Another car accident. On 10 June 2009, Imbersago, in the province

of Lecco. She climbs on a balcony to take the photos. The son of the victim follows, joins and punches her. She is rescued by the firemen while the victim's wife was hitting her with a bag.

Guardie o ladri. That's the name of Roberto Galullo's blog. He's 46, correspondent for the *Sole 24 Ore* and speaker for *Radio24*. He works in Milan. He writes about politics, dirty affairs and bribery. He tells the names, publishes documents, sentences, relations. Then, the attacks start. Last one a few weeks ago. A letter from the lawyer of a Sicilian mafia family in Lombardy, mentioned in the report of a judge of Milan delivered to the antimafia parliamentary commission and published by Galullo on his blog. Do not write about my client any more. That was the message, less or more. The same threat, not so much veiled, delivered by another lawyer of one of the most influent clans of Gioia Tauro, after publishing an article about 'ndrangheta intrusion within local politics. With one more warning. Your blog is being watched. Everyday we see what you write. Watch yourself. «I stick to confidentiality – Galullo tells us – there are open files, so I cannot say more. I keep on writing. I'm not really worried about the threats. They are far more dangerous when they are addressed to journalists of the Calabrian press».

*Journalists
under attack
in Calabria*

«Journalists under attack», the opening of the *Quotidiano della Calabria*, on 23 February, sounds like a *vuciata*, a gasping and confused scream. It happens very rarely. As a matter of fact, sobriety and moderation in telling the news usually are the landmarks of the newspaper edited by Matteo Cosenza. The emphasis and sorrow that come out from the heading on the front page are explained by the appalling threatening pressure suffered by Calabrian journalists, over the first months of 2010. The number of threatened colleagues: five in twenty days, six in two months, eight since last summer. We know that we must add the cases of those who don't tell it or those whose voice is so weak that it did not even arrive at the local news. Eight

cases only in Calabria since the publication of the first report by Ossigeno per l'Informazione, which reported other eight cases from 2006 to 2008.

These figures are alarming, especially because the investigators claimed to be worried about every single case. Figures that confirm how dangerous can be to write in Calabria. They show how the dynamics of democracy are extremely more sticky here than in the rest of the country: «Who holds the real power in Calabria – writes the editor in chief of the *Quotidiano* in his editorial – decides who, how, where and when one can do his job, and regrettably he often achieves that». Finally, the eight episodes of threats recorded over the last months, compared with the other eight of the three previous years, clearly indicate how the trend of threats became dizzy and exponential.

Furthermore, it's unexplainable why national media persist in keeping this land (and this topic) in the dark. Only *Repubblica* and only on 23 February left a low space at page 21 to tell the intimidation against its Calabrian correspondent Giuseppe Baldessarro, prolific journalist of the *Quotidiano*, only the last of the “infamous” reporters become a target of 'ndrangheta. The letter arrived at the office of Reggio Calabria on 22 February and was sent two days before. His name and address written by hand in an elementary and clearly distorted writing. In the envelope, besides three bullets, there was the message “Cross the line and you'll die”, composed by letters cut out from a few articles' headings. «It's difficult – Giuseppe claims – to assess what news caused the reaction of the crime». Giuseppe Baldessarro is a judicial reporter but, as it often happens, he also worked on other topics, both for the *Quotidiano* and for *Repubblica*. «Over the last month – he says – I covered several trials, all particularly important, and also the one that shed light on the Duisburg massacre and the San Luca Feud. I wrote about he bomb exploded in front of the Public Prosecutor's Office of Reggio Calabria on 3 January, about the car full of weapons found the day of the visit of the President of the Republic, about the clashes in Rosarno».

However, it's probable, as confirmed by the editor of the *Quotidiano*, that the threat dealt with his article come out on 13 January about the electoral strategy of the Pietrastorta clan for the 2005 regional elections. On that page, it was reported the content of the environmental interceptions of a few talks between a member of the *cosca* of Reggio and a regional councillor. He's been the only one to tell and highlight that story.

With the same method, by cutting out words from one of his articles' headings, a death note was written and sent to Filippo Cutrupi, correspondent for *La Stampa*, *Il Giornale* and *QN* in Reggio Calabria. On the sheet, besides a cross on his signature, there was the message "Do not write that 'ndrangheta attacks the State any more", that was the heading of an article appeared on the *Giornale* on 4 January. A detailed report of the bomb thrown against the door of the General Public Prosecutor's Office, an attempt with a highly symbolic value, as stated by the investigators in those days. To strike the efficiency of the office headed by Public Prosecutor Giuseppe Pignatone and General Prosecutor Salvatore di Landro, head of the office managing the seizure of goods and the appeal proceedings against the *cosche*. The Court of Appeal is the place where in the past sentences were often reduced, if not completely reversed. The interpretation is clear and shared by most newspapers. As a matter of fact, in those days, all reports were very similar. There wasn't exclusive news, there wasn't particular exposure of a single reporter. That's why Cutrupi says to be surprised that the letter mentioned the bomb of Reggio: «I don't know – he says – of course, something has changed, and for the worse. When Franco Fortugno was murdered, I was the only one to write, the very next day, who could possibly be the political instigator of the murder. A circumstance that could have been more dangerous for me than the bomb of Reggio, yet nothing happened that time».

Certain thing is that Filippo Cutrupi and Giuseppe Baldessarro are Calabrian, they live in these territories, and are active sentinels of the situation. That's the reason why their work, compared to that of "foreign correspondents", is more incisive and less "welcomed" by

clans. They are “infamous”, “cops”, “traitors”, in the logic of 'ndrangheta.

Yes, infamous, or *'mpamu*, in the Calabrian dialect. It's Michele Albanese, editor in chief of the office of the *Quotidiano* in Polistena, that explains us the full meaning of this word. «Up to little time ago – he says – mafiosi were accustomed to a press which narrated their exploits. The tone of the news was often folkloristic and it caused no problems to 'ndrangheta. On the contrary, it unconsciously contributed to build the fame of the bosses and their authority in the territory. Today things have changed. Judges changed and information too. In my view, I always considered this job as a mean for my people to emancipate themselves. 'Ndrangheta wants them to be slaves, while journalism must make them informed and aware of their rights. In the logic of mafia this is the duty of an infamous, a traitor». The word “infamous” in Calabria is also used for repentant criminals. It implies a change of course, a passage to the other side. Michele Albanese received last threat by mail, on 28 January. The letter arrived at the central mail office of Castrovillari: “Stop talking of Rosarno” and a cross on his name. It's not the first time. Michele and his family are under police protection. The prosecutor of Palmi, head of the office controlling the area of Piana, the day after the last intimidation sent the file to the District Antimafia Directorate of Reggio Calabria. «Direct attacks are only the tip of the iceberg. Here – he says – everyday we write about criminal elements, which is not so difficult to meet at the bar or at your children's school. Our entire existence is conditioned by the danger that brings to be a journalist in this place».

In Calabria, if you report the events of a trial or the news of a judicial operation, analysing the documents in depth, you become a target. Twice. That's what happened to Michele Inserra, coming from Salerno and arrived at the office of the *Quotidiano* in Siderno after almost ten years of experience at the black news section of *Il Mattino* in Naples. Last intimidation arrived on 22 March, when an exploded bullet was left in front of his office's door. A signed bullet. Michele's signature was cut out from one of his articles and put on it. The day

before, he had written about the political ambitions for the 2005 regional elections of a presumed mafioso murdered by the killer arrested in the course of the recent operation “Mistry” and led by the Dda of Reggio. On 4 February, instead, he gets in trouble for an article on the Duisburg massacre. He was working – and he still works – on the Fehida trial, which is shading light on that episode and on the San Luca Feud. That day in the court there is the testimony of the German investigators who reconstructed the identikit of one of the killers. With any probability, they allege, the identikit matches with Domenico Nirta, a 30-year-old pizza chef who comes and goes from Germany. Already arrested and set free from any charge after a short trial. Free. With no pending charge, even though the records of the German police show that he's an affiliated member of the clan of Kaarst. Michele knows: the precautionary detention «is coming». And he writes it. Michele knows, he saw it, that Domenico Nirta is in San Luca or that he probably left already and he's safe outside the Italian territory. And he writes it. The article is published. Last thing to do was to go to San Luca and see if he still was there or he already left and went abroad.

«I was supposed to find him – he says – but, he was the one who found me. He called me on the phone before at home, then at the office to tell me that my presence in San Luca wasn't welcomed and that I'd better not write his name any more». Next day, another trial session. A young lawyer, an apprentice, goes to tell him again no to go to San Luca. A few days later, Nirta's lawyer sends him a letter saying that he's going to sue him for damages to his image.

Calabria is burning. We can say that. Like the title of a successful book by Mauro Minervino, Calabrian writer, that after the publication of his book was isolated and discredited. Too many stereotypes and too much sensationalism, a book which is bad for this land: that's what they said and wrote about him and his work. Minervino is still professor of Cultural Anthropology but he doesn't write on any newspaper any more. They don't need his contribute.

Calabria is burning. We can say that. Like the car of the 26-year-old blogger Antonino Monteleone, that has been investigating for years on the big and little “laundry shops” of the De Stefano clan, the

leading group of the city of Reggio. Black money recycled in some of the commercial exercises of the city centre and of the longest seafront of Europe. His car exploded on 4 February. That night, Antonio saw that he was followed by a car, which stopped next to the pavement, while he was parking. A few minutes later, he had entered the door of his house, then the explosion. The car without the bonnet, the fire. A few weeks before the fire, he was approached, he says, by the brother of the owner of a bar in the city centre: «The man who exchanged kisses with De Stefano when he was arrested». «You must not touch economic interests – he continues – when you touch that, when you raise the doubt into people who then stop going to their shops: that's when you make them angry ».

Little stories, maybe, very poor interests compared with the much more profitable business of the “ndrangheta holding company”, yet still important and no to be underestimated: the control of the territory where 'ndrangheta grew up and where is the origin of its power, is obsessive, even in very little interests. It's a question of authority, of the capacity to influence and keep the social control.

Like Antonio, there's Francesco Mobilio. He's almost 40. He's copyreader of the *Quotidiano* in Vibo Valentia. His girlfriend's car exploded on 27 December outside his house. He can't explain it. He says that they wanted to hit the newspaper, which is the most popular of the city. His editor says on the phone that it deals with some of his investigations. But he says nothing more. It's better not to say anything, for his safety. It's better not to reveal it to another colleague before talking to the prosecutors. As a matter of fact, Francesco Mobilio still did not talk to them. After all these months, no judge questioned him on the subject.

Going back to 2009 we detect two more cases. Those of Alessandro Bozzo and Fabio Pistoia, both working for *Calabria Ora*. Threatened, respectively, in October and June of 2009 for dirty political affairs, in the province of Cosenza. In the area which is under the influence of the Forastefano clan of Cassano allo Ionio, one of the most dangerous and bloodthirsty of the whole region. «Stop writing of Cassano or we'll cut your head off», is the text of

the message arrived at the central office of *Calabria Ora*, where Bozzo writes of politics. He wrote of Cassano just once: his fault was pointing out that the governor of the province of Cosenza, despite an electoral campaign focused on the concept that “He didn’t want the votes of the mafiosi”, after being elected, wanted in his personal staff the first non-elected of his supporting list, who was charged with political exchange with mafia. The letter addressed to Fabio, instead, was delivered to his house, between the first and the second ballot for the elections of the city council of Corigliano Calabro, when a murder already happened in the course of the electoral campaign. «Stop writing of politics or you'll die». The article dealt with presumed electoral frauds as suggested by the electoral commission after the first counting of the votes.

On 8 March, the heading of the front page of *Il Quotidiano* is: «The 'ndrangheta strategy of tension». Another prosecutor attacked, again. This time the target is Mario Spagnuolo, Public Prosecutor of Vibo Valentia. Death sentences written on the walls of the city. Only a few days earlier, threats had arrived to the antimafia prosecutor of Reggio Calabria Antonio De Bernardo and to the magistrate of Crotona Pierpaolo Bruni. In the same hours, the plan of an attempt to murder of the Parliament Angela Napoli, always on the front line in the fight against mafia, was revealed. An inconvenient voice even within her party, which she criticised for choosing some candidates presumably connected with mafia for the regional council elections. «If you add to these episodes – explains editor in chief Matteo Cosenza – the bomb at the Public Prosecutor's office of Reggio Calabria and the car full of weapons found the day of the arrival of Napolitano, it's possible to think that 'ndrangheta put through a strategy aimed at communicating its presence before the Regional Elections, in order to influence the votes and if as it was saying to those who fight on the front line: be careful with antimafia stances and virtuous choices, we are still and always here, we are the owners of the city».

Is it possible to read the appalling escalation of threats against journalists through this interpretation key?

«Each case is on its own. It's apparent that, in these lands, careful and

in-depth information always ends by touching inconvenient interests. Notably, the threatened colleagues always did well their job. However, the number of five cases in 3 weeks, when committed magistrates and politicians confirmed to be intimidated cannot pass unnoticed. I'd rather consider a more possible motive for the threats the single professional stories of the reporters».

But, where is the typical silence of 'ndrangheta – usually caring only for its affairs and avoiding visibility? It seems to have become a chatterbox mafia... «In fact, it's a novelty for 'ndrangheta. It recalls the Sicilian mafia of a certain period. Problem is that Calabrian mafia became the most powerful mafia, increasing also the actions taken to fight it, especially by a judicial system more incisive than ever. A new scenario is forming where 'ndrangheta speaks through this kind of messages. In the past it was there but you couldn't see it, now it's there and can be seen. We entered a new phase, also with regards to the work of the journalists: those trying to improve themselves and their work are the most hit. There are reporters that in certain territories seriously risk their life. This is becoming to be really worrying. The prosecutors themselves ask us to stress these episodes because it's a form of protection. Danger is real. The risk that these people, one day, decide to raise their sight.

Sometimes threats passes for prosecutors and civil courts

There are not only threatening letters, exploding cars, mafia lawyers and bullets sent to newspapers offices. There is a form of influence that passes for public prosecutor's offices and civil courts. The attempt to deny serenity and put a gag on it takes the devious shape of stamped papers, searches, seizure of files, claims for damages used as pretexts. This happens because of the gaps in the Italian legislation, because of public prosecutors, who don't know – or pretend not to know – the national and European Law on the subject

that expressly prohibits the searches of newspapers offices and journalists protecting their sources. Here we report the most recent cases.

*Do they have it in for
La Repubblica?*

3 p.m.: the agents of the judicial police rush into the Turin office of *La Repubblica*. They have a notice of investigation for Diego Longhin. The charge: news leak. The agents deliver the notice, then seize everything: his two mobile phones, his pad, his notebook, his folders, his computer's hard disk, with every file copied. They also search his house and his car. Looking for information on his sources, protected by the article 2 of the Association of Journalists' institutive law, which guarantees professional secrecy. Diego Longhin's fault was that of reporting a fraud, writing a detailed article on a presumed agreement among seven policemen and a few owners of breakdown lorries. The head of the police department set up the inquiry. Too many transceivers disappeared. Stolen, lent, lost. Indeed, they were on the breakdown lorries. To signal the accidents in real time. A real bargain for the rescuers, who found themselves in the right time at the right place. And also a bargain for the agents who "rented" the transceivers for 400 euros a week. The article comes out the on 26 August 2009. A few hours later, the search begins.

Personal inspection and seizure of the computer also for Francesco Viviano of *La Repubblica*. The evening of 18 March, the Digos⁴ agents entered the office of Via Cristoforo Colombo in Rome looking for a document published the day before on the newspaper. Viviano's article reported the content of forty pages of tapping regarding the inquiry set up by the public prosecutor of Trani on the presumed pressures put by Prime Minister Silvio Berlusconi on the Communication Regulatory Authority (Agcom) and Rai managers, in order to close the TV programme *Annozero*. From those documents it also emerged the involvement of deputy Prime Minister Gianni

4 Division of General Investigations and Special Operations

Letta. Viviano is under investigation for theft with more than one aggravating circumstance and arbitrary disclosure of secret documents. Whereas Giuliano Foschini – *Repubblica* correspondent in Trani – is under investigation for receiving of stolen goods. Questioned by three magistrates and a Digos chief, before as witness and then as investigated, for four hours running. They are not the only reporters under investigation in this case. The office of *La Repubblica* in Bari also underwent a very harsh search which reminds of that of the end of December 2007, when work was jeopardised for a few days and reporters Alessandra Ziniti and Francesco Viviano had their houses searched as well.

Last August, the newspaper leader of the Espresso Group achieved, much to its regret, a national record: first newspaper in the history of the Italian press to appear before a civil court for interrogations. The heart of the matter were the ten questions written by Giuseppe D'Avanzo addressed to the Prime Minister and published on the newspaper for months. The damages (one million euros) claimed by Silvio Berlusconi's lawyers also referred to an article quoting the foreign press on the Noemi-D'Addario case and written by Giampiero Marinotti, invited to appear before the Court of Rome together with Ezio Mauro, editor in chief of *Repubblica*.

*They also
pick on
Il Tirreno and
La Nazione*

The carabinieri also appeared at the offices of *Il Tirreno* and *La Nazione*. Computer and pads seized respectively from Paolo Nencioni and Elena Duranti. They wrote about another inquiry involving the forces of order. Two carabinieri under investigation, one of them charged with sexual assault on a 17-year-old boy. According to the boy's version, the agent invited him to his house to watch a porno, after holding him for possession of hashish. There are no records of that check. The investigation starts ex officio. The two reporters tell the story: they just do their job. A few hours later, the

public prosecutor of Prato provides to search their offices and houses. Breach of secrecy concerning a preliminary investigation. Silence.

And then in Sicily

Abetting of unknown persons for disclosure of official secret «with more applications of the same crime». That's the offence attributed by the Court of Enna to Giulia Martorana, of *La Sicilia*, and Josè Trovato, of *Giornale di Sicilia*, already protected by the forces of order for receiving death threats from the mafia boss of Leonforte. The case deals with the discovery of a burnt corpse in the surrounding countryside of Piazza Armenina, on 20 October 2007. Over eleven months, the corpse had no name. On 9 September 2008 Trovato and Martorana make it known on their respective newspapers. Finally a funeral, the corpse returned to the family that, disconcerted, protest against the carabinieri. Josè and Giulia are questioned on the phone: who told you the identity of the corpse? No answer. Confidentiality of sources. On 22 November 2009 the two are convicted. They are non-professional journalists, so they are bound to reveal their sources to the prosecutor, as provided by the article 200 of the Italian Penal Code. Again, two journalists have troubles with justice only for doing their job. For giving back peace to the family of the victim, for serving the community.

“Antimafia professionals”: the expression coined by Leonardo Sciascia and, to his much regret, too much often abused, is a key concept within the case of the journalist Rino Giacalone, sued for damages by the Mayor of Trapani Girolamo Fazio, who claimed for a compensation of fifty thousand euros. Giacalone is a prolific investigative journalist from Trapani. He writes for *La Sicilia*, but he can publish the most burning news only on *Narcomafie*, *Libera Informazione* and *Articolo 21*. On this last website he published a critical article against the Mayor's decision to revoke the city council resolution to award honorary citizenship to former prefect Fulvio Sodano, for his efforts against the mafia. It was probably a response to the criticism addressed by Sodano against a few standings of the

Mayor Fazio.

This is a passage from Giacalone's article: «When you write something the Mayor of Trapani doesn't like, you are not branded as "mafioso" but as "antimafia professional", someone who's got a lot of interests, except that of defeating mafia because, he explains, too many careers and too many advantages would be damaged. Fazio repeated his normal attitude: he denied the truth. He turned things round just like the absconder mafia boss Matteo Messina Denaro is acknowledged to do in these hours. Let's make it clear: we are not saying that there is a connection. It's pure chance that in a recently discovered "pizzino", Matteo Messina Denaro also talks of a conspiracy and of a new third-rate Torquemada inquisition regarding who's in charge of the investigations about him. He addresses to men using the penal code while he keeps in his hands an honour code, soiled by the blood of lots of murdered people. By the blood of those journalists which, together with other people including judges, Fazio calls antimafia professionals. Maybe it's time for the Mayor of Trapani to tell the names and the advantages obtained by each of them».

Fazio wrote a note himself saying that he «felt defamed» for being compared to boss Messina Denaro, though the journalist explicitly said that he wasn't stating any «connection» between the two of them. Instead of suing him, Fazio convened him, claiming fifty thousand euros. A real drain on anyone's savings, which can be clearly interpreted as a legal form of influence. As a matter of fact, he claimed damages only from the inconvenient journalist and from nobody else, neither from the publisher of the website, nor from the hosting platform.

Also in the North

Finally, it's worth telling the story of the two photographers Dario Rigamonti and Stefano Barbusca, from Lombardy. 30 January 2009, Castasegna, Graubünden. Dardo takes some photos of a lorry halted by the customs officers while carrying about twenty refugees to Switzerland. Next day the report is published on the Sondrio edition of *La provincia*, but it seems to bother the agents. As a matter of fact,

a few days later, seven of them appear at the Rigamonti's photography shop to check his accounts. The newspaper sends the other photographer, Stefano Barbusca, to document everything. At his arrival, the agents seize his camera and his press pass. In consideration of his privacy...

Fortunately, a liberal position prevailing among the Italian judges often leads to dismiss charges against journalists who deny to reveal their sources, according to the article 2 of the institutive law, which states: "they are bound to respect the confidentiality of the source of the news, when this is based on trust". This is a trend confirmed by various sentences and also by the European Convention on Human Rights of Strasbourg, that passed some exemplary sentences on the matter. As observed by Franco Abruzzo in an interesting analysis on the subject (www.francoabruzzo.it/docs/segretoprof-6lu08_3.rtf), these decisions should be known by everyone and should be landmark decisions aimed at stopping intimidation deriving from searches. (r.m. r.r.).

**NOTICE: At the time
we closed this Report,
we came to know that...**

1) On 3 May 2010 a letter and a bullet arrived at the offices of Palermo of the *Repubblica* and the *Giornale di Sicilia*. They were sent from Florence. The letter mentions judges Antonio Ingroia, Nino di Matteo and Sergio Lari, Massimo Ciancimino and repentant Gaspare Spatuzza, «individuals that directly or indirectly will suffer the consequences of actions already planned». «Waiting for resolutions» are instead the lots of Michele Santoro and Sandro Ruotolo, indicated as «journalists supporting a subversive conspiracy worked out by communist prosecutors». Here is the full text of the letter: *Dear Editor. Do not interpret the content of this note as a threat, great events must be announced. It was done in the past, with poor results. The actual state of disquiet is apparent to anyone. Operations were provided to support our democracy. Tumours generated by an excess of roles within our system of powers. No*

further obstacle can be placed to damage this single principle of democracy. A real attack to worthy and brave men who delivered dignity to our Country is taking place. A. Ingroia - S. Lari - A. Di Matteo - M. Ciancimino - G. Spatuzza: individuals that directly or indirectly will suffer the consequences of operations already planned. M. Santoro/Ruotolo, waiting for resolutions. The sad role of journalists supporting a subversive conspiracy worked out by communist prosecutors is one of the most elementary mortification... (illegible text) and of democracy.

On the same day, another bullet was sent to Francesca Russo, Massimo Ciancimino's lawyer, bringing the following message: *Lawyer F. Russo. With this behaviour you keep on bringing shame upon the role which, despite your origins, this Country granted you in an excess of freedom. I advise you to avoid actions aimed at giving credit to M. Ciancimino. You will remain under our surveillance.*

Over the last months, an unprecedented threatening pressure broke out against Massimo Ciancimino, his lawyer, the prosecutors who are hearing his testimony, the journalists who are writing about this: continual mentions to corrupt prosecutors, democracy in danger, communist journalists that must be eliminated.

An example of these delirious contents can be found in another letter directly sent to Massimo Ciancimino, on 2 April. Mentions to judges, politicians, repentants and to Michele Santoro. Again, the problem is the light shed on the agreement between the State and mafia after the death of judge Falcone. Here is the whole content of the letter: *Mr. Ciancimino, I hope this letter was delivered, as I provided, on 2 April, you know what I mean. I beg you not to interpret my words as a threat against you and your family. Consider these few lines as a good advice offered by someone whom your father also appreciated and estimated and who, in any case, is presently aware of facts and circumstances that may still help you. This not only for my role in this Country, but certainly for the experience I gained in so many years of honoured service. Balance and democracy are the basis for the new course of globalisation and integration this country is now facing with great sacrifice. In this very hard moment for our*

democracy there is no place for further mistakes. Today you and your statements contribute to bring shame upon illustrious individuals who worked to ensure that Italy was a free and an anticommunist country. Today, while our Government tries to save workplaces, millions of euros of unaware taxpayers and a large number of servants of the State are employed in unnecessary investigations only aimed at mortifying the image of our country. Just one aim, democracy is the result of a plurality of actions. We enjoy a great culture of freedom and democracy, this culture allows you to exhibit yourself in judicial pantomimes, with the complicity of communist prosecutors and journalists, the last miserable instrument of a subversive and destabilizing conspiracy. Freedom, just like any other living organism, generates tumours. M. Ciancimino - G. Spatuzza - A. Ingroia - S. Lari - A. Di Matteo - C. Martelli - M. Santoro - L. Violante. I assure that banal and elementary techniques of civil protection for such individuals are not an obstacle to our goals. I feel bound to warn you that, being unaware of the plans of others, you represent today an instrument of the fight. We know how to do our job. Despite all our past efforts, we did not succeed to make you open your eyes. Today you and your family are in the hands of corrupt prosecutors. Despite the pointless efforts made, last attempts of the miserable and pointless actions of A. Ingroia and his colleagues, they did not succeed to impede and confuse the sovereign will of the electorate. Today, the destiny of our democracy is at stake. L. Violante and C. Martelli, recidivist traitors of democracy. We know everything about the content of the testimonies made to prosecutors S. Lari and A. Ingroia and their colleagues, a further attack aimed at involving and bringing shame upon illustrious servants of the State. Men who, differently from some prosecutors, put the highest and most honourable values before their own existence. At least this time, use your brain, you will never get anything from this people, do not let the prosecutors – like those of Palermo and Caltanissetta – use you any more, do not get further involved. An advice: leave Italy, some credits cannot be postponed. Several operations were provided to ensure democracy, waiting for being executed. A unique goal resulting from several actions, five, a number that should make you think, my credentials are on the envelope.

2) *Distracted by the news of the clash between Gianfranco Fini and the Berlusconi-Bossi axis within the “Popolo della libertà” and the Government, we underestimated the attack of the Prime Minister against TV series and books dealing with mafia, especially focusing on Roberto Saviano and Gomorra. On this topic, Berlusconi is recidivist. (...) In this disconcerting attitude of Berlusconi, do play a role the unknowns of the open investigations on the massacres of the early 1990s and on the agreement between the State and Cosa Nostra that marked the end of the first Republic, in coincidence with the political ascension of Forza Italia and, though not proved with certainty, with the beginning of Berlusconi's fortunes? The role of Marcello Dell'Utri in the relations with Cosa Nostra, his conviction for external complicity in mafia association with a pending appeal sentence, are objective and worrying signs of this hypothesis... One thing is sure: repeated attacks to antimafia communication, which are aimed at raising awareness and knowledge among people about a phenomenon mining the very founding of the rights and the development of Italy, resemble the behaviour of a serial killer. A killer of memory.*

«Serial killer of memory and free information». The editorial, from which we report the most significant lines, appeared on *Articolo 21* and *Libera Informazione*. It was written by Roberto Morrone, head of the Observatory on Free Information.

The night after the publication, the office of *Articolo 21* in Rome was subjected to a burglary. Seven computers were stolen and with them the access key to the website. Then, the online journal of *Articolo 21* was hijacked and Morrone's article erased. In its place, hackers put a skull and a link to a porno website. Next day, the same attack was done again to the same editorial, on the *Libera Informazione* website. Two attacks in two days. The first episode of hacking aimed at censoring.

3) Caserta, the night of 27 April 2010. Someone gets into the house of Rosaria Capacchione, journalist of *Il Mattino*, still under police protection because of the threats received for his anticamorra commitment. She was sleeping in her bed. She didn't notice anything.

«They got into through the kitchen's window – Capacchione says to the Ansa – they took a bag, a make-up case, but then they left it. Maybe they had troubles». Burglars, maybe. They searched the house but they didn't take anything. It's not the first time. In October 2009, a similar episode. Unknown people getting into her house at night, searching wherever they can, taking little value objects and then disappearing. This time, other apartments of the building were also involved. A burglary, says the journalist. However, a worrying episode that raises questions about the measures taken to protect her.

4) *We'll give him a lesson and we'll destroy him. You, dear journalists, also must be careful.* The letter arrived on 11 March at the office of *Barisera*. In the envelope, there was also a cartridge of a 7,65-bore rifle and the copy of an article published by the newspaper telling of a lecture on the Apulian mafia hold by Michele Cagnazzo in Bari the day before.

Cagnazzo is the author of the essay *Mafia, una guerra senza confini*, he presently leads the Regional Observatory on Legality of Italia dei Valori. For years he's been writing about the *Quarta mafia* (“Fourth mafia”), a new organisation different from the Sacra Corona Unita. Interviewed by *Affari italiani* he claimed: «A lot of people keeps on talking about the Sacra Corona Unita, either accidentally or intentionally. But SCU has died. Experts now talk of Quarta mafia. Old rural mafia has died. Today the Apulian mafia, besides traditional activities like extortion, exploitation of prostitution, robberies and drug traffic, is provided with a substantial economic and political power, thanks to the collaboration and complicity of Apulian entrepreneurs, functionaries and councillors. The last ones are those who feel more bothered by our activity. Let's speak clearly: we don't only bother robbers or drug dealers. We bother the white collars, those who make business with the organised crime through tenders, contract authorizations and recycling of black money. And when a white collar feels bothered he only needs to call a member of the clan and ask him to threat a given person. That's what happened». In 2008 he received a letter with two bullets and the head of a dog was left in front of his house. He recently fought for the institution of a regional agency for seized goods. A structure which would make

easier all the procedures for the seizure of goods and their use for social and institutional purposes. The aim is to avoid that the properties seized from mafia members come back into their hands, through auctions. With regards to the threats, he said, he received solidarity from a few friends of his party, but no sign of support arrived from the institutions.

5) «You can call the police if you want. We don't fear anyone». On 12 May 2010, two men rush into the office of the journal *Nuova Periferia*, in Via Paolo Regis in Chivasso, in the province of Turin. They threaten the secretary and the present journalists. Then, they pick on Marco Bogetto, black news reporter. Kicks and slaps. He needs to go to the hospital for an harm in his eardrum caused by the slaps. Guilty. Guilty of writing an article dealing with the new amusement arcade of the city, damaged in the night by some vandals.

«New amusement arcade devastated: serious damages of at least 20,000 euros» is the heading in the front page. The journal comes out. At 9.45, the punitive expedition. The aggressors are the owners of the place, Giuseppe Carbone and his son Guido. Bogetto tries to defend a colleague and gets the worst of it.

«It's a very serious episode – editor Piera Savio observes – that points out, one more time, how difficult is the work of a provincial reporter. We are easy to identify».

6) «Defamed municipalities, obsequious information». The message is written in red and blue on a white sheet. Under the window of the *Messaggero*, in Via del Tritone, in Rome, a few mayors shouting, together with their town councillors. It's the morning of 6 May 2010. A few days before the newspaper reported on an investigation about waste of money in public administrations.

«A campaign of defamation, based on the suggestions of the city council», allege the left-wing “minimayors”, asking to meet a member of the staff. «An intolerable demonstration to intimidate the journalists – says the National Association of Reporters – a serious episode of intolerance, in times of gags and censorship provided by the power system, starting with the Alfano decree. The investigations were based on the study of documents and in-depth researches on the

accounts, according to the most rigorous principles of this profession. Too many people forget or pretend to forget that reporters are not just messengers of notes and news and that the right-duty to inform coincides with the right of citizens to be properly informed about their administrators' conduct».

7) The threats against Davide Desario, reporter of the *Messaggero*, run on the web. Harsh words posted on Facebook after one of his article came out on the *Roma*, on 13 April 2010.

«Verano, free seat for the D'Annunzio association» is the heading of the article. «A very special assignment which is worth to be investigated – Desario writes in the article. Just think that the president of the D'Annunzio association is Cristina Giannotta, sister of Mirko Giannotta, working for the Ama as head of the Urban Development Department».

«Giannotta Dynasty», as the reporter calls it. «The most famous – he explains – is Carlo Giannotta, historical president of the Acca Larenzia section of the ex Social Movement, one of the most extreme right-wing sections of Rome. Another famous Giannotta is, much to his regret, Fabio, born in Rome in 1977. Many people might remember him for an attempt of robbery at the Bulgari jewellery store in Via Condotti using a breakdown lorry. Furthermore, Fabio Giannotta was later arrested for another robbery in a jewellery shop at the Tuscolano».

«Since about two years, Mirko Giannotta has become very famous. Working for the Ama since 1998 and involved in some Digos investigations, in 2008 he was put at the head of the Urban Development Department of the City Council of Rome. Well, all three of them, together with Cristina Giannotta, in May 2003, were among the 8 shareholders of the D'Annunzio association. Why? It's simple: they are all members of the same family».

A few hours later, the intimidation arrives on his Facebook profile. Serious attacks from the right-wing extremist group of Acca Larenzia. His fault? Shading light on the worrying reality regarding the management of the real estate properties of Ama s.r.l., a private management of a public good.

8) «You are a dead man, here we cannot touch you but your fate is settled». The threat was made in person. At the airport of Verona. The target was Alessandro Capatano, sports journalist of the *Gazzetta dello sport*. It happened on 16 May, after the Chievo-Roma match. The words whispered into his ear from a notorious Roma supporter turned into the aggression made by a group of violent people who surrounded him and insulted him, after taking away his pad from him. One from the group then punched the computer of a Capatano's colleague who tried to defend him. Arrived at Fiumicino, threats and abuses went on. The aggressor was denounced for aggravated threats. It's not the first time that a group of supporters threatens a journalist. A few journalists of the *Secolo XIX* and of *Telegenova*, on 15 October 2008, in Genoa, were targeted by Sampdoria supporters because, according to them, their articles influenced the negative results of the team.

(Roberta Mani and Roberto Rossi)





OSSIGENO per l'informazione 2010 Report

Violent censorship and its victims

Report by **Alberto Spampinato**,
director of *Ossigeno per l'Informazione*,

at the conference on threatened reporters,
sponsored by the Siani Award,

during the presentation of
the 2010 OSSIGENO REPORT.

Naples, 23rd September 2010

This second annual Report of *Ossigeno*, which I feel very honoured to present, puts light on a worrying and barely known phenomenon which gets more and more common, even if already widespread, also in our country. It is the violent censorship realized through threats, intimidation, damages, intrusions, and devious legal measures that hamper and limit the freedom of information. From 1960 to 1993, the most extreme forms of censorship have dealt with the murder of eleven stubborn and brave journalists who did not want themselves to be hushed up. Giancarlo Siani was one of them, a 26 year old brilliant journalist. He was shot down like a bull 25 years ago, one night in Naples, while he was coming back home from his office at the *Mattino*, after a day of work. His murderers, members of the *camorra*, decided that he deserved to die for reporting on news they did not like. As a matter of fact, three months earlier he had revealed a secret agreement between the *camorra* members of the *Nuvoletta* clan and the

mafia members of the Totò Riina's clan. Giancarlo was the only one to write about that story. He was the only brave one to make the bosses' secrets public, damaging them.

At the newspaper, he was boasted for the scoop. He was "promoted" and moved from the detached office of Castellammare di Stabia, where he was the correspondent from Torre Annunziata, to the central office of Naples. "Now, give up with these stories which get the *camorra* angry" - some colleagues advised him. "What's the point?", they told him. It's the story told in the film *FortApasc*, by Marco Risi. Giancarlo did not follow those advices and kept on gathering critical information, the information which other people dodged or pretended not to know, and he kept on writing inconvenient news. His flair and his view of journalism did not let him to act differently. He could not turn his head in order to stay safe, not even when the danger was evident and he started to have fear. Giancarlo acted just like the other ten journalists murdered in Italy: all of them were murdered because, even feeling the danger, they were determined to keep on, and thus there was no other way to stop them. I have thought through a long time about these dynamics, because one of those stubborn journalists was my brother. His name was Giovanni. The others were Cosimo Cristina, Mauro De Mauro, Mario Francese, Pippo Fava, Peppino Impastato, Beppe Alfano, Mauro Rostagno, Carlo Casalegno, Walter Tobagi. I feel proud to recall here their names together with Giancarlo and Giovanni and to honour their memory.

Since 1993, no other journalist was murdered. But violence has not ceased. This is what comes from several news and it is confirmed by the 2010 *Ossigeno* Report which, listing the most recent facts, denies the commonplace that Italy is a calm place for journalists. This is not true. Our Report shows that in 2009 and 2010 in Italy hundreds of journalists suffered serious threats, intimidation, damages, undeserved pressures and other forms of violence exerted in order to limit their right to

collect and publish news for the public's sake. The episodes we verified, in the period January 2009-March 2010, are 53. 29 of these attacks were addressed to individuals and 24 were addressed to groups of people. Some of the latter ones struck entire newspaper offices, estimating almost 400 journalists involved. It is not a little number. They are more than the members of the Senate. It's like there was one threatened journalist in each community of 150 thousand inhabitants. Four hundred is not a little number, but the actual threats are even more. The phenomenon is really widespread. We did not mention all the cases which were reported to us, but only the ones we were able to verify and after the closing in March of this half-report, other 25 episodes came to our knowledge, increasing the total to 78.

(see in the last page the figures updated after the present report).

Furthermore, one thing is what we see, and another thing is the real dimension of the phenomenon, because a lot of cases are not reported. This is what comes out of the biannual UNESCO report. What we can see and measure are only the REPORTED threats and the murders committed, as recalled by the UN agency which monitors the freedom of information in the world, but this is only the visible part of a phenomenon which is mostly hidden, "the tip of the iceberg", with a huge part which stays submerged.

GEOGRAPHICAL DISTRIBUTION - But where do such horrible things happen? The common opinion is that they can happen only in those countries with a weak and unstable democracy or, within countries like Italy, only in the lands where mafia is deep-rooted. This is not really the case. It is true that - with 23 episodes, and 15 only this year - Calabria is at the top of the Italian chart with an extremely alarming situation, which would deserve more attention, solidarity and initiative. It is true that Sicily and Campania also keep high positions in this ideal chart. But our survey shows that threats

to journalists spread in almost every region, from Veneto to Lombardia to Lazio. These are the figures (the number in brackets is that of the 2009 *Ossigeno* Report): Calabria 15 (8), Sicily 6, Campania 6, Lazio 10, Lombardia 6, Puglia 3, Basilicata 2, Piemonte 2, Emilia Romagna 1.

COMPARISON WITH 2009 - One year ago, the first *Ossigeno* Report registered 61 episodes within a space of three years (2006-2008), with an average of 20 threats per year. The 43 episodes of this new half-Report represent an increment of the 100%. The rise is even higher for the threats addressed to groups of journalists or to entire newspapers offices: in 2009 we counted 9 episodes and estimated at least 200 journalists involved, now the episodes are 24 (+250%) and the journalists involved are the double (+100%).

The new Report confirms the alarm we raised one year ago: that an escalation is under way. It was fully justified. Even eminent international centers of monitoring (Freedom House, Reporters Sans Frontières and others) had reported the strong alarming limitations to the freedom of information which happen in Italy, with violence against journalists. But no one had foreseen a so fast progression. We hope that our work could help to raise awareness about what is happening. Despite the astonishment and the incredulity which these figures can cause, it is difficult to question them, and we have to face them. Our Report presents cases which are directly verifiable: names, surnames, circumstances of each episode and it shows which risks the Italian journalists take when they deal with the most critical and inconvenient news, unwelcome news for the centre of the criminal power, especially for the organized crime, but also for other levels of power. The Report formulates, in addition, some proposals to reduce the risks for the reporters and shows some topics which would deserve special attention and a close examination, which have not been achieved until now.

We think that a systematic encumbrance to the right to inform,

as it happens in Italy with the several cases of threats to the journalists, takes to an extensive overshadowing of information, with the disappearing of news of great relevance. Therefore, the threats jeopardize the completeness of the information, weaken the right of the citizens to be informed and finally reduce the spaces of democracy. This is evident for a number of foreign observers that have been watching the Italian situation for a long time. In our country, instead, the phenomenon is completely neglected.

The politicians do not care, the institutions and the journalists undervalue it, while the civil society ignore it. The problem is shrouded by the indifference, which hides it and this has no excuse in a democratic country which claims the origins of the civil law and it is one of the founding members of the European community which vouches for these rights through its higher institutions.

In this deafening silence, in Italy, hundreds of journalists and their newspapers are exposed, without special protections, to interference and serious and recurrent threats.

Such episodes should not be omitted. The single reporters should not be left alone before this huge problem. This is unacceptable in a civil society. Also because the public indifference encourages negative behaviours. For instance, it encourages those people who, for fear or self-interest, instead of supporting the honest and threatened reporters, instead of surrounding them with solidarity, they mock them with a cynical question: "What's the point?". Unfortunately, also a lot of journalists have pronounced these words. Somebody say that for superficiality and they only need to be informed about the state of the things. Some other people say it with cunning and malice, with the air of those who know best, and consider autocensorship the best way to prevent the threats. Autocensorship, actually, is the antithesis of journalism, but these people consider it a "trick" of the trade. But what kind of trade? - I would like to ask. To hide information, to differentiate the news, to let the fear take the lead, to look at

the facts wearing blinkers or through the eyes of the strongest one: these things have nothing to do with journalism, do not make up with the duties of the journalists.

This was true at the time of Cosimo Cristina, murdered in Termini Imerese in 1960 for his brave investigations about interrelations between mafia and politics. It was true in 1972, when Giovanni Spampinato was killed. It was true in 1985, when Giancarlo Siani died. It was true and it was difficult to say it. It is still true today and it is still difficult, much to my regret, that these elementary rules are peacefully accepted. However, we could not honour the memory of Giancarlo and of all the brave journalists killed in Italy without telling this truth again, without reporting the mocking of the fearful ones and the fatalism of whom, in front of the sad status of a great part of the Italian journalism, in front of the slaughter of principles and rights, which calls for revenge, think that the only thing to do is to conform to the lowest level, leaving aside the civil commitment, the ideals, the ethics and the codes of conduct, and ultimately, our same honour.

The Italian journalism faces a great number of problems: temporary employment, lack of job, lack of resources, partisanships... But nothing of all this can justify the apology of behaviours that have nothing to do with journalism. If we simply let go, Giancarlo Siani and all the other brave journalists whose memory we still honour today, will not appear as exemplary journalists who got killed in order not to bend, who dominated the fear and accepted the risk to get killed in order to write their news without accepting orders. They will seem just some crazy people who committed suicide and killed themselves by hitting the wall with their head, and we can't deny that sometimes they are described like that. Their personal stories say something else and we should make efforts to make everyone aware of it, especially the young people, especially those who would like to be journalists. Even because each of those stories leads us to the present problems

and helps us to understand them.

FORMS OF INTIMIDATION - Since 1993 in Italy no other journalist was killed. However, violence and other undeserved pressures are still used to hush reporters and columnists up, to intimidate them, to stop investigations, news, interpretations considered inconvenient. The most used methods are letters and threatening phone calls: 19 + 9 (17) and we must add 2 e-mails sent on the web. There are also 10 + 3 (16) physical aggressions and 9 + 1 (8) intrusions and damages.

FINANCIAL COMPENSATIONS - Other more devious but equally effective methods are used: interventions on the newspapers ownership, indirect and allusive warnings which can come through unexpected ways, requests of denial used as an excuse. Things that cannot be seen in a survey. Like the growing number of summons at the Civil court to obtain ruinous financial compensations, with no proportion to the damage caused and to the income of the newspaper or the journalist involved, with no complaint for libel and with no evidence of damage verified in a Penal court. We registered 13+1 (8) of these cases, the most sensational being those presented by the Prime Minister Silvio Berlusconi against *Repubblica*, for the 10 questions about the Noemi affair, and against the *Unità*, for the same case. The claim was of one million euro.

Another one was presented against journalist Rino Giacalone by the Major of Trapani, who claimed 50 thousand euro for an article which had criticized his work. We also recall the sentence in appeal against the *Messaggero* and the music critic Alfredo Gasponi, which obliged them to pay to the orchestral players of Santa Cecilia, respectively a compensation of 2 millions and 400 thousand euro, and of 500 thousand euro, for an interview of 1996 when the conductor Wolfgang Sawallisch expressed unflattering opinions.

INVASIVE SEARCHES - Trial reporters are exposed to another type of serious intimidation: sometimes they run up against touchy magistrates who get offended of a newsleak, magistrates who, instead of picking on the sources - often other magistrates or public functionaries bound to keep secrecy - they pick on the journalists, investigate them, put pressure on them to reveal their confidential sources, strike them with invasive searches and seize their instruments of work and their archives. The Italian legislation permits this and other kinds of abuse of the judicial action, even if they often end with a verdict of no guilty. In the Report we present 13 +1 (15) cases of this type and we stress the legislative gaps on the subject of our legislation, gaps that need to be filled in. They must be filled in.

In the country where the "gag act" was not enforced only thanks to the massive mobilization of journalists and public opinion, we dare to demand that, because it is a fair request and a necessary measure. How could the gap be filled in? An example to follow comes these weeks from Germany where, on the government initiative, the parliament is modifying the penal code in order to expressly declare that a journalist who writes confidential news revealed by public functionaries, magistrates, secret services, even if it deals with trial documents or the text of an interception, cannot be legally prosecuted. In these cases the judges will prosecute with no dispensation only the "source" who breaches the secrecy. It is a very civil reform that would be very good for our country.

AGGRAVATING CIRCUMSTANCE - We think, and we wrote it in the Report, that another legislative reform would be necessary to ensure the journalists' safety: there should be a specific aggravating circumstance for all the offences aimed at hampering the right to inform and, as a consequence, the right to be informed. It would be a justified measure to limit the common and recurrent use of forms of violence against journalists and against their activity.

OFFENCE FOR OBSTRUCTION TO INFORMATION - Furthermore, according to us, a new offence should be introduced into the code: obstruction to free information, a positive rule to ensure the defense of a right established by the Constitution and the Charter of Fundamental Rights of the European Union, but widely infringed with no impunity. We know that it's difficult, that the tide goes to the opposite direction, towards the decriminalization of a large number of offences. But it would be useful to open the debate on legal protection of journalists starting from this point, to come finally, after due consideration, to a civil sanction.

The path that I draw would help to raise awareness of the problem among the public opinion, and thus give start to the legislative process. It would let understand how things go in our country, but in other countries too, and would show the leaks which need to be fixed. We must remember that, in its last biannual Report, Unesco indicated as one its priorities to adjust the legislations in order to reduce the generalized "impunity" of those people who killed journalists or exerted any kind of violence against them. If *Ossigeno* managed to keep on, it would gather eminent opinions on the subject and will promote a specific conference.

LEGAL PROTECTION - In the light of these considerations, moreover, it is evident the need to offer a service of legal assistance to the threatened journalists. But it is also necessary to find new forms of solidarity for the threatened journalists and to find better organizational solutions within the newspapers offices to ensure the journalists' safety.

OSSIGENO'S PROBLEMS - As I previously mentioned, we did not include in the Report some cases, probably true, which were reported to us. I would like to tell why: we were not able to verify them with the strict parameters we adopted. It would have been necessary to send some trustworthy correspondent

to Sicily, Calabria and to other places. We did not have the means to do it. The *Ossigeno* Observatory, unfortunately, still does not have the resources to go to these or other kinds of expenses. As explained in the introduction of our scientific director, Angelo Agostini, this report, as the previous one, was realized capitalizing the civil commitment and the stubbornness of a group of volunteers who personally covered the expenses and, obliged to limit their activity, preferred the reliability of the news instead of the width of the description.

HALF-REPORT - For these limitations, we define this document a half-Report, a mid-term report, which is a good compromise compared to the aim we had fixed. This does not reduce the importance of the data we present and the pride we feel for this second *Ossigeno* Report, after the first representative one of 2009. Anyway we will add soon more news about threats, intimidation, damages, intrusions in Italy in last few months, to have a definite 2010 Report

GOODBYE, MAYBE - In conclusion, we are forced to say that, at the actual state of things, we cannot assure that in 2011 we will be able to write an updated report. The conditions of uncertainty and precariousness of *Ossigeno* already went too far and have exhausted the strength which brought us until here. Without the support of fresh resources and some financial help, we cannot present a serious and reliable picture. We expressly explained it to the board of FNSI and the Association of Journalists, that sponsor the observatory, and which we thank for having create *Ossigeno*, filling a gap that had been there for a long time. We have recently received encouraging assurances. We hope that these can be converted into concrete actions and decisions which could give the observatory the opportunity to walk on.



OSSIGENO per l'informazione 2010 Report

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