

2026 Rule of Law Report - targeted stakeholder consultation

Fields marked with * are mandatory.

Introduction

The annual Rule of Law Report lies at the centre of the Annual Rule of Law Cycle, which acts as a preventive tool, deepening multilateral dialogue and joint awareness of rule of law issues. So far, six editions of the Rule of Law Report have been published since 2020.

As every year, the Commission would like to invite the stakeholders to provide contributions to the 2026 Rule of Law Report. On the basis of these contributions and on-going developments, further targeted questions may be shared at a later stage of preparation of the 2026 Rule of Law Report, in particular in the context of country visits, or bilateral contacts.

The Commission invites stakeholders to provide contributions which include:

(1) developments and measures taken in relation to the recommendations in the 2025 report,
(2) developments related to topics covered in the 2025 country chapters, as well as any other new developments related to the rule of law.

The input should consist of a short summary, if possible in English, covering the areas referred to below. Legislation or other documents may be referenced with a link. Contributions should focus on significant developments since the last Rule of Law Report both as regards the legal framework and its implementation in practice.

This questionnaire also integrates the separate questionnaire on the single market from last year. In addition to these specific questions, respondents to the questionnaire are invited to consider the Single Market dimension, including any relevant cross-border issues, in all their answers.

Where questions of particular relevance under the single market dimension, this is indicated before the relevant question.

[1] Unless the information was already submitted in the input for the previous Rule of Law Reports.

Type of information to be included:

Under each of the four pillars, the replies should include references to the following types of information:

A) Legislative developments

- Newly adopted legislation
- legislative drafts currently discussed in Parliament
- legislative plans envisaged by the Government

B) Policy developments

- Implementation and enforcement of legislation
- evaluations, impact assessment, surveys
- white papers/strategies/actions plans/consultation processes
- follow-up to reports/recommendations of Council of Europe bodies or other international organisations
- important administrative measures
- generalised practices

C) Developments related to the judiciary / independent authorities

- important case law by national courts
- important decision/opinions from independent bodies/authorities
- state of play on terms, nominations and expired mandates for high-level positions (e.g. Supreme Court, Constitutional Court, Council for the Judiciary, Prosecutor General, heads of independent authorities included in the scope of the request for input[2])

D) Any other relevant developments

- National authorities are free to add any further information, which they deem relevant; however, this should be short and to the point.

Where relevant, please also indicate whether the developments reported are linked to the implementation of reforms and investments under the national Recovery Resilience Plan. To simplify your answers to the questionnaire, if there are no developments, it is sufficient to indicate this and the information covered in the contributions for the previous Rule of Law Reports does not need not be repeated.

[2] Such as: media regulatory authorities and bodies, national human rights institutions, equality bodies, ombudsman institutions, supreme audit institutions and, where they exist, transparency authorities.

* I am giving my contribution as

- ☐ Academic/research institution
- ☐ Business association
- ☒ Civil society organisation/NGO
- ☐ International organisation
- ☐ Judicial association or network
- ☐ Media organisation or association
- ☐ Public authority or network of public authorities
- ☐ Other

* Organisation name

250 character(s) maximum

Centro per la Cooperazione Internazionale/ Osservatorio Balcani Caucaso Transeuropa (CCI/OBCT)

Main Areas of Work

- ☐ Justice System
- ☐ Anti-corruption
- ☒ Media Pluralism and Freedom
- ☐ Checks and Balances
- ☐ Other

Please insert an URL towards your organisation's main online presence or describe your organisation briefly:

500 character(s) maximum

OBCT is a think tank and a media specialised on South-East Europe, Turkey, Eastern Europe and the Caucasus and on the EU policies in the fields of media freedom, civil society, the enlargement and coesion. It publishes daily news and research studies from East and Southeast Europe on the online portal <https://www.balcanicaucaso.org/en/> in three languages, i.e Italian, English and Bosnian-Croatian-Serbian (BCS).

Transparency register number

Check if your organisation is in the transparency register. It's a voluntary database for organisations seeking to influence EU decision-making

943382841714-79

* Country of origin

Please indicate the country of origin of your organisation

- ☐ Austria
- ☐ Belgium
- ☐ Bulgaria
- ☐ Croatia
- ☐ Cyprus
- ☐ Czechia
- ☐ Denmark
- ☐ Estonia
- ☐ Finland
- ☐ France
- ☐ Germany
- ☐ Greece
- ☐ Hungary
- ☐ Ireland
- ☒ Italy
- ☐ Latvia
- ☐ Lithuania
- ☐ Luxembourg
- ☐ Malta
- ☐ Netherlands
- ☐ Poland
- ☐ Portugal
- ☐ Romania
- ☐ Slovak Republic
- ☐ Slovenia
- ☐ Spain
- ☐ Sweden
- ☐ Other - please specify

First name

Surname

Email Address of the organisation

epis@balcanicaucaso.org

* Publication of your contribution and privacy settings

You can choose whether you wish for your contribution to be published and whether you wish your details to be made public or to remain anonymous.

- ☐ Anonymous - Only your type of respondent, country of origin and contribution will be published. Organisation name, URL, transparency register number, first name and surname given above will not be published. **To maintain anonymity, please refrain from mentioning the name of your organisation and any details from which your organisation can be identified in the rest of your contribution as we will not be able to guarantee anonymisation of these elements.**
- ☒ Public - Your personal details (name, organisation name, transparency register number, country of origin will be published with your contribution).
- ☐ No publication - Your contribution will not be published. Elements of your contribution may be referred to anonymously in documents produced by the Commission based on this consultation.

☒ I agree with the personal data protection provisions.

[Specific privacy statement targeted stakeholder consultation 2026 rule of law report.pdf](#)

Questions on horizontal developments

In this section, you are invited to provide information on general horizontal developments or trends, both positive and negative, covering all or several Member States. In particular, you could mention issues that are common to several Member States, as well as best practices identified in one Member State that could be replicated. Moreover, you could refer to your activities in the area of the four pillars and sub-topics (an overview of all sub-topics can be found below), and, if you represent a Network of national organisations, to the support you might have provided to one of your national members.

Overview topics for contribution

[List of topics for contribution.docx](#)

Please provide any relevant information on horizontal developments here

5000 character(s) maximum

Questions for contribution

Under each pillar, you are invited to provide information on measures taken to implement the recommendations addressed to the Member State in the 2025 Rule of Law report, as well as developments with regard to the points raised in the respective country chapter of the 2025 Rule of Law Report and any other significant developments since January 2025 and up to the date of submission^[3]. Please always include a link to and reference relevant legislation/documents (in the national language and/or where available, in English). **Significant developments** can include challenges, positive developments and best practices, covering both legislative developments or implementation and practices.

Information provided in reply to the first question under each pillar, related to the follow-up to the recommendations, does not need to be repeated in subsequent parts of the questionnaire, but can be cross-referenced in the subsequent questions, where relevant. All other questions are not limited to the recommendations, but as in previous years, cover the entire scope of the Report.

^[3] Unless already covered in the input for the previous Rule of Law Reports.

Member State/enlargement country covered in contribution [only one choice possible]

If you wish to submit information concerning several Member States/enlargement countries, please fill in the questionnaire separately for each country. There is no limit to the number of contributions submitted by a single participant.

- ☐ Albania
- ☐ Austria
- ☐ Belgium
- ☐ Bulgaria
- ☐ Croatia
- ☐ Cyprus
- ☐ Czechia
- ☐ Denmark

- ☐ Estonia
- ☐ Finland
- ☐ France
- ☐ Germany
- ☐ Greece
- ☐ Hungary
- ☐ Ireland
- ☒ Italy
- ☐ Latvia
- ☐ Lithuania
- ☐ Luxembourg
- ☐ Malta
- ☐ Montenegro
- ☐ Netherlands
- ☐ North Macedonia
- ☐ Poland
- ☐ Portugal
- ☐ Romania
- ☐ Serbia
- ☐ Slovakia
- ☐ Slovenia
- ☐ Spain
- ☐ Sweden

I. Justice System

Please provide information on measures taken to follow-up on the recommendations received in the 2025 Report regarding the justice system (if applicable)

5000 character(s) maximum

A. Independence

Appointment and selection of judges, prosecutors and court presidents (incl. judicial review)

(The reference to 'judges' concerns judges at all level and types of courts as well as judges at constitutional courts)

5000 character(s) maximum

Irremovability of judges, including transfers, (incl. as part of judicial map reform), dismissal and retirement regime of judges, court presidents and prosecutors (incl. judicial review)

5000 character(s) maximum

Promotion of judges and prosecutors (incl. judicial review)

5000 character(s) maximum

Allocation of cases in courts

5000 character(s) maximum

Independence (including composition and nomination and dismissal of its members), and powers of the body tasked with safeguarding the independence of the judiciary (e. g. Council for the Judiciary)

5000 character(s) maximum

Accountability of judges and prosecutors, including disciplinary regime and bodies and ethical rules, judicial immunity and criminal/civil (where applicable) liability of judges (incl. judicial review)

5000 character(s) maximum

Independence/autonomy of the prosecution service

5000 character(s) maximum

Independence of the Bar (chamber/association of lawyers) and of lawyers

5000 character(s) maximum

Significant developments capable of affecting the perception that the general public has of the independence of the judiciary

5000 character(s) maximum

B. Quality of justice

(Under this topic, you are not required to give statistical information but should provide input on the type of information outlined in the introduction)

[single market relevance] Accessibility of courts (e.g. court/legal fees, legal aid, language)

5000 character(s) maximum

Resources of the judiciary (human/financial/material), remuneration/bonuses/rewards for judges and prosecutors, including observed changes (significant and targeted increase or decrease over the past year)

(Material resources refer e.g. to court buildings and other facilities. Financial resources include salaries of staff in courts and prosecution offices.)

5000 character(s) maximum

[single market relevance] Training of justice professionals (including judges, prosecutors, lawyers, court staff, clerks/trainees)

5000 character(s) maximum

Digitalisation (e.g. use of digital technology, including electronic communication and AI tools, within the justice system and with court users, procedural rules, access to judgments online)

5000 character(s) maximum

Use of assessment tools and standards (e.g. ICT systems, including AI-based systems, for case management, court statistics and their transparency, monitoring, evaluation, surveys among court users or legal professionals)

5000 character(s) maximum

Geographical distribution and number of courts/jurisdictions (“judicial map”) and their specialisation, in particular specific courts or chambers within courts to deal with fraud and corruption cases.

5000 character(s) maximum

[single market relevance] Specialisation (of judges/specific courts/chambers within courts) and training for the judiciary to deal with commercial cases, as well as alternative dispute resolution mechanisms and mediation as regards commercial cases.

5000 character(s) maximum

C. Efficiency of the justice system

(Under this topic, you are not required to give statistical information but should provide input on the type of information outlined in the introduction)

[single market relevance] Developments related to efforts to improve the efficiency of the justice system (e.g. as regards length of proceedings, to address backlogs)

5000 character(s) maximum

Any other developments related to the justice system - please specify

5000 character(s) maximum

II. Anti-Corruption Framework

Where previous specific reports, published in the framework of the review under the UN Convention against Corruption, of GRECO, and of the OECD address the issues below, please make a reference to the points you wish to bring to the Commission's attention in these documents, indicating any relevant updates, changes or measures introduced that have occurred since these documents were published.

Please provide information on measures taken to follow-up on the recommendations received in the 2025 Report regarding the anti-corruption framework (if applicable):

5000 character(s) maximum

A. The institutional framework capacity to fight against corruption (prevention and investigation / prosecution)

List any **changes** as regards relevant authorities (e.g. national agencies, bodies) in charge of prevention, detection, investigation and prosecution of corruption and the resources allocated to each of these authorities (the human, financial, legal, and technical/specialised resources as relevant), including the cooperation among domestic and with foreign authorities. Indicate any relevant measures taken to effectively and timely cooperate with OLAF and EPPO

5000 character(s) maximum

Safeguards for the functional independence of the authorities tasked with the prevention and detection of corruption

5000 character(s) maximum

Information on the implementation of measures foreseen in the strategic anti-corruption framework (if applicable). If available, please provide relevant objectives and indicators

5000 character(s) maximum

B. Prevention

Measures to enhance integrity in the public sector in particular as regards high-level officials (including as regards incompatibility rules, revolving doors, codes of conduct, ethics)

5000 character(s) maximum

Measures to enhance general transparency of public decision-making (including rules on lobbying, asset and interest disclosure rules, gifts policy, transparency of political party, financing)

5000 character(s) maximum

Measures to prevent conflicts of interest in the public sector. Please specify the features and scope of their application (e.g. categories of officials concerned, types of checks and corrective measures depending on the category of officials concerned)

5000 character(s) maximum

--> For the three previous points, **please also provide information and figures on their application/enforcement if available to you**, such as number of detected breaches/irregularities of the various rules in place and the follow-up given (investigations, sanctions, etc.)

Measures to ensure whistleblower protection and encourage reporting of corruption, including their application (i.e. number of reports received, and the follow-up given)

5000 character(s) maximum

[single market relevance] Specific measures to enhance transparency, integrity and accountability in sectors with high risks of corruption, with a view to monitor and prevent corruption and conflict of interests, and where applicable measures to prevent and address corruption committed by organised crime groups.

- *Such high-risk sectors could include: public procurement, including construction, transport/infrastructure, defence, cohesion, agriculture, environment, healthcare, investor residence schemes, large-scale investments of national interest and the spending of EU funds, urban planning.*
- *In particular, measures to mitigate high risks of corruption in the area of public procurement, such as enhancing transparency and oversight (for example through digital technologies) and promoting fair competition and accountability in public procurement (e.g. targeted actions to address the high share of single bids) and measures to guarantee the effective and independent functioning of the public procurement review bodies.*

5000 character(s) maximum

[single market relevance] Measures for the prevention of corruption in relation to the issuing of official permits (e.g. related to environment, energy, service provision and various types of construction)

5000 character(s) maximum

C. Repression

The legal framework on the criminalisation and sanctions for corruption and related offences, including foreign bribery

5000 character(s) maximum

Official data on the number of investigations, prosecutions, final judgments and the application of sanctions for corruption offences (differentiated by offence if possible). Please indicate whether the cases: involve legal persons; are related to the implementation of EU or national funds; involve high level corruption. Please indicate which data is publicly available and how policy-making is informed by the data

5000 character(s) maximum

Potential obstacles identified in law or in practice to the investigation and prosecution of high-level and complex corruption cases (e.g. political immunity regulation, procedural rules, statute of limitations, cross-border cooperation, pardoning)

5000 character(s) maximum

Information on effectiveness of criminal and non-criminal measures and of sanctions (e.g. recovery measures and administrative sanctions) on both public and private offenders

5000 character(s) maximum

Any other developments related to the anti-corruption framework - please specify

5000 character(s) maximum

III. Media pluralism and media freedom

Please provide information on measures taken to follow-up on the recommendations received in the 2025 Report regarding media pluralism and media freedom (if applicable)

5000 character(s) maximum

In its 2025 Rule of Law report, the European Commission recommended Italy to “advance with the ongoing legislative work to ensure that rules or mechanisms are in place to provide funding for public service media that is appropriate for the realisation of its public service remit and to guarantee its independence”.

We assess that Italy’s public service media reform has so far produced no tangible results, leaving national legislation out of compliance with Article 5 of the EMFA on financial independence.

In September 2025, the 8th Permanent Committee of the Senate adopted a unified text proposing amendments to the Consolidated Law on Audiovisual Media Services (TUSMA), forming the basis for the continuation of the reform process¹.

The current financial model, which is largely reliant on the annually set RAI licence fee, fails to provide adequate, sustainable, predictable, and multi-year resources required under the EMFA. While the unified text limits fee reductions to “exceptional motivations” and no more than 5% of the previous year, these safeguards are insufficient to protect RAI from progressive budget cuts that could jeopardise its financial stability and editorial independence.

Moreover, the 2026 Budget Law provides for a €10 million reduction in licence fees for commercial businesses, further constraining RAI's resources and its ability to fulfill its public service mandate².

Regarding the second recommendation on defamation and the protection of professional secrecy and journalistic sources, no progress has been made in 2025 with regard to defamation reform. Further, the discussed proposal to reform defamation laws doesn't include a proposal to fully decriminalise defamation to ensure full compliance with international freedom of expression standards.

The Italian government has also made no progress in implementing Article 4 of the EMFA, which governs the protection of journalistic sources. In particular, this concerns the obligations regarding transparency of data processed through spyware and the establishment of a responsible authority that is genuinely open to the needs of the journalistic community.

It should also be noted that existing Italian legislation is, in some respects, more protective than the provisions set out in Article 4. Therefore, it is recommended that the government refrain from introducing measures that would ultimately weaken journalistic safeguards rather than strengthen them.

The issue of preventive interceptions remains unresolved; these are permitted under Italian law and are subject to a procedure that lacks transparency and undermines the right to defence.

¹ https://www.senato.it/show-doc?leg=19&tipodoc=SommComm&id=1473376&part=doc_dc-allegato_a&rif=0

² <https://www.gazzettaufficiale.it/eli/id/2025/12/30/25G00212/SG>

A. Media authorities and bodies

(Cf. Article 30 of Directive 2018/1808)

Measures taken to ensure the independence, enforcement powers and adequacy of resources (financial, human and technical) of media regulatory authorities and bodies

5000 character(s) maximum

Conditions and procedures for the appointment and dismissal of the head / members of the collegiate body of media regulatory authorities and bodies

5000 character(s) maximum

Existence and functions of media councils or other self-regulatory bodies

5000 character(s) maximum

B. Safeguards against government or political interference and transparency and concentration of media ownership

[single market relevance] Measures taken to ensure the fair and transparent allocation of state advertising

5000 character(s) maximum

Safeguards against state / political interference, in particular:

- safeguards to ensure editorial independence of media (private and public)
- specific safeguards for the independence of heads of management and members of the governing boards of public service media (e.g. related to appointment, dismissal), safeguards for their financial and operational independence (e.g. related to reporting obligations and the allocation of resources) and safeguards for plurality of information and opinions
- **[single market relevance]** information on specific legal provisions and procedures applying to media service providers, including as regards granting /renewal/termination of licenses, company operation, capital entry requirements, concentration and corporate governance

5000 character(s) maximum

The functioning of Italy's public service media (RAI) remains seriously undermined by undue political interference from the ruling coalition. Since the proposed appointment of the government-backed Simona Agnes as RAI President in October 2024, the majority have boycotted voting sessions in the Parliament's RAI Supervisory Commission, aware that they cannot reach the required $\frac{3}{4}$ qualified majority to confirm her appointment. Consequently, RAI still lacks a fully appointed and confirmed President, a situation strongly condemned by the Italian President of the Republic, who has called for an immediate resolution to safeguard the independence and proper functioning of the RAI³.

With regard to independence from governmental interference, some amendments included in the unified text seem to go in the right direction. For example, the extension of the Board of Directors' mandate from three to five years and the elimination of the direct appointment of two members of the Board by the government, whose quota has been transferred to the Senate and the Chamber of Deputies. Yet, these elements are not sufficient to properly protect the RAI from undue interference by the executive⁴.

Two issues remain highly problematic: first, the unified text proposes lowering the quorum required in the procedures for appointing Board of Directors members and confirming the President. From the third vote for Board members, and after the second vote for the opinion of the RAI Supervisory Commission for confirming the President, instead of a $\frac{3}{4}$ qualified majority, an absolute majority will suffice. This change would increase

the power of the ruling coalition in the appointment of key managerial actors within RAI.

Second, the procedures for the appointment and dismissal of Board of Directors members and the President remain weak in the reform proposal, lacking objective, transparent, and non-discriminatory criteria that would protect the functioning of the RAI from political influence.

Regarding the financing, the current financial model, largely based on the so-called canone RAI (RAI licence fee), whose level is set on an annual basis, does not comply with EMFA requirements for adequate, sustainable, predictable, and multiannual financial resources.

The proposed amendments in the unified text suggest limiting any reduction of the fee to “exceptional motivations” and, in any case, to no more than 5% of the previous year’s amount. However, this provision does not provide sufficient guarantees to protect RAI from a progressive reduction of its budget year by year, a situation that would seriously undermine its financial viability, independence, and capacity to act in the public interest⁵.

For 2026, the 2026 Budget Law introduced a reduction of €10 million in RAI licence fees (canone) paid by commercial businesses to the public service media. This measure results in a material reduction in the resources allocated to RAI, thus affecting the company’s overall budget.

³ <https://www.articolo21.org/2025/11/il-testo-unificato-sulla-riforma-della-rai-in-discussione-in-commissione-al-senato-uno-specchietto-per-le-allodole-per-lunione-europea/>

⁴ <https://www.articolo21.org/2025/11/il-testo-unificato-sulla-riforma-della-rai-in-discussione-in-commissione-al-senato-uno-specchietto-per-le-allodole-per-lunione-europea/>

⁵ <https://www.articolo21.org/2025/11/il-testo-unificato-sulla-riforma-della-rai-in-discussione-in-commissione-al-senato-uno-specchietto-per-le-allodole-per-lunione-europea/>

[single market relevance] Transparency of media ownership and public availability of media ownership information, including on direct, indirect and beneficial owners

5000 character(s) maximum

C. Framework for journalists' protection, transparency and access to documents

Rules and practices guaranteeing journalists' independence and safety, including as regards protection of journalistic sources and communications, referring also, if applicable, to follow-up given to alerts lodged with the Council of Europe’s Platform to promote the protection of journalism and safety of journalists

5000 character(s) maximum

Data from the Mapping Media Freedom platform report 118 attacks against journalists in Italy in 2025⁶. Verbal attacks against journalists account for 50% of the threats in this context. Particularly concerning are the number of intimidation cases (25%). 15 physical attacks were recorded in the same year, 6 of which resulted in injuries. Italy is the European country that has the highest number of journalists under police protection (20), signalling an ever-present climate of fear, particularly for media professionals working on investigations on organised crime⁷.

In May 2025, the Italian Ministry of the Interior ordered armed police protection (scorta) for journalist Luciana Esposito following serious threats she received due to her reporting on criminal activity by several clans in eastern Naples (Ponticelli)⁶. This decision made her the sixth journalist in Campania under police protection because of threats linked to their journalistic work.

The case of the Italian journalist Sigfrido Ranucci is another stark example⁹. Ranucci, a leading investigative journalist and host of Report on public broadcaster RAI, has been under police protection for years due to repeated threats linked to his work exposing organised crime and corruption, and this protection was further strengthened in 2025 following serious threats and a bomb attack outside his house¹⁰.

Structural digital security remains a major concern for Italian journalism, as existing practices are still ineffective in addressing common threats such as ransomware attacks, hacking, and DDoS attacks¹¹.

As an example, on 3 September 2025, the Lazio branch of the Italian Journalists' Association (Ordine dei Giornalisti del Lazio) reported that its IT system had likely been targeted by a sophisticated ransomware attack, putting the personal data of around 17,000 registered members at risk¹². According to a statement signed by President Guido D'Ubaldo, the breach may have exposed millions of items of sensitive information, including journalists' email addresses, certified email accounts (PEC), home addresses, ID photos, and press cards belonging to both professional and publicist members¹³.

⁶ <https://www.mapmf.org/explorer?f.from=2025-01-01&f.to=2025-12-31&f.country=Italy&show=list>

⁷ <https://rsf.org/en/country/italy>

⁸ <https://www.fanpage.it/napoli/assegnata-la-scorta-a-luciana-esposito-minacciata-dai-clan-e-la-sesta-giornalista-campana-sotto-protezione/>

⁹ <https://www.mfrr.eu/italy-car-bomb-attack-on-investigative-journalist-sigfrido-ranucci-rings-alarm-for-media-freedom-in-the-country/>

¹⁰ <https://www.reuters.com/business/media-telecom/bomb-explodes-outside-home-top-italian-investigative-journalist-2025-10-17/>

¹¹ <https://www.mappingmediafreedom.org/wp-content/uploads/2025/09/MFRR-Media-Freedom-Monitoring-Report-Jan-Jun-2025.pdf>

¹² <https://odg.roma.it/comunicazione-ex-art-34-gdpr/>

¹³ <https://www.fnsi.it/attacco-informatico-al-sistema-dellordine-dei-giornalisti-del-lazio>

Law enforcement capacity, including during protests and demonstrations, to ensure journalists' safety and to investigate attacks on journalists

5000 character(s) maximum

Access to information and public documents by public at large and journalists (incl. transparency authorities where they exist, procedures, costs/fees, timeframes, administrative/judicial review of decisions, execution of decisions by public authorities, possible obstacles related to the classification of information)

5000 character(s) maximum

Lawsuits (incl. SLAPPs - strategic lawsuits against public participation) and convictions against journalists (incl. defamation cases) and measures taken to safeguard against manifestly unfounded and abusive lawsuits

5000 character(s) maximum

The Mapping Media Freedom registered 25 new legal incidents targeting media professionals in 2025¹⁴. Defamation (10), legal warnings (6) and civil lawsuits (3) constitute the majority of alerts. In 32% of the cases, the source of the incident is a public or governmental official, confirming trends observed in previous years and highlighting the litigiousness of the current executive.

The Italian television investigative programme Report and the media outlet Domani are among those most frequently targeted by vexatious lawsuits. High-ranked public officials have been particularly litigious in this regard. This includes Gaetano Caputi, Chief of Staff to Prime Minister Giorgia Meloni, as well as Government Undersecretary Giovanbattista Fazzolari¹⁵. The Prime Minister's party, Fratelli d'Italia, has initiated a defamation lawsuit against Giorgio Mottola, one of Report's investigative journalists¹⁶.

Equally concerning is the case involving Chiara Colosimo, President of the Parliamentary Antimafia Commission and member of the ruling Brothers of Italy (Fdi) party, who sued Saverio Lodato, one of Italy's most experienced anti-mafia journalists and a long-time correspondent in Sicily for L'Unità, for criminal defamation¹⁷.

The conduct of members of the executive creates a dangerous precedent, legitimizing the use of SLAPPs to respond to criticism, a practice that is being adopted by local authorities as well¹⁸.

At the end of 2024, the Italian government appointed a Focal Point for the EU Anti-SLAPP Recommendation, judge Roberta Nocella, but her mandate is significantly limited by the lack of a designated budget to carry out the activities outlined in the EU document.

No working group at the ministerial level has been set up to date to follow up on the transposition of the EU Anti-SLAPP Directive. Throughout 2025, CASE Italia sent multiple invitations to the Ministry of Justice's International Affairs Department, which is responsible for overseeing the implementation of EU regulations and directives.

In November and December 2025, following the outrage triggered by the bomb attack against Italian investigative journalist Sigfrido Ranucci, who was also the target of various forms of legal harassment, several parliamentary motions on the protection of journalists and media freedom, referencing the EU Anti-SLAPP Directive, were tabled by both opposition and majority parties in Parliament.

The former strongly urged the government to transpose the directive and extend its scope to domestic cases, while simultaneously calling on members of the Italian government who had resorted to vexatious lawsuits to consider withdrawing their claims¹⁹. The latter included vague and watered-down requests on freedom of information and journalists' protection. By shifting its focus from protecting journalists against vexatious lawsuits to safeguarding the "dignity and reputation" of plaintiffs allegedly targeted by "defamatory media campaigns" and "unethical investigative journalism," the majority's motion adopts a rhetoric that portrays journalists as acting in bad faith²⁰.

In December 2025, the Undersecretary of State at the Ministry of Justice, in approving the above-mentioned majority motion, announced that the government is working on the transposition of the EU directive, which is, however, likely to be transposed after the set deadline of May 2026.

While parliamentary debate oscillated between inertia and a belated acceleration at the end of 2025, vexatious lawsuits have continued to pose a serious threat to freedom of expression and public participation in Italy. SLAPPs have also begun to affect the right to satire, signalling a profound erosion of civil liberties²¹.

Legal harassment is only one of the “thousand cuts” that collectively endanger freedom of expression. Too often, in Italy legal bullying is accompanied by campaigns of delegitimisation and smears, attacks on journalists’ sources, and other forms of abuse, verbal and physical, targeting journalists and other public watchdogs.

¹⁴ <https://www.mapmf.org/explorer?q=report&f.from=2>

¹⁵ <https://www.mapmf.org/alert/33730>, <https://www.mapmf.org/alert/32574>, <https://www.mapmf.org/alert/33645>, <https://www.mapmf.org/alert/31286>

¹⁶ <https://www.mapmf.org/alert/31920>

¹⁷ <https://www.mapmf.org/alert/33602>

¹⁸ <https://www.mapmf.org/alert/33174>, <https://www.mapmf.org/alert/33568>, <https://www.mapmf.org/alert/33230>, <https://www.mapmf.org/alert/31955>

¹⁹ https://documenti.camera.it/leg19/resoconti/assemblea/html/sed0582/leg.19.sed0582.allegato_a.pdf

²⁰ https://documenti.camera.it/leg19/resoconti/assemblea/html/sed0582/leg.19.sed0582.allegato_a.pdf

²¹ https://www.mapmf.org/explorer?q=report&f.from=2025-01-01&f.to=2025-11-30&f.country=Italy&f.type_of_incident=Legal+incident&show=list; <https://www.editorialedomani.it/fatti/daniele-fabbri-meloni-puzzona-premier-chiede-20mila-euro-risarcimento-stand-up-comedian-htv50u43>

Any other developments related to media pluralism and freedom - please specify

5000 character(s) maximum

A worrying trend of use of spyware against journalists emerged in Italy in 2025. The Italian government showed little interest in investigating the cases, to the point that the targeted journalists were not even heard by the inquiring parliamentary committee²².

On 31 January 2025, it was reported that 90 users of Meta's social media platform WhatsApp, including journalists and members of civil society, were targeted with Paragon spyware, also known as Graphite. In the EU, it is understood that individuals were targeted in 13 Member States: Austria, Belgium, Cyprus, Czech Republic, Denmark, Germany, Greece, Latvia, Lithuania, Netherlands, Portugal, Spain, and Sweden²³.

One of the targets was investigative journalist Francesco Cancellato, the editor-in-chief of Italian news outlet Fanpage, who was informed of the spyware attack by WhatsApp on 31 January²⁴. The company reportedly discovered that Paragon was targeting its users in December 2024 and had since disrupted the hacking effort. It was unknown how long Cancellato may have been compromised, but the journalist published a high-profile investigative story in May 2024, which exposed how members of Italian Prime Minister Giorgia Meloni's far-right party's youth wing had engaged in fascist chants, Nazi salutes, and antisemitic rants. Cancellato reportedly said he did not have reason to suspect that his mobile device had been compromised and that he had never been told by any authorities that he was under investigation.

The parliamentary committee that oversees the work of Italian intelligence services (Copasir) published an investigation report in June 2025²⁵, denying the involvement of Italian actors in the surveillance of the journalist, while indicating the possibility that foreign services were involved. The government authorities have not taken further action, while two court proceedings are ongoing in Rome and Naples.

In April 2025, another Fanpage journalist, Ciro Pellegrino, who has been similarly critical of the Meloni

government, received a notification by Apple warning that a mercenary spyware was used against him, which was later confirmed to be Graphite in a Citizen Lab report²⁶.

It is recommended that the Italian government implements article 4 of the European Media Freedom Act, particularly regarding:

- paragraph 7, implementation of safeguards such as the right of the data subject to information and access to personal data undergoing processing carried out in the context of the deployment of the surveillance measures;
- paragraph 8, right to effective judicial protection through an independent authority, body or self-regulatory mechanism with relevant expertise to provide assistance with regard to the exercise of that right.

²² <https://www.fanpage.it/politica/tutto-quello-che-non-torna-nella-relazione-del-copasir-sul-caso-paragon/>

²³ <https://www.mfrr.eu/italy-call-for-full-transparency-after-fanpage-editor-in-chief-surveilled-with-graphite-spyware/>

²⁴ <https://www.theguardian.com/technology/2025/jan/31/italian-journalist-whatsapp-israeli-spyware>

²⁵ https://documenti.camera.it/_dati/leg19/lavori/documentiparlamentari/IndiceETesti/034/004/INTERO.pdf

²⁶ <https://www.reuters.com/world/alleged-italian-phone-hacking-involves-political-gossip-website-sources-say-2025-06-19/>

IV. Other institutional issues related to checks and balances

Please provide information on measures taken to follow-up on the recommendations received in the 2025 Report regarding the system of checks and balances (if applicable)

5000 character(s) maximum

A. The process for preparing, enacting and implementing laws

[single market relevance] Framework, policy and use of impact assessments and evidence based policy-making, stakeholders*/public consultations (including rules and practices on the transparent participation of civil society to policy development and decision-making processes), and transparency and quality of the legislative process in the preparatory, the parliamentary and implementation phase (including guidance on how to implement legislation)

** This includes also the consultation of social partners*

5000 character(s) maximum

[single market relevance] Rules and use of fast-track procedures and emergency procedures (for example, the percentage of decisions adopted through emergency /urgent procedure compared to the total number of adopted decisions)

5000 character(s) maximum

[single market relevance] Safeguards to ensure legal certainty, the stability of the legal framework and non-discrimination.

5000 character(s) maximum

Rules and application of states of emergency (or analogous regimes), including judicial review and parliamentary oversight

5000 character(s) maximum

Regime for constitutional review of laws

5000 character(s) maximum

B. Independent authorities

Independence, resources, capacity and powers (including effective access to relevant data) of national human rights institutions ('NHRIs'), of ombudsman institutions if different from NHRIs, of equality bodies if different from NHRIs and of supreme audit institutions

(Cf. the website of the European Court of Auditors: <https://www.eca.europa.eu/en/Pages/SupremeAuditInstitutions.aspx#>)

5000 character(s) maximum

Statistics/reports concerning the follow-up to recommendations by National Human Rights Institutions, ombudsman institutions, equality bodies and supreme audit institutions in the past year

5000 character(s) maximum

[single market relevance] Safeguards to ensure the effective independence of supervisory and regulatory authorities with a direct impact on economic operators such as national economic oversight, enforcement and competition authorities

C. Accessibility and judicial review of administrative decisions

[single market relevance] Transparency of administrative decisions and sanctions (incl. their publication and rules on collection of related data) and respect of the good administration principle (including the obligation of the administration to give reasons for decisions)

5000 character(s) maximum

[single market relevance] Judicial review of administrative decisions: short description of the general regime (in particular competent court, scope, suspensive effect, interim measures, and any applicable specific rules or derogations from the general regime of judicial review)

5000 character(s) maximum

[single market relevance] Safeguards (other than judicial review) regarding decisions or inaction of administrative authorities, including remedies (e.g. administrative review)

5000 character(s) maximum

[single market relevance] Rules and practices related to the application by all courts, including constitutional jurisdictions, of the preliminary ruling procedure (Art. 267 TFEU)

5000 character(s) maximum

[single market relevance] Implementation of final judgments by the public administration and State institutions and follow-up given to supranational judgments, including decisions from the European Court of Human Rights, as well as available remedies in case of non-implementation

5000 character(s) maximum

Oversight, including by courts, of the use of intrusive surveillance software by national authorities

5000 character(s) maximum

D. The enabling framework for civil society

Measures regarding the framework for civil society organisations and human rights defenders (e.g. legal framework and its application in practice incl. registration, transparency and dissolution rules)

5000 character(s) maximum

Rules and practices having an impact on the effective operation and safety of civil society organisations and human rights defenders. This includes measures to protect them from attacks – verbal, physical or on-line –, intimidation, legal threats incl. SLAPPs, negative narratives or smear campaigns, measures capable of affecting the public perception of civil society organisations, etc. It also includes measures to monitor threats or attacks and dedicated support services, as well as available remedies

5000 character(s) maximum

Organisation of financial support for civil society organisations and human rights defenders (e.g. framework to ensure access to funding, and for financial viability, taxation/incentive/donation systems, measures to ensure a fair distribution of funding)

5000 character(s) maximum

E. Initiatives to foster a rule of law culture

If there have been developments related to initiatives to foster a rule of law culture, please specify, which (e.g. debates in national parliaments on the rule of law, public information campaigns on rule of law issues, contributions from civil society, education initiatives, etc.)

5000 character(s) maximum

Any other developments related to the system of checks and balances - please specify

5000 character(s) maximum

Cross-pillar elements: cross-border rule of law issues related to the Single Market

If there are any significant challenges concerning the Single Market you have been facing in a cross-border context relating to any of the four pillars of the report, including for example issues with market access and the conditions for economic activities, that you would like to highlight, please do so here.

Given the cross-cutting nature of this question, it is included as a separate section in the questionnaire. Information collected under this question will however be integrated under the relevant existing pillar(s) of the Report.

5000 character(s) maximum

Supporting document upload

If you would like to submit any supporting document(s) to your contribution, please upload your file(s) here

Contact

