

Rule of Law – 2026 Rule of Law Report of the European Commission, contribution by the National Council of the Order of Journalists

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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)

Recommendation on **conflict of interest** rules: No legislation has been adopted in the media sector, where conflicts of interest persist involving certain publishers who are also Members of Parliament.

Recommendation on certainty of **funding for public service broadcasting and its independence**: Funding is still decided on a year-by-year basis through the Budget Law, thus risking variations compared with previous years. As regards independence, a legislative proposal is under discussion that would change the method for appointing the governance of RAI. Currently, the government appoints two members of the Board of Directors and the Chief Executive Officer. Under the proposed reform, appointment powers would be transferred to Parliament, removing them from the government. The principle of simple majority would apply, meaning that, although direct executive intervention would be excluded, the political majority governing the country would decide on the appointment of RAI's governance, effectively reintroducing political control over public service radio and television.

Defamation: No measures in line with the recommendations have been adopted. On the contrary, the proposal currently under discussion in Parliament is punitive towards journalists: while it abolishes imprisonment – a measure applied very rarely in the history of the Italian Republic – it increases administrative fines up to EUR 50,000 per individual proceeding and introduces a series of penalising procedures for journalists, such as the obligation to conduct defamation proceedings in the claimant's place of residence rather than where the headquarters of the accused outlet is located. Furthermore, there has been no legislative intervention regarding manifestly unfounded civil lawsuits seeking damages for defamation or alleged "reputational damage" caused by the press.

Protection of journalists: Of serious concern is the scandal involving the interception of communications of certain journalists using the "Graphite" spyware produced by the Israeli company Paragon, a practice expressly prohibited by the Media Freedom Act.

The experience of the Coordination Centre for the Protection of Journalists established at the Ministry of the Interior has been positive. In 2025, in addition to a very high number of assaults and threats, there were serious incidents, including a bomb placed under the car of the well-known TV journalist Sigfrido Ranucci (16 October) and the attack on the editorial offices of La Stampa in Turin (28 November, empty that day due to a strike), which were vandalised and defaced.

A1 – MEDIA AUTHORITIES AND BODIES

A1 – Measures taken to ensure the independence, enforcement powers and adequacy of resources (financial, human and technical) of media regulatory authorities and bodies

NO answer

A2 – Conditions and procedures for the appointment and dismissal of the head / members of the collegiate body of media regulatory authorities and bodies

NO – answer

A3 – Existence and functions of media councils or other self-regulatory bodies

In Italy, there is the Order of Journalists, a public-law body which, by law, performs functions of self-governance of the profession. All journalists are required to be registered with the Order, which is divided into two registers: professionals (who practise journalism as their exclusive activity) and publicists (who engage in journalistic activity on a non-exclusive basis, often alongside other primary occupations).

The Order of Journalists is organised on a regional basis, manages the Register of members, organises professional qualification examinations, and is responsible for promoting and overseeing continuing professional training. It also carries out disciplinary functions through the Territorial Disciplinary Councils and the National Disciplinary Council.

The Order of Journalists is funded by membership fees and receives no funding from the State.

The governing bodies of the Order – the Regional Councils and the National Council – are democratically elected by all registered journalists, without any interference from political authorities.

However, the voting procedures are particularly outdated, dating back to 1963, and are not suited to online voting, which was introduced in 2021. The Order has submitted a proposal to Parliament to simplify procedures in order to encourage greater participation by members.

No measures have been taken so far.

B. SAFEGUARDS AGAINST GOVERNMENT OR POLITICAL INTERFERENCE AND TRANSPARENCY AND CONCENTRATION OF MEDIA OWNERSHIP

B1 – Measures taken to ensure the fair and transparent allocation of state advertising

In Italy, direct public advertising is negligible. There is, however, the Publishing Fund, managed by the government, which provides resources mainly to smaller outlets, as well as advertising by large companies with State participation or control.

In 2025, the fund was confirmed. The problem remains of revising the criteria for the allocation of public resources, which, in our view, should be oriented towards guaranteeing "quality" journalism, with particular attention to innovation and to local information, which is undergoing a process of progressive desertification.

As regards the distribution of advertising by large companies under State control or participation, there is no specific regulation, which may lead to imbalances in the allocation of resources.

Once again this year, the work of the Government's Department for Publishing and Information has been positive.

B2 – Safeguards against state/political interference, in particular:

a) Safeguards to ensure editorial independence of media (private and public)

The divestment of the GEDI group raises concerns. This group includes two historic daily newspapers, la Repubblica and La Stampa, as well as several other local and online outlets, including Huffington Post Italia and a number of radio stations. Maximum transparency is being requested regarding the sale, but at present little information is available on potential

buyers and their entrepreneurial profiles. What is known is the proposal from the Greek Antenna Group, linked to the Kyriakou family, which is interested in la Repubblica and the radio broadcasters. The future of La Stampa is even more uncertain, although there is declared interest from an Italian business group, SAE. It should also be noted that when the sale of la Repubblica was discussed, there had been explicit interest from the Italian entrepreneur Del Vecchio, which was not taken into consideration. Del Vecchio has therefore initiated negotiations for the acquisition of Quotidiano Nazionale, which includes three historic newspapers: Il Giorno, Il Resto del Carlino and La Nazione.

The editorial committees of la Repubblica and La Stampa have repeatedly protested against the publisher over the lack of comprehensive information to ensure transparency in the ongoing negotiations and the absence of guarantees regarding job protection. The latest statement, dated 20 January, from the la Repubblica editorial committee, states: *"Weeks go by, but the negotiations between Exor and the Greek shipowner Kyriakou continue to provide no certainty to the workers of the GEDI Group regarding employment protections, respect for the corporate perimeter and the political-editorial line, as firmly requested by the journalists' assembly. Nor do we have any evidence that these requests have actually been placed on the table."*

The government, through the Undersecretary at the Department for Information and Publishing, has nevertheless listened to all the parties involved, including the Order of Journalists and representatives of the Greek acquiring group, and has in turn requested guarantees to protect pluralism and employment.

b) 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.

Answer R – RAI, the Italian public service broadcaster, performs public service duties both in the field of journalistic information and in audiovisual production (across all genres). It must play a guarantee role in providing pluralistic and comprehensive information. Public service broadcasting is the only publishing organisation capable of offering adequate information across all territories, at a time when local information has been severely weakened by a process ongoing for many years.

There is a lack of stable, planned funding; deciding resources on a year-by-year basis is contradictory, as no company, large or small, can function in this way. It is therefore necessary to have authoritative and autonomous governance that is pluralistic and compliant with European rules, in particular those established by the Media Freedom Act.

Since 2015 (Renzi Government), the Board of Directors has consisted of seven members (instead of five): two elected by the Chamber of Deputies and two by the Senate; two appointed by the Ministry of Economy and Finance; and one elected by company employees. Under this mechanism, the governance of public service broadcasting falls under the control of the government and the political majority supporting it.

The European **Media Freedom Act**, which entered into force in 2024, requires that the governance of public broadcasters be selected through "a transparent, open and non-discriminatory procedure and on the basis of transparent criteria".

As noted in the first point of Section III, Parliament is discussing a reform of appointment powers, which would be transferred to Parliament, removing them from the government, with six of the seven Board members appointed by Parliament and one remaining elected by company employees. The principle of simple majority would apply for the appointment of RAI Board members (divided between majority and opposition), meaning that, although direct executive intervention would be excluded, the political majority governing the country would decide on the appointment of the majority of RAI's governance, thus effectively reintroducing political control over public service radio and television. The Chair of the Board and the Chief Executive Officer would also be elected by the Board itself.

c) *information on specific legal provisions and procedures applying to media service providers, including as regards granting/renewal/termination of licences, company operation, capital entry requirements, concentration and corporate governance.*

No answer

B3 – Transparency of media ownership and public availability of media ownership information, including on direct, indirect and beneficial owners

Answer – Italian publishing is largely in the hands of entities that also have other economic or financial interests. Ownership structures are declared and accessible, but there are no specific rules on potential conflicts of interest in the publishing sector.

C. FRAMEWORK FOR JOURNALISTS' PROTECTION, TRANSPARENCY AND ACCESS TO DOCUMENTS

C1 – 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

Answer – The protection of journalistic sources is increasingly being called into question. Although the professional law (Article 2) and the Code of Criminal Procedure (Article 200) guarantee this secrecy, the Italian Criminal Code allows a judge to require a journalist to reveal their source "if indispensable". There were numerous cases again in 2025 in which certain individuals, often from the political sphere, turned to the judiciary to seek an order compelling journalists to disclose their sources in relation to articles deemed defamatory.

Surveillance of journalists: The Paragon affair, already mentioned at the beginning of Section III, is extremely serious. The use of spyware is in clear violation of the European Media Freedom Act (EMFA). In addition, the government's stance has been inconsistent and at times ambiguous. In March, when the scandal broke, the government announced – then partially withdrew – the application of State secrecy to the affair, and no exhaustive answers have ever been provided regarding the contractual arrangements between the Italian government and the Israeli company Paragon, producer of the Graphite spyware. In its report submitted to Parliament on 5 June 2025, the COPASIR (Parliamentary Committee for the Security of the Republic), which oversees the intelligence services, denied any form of "lawful interception" against journalists, activists and business figures.

On 19 February 2025, the Order of Journalists, together with FNSI (the Italian journalists' trade union), lodged a complaint against unknown persons with the Rome Public Prosecutor's Office, with the aim of clarifying the case of journalists and activists who were surveilled, including in Italy, through the use of the Graphite spyware, in order to protect the profession. This complaint adds to those submitted by the individuals directly concerned.

C2 – Law enforcement capacity, including during protests and demonstrations, to ensure journalists' safety and to investigate attacks on journalists

The cooperation with the "Coordination Centre for the monitoring, analysis and permanent exchange of information on acts of intimidation against journalists", established at the Ministry of the Interior and operating under the Central Directorate of Criminal Police, continues to be very positive. The Centre is an inter-agency body (State Police, Carabinieri, Guardia di Finanza,

DIGOS) and is particularly active in monitoring incidents of assaults and threats against journalists, as well as in facilitating protective measures. Nevertheless, the number of assaults and threats remained high in 2025. In the first six months of 2025 alone, the **Criminal Police** recorded 81 cases of assaults and threats against journalists – one every two days – representing an increase of just under 100% compared with 2024. According to the Ossigeno Observatory for Information, in 2025 a total of 677 journalists in Italy were threatened and/or assaulted, 31% more than in the previous year. Frivolous lawsuits (SLAPPs) continued to affect journalists with great frequency (Ossigeno documented 93 cases), while violent actions affected 83.7% of them (+13.4%). In 2024, Ossigeno had documented a total of 516 threats.

C3 – 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.

A distorted interpretation of the European Directive on the "presumption of innocence" persists, in whose name the dissemination of information by various police bodies and some public prosecutor's offices is often restricted.

There have been numerous **public attacks by political figures against investigative journalists**, particularly when they succeed in publishing documents that substantiate certain facts deemed unwelcome.

Moreover, the effects of the amendment to Article 114 of the Code of Criminal Procedure (in the name of EU Directive 2016/343) *are becoming apparent. This amendment provides that: "the publication of pre-trial detention orders is prohibited until the conclusion of preliminary investigations or until the end of the preliminary hearing."*

This is an incomprehensible restriction, given that such orders are public acts, not covered by secrecy, and concern the moment when a citizen is deprived of their liberty. We believe that such decisions by the Judicial Authority should not only be made known to the public but also be clearly illustrated and explained in their reasoning. This is not a privilege for journalists, but rather a constitutional right of citizens to be properly informed about what is happening.

C4 – 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

Defamation – For 2025, the Ossigeno Observatory for Information found that 93 journalists in Italy were subjected to frivolous lawsuits, i.e., unfounded judicial actions (criminal and civil) aimed exclusively at intimidating and silencing journalists. Italy continues to be the country with the highest number of defamation lawsuits and exorbitant claims for damages. According to a study by the Observatory, more than 80% of these proceedings are dismissed or end in acquittal, often after many years. For this reason, we believe that **the way in which the European Directive on SLAPPs has been transposed represents a missed opportunity.**

Initially, the government did not intend to transpose the European anti-SLAPP Directive (EU 2024/1069) through the European Delegation Law. Following protests by journalists' organisations and the political opposition, Parliament decided to transpose the Directive.

Given the gravity and specificity of the Italian situation, however, Parliament could have adopted the principles of the Directive, as well as the European Commission's recommendations on defamation, and incorporated them into national legislation in order to mitigate the impact that defamation rules and damage claims have on the lives and work of journalists. Instead, it chose to limit itself to a literal transposition of the Directive, which in practical terms applies only to cross-border cases.

As already stated, no legislative measures are envisaged to curb the abuse of intimidating legal actions against journalists (SLAPPs).

C5 – Any other developments related to media pluralism and freedom – please specify

Fair Remuneration

Journalists' autonomy is also undermined by the economic conditions faced by many journalists, especially self-employed and freelance journalists, whose numbers are steadily increasing in Italy.

Recent research has provided a dramatic snapshot of self-employed and quasi-subordinate work. Average annual earnings for freelance journalists amount to EUR 17,000; for coordinated and continuous collaborators (co.co.co.), around EUR 11,000. These figures are gross. In both cases, this means less than EUR 1,000 net per month, an amount with which it is impossible to live with dignity. This situation is exacerbated by the lack of a rule ensuring fair remuneration for tens of thousands of journalists.

It should be noted that in December 2023 the National Council of the Order of Journalists submitted to the Ministry of Justice a proposal for fair remuneration tables, defined on the basis of a law whose first signatory is Prime Minister Giorgia Meloni. These tables are essential for determining the remuneration due in the event of legal disputes. **For 25 months,**

the Minister of Justice, who is responsible for this matter, has failed to implement a State law with regard to journalists.

Meanwhile, laws on fair remuneration are about to become three in number: a special law dating back 13 years, an ordinary law from three years ago (the Meloni law), and a bill on professions currently under discussion in the Senate, with the risk of creating regulatory confusion.

During the press conference on 9 January 2026, the President of the National Order of Journalists addressed Prime Minister Giorgia Meloni directly, raising the issue of fair remuneration not only as an economic right but also as a key factor in guaranteeing the autonomy and dignity of journalists' work.