



Monitoring Media Pluralism in the Digital Era: Application of the Media Pluralism Monitor in the European Union, Albania and Turkey in the years 2018-2019

Country report: Italy

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Centre for Media Pluralism and Media Freedom
Robert Schuman Centre for Advanced Studies

Research Project Report
RSC / Centre for Media Pluralism and Media Freedom
QM-01-20-153-EN-N
Published in July 2020

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The Centre for Media Pluralism and Media Freedom is co-financed by the European Union. This publication reflects the views only of the author(s), and the Commission cannot be held responsible for any use which may be made of the information contained therein.

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1. About the project

1.1. Overview of the Project

The Media Pluralism Monitor (MPM) is a research tool designed to identify potential risks to media pluralism in the Member States and Candidate Countries of the European Union, and considering both online and offline news environments. This narrative report has been produced within the framework of the implementation of the MPM carried out in 2019, under a project financed by a preparatory action of the European Parliament. The implementation was conducted in 28 EU Member States, Albania and Turkey with the support of a grant awarded by the European Union to the Centre for Media Pluralism and Media Freedom (CMPF) at the European University Institute.

1.2. Methodological note

The CMPF partners with experienced, independent national researchers to carry out the data collection and to author the narrative reports. The research is based on a standardised questionnaire and apposite guidelines that were developed by the CMPF. In the case of Italy data collection was carried out centrally by the CMPF team.

Elda Brogi and Roberta Carlini, of Centre for Media Pluralism and Media Freedom, European University Institute, conducted the data collection, scored and commented the variables in the questionnaire and interviewed relevant experts. The report was reviewed by CMPF staff. Like for the other countries, to ensure accurate and reliable findings, a group of national experts reviewed the answers to particularly evaluative questions (see Annex II for the list of experts).

Risks to media pluralism are examined in four main thematic areas, which are considered to capture the main areas of risk for media pluralism and media freedom: Basic Protection, Market Plurality, Political Independence and Social Inclusiveness. The results are based on the assessment of a number of indicators for each thematic area (see Figure 1 below).

Basic Protection	Market Plurality	Political Independence	Social Inclusiveness
Protection of freedom of expression	Transparency of media ownership	Political independence of media	Access to media for minorities
Protection of right to information	News media concentration	Editorial autonomy	Access to media for local/regional communities and for community media
Journalistic profession, standards and protection	Online platforms concentration and competition enforcement	Audiovisual media, online platforms and elections	Access to media for people with disabilities
Independence and effectiveness of the media authority	Media viability	State regulation of resources and support to media sector	Access to media for women
Universal reach of traditional media and access to the Internet	Commercial & owner influence over editorial content	Independence of PSM governance and funding	Media literacy

Table 1: Areas and Indicators of the Media Pluralism Monitor

The Monitor does not consider the digital dimension to be an isolated area but rather as intertwined with traditional media and existing principles of media pluralism and freedom of expression. Nevertheless, the Monitor allows for an extraction of a digital-specific risk score and the report contains a specific analysis of risks related to the digital news environment. The results for each domain and indicator are presented on a scale from 0 to 100%. Scores between 0 and 33% are considered low risk, 34 to 66% are medium risk, while those between 67 and 100% are high risk.

On the level of indicators, scores of 0 were rated 3% and scores of 100 were rated 97% by default, to avoid an assessment of total absence or certainty of risk.

Disclaimer: The content of the report does not necessarily reflect the views of the CMPF or the EC, but represents the views of the national country team that carried out the data collection and authored the report. Due to updates and refinements in the questionnaire, the MPM2020 scores may not be fully comparable with MPM2017 ones. For more details, see the CMPF report on MPM2020, soon available on <http://cmpf.eui.eu/media-pluralism-monitor/>

2. Introduction

Italy covers an area of 301.338-km² from the Alps downwards and projecting into the Mediterranean Sea. It has a population of 60,317,000 (2019, Istat 2020). The population has been decreasing since 2015 as a result of different demographic trends: the decrease in the number of births and the negative natural balance (in 2019 deaths outnumbered births by 212,000) have not been counteracted by the immigration-emigration balance. Immigration flows into Italy continue, but at a lower rate than in the past; at the same time, emigration flows from Italy towards other EU countries have risen. The net migration balance in 2019 was + 143,000. As of 2019, according to Istat data, around 5.4 million residents are foreigners, 8.9% of the total population. The first five countries of origin of such immigrants are: Romania (23%), Albania (8.4%), Morocco (8%), People's Republic of China (5.7%), Ukraine (4.6%). (ISTAT 2020)

Italian is the most spoken language and, according to the Italian Constitution, (Art. 6), "The Republic guarantees, through specific laws, linguistic minorities". There are twelve minority languages that are spoken by around 2,500,000 citizens coming from five distinct linguistic roots (Albanian, Germanic, Greek, Romance, Slavic), which are recognised and protected. Languages that are spoken by migrants are not protected.

Italy is the third largest economy in the Euro area, in terms of GDP. The Italian economy has not fully recovered following the 2008-2009 great recession: after a slight recovery in 2014, the country entered into a phase of stagnation that has been characterized by low productivity, low inflation and low or zero growth, despite the rise in the employment rate and in private investments. Regions whose industrial production is export-oriented perform better; territorial divides increased in the recession period and caused a new upturn in internal migrations. In addition to this, the country has to deal with a high public debt and structural deficiencies that hinder growth, e.g., political instability, corruption, labour market inefficiencies, high unemployment (particularly among the youngest in the population) and tax evasion.

Since 2018, political elections, the Italian political landscape is no longer split between centre-left and centre-right, but is characterized by three main actors: the League Party, the Five Star Movement and the Democratic Party. The League Party (the former Northern League) shifted from its territorial rooting and claims for autonomy to having a nationalist identity; the Democratic Party, which has faced a notable loss of support from that it had at the time of its birth, comes from the transformation and merger of historical centre-left parties; while the Five Star Movement has claimed, since its birth, to be "neither left nor right oriented". The League Party, which relates to Matteo Salvini's leadership, broke its national alliance with the centre-right, with the declining Forza Italia (Silvio Berlusconi's party) and Fratelli d'Italia (the far-right party) in 2018, to form a government with the Five Star Movement, led by Giuseppe Conte. Two main issues have characterized this government: a clash with the European Commission on public finances and a strong commitment against immigration. The relative weights between the two parties changed abruptly after the European election in 2019, an election in which the League gained a consensus and became the premier Italian party, while the Five Star Movement declined in comparison with its showing in the 2018 elections. In August, 2019, their alliance collapsed, and a new government emerged, one that was formed by the Five Star Movement and the Democratic Party, lead by the same Giuseppe Conte. On the opposition side, together with the League, there are Forza Italia - which is still lead by Silvio Berlusconi, owner of the Mediaset Group, who was re-elected to the European Parliament in 2019, after a period in which he was forbidden to be a political candidate due to convictions for tax fraud - and Fratelli d'Italia- lead by Giorgia Meloni, whose support has been growing in recent elections.

While the League's rapid rise can be compared to a similar increase in the fortunes of populist and anti-establishment movements worldwide, the Five Star Movement phenomenon is quite peculiar to Italy. Born in 2009, in a few years it has gained credibility amongst the electorate, mostly on anti-corruption and transparency issues, and has established itself as the main political force in the country. However, since its arrival in government, in 2018, a rapid decline has

begun..

Both the League and the Five Star Movement make strong use of the web in their political organization and communication. The Five Star Movement was created by the comedian Beppe Grillo, who used his personal blog to gather and organize the political participation of his followers. The Movement relies on an online platform, owned by a commercial firm, that is supposed to allow active grassroot participation and promote direct democracy decision-making. On the other hand, Salvini's League has emerged in recent years as a leading player in social media communication. (Diamanti and Pregliasco 2019).

The growing role of social media and the impact of the digital environment on political communication has been an issue for both media policy and its implementation: hate speech, online disinformation and the unfair online electoral propaganda that have characterised the political discourse. The law that should guarantee equal access to the media in electoral campaigns is limited to the audiovisual, radio and press (the *par condicio* law). In 2018, the Media Authority (Autorità per le Garanzie nelle Comunicazioni, AGCOM) recapitulated on the general principles on electoral propaganda in the *Guidelines on Equal Access to Online Platforms During National Political Elections* (AGCOM 2018a).

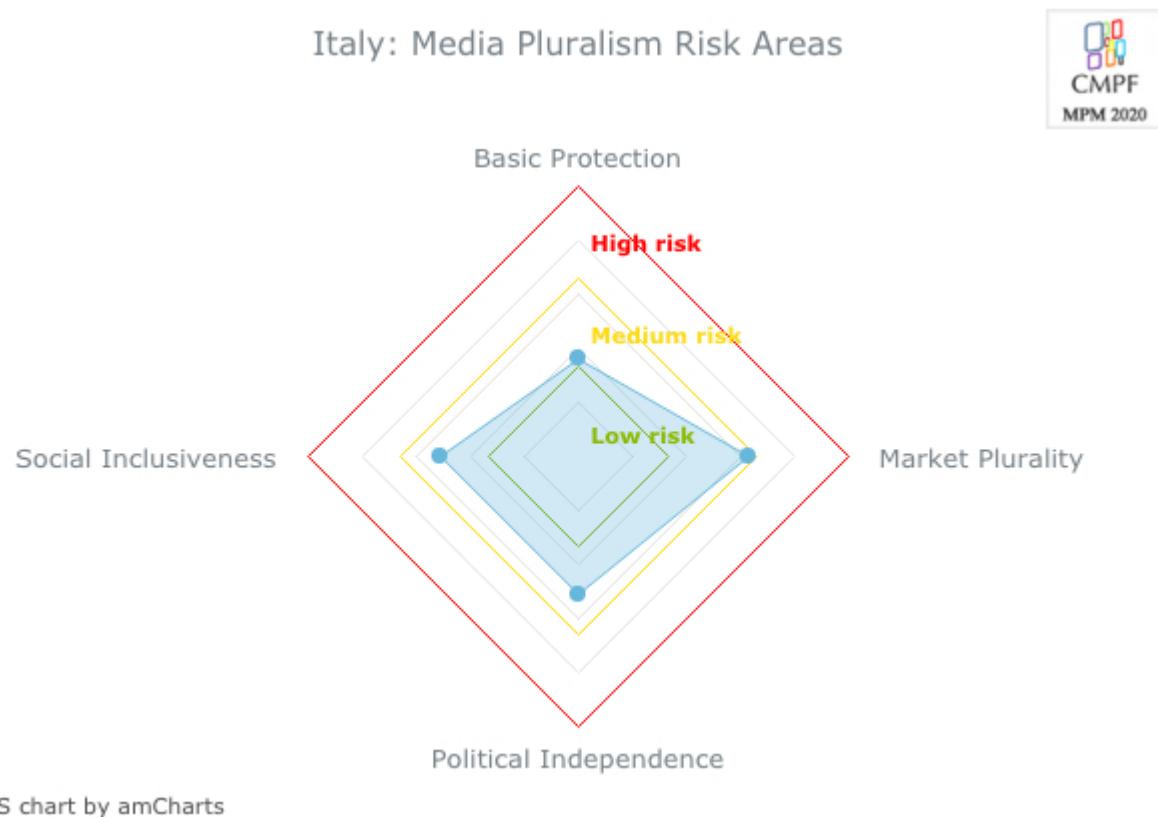
Market concentration has been an enduring feature of the Italian media market, a feature that has been characterized by a duopoly formed by the PSM (RAI) and the main private competitor, owned by Silvio Berlusconi, who, together, cover most of the audience and the revenues of linear and free-to air-AVMS. In terms of revenues, the main AVMS operator is Comcast-Sky. In terms of consumption, the audiovisual media are still the main source of information in the country, followed by the consumption of news online, while readership of newspapers is declining. In parallel, the audiovisual media and radio still take the dominant share of the Integrated System of Communications (SIC, the widespread aggregate on which Italian law sets the thresholds to evaluate concentration), with 49% in 2018, but the share of electronic publishing and online advertising is rapidly growing (18% in 2018). (AGCOM 2020a)

The Italian media market has been facing important changes. The concentration process, started in 2016-2017 with the acquisition by Cairo Communication of the RCS Mediagroup (the holding that controls the most distributed Italian newspaper, *Corriere della Sera*) and with the merger into the new Gedi group of *La Repubblica* and *La Stampa* (respectively, the second and the third Italian newspapers, which are controlled by Cir and Exor), continues. In December, 2019, Exor (the Agnelli family's holding) took control of the group, buying a 43.7 per cent stake in Gedi from Cir.

The audiovisual sector has been facing some major changes too, with the acquisition by Comcast Corporation of Sky plc, the increase in the broadcasting capacity of the Cairo Network and the growing presence of players in video on demand internet services. The Mediaset Group is going to create an European holding, based in The Netherlands, in which Mediaset and Mediaset Espaa will join. This move is opposed by Vivendi, now a minor shareholder in Mediaset. In 2018, after AGCOM stopped Vivendi's attempt to take control of Mediaset in order to avoid cross-media concentration with telecoms, the French company's shares of Mediaset were placed in a trust. The whole sector is to go through new changes following the refarming process of 700 MHz band.

Media policy, in the past two years, has been characterized by the implementation of several reforms involving PSM governance, the public funding for press, the Freedom of Information Act (FOIA) and whistle-blowers' protection. Each of these reforms had problems in relation to implementation and effectiveness. The reforms in relation to defamation (the possibility of a prison sentence was cancelled) and to conflict of interest law are still pending. In May, 2019, the Media Authority issued a new regulation to fight hate speech in the media. This applies to the audiovisual media sector and aims to involve, with co-regulatory procedures, video sharing platforms and social media (AGCOM 2019a).

3. Results from the data collection: assessment of the risks to media pluralism



The implementation of MPM2020 shows that media pluralism in Italy is at a medium risk in all of the four areas under investigation. Overall, only three indicators are at low risk; twelve are at medium risk; and five are at high risk. The higher risks are related to the structural features of the media market, which have not been balanced, but which have, in some cases, been worsened by the structure of the digital market; the lack of the independence of the PSM from political influence; and to the gender gap in media governance and representation. In the overall growth of risks, compared to MPM2017, the digital-specific risks are particularly worrying, and these are mostly related to online political propaganda and hate speech.

In the area of **Basic Protection**, the indicator at the highest level of risk is the one on **Journalistic profession, standards and protection**; this assessment is related to the growing threats against journalists (22 of them are under protection), and to a decrease of effectiveness of legal and regulatory safeguards, particularly for the precarious working conditions. The indicator on the **Universal reach of the media and access to internet** has instead improved, thanks to technological development. A source of concern may arise from the worsening scores in the **Protection of freedom of expression** and **Protection of right to information**.

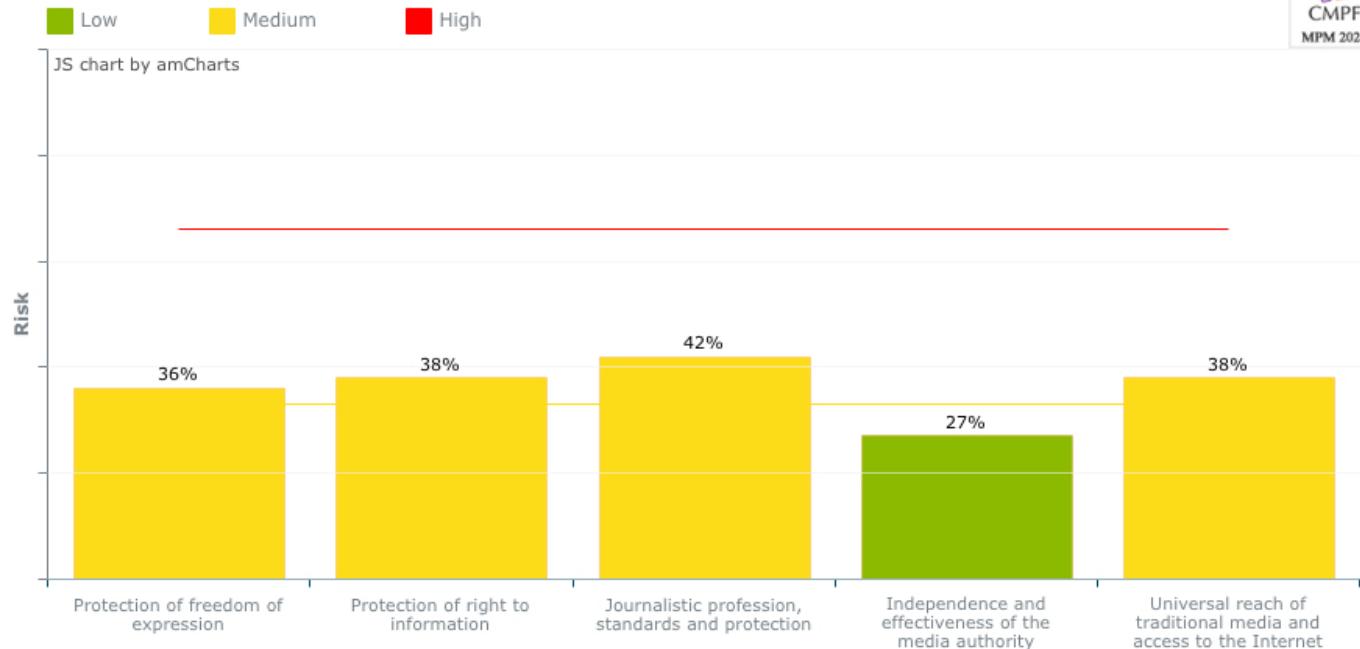
Market Plurality is the most critical area, as in the past. The indicator on the **Transparency of media ownership** marks a medium risk assessment, like that on **Commercial & owner influence on editorial content**. The indicator on **News media concentration** is at a high risk. In a landscape that has historically been characterized by a high concentration, digital competition did not foster market pluralism but stimulated the legacy media industry to a closer integration as a defensive move. Despite the same initiative from the regulator and the competition authority in the face of the digital challenge, the indicator **Online platform concentration and competition enforcement** is at high risk, as well as **Media Viability** - the decrease in media market revenues and journalistic employment is reflected in this indicator, which scored low risk in MPM2017.

The risks in **Political Independence** mostly derive from the indicator on the **Independence of PSM governance funding**, which scores a high risk. PSM has been captured by political interests, and this weakens its role, as it is an easy target in political debate and in policy-making. This assessment results both from the analysis of the legal framework which set the rules on the appointment and dismissal of members of the PSM management board and executives, and by the evaluation of its effective implementation. The indicators on the **Political independence of media** and **Editorial autonomy** are at a medium risk level, reflecting the persistent role, in the private market for audiovisual media, of one of the main political actors; the absence of effective rules on conflict of interest, which may affect independence of all media at all levels (local and national); the economic weakness of those media, which raises their exposure to external pressures. The indicator on **Audiovisual media, online platform and elections** is at a medium risk level too. The so called "par condicio law" (law 28/2000) regulates electoral communication on audiovisual media. When it comes to online media, self-regulation by the platforms is not fully effective, despite the Media authority issued guidelines on equal access to online platforms and platforms themselves committed to guarantee equal access to political actors, transparency, fact checking and respect of electoral silence online. This problem adds to the uneven playing ground between political parties in terms of availability of economic resources.

In the **Social inclusiveness** area, high risk to media pluralism is shown in **Access to media for women**: this indicator shows a gender gap in media governance (in journalistic as well as in top management roles) and representation in the news. The medium risk for **Access to media for minorities** is mostly related to those minorities that are not legally recognized (migrants); **Media literacy** scores a medium risk, with a percentage that is very close to the highest border, which is mostly related to vulnerability to the diffusion of hate speech.

3.1. Basic Protection (36% - medium risk)

The Basic Protection indicators represent the regulatory backbone of the media sector in every contemporary democracy. They measure a number of potential areas of risk, including the existence and effectiveness of the implementation of regulatory safeguards for freedom of expression and the right to information; the status of journalists in each country, including their protection and ability to work; the independence and effectiveness of the national regulatory bodies that have competence to regulate the media sector, and the reach of traditional media and access to the Internet.



Italy scores a medium risk in the Basic Protection area (36%). Just one indicator in the five scores a low risk (Independence and effectiveness of media authority), while the highest risks in the area are related to journalists' security.

The indicator on **Protection of freedom of expression** scores a medium risk (36%). Although the Italian legal framework is generally in line with international standards and the Council of Europe standards too, increasing risks come from the use of Strategic Lawsuits Against Public Participation (SLAPP) to intimidate journalists, and the lack of digital platforms transparency and accountability in content moderation. Art. 21 of the Italian Constitution protects freedom of expression, limits it just to public (sexual) morality. Restrictive measures to protect dignity, honour and privacy are prescribed by laws, in line with the Constitution. The rule of law for freedom of expression is generally respected. Nonetheless, some Articles of the Criminal Code do not fully comply with international standards. and Art. 10 of the European Convention on Human Rights. This is the case, for instance, of Art. 595 of the Criminal Code, which punishes defamation with imprisonment (EHCR 2019; EHCR 2020). In 2019, the Corte di Cassazione ruled against prison sentences for defamation and, in Spring, 2020, the Corte Costituzionale is due to deliver its decision about the compatibility between the existing criminal law on defamation and the Italian Constitution. Draft reforms on criminal defamation are still pending in Parliament. Despite the common interpretation in case law that considers journalists to be shielded under freedom of expression, the criminalization of defamation poses some risks for journalists' freedom of expression, and creates a "chilling effect", which can be detrimental to the effective and free exercise of journalistic activity. This effect is worsened by the related use of civil lawsuits against journalists, with disproportionate requests for damages. According to data provided by official sources, as well as by civil society organizations, criminal and civil lawsuits used as a threat to journalists have been rising in recent years; the majority of them do not end with a guilty sentence, which may suggest that lawsuits are often used as a form of intimidation. (Ossigeno per l'informazione, 2019). As regards freedom of expression online, see Chapter 4.

Protection of the right to information scores a risk of 38%. The medium risk for this indicator is due to the slowness of, and limits in the implementation of, two main reforms that were approved in 2016 and 2017: the Bill on the Freedom of Information and the Law on Whistle-blower Protection. The 2016 Legislative Decree on Transparency (D.lgs n. 97/2016) empowers citizens to be able to access the data and documents of the Public Administration that are relevant to public and private interests ("civic access"). Any refusals by the Administration to provide such data must be duly motivated and may be subject to the scrutiny of an official who is responsible for the prevention of corruption and

for transparency within the administration. According to independent reports, the public administration does not always fulfill its duty to reply to FOIA requests, and the procedures are occasionally misused (Openpolis 2019; FOIA, 2019). The protection of whistle-blowers (Law 179/2017) is limited to whistleblowers in public administration, and to cases of private companies that are working with public administration. ANAC (the independent national anti-corruption authority) has to collect whistleblowers' complaints and to oversee their protection. According to the (now former) president of ANAC, Raffaele Cantone, "reporting could rise, if there were more certainty in whistleblowers' protection" (ANAC 2019; *A Change of Direction*, 2019).

The indicator **Journalistic profession, standards and protection** scores a medium risk (42%). Access to the profession is peculiar to Italy, being not totally open (enrolment in the 'Ordine dei Giornalisti' is required in order to qualify as a professional journalist, even if this requirement is progressively less respected in practice). The country is free from illegal or arbitrary imprisonment of journalists, but the sanction of imprisonment for criminal defamation raises some issues of proportionality. There is evidence of a growth of threats to safety of journalists. In the past two years (2018-2019). The Council of Europe Platform to promote the protection of journalism and the safety of journalists reported an increasing number of alerts from Italy; several cases of verbal attacks came from government officials and members of staff, as, for instance, the case signaled in the CoE alert 62/2019 ("Italian Deputy Prime Minister and Minister of the Interior Matteo Salvini published a video on Facebook in which he threatened the journalist Roberto Saviano with the withdrawal of his police protection from the mafia"). According to the Parliamentary Assembly of the Council of Europe report on *Threats to media freedom and journalists' security in Europe*, "the increasing violence against journalists in Italy is particularly worrying, as the country faces a combination of threats by mafia organisations, and an increasingly high number of attacks by far-right or neo-fascist groups" (PACE 2020). Threats reported and verified by the civil society association, Ossigeno per l'informazione, are higher than the official numbers: 270 in 2018, 253 in 2019 (Spampinato 2020).

A source of concern is the the worsening of journalists' working conditions, which are becoming increasingly precarious and therefore more vulnerable to economic pressure, and the use of lawsuits as a form of intimidation. Data from INPGI (the institute that provides pension and social security plans for journalists) show a decrease in the number of employed journalists (minus 15% 2012-2017) and, in the same period, an increase in the number of freelance journalists (plus 25%; the average income being 59,000 EUR for employees, 11,000 for freelancers). Freelancers are often not provided with legal safeguards by the publishers.

The indicator on the **Independence and effectiveness of the media authority** scores a low risk (27%). The President and the Board of the media authority - namely, the Autorità per le garanzie nelle comunicazioni (AgCom) - are appointed by political bodies, through a mechanism that involves both the government and the parliament and is not aligned with the electoral cycle (the lenght of the board's mandate is 7 years). This mechanism, in line with the procedures adopted in other EU countries, should guarantee the AgCom independence from the parliamentary majority, but is not immune, in itself, from risks of political bargaining, if not transparent. The current Board is expired and the new appointments were postponed - in summer 2019 - due to the lack of an agreement amongst the parties in the recently formed government.

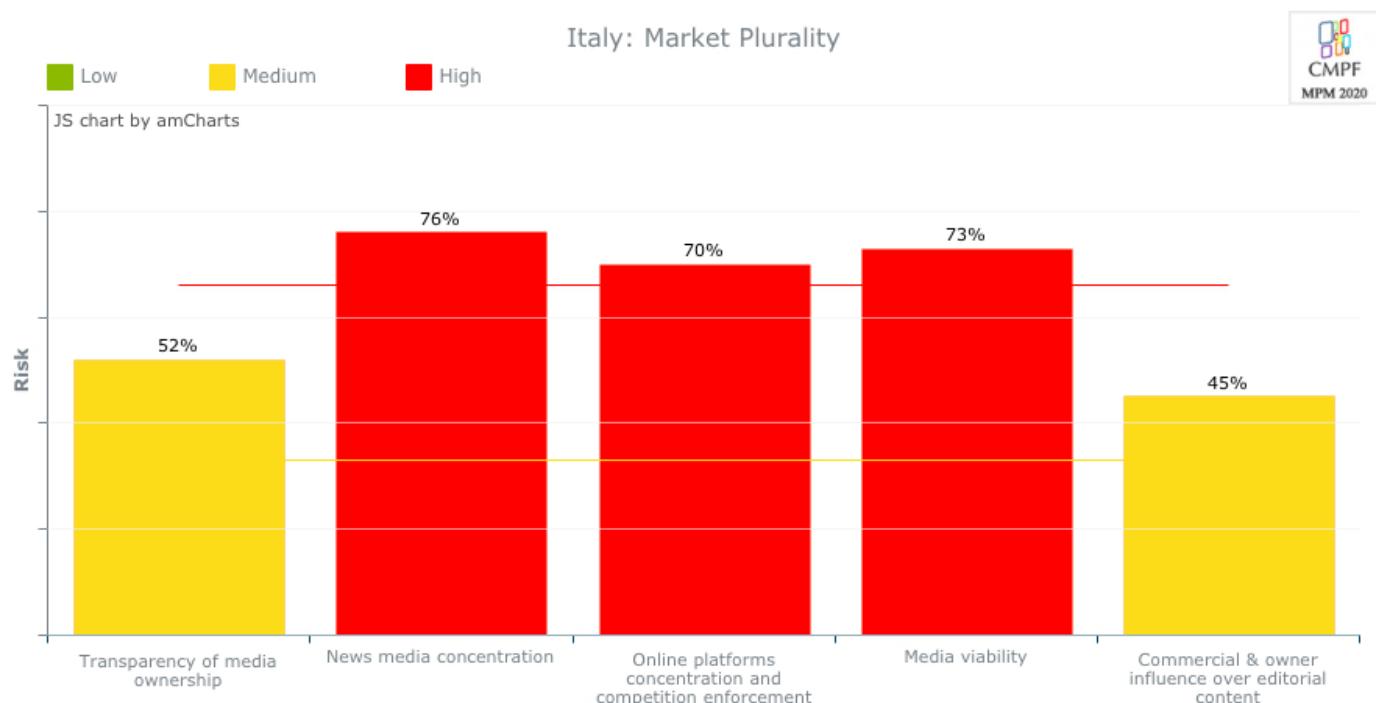
From the effectiveness perspective, even if over the past two years (the timeframe of the MPM's assessment) there have been no blatant cases of a lack of independence in AGCOM's decisions that have affected the mass media sector, it must be noted that AGCOM has not so far completed an evaluation of the levels of concentration in the audiovisual media markets, which was started in 2015. AGCOM has firstly suspended it, in order to allow the media market to stabilize after several mergers. Then it resumed it and defined the relevant markets. In 2019, AGCOM evaluated the levels of concentration in the radio sector, but delayed the assessment on audiovisual media services. This delay, justified in the wait for the refarming of the 700 Mhz band (AGCOM 2019c), may also be interpreted as the postponement of a decision that is politically sensitive.

Due to technological development, the coverage of PSM and of all public TV and radio channels, as well as broadband subscription and internet speed, have considerably improved in the past two years. High ownership concentration among

the ISPs in the market together with some critical issues on net neutrality, contribute to the scoring of the indicator on the **Universal reach of traditional media and access to internet** as a medium risk (38%).

3.2. Market Plurality (63% - medium risk)

The Market Plurality indicators examine the existence and effectiveness of provisions on transparency of media ownership and the existence and effectiveness of regulation or self-regulation against commercial & owner influence on editorial content. In addition, they assess the risks related to market concentration in the production as well as in distribution of news: as for production, considering separately horizontal concentration in each sector and cross-media concentration; as for distribution, assessing the role of online platforms as gateways to news, the concentration of online advertising market , and the role of competition enforcement and regulatory safeguards in protecting information pluralism. Moreover, they seek to evaluate the viability of the news media market.



Risks in Market Plurality originate from the sum of the inherited features of the legacy media industry, which is highly concentrated, and the new threats that are related to the digital ecosystem of the news. As a result, three Indicators of the five in the market plurality area score as being at high risk; among them, the worsening in media viability is particularly worrying, showing that the disruptive effect of the digital platforms' competition in the advertising market has not been fully counteracted by alternative business models.

The principle of the transparency of media ownership is enshrined in Art. 21 Par. 5, of the Italian Constitution: "The law can request the disclosure of the financial sources of newspapers and printed publications". Information on the ownership structure of media companies is shown in the Register of Communication Operators (ROC - Registro pubblico Operatori di Comunicazione, among which media providers are included: AVMS, press agency, newspapers, magazines, online media). To enlist in ROC, operators must give information on their shareholders and their quotas and voting rights, but not all of this information is directly accessible to the general public, particularly for what transparency of the ultimate ownership is concerned. Limits in effectiveness, more than in the legal framework, lead to a medium risk for the indicator on the **transparency of media ownership** (52%).

The indicator on **News media concentration** scores a high risk (76%). A low level of plurality has affected the Italian

media market for the last thirty years, particularly in relation to the audiovisual services. This, combined with the political ownership of one of the main media companies and the parallelism of the PSM with political powers, has been a negative peculiarity of the Italian media system. The free-to-air television broadcasting is still dominated by the two main operators in Italy (RAI and Fininvest), but the development of digital terrestrial channels and the increase in pay-tv and pay-on-demand audiovisual services have challenged their rigid duopoly. In terms of revenues, SKY Italia (Comcast Corporation) is the first player in the audiovisual market (34.6%), followed by RAI (27.6%) and Fininvest/Mediaset (25.2%); in terms of audience, RAI ranks first (36.3%), followed by Fininvest/Mediaset (31.2%), Comcast/SKY Italia (7%) and Cairo Communication (4.2%). Nonetheless, the audiovisual market is still highly concentrated: the Top4 players make 90% of the total revenues generated in the audiovisual market and, since 2017, some operators have started commercial strategies in order to mutually benefit from different market segments (this is the case in the agreement between Sky Italia and Fininvest/Mediaset). The radio sector passed through a process of concentration (in 2018, the top four players controlled 56% of market revenues, the first two being, again, RAI and Fininvest/Mediaset), as well as the press: In the newspapers market, the Top4 index has grown to 62%. The newspapers sector has faced some relevant changes, as Exor (the Agnelli family holding, whose most important investments include Fiat Chrysler Automobiles, PartnerRe, NH industrials, Juventus and *The Economist*) has taken control of Gedi, the first Italian editorial group, buying a 43.7% stake for €102.4m from CIR, the holding company of the De Benedetti family. GEDI owns *La Repubblica* and *La Stampa* (respectively, the second and third national daily newspapers), a dozen regional and local titles, the weekly magazine *L'Espresso*, and the leading national radio station *Radio Deejay*. It is the first player in the newspaper market (24.5%), and is followed by RCS/Cairo Communication (22.1%). The Cairo Group is purely a publisher, and it is gaining a growing stake in the editorial and advertising market: it controls *Corriere della Sera* (the first Italian newspaper), *La Gazzetta dello Sport*, a large number of popular magazines, and it is the fourth player in the audiovisual market with La7 tv.

To sum up, all news media sectors (audiovisual, radio, newspaper and, to a minor extent, digital) are highly concentrated; in most cases their ownership has other relevant industrial and financial interests. The same can be said for cross-media concentration.

The regulatory framework calls for the Authority both to monitor that a media operator does not exceed 20% of the revenues of the SIC (Sistema integrato delle comunicazioni, see above) and to check whether an operator is exceeding a dominant position within a given media market. While the first threshold (20% of the SIC) has always been perceived by scholars as being too loose to effectively limit cross-media concentration, as the SIC covers a very large market, the second has not been fully implemented. In 2019, the Authority closed the analysis of the relevant market for the radio sector, assessing that there is not a dominant position (AGCOM 2019d); as for the audiovisual sector, a definition of the relevant market has never been given; the last postponement, in 2019, was justified by the need to wait for the conclusion of the 700 MHz refarming process (AGCOM 2019c).

The indicator on **Online platforms and competition enforcement** scores as a high risk (70%). This is due to the relatively high exposure of Italian consumers to algorithmic news sources, and to the very high concentration of the online advertising market, in which the HHI index hit 2,370. Competition and regulation authorities made some steps to face this challenge, with a joint survey on Big Data (AGCM, AGCOM and DPA, 2020) and an AGCOM survey on the online advertising market (AGCOM 2019e).

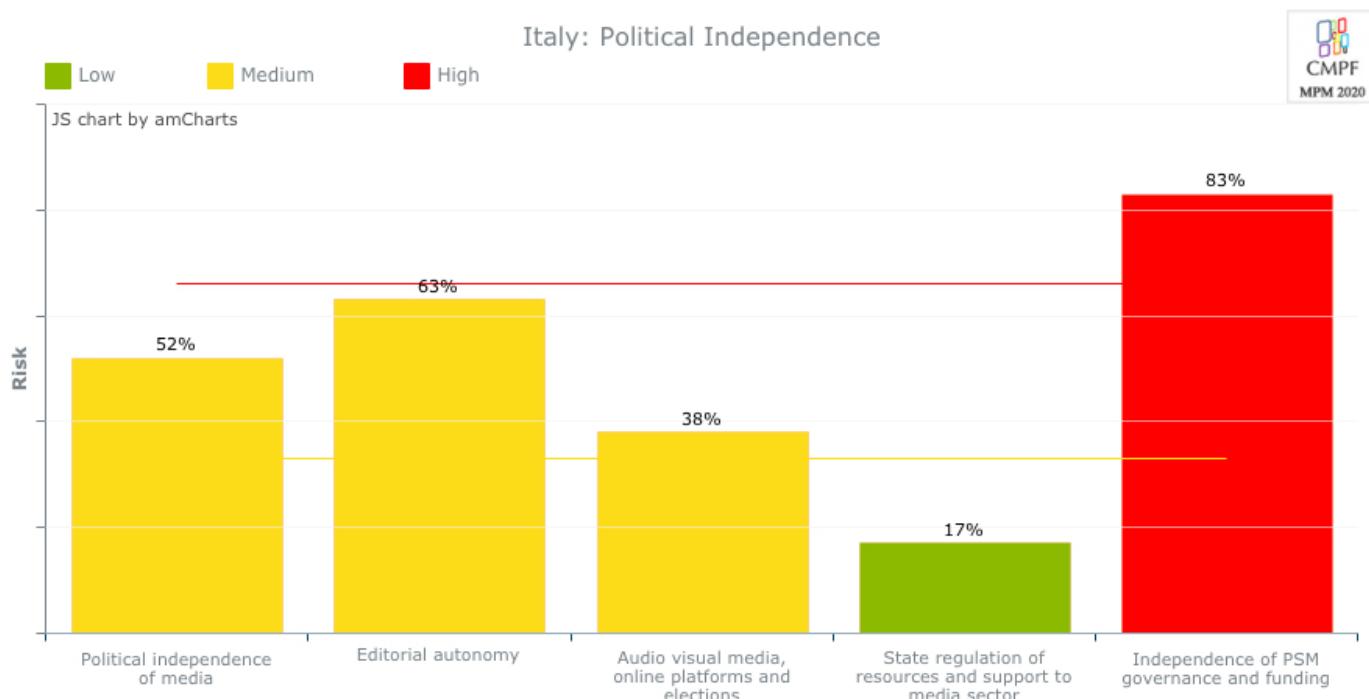
The harvesting of market resources in online advertising and the availability of online free information are reflected in the indicator on **Media Viability**, which scores an alarmingly high risk (73%). Media market revenues and employment trends are stationary for the audiovisual and radio sectors, while suffering a considerable decrease in newspapers and local media. According to the latest available data, journalistic employment in newspapers decreased by 9.6% between 2016 and 2018. In its annual report for 2019, the media authority focuses on local media, stressing the perduring relevance of a local system of information and noticing the trend towards concentration, the decline of pluralism and cuts in local outlets (particularly in the South of the country). The growth of online advertising resources did not

compensate for the decrease in offline advertising for the news media. The lack of data and the extreme fragmentation of the sector do not allow the measurement of the viability of digital native news media. Still, the indicator shows some signals of resilience, both in research on alternative business models and in the development of digital strategies in the legacy media. The indicator includes the role of the regulatory incentives which may foster media viability. As for direct public support, the Fund for Pluralism and Innovation of Information is not fully effective. Data from the Dipartimento dell'Editoria on public support for the media sector in 7 European Countries shows that Italy has the lowest public expenditure per capita, and the lowest % of Gdp (Italian Government 2019, p. 8). The Digital Service Tax, introduced with the Budget Law 2020, is still not effective.

The indicator on **Commercial and owner influence over editorial content** scores as a medium risk (45%): journalists can rely on some mechanisms in the general agreement, granting social protection in cases where there are changes in ownership or editorial line; advertorials are not permitted. However, the structure of the Italian publishing industry does not guarantee an environment with full autonomy and independence for journalism: the major investors in the media industry are mostly entrepreneurs in production fields other than the media, and they are very often linked (sometimes in a non-transparent way) with political parties. The worsening of market viability and of the working conditions of journalists (particularly for free-lancers) increase this risk.

3.3. Political Independence (51% - medium risk)

The Political Independence indicators assess the existence and effectiveness of regulatory and self-regulatory safeguards against political bias and political influences over news production, distribution and access. More specifically, the area seeks to evaluate the influence of the State and, more generally, of political power over the functioning of the media market and the independence of public service media. Furthermore, the area concerns with the existence and effectiveness of (self)regulation in ensuring editorial independence and availability of plural political information and viewpoints, in particular during electoral periods.



The Political Independence area scores, overall, a medium risk. The highest risk is related to the lack of independence of the PSM, which was not solved by the reform of the RAI's governance. Political independence and the editorial autonomy of the private media score a medium risk, due to historical and structural features: only one of the main owners is "merely" a publisher, the others often having businesses influenced by the government's decisions; the law on

the conflict of interests is not effective, and can hardly be applied to cases of the conflict of interest within the online ecosystem; the same can be said about the rules on electoral campaigns (the *par condicio* law). The economic weakness of the news media system has worsened the situation. In this area, only one indicator scores a low risk, that which is about the State regulation of resources and support for the media sector.

The indicator on the **Political independence of media** (medium risk - 52%) reflects the weakness of the regulatory framework, which lacks an effective law on the conflict of interest. The existing "Frattini law" (215/2004), which regulates in general conflict of interest and conflict of interest between media and government, was criticised by the Venice Commission (2005) for its limits and flaws, and because it does not include among incompatibilities the "mere ownership" of a company. Despite a large criticism in public opinion and among scholars (see Zaccaria et al, 2018, p. 57), and several proposals for a new a more effective law, the pending draft reform has not been approved yet by the Parliament. Political influence is particularly strong in the audiovisual sector - in spite of the declining support to his party, Silvio Berlusconi is still the ultimate owner of the main private audiovisual group - but the problem involves the newspapers' sector too, not for a direct ownership control but for the indirect relationships between publishers' interest and the government, at national as well as at local level. Challenges to conflict of interest's rules emerged also in the digital environment, mostly about the role of the private platform on which the Five Star Movement relies for its internal organization, political decisions and financing.

Similar features bring to score a medium risk also to the indicator on **Editorial autonomy** (63%), which is more specifically related to rules, safeguards and guarantees about the appointments and dismissals of editors-in-chief and effectiveness of the independence of journalists. In Italy this matter has traditionally been faced by self-regulation, which hardly copes with all media. New forms of self-regulation - for example, regarding social media guidelines for journalists - have been implemented by only few news media organizations.

When it comes to **Audiovisual media, online platforms and elections** (medium risk - 38%), Italy reveals the limits of a legal framework that is created for the audiovisual sector and is hardly fit for the new situation, which is, characterised by contamination between traditional and online political communication. The "*par condicio*" law (28/2000) contains specific rules on the fair distribution of airtime to political parties and candidates during the electoral period. Data (AGCOM 2020b; Istituto Cattaneo 2019; Osservatorio di Pavia 2019) show that political pluralism and fair representation have not always been respected, with an over - representation of the government's parties in PSM and an over-coverage of representatives of Forza Italia, Mediaset's owner's party, on the Mediaset channels. The cross - media circularity of political propaganda and information between social media-tv-newspapers has not been grasped by this legal framework (see Part 4 in this report). The Media Authority issued guidelines on equal access to online platforms and platforms self-committed to guarantee equal access to political actors, transparency, fact-checking and respect of electoral silence online. These self-regulatory measures proved not to be fully effective, as lacking enforcement measures.

The indicator on the **State regulation of resources and support for the media sector** scores as a low risk (8%) as the Italian scenario for radio and television changed after the switch-over to digital terrestrial broadcasting. Although the transition to digital has been complicated, the linear AVMS offer is now open to a higher number of operators. The main debate today has shifted to how to make the 700MHz band available for mobile telephony, in line with the EU's strategy. The Budget Law 2018 set the rules for the spectrum refarming and gave to the Media Authority the task of setting the new national plan for frequencies. As regards the public support for the media, a 2016 reform abolished public funding for political parties' media and for unions, and established new rules, which aim to benefit "pure" publishers, who do not have interests in other commercial fields. The new law was soon disputed, and every year the distribution of subsidies is controversial. The hostile climate of the former government towards some media, and the legacy of these disputed situations from the past have not helped its implementation.

The **Independence of PSM governance and public funding** is the most problematic indicator in this area, scoring a high risk (83%). In 2015, Law n. 220 reformed RAI's appointment procedures. The new procedures were first applied

in summer, 2018. According to Law 220/2015, the board is composed of 7 members: 2 elected by the Lower Chamber (Camera dei Deputati), 2 by the Senate (Senato), 2 appointed by the government, following a proposal by the Economy Minister, 1 elected by employees.

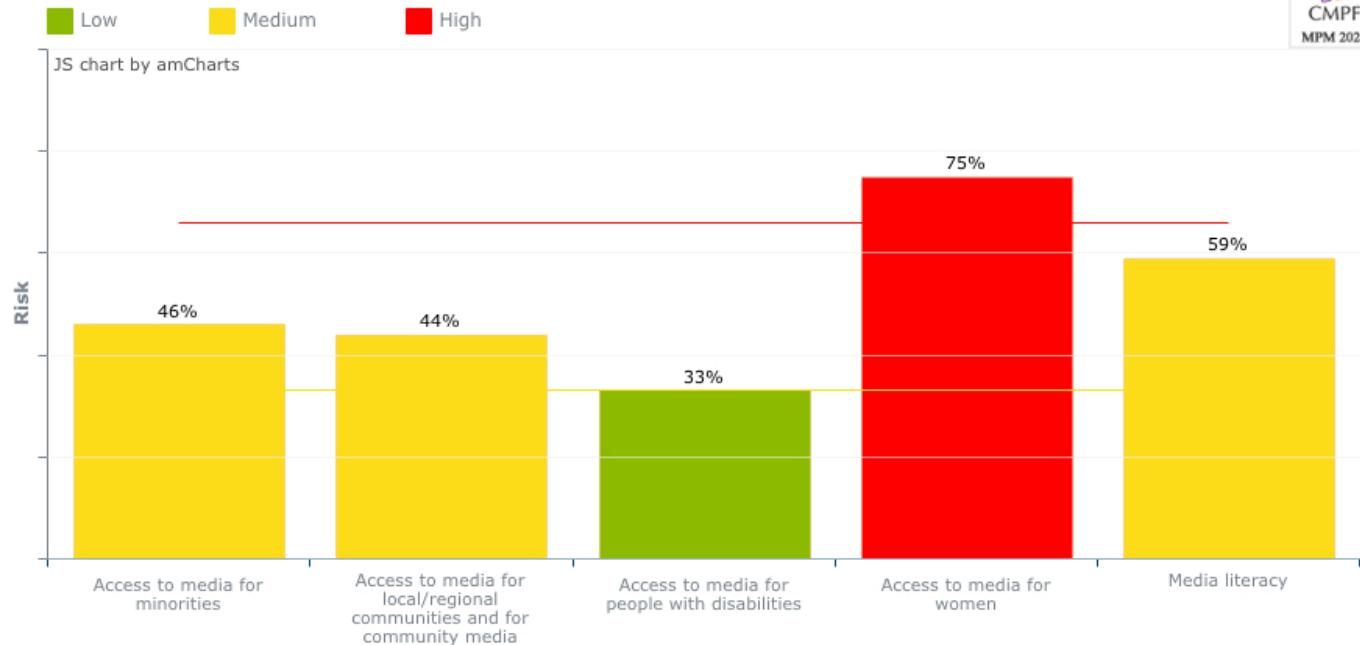
The Board chooses a president from among its members: the appointment comes into force upon receiving a positive opinion from the Commissione parlamentare di vigilanza (a special parliamentary committee with a qualified majority). The Board appoints the CEO (amministratore delegato), who is proposed by the Ministry of the Economy, the (almost sole) shareholder of PSM. Considering that each member of parliament can express only one vote, in theory, the political majority in Parliament could have total control of appointments to the RAI Board (except for the member who is nominated by the employees), and the same majority, through the government, chooses the CEO. Nevertheless, the parliament chose to follow the practice of the past requested by Constitutional Court, who have several times ruled in favour of an "internal pluralism" principle - sharing the appointments between the majority and the opposition. In 2018, therefore, there was a political agreement between the majority and the opposition, each choosing 2 members. However, having the government choose two members and indicate the CEO, the weight of its choices increased, if compared to the past.

The new appointment procedures require a public call and specific competencies. In 2018, over 200 candidates sent their cvs, but there was no public contest, nor was their transparency in relation to the selection criteria.

Considering the need for a political agreement, the role of the sole shareholder (which can be seen as an anomaly), and the lack of transparency, PSM's appointment procedures, under the new law also, don't guarantee independence from the government and other political influences (Zaccaria 2019, Ch. 7; see also, Verdelli 2019). Appointments and dismissals from PSM management and board functions are not independent of political influence, in practice. The same can be said about the appointments and dismissals of editors-in-chief.

3.4. Social Inclusiveness (51% - medium risk)

The Social Inclusiveness indicators are concerned with access to media by various groups in society. The indicators assess regulatory and policy safeguards for community media, and for access to media by minorities, local and regional communities, women and people with disabilities. In addition to access to media by specific groups, the media literacy context is important for the state of media pluralism. The Social Inclusiveness area therefore also examines the country's media literacy environment, as well as the digital skills of the overall population.



The Social Inclusiveness area scores a medium risk for Italy.

The score of the indicator on the **Access to the media for minorities** (medium risk - 46%) benefits, in relation to the average, from the legal framework on language minorities in the country. PSM has legal obligations, and a long tradition of programmes in minority languages, as well as in offering airtime to minority groups. PSM has a specific role in assuring that minorities are included in its offer: RAI dedicates a significant number of hours to TV and radio programs in German, Slovenian, Ladin and French. Minorities who do not qualify as historical language minorities do not have these legal safeguards, and their access to media is not proportionate with the size of their populations in the country. This is the case for immigrants, whose share among the Italian population is around 8.7%, and who are present in the first, second and, in some cases, third generations. The "Contratto di servizio" (the RAI agreement with the Government) states that RAI is obliged to respect principles on accuracy, social pluralism and access to information of migrants and their associations as set in journalists' self-regulatory instruments like the so called Carta di Roma. Mangani and Tarrini (2018), analysing data on social pluralism, argue that PSM performs better than private channels.

Carta di Roma, also an association born in 2011 to advocate for a correct information on migration and migrants, publishes an annual report, according to which television news reporting on migrants is mostly focused on criminality and security issues, and on air presence, though rising, is still low. PSM is more pluralistic than private channels. Interviewed by MPM, Paola Barretta, co-author of VI Carta di Roma Report, stresses that: 1) There is a qualitative difference between PSM and private predominant channels, being the first more attentive to general themes and coverage, while the second gives more attention to criminality and security issues when it comes to migration; 2) there is still a lack of minorities' voices: migrants are in the news but don't make the news, nor are they listened to as protagonists, experts, advocates.

The indicator on **Access to the media for local/regional communities and for community media** scores as being a medium risk (44%). Italy's external pluralism is enhanced by a very high number of local TV and radio stations, which provide viewers with a relatively wide variety of content. Local media are safeguarded by Legislative Decree 177/2005, which reserves one third of the network capacity for them, and public support of local and regional tv and radio is provided by Fund for information pluralism and innovation (in 2018, Dolomiten - a local newspaper based in Alto Adige ranked first in the funding list, due to the protection of linguistic minorities). In recent years widespread cuts of local outlets impacted on local/regional information (as mentioned above). The law recognizes also the existence of community media, but does not contain any specific provision that grants them either independence or access to

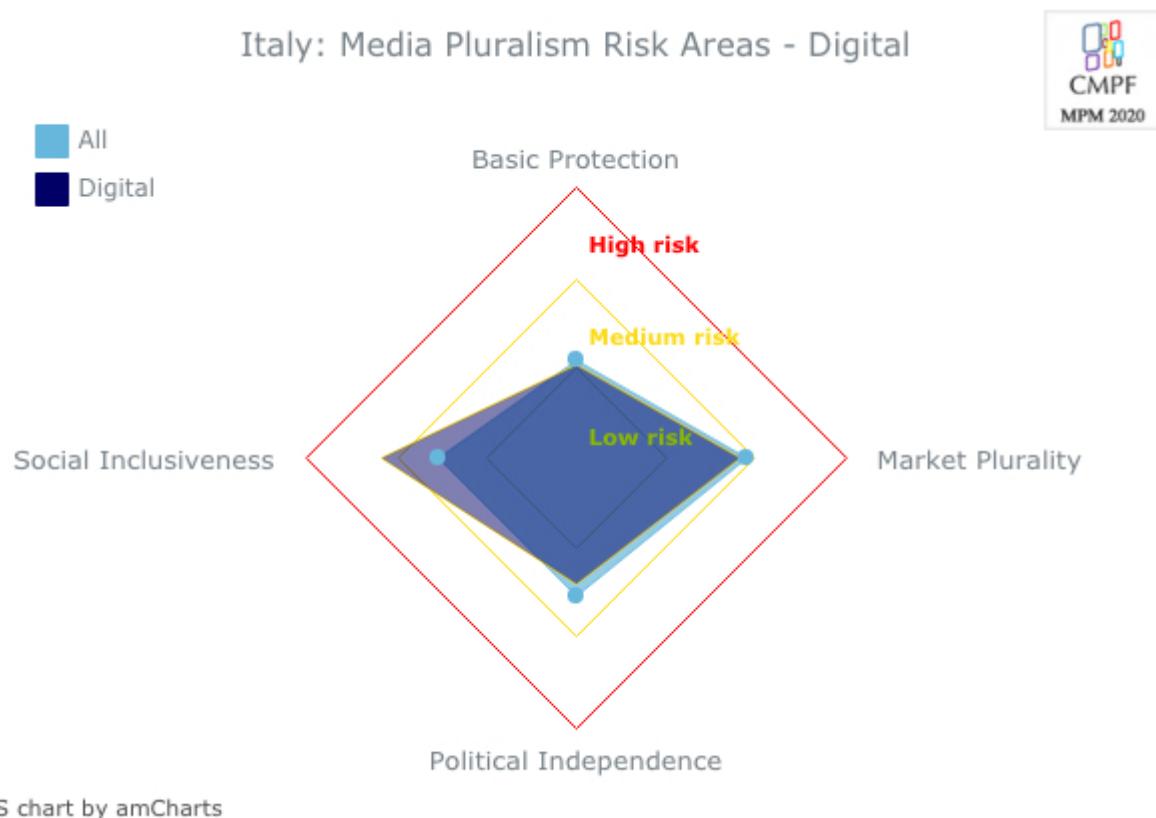
platforms. Nevertheless, there are several vital experiences of independent community journalism, mostly digital, often local; in some cases they are related to civil society associations.

Access to the media for people with disabilities scores as a low risk (33%). Art.32, Par.6 of the D.lgs 177/2005, states that AVMS providers have to adopt adequate measures to protect such users. The RAI Service Contract (the Agreement with the Ministry of the Economy) sets stricter rules for the PSM: according to the latest version of the Contract (2018-2022), RAI has to fulfill specific targets for coverage with subtitles and audio description for disabled people. Data published in Bilancio sociale RAI (2018), p. 75, show that these targets have been only partially achieved, specifically the target of having 85% of output subtitled, and the use of LIS for at least one edition a day of tv news for each channel, while audiodescription (which should be provided for 3/4 of evening films, shows, etc.) is only at 25%. There are no policies for private media. In its Bilancio di sostenibilità, the Mediaset group reports that only one edition of tv news (Tg5, h 8 pm) is subtitled.

The high score for **Access to media for women** (75%) arises from the low proportion of women, both in the media governance and in the leading journalistic roles, and from the quality of their presence in the news. As for the first set of variables: there are no women among the top executives of the audiovisual media (PSM and private); the female percentage on the boards is, respectively, 33% in PSM and 13% in the private competitor; the share of women among the editors-in-chief in the leading news media is 13% (measured on the Top 2 for each sector). As for their presence in the news, several research projects (Palandri 2019) and concerns that issue from the Media Authority (AGCOM 2017a) show that women are, in some cases or in some media, not represented in a proportionate way and free from stereotypes. Male experts are evidently and systematically more often invited by the media to comment on political and current affairs than are female experts. Recent developments and initiatives (both by civil society and regulators) show that the problem of the gender imbalance of experts in the Italian media is now acknowledged, but is still neither faced nor solved.

Regulations and laws in the field of media literacy have fallen off the radar of institutional debate over the last couple of years; some steps forward have been done in policy and education curriculum, but the **Media literacy** indicator still scores a medium risk (59%). The most recent intervention to be registered is the so-called "Curriculum di Educazione Civica Digitale", elaborated by a team of experts in 2017. It is, however, just a framework with structural indications that didn't elaborate on specific contents, and was furthermore limited to the first cycle of the education curriculum. As a result, media literacy is present in the education curriculum only in the form of side remarks or general recommendations. There is no compulsory training in media literacy for teachers, rather a motley offer of online and offline modules and trainings, without a centralised evaluation nor a shared structure and view. It is up to the single teacher or school to select a specific project and/or inherent training of trainers. In non-formal education, media literacy, with a specific focus on digital skills, has been at the centre of a variety of initiatives run by a vast group of actors at various levels. The sub-indicators on digital skills and media literacy contribute to the medium risk scoring.

4. Pluralism in the online environment: assessment of the risks



The extraction of a digital score for Italy shows a general equivalence between the overall risk for media pluralism for the country and the digital-specific component of the analysis. The risks is higher in the **Social Inclusiveness** area, due to the high risk assessment for media literacy and for hate speech online. The assessment of the risks for pluralism in the online sphere also impacts upon all the other indicators of the monitor. In the **Market plurality** area, the new digital economy fosters the concentration of the legacy media industry, the dominance of gateways to information online, and threatens news media viability; while, in the **Political area**, the rules set for the political communication, which are already scarcely effective in guaranteeing political pluralism, can be applied only to traditional media. Some signals of resilience come from alternative business models, from the attempts to develop new policies and regulation, and grass-root initiatives in media literacy.

Freedom of expression online and digital threats

In the Basic Protection area, the average score for digital variables is slightly lower than the overall score for the area. The score for Italy may benefit from a better score in relation to access to the internet, as broadband take-up and coverage have improved since the last implementation of the MPM in 2017; nonetheless, the connection speed (which has also improved) remains under the EU median.

The most challenging digital risks in the basic protection of media pluralism are related to the balance between freedom of expression and the growing concern about illegal and/or harmful content, misinformation and hate speech. Altogether, the Internet environment in Italy is free (FoN, 2019). As regards freedom of expression online, the State generally refrain from filtering or blocking online content in an arbitrary way. The removal, filtering or taking down of illegal content is so far regulated by the general law and administrated by the courts; the only specific measures within the Italian legal system are aimed at promptly responding to child abuse and exploitation, and to illegal gambling, by granting certain powers to the police. Other than for violations that are punishable by the criminal law, websites can be blocked or fined for hosting copyright-violating content. Data and procedures on the removal of copyrighted content are publicly available on AGCOM's website. When it comes to the role of digital platforms and intermediaries, some risks can arise from disproportionate content moderation as a reaction, e.g., to misinformation, disinformation or hate speech. Despite these developments and a rising political concern (that led, in autumn, 2019, to some political proposals to abolish anonymity on social networks), freedom of expression online finds the same protection and limits of freedom of

expression as in the offline arena. AGCOM's role in monitoring and analysing the digital environment has grown; it is being performed through a permanent open consultation with stakeholders ("Tavolo Pluralismo e Piattaforme"), whose main aims are collecting data, monitoring pluralism and fostering platforms' self-regulation. In its 2019 annual report, the Authority claims that there is a lack of data from platforms (AGCOM 2019b, p. 35). Civil society and journalistic sources, consulted under the MPM project, also highlight that there is not enough information about social media platforms' practices in the moderation of content online (A. Romano, 2019). Even if there is no evidence of systematic violations of freedom of expression in the removing and filtering of content by online platforms, this lack of data was assessed as a risk in itself, as a lack of transparency.

Some other sources for concern can be addressed in the Law on Data Retention (Art. 24 l. 167/2017), that requires telecommunications operators to store telephone and internet data for up to six years, "despite a 2014 EU Court of Justice ruling that such rules constituted a disproportionate infringement on privacy" (FoN, 2019).

Digital-specific risks in the Basic protection area are related also to the growth of digital threats and attacks on journalists in a general environment that is already characterized by an alarming number of physical and legal threats to media operators.

Market power and access to information

As regards the Transparency of media ownership, digital-specific risks occur as a consequence of the blind spots and the only partial effectiveness of the law (see above, Market Plurality area). A specific source of concern is related to the role of cross-border news websites, whose role in spreading disinformation, mostly in electoral periods, has been highlighted in news sources as well as by institutional reports (see AGCOM 2017b).

As seen above in Part 2, the digital competition may have pushed to further concentration in all news media sectors. Specifically regarding the online news media, MPM data collection for Italy had to face some difficulties due to the fragmentation of the sector, the secrecy of surveys run for commercial purposes, the lack of transparency and standardization of metrics. Nevertheless, it can be seen that the sector in Italy is characterized by the dominance of the digital outlets of legacy media, even if some interesting and vital digital native news media are emerging; and that the online newsmedia supply is overall slightly less concentrated, if compared to the other forms of media.

The most important development in this area is related to the role of the digital platforms, which account for 18% of the Integrated System of Communications (SIC): 18% in 2018, + 4pp in comparison with 2017, thus they are almost catching up with the press. Alphabet/Google, Facebook, Italiaonline and Netflix rank, respectively, fourth, sixth, eighth and tenth in the SIC (AgCom 2020a). This is reflected, in MPM2020, in a digital-specific indicator, divided into two sub-indicators: Online platforms concentration and competition enforcement. The first measures the extent of market power in the new gateways to news, and - in the Italian case - it scores as a high risk, both for consumption's attitudes and the market's features. In Italy, more people consume news online, entering by side-door access (social network, search engines, aggregation automatized services), while only 39.4% go directly to the editorial sources (websites of newspapers, tv, radio, digital native news media) (AGCOM 2018b). The online advertising market is highly concentrated, with the HHI index hitting 2,370 (AGCOM 2019b), and it is dominated by the digital platforms: Google, Facebook and Amazon (in this order), who control 74% of the online advertising market (data by Osservatorio Internet Media of Osservatori Digital Innovation, Politecnico di Milano). In terms of audience, the first four groups absorb 53% of the time spent online. In spite of the benefits in terms of availability and abundance of information, free access to news and reduction of costs, this evidence highlights the digital challenges to market pluralism in the new ecosystem of the media - which adds to the concentration risks which historically characterize the Italian media market.

The competition enforcement sub-indicator demonstrates a medium risk in Italy; there is no reform under way in media and competition law, but the regulation and competition authorities are trying to update their rules and their tools for the new markets, which are characterized by network effects, microtargeting and data harvesting. The competition authority (AGCM), the data protection authority (DPA) and AGCOM run a Big Data Joint Survey, whose results were released in February 2020 (AGCM-AGCOM-DPA 2020). In 2019 AGCOM opened the procedure in order to assess the relevant market and the existence of dominant positions in the online advertisement market (AGCOM 2019e). AGCM opened a

case in 2018 against Facebook/Whatsapp for unfair business practices, and fined the company EUR.10,000,00. As AGCM writes in its annual report, "rules on concentration are evolving, pushed by innovative markets" (AGCM 2019, p. 51).

According to the data collected to assess the Media viability risk, the growth of online advertising revenues has not compensated for the losses in off-line advertising for the media, as the overwhelming share of online resources went to the digital platforms which share and spread news, but which usually do not produce original content. The indicator on media viability shows the signals of, and/or opportunities for resilience, both in the research for alternative business models (mostly in digital native media, with some successful cases of membership and crowdfunding models) and in the development of digital strategies by the legacy media, who are more and more turning to the pay-model - even if paying for online news in Italy amounts to only 9% of the market share (Reuters Institute for the Study of Journalism 2019).

In the field of policy, Italy is one of the EU countries that has approved a Digital Service Tax, modelled on the EU's proposal directive (EUCOM 2018), by the Budget Law 2020 (Art. 1 Co. 678). Having been approved in December, 2019, it is still not effective, pending the publication of this report. In preparatory debates for the Budget Law, a proposal emerged to earmark a share of revenues from the Digital Service Tax to the Fund for Digital Innovation in News Media. In the final version of the Budget Law there is no specific provision on the destination of the DST revenues.

Political communication and platforms' self-regulation

In the Political Independence area, the main digital-specific risks are related to the indicator on Audiovisual media, media platforms and elections, in which the regulating and self-regulating framework of online platforms is taken into account. This indicator ranks as a medium risk on average (37%), but scores a high risk (83%) in the digital-specific field. The high risk is due to several factors:

- the lack of regulation to ensure equal opportunities and transparency of online political advertising during electoral campaigns. The "*par condicio*" law does not apply to the digital platforms. AGCOM, noticing the limits of the "*par condicio*" rules when it comes to the social media, issued Guidelines on equal access to online platforms for national political elections in 2018. Online platforms *signed up* to "*Impegni*" (committments) to guarantee equal access to political actors, transparency, fact checking and respect for electoral silence during the electoral campaign for the European election in 2019. However, there has been no monitoring on the effectiveness of the guidelines. There is evidence that the rule about "electoral silence" (on the day before the poll) has been violated and, in general, that there is weakness in this form of self-regulation. (Openpolis 2019b). In its annual report 2019, AgCom claims a lack of cooperation by the platforms, and advocate for a legislative reform to better define the authority's powers in this field, to effectively monitor and guarantee pluralism on online platform (AGCOM 2019f, p. 35).
- the lack of rules on campaign spending on online platforms. The general law on campaign spending mentions explicitly only the legacy media (and also presents some flows and blind spots in relation to these, and as the effectiveness of the rules is not monitored, candidates and parties have to report on their expenses, but data are not easy to access and analyse). The rules have not been updated to take online platforms into account. According to Openpolis (a civil society watchdog), in the sheet with the list of expenses that parties must deliver at the end of each electoral campaign, a duty to include online advertising is not mentioned; and in online advertising it is not mandatory to indicate who pays – unlike the rulings for electoral billboards, in which the entity which finances the advertising has to be indicated. In the wait for a law on online political advertising, transparency depends on the self-regulation of online platforms, mostly based on the standards developed during the European Election 2019 campaigns (see COM /2018/236 final).
- the lack of self-regulation by the political parties and candidates, to voluntarily publish the spendings and techniques used in social media political campaigns. There is evidence that some parties used techniques to spread their messages on the social networks that use automatic activity (like bots) to maximize the effect of algorithms. These activities and the connected expenditure are not publicly shown, nor are they admitted. (Report 2019; FoN 2019; Romano 2019).
- the lack of transparency in relation to the implementation, by the platforms, of the Code of Practice on Disinformation. There is neither official monitoring nor transparent reporting on it.

Digital skills and vulnerability to hate speech

In the Social Inclusiveness Area, the digital risks are mostly related to the indicator on Media literacy (59%), specifically related to digital skills and protection against hate speech.

The percentage of the population that has at least basic, or above basic, digital skills is 42%, a value that is below the EU median (56%), whereas the percentage of the population with low digital skills is at 32% (the EU median being 28%). The sub-indicator on hate speech also contributes to the medium risk scoring, as Italy does not have a (self)regulatory framework against hate speech that is effectively implemented, and there is no transparent and public monitoring on the removal of hate speech content online.

Italy has signed, but has not ratified, the Additional Protocol to the Convention on Cybercrime, "concerning the criminalisation of acts of a racist and xenophobic nature committed through computer systems".

According to constitutional principles and the law, opinions that openly incite violence and discrimination on racial, ethnic or religious grounds do not enjoy the protection reserved for the freedom of expression. The growing phenomenon of hate speech online poses problems of effectiveness to the enforcement of the law. Civil or criminal lawsuits can take a long time before the content is removed.

After a public consultation and debate, the regulatory framework was set by the media authority (AGCOM 2019a). The resolution regulates the audiovisual media, which are obliged to follow its guidelines against hate speech, and which call for a co-regulation of video sharing platforms. Co-regulation was not effective at the time of MPM2020 data collection. As for the implementation of the Code of Practice on Disinformation, there is also in this case a lack of transparency in relation to the criteria and results of self-regulation implementation.

It is worth noting the growing phenomenon of political leaders – who, in some cases, also have institutional roles - who post on their social media profiles content that is very close to hate speech, and/or who originate a flow of hate speech comments and their spreading by their fans and followers. The effectiveness of remedies, in these cases, is even less probable (for several reasons: all the media spread discriminatory comment, which is in itself a "news" item, platforms tend not to intervene, repression of hate speech has to be counterbalanced with the safeguarding of the free speech of political actors).

According to Oscad (Osservatorio per la sicurezza contro gli atti discriminatori), from 2013 to 2017 hate crimes have grown by 112%; in the same period, complaints to UNAR (National Office Against Racial Discrimination) have grown by 193%. Between 10th September, 2010, and 31st December, 2018, Oscad received 2.532 reports. The crimes on the discriminatory matrix numbered 1,164, plus 368 discriminatory crimes on the web. 59.3% related to an ethnic or racist motive. (Words are Stones 2019)

For the political elections in 2018 and the European elections in 2019, Amnesty International Italy carried out a monitoring exercise, called the Barometro dell'odio (Hatebarometer), and during the electoral campaign in 2019 more than 1 in 10 pieces of content were marked as discriminatory or hate speech.

Despite this evidence, media literacy or other educational initiatives that aim to prevent or counteract hate speech are few and fragmented. Among them, several are carried out by NGOs or associations, such as Amnesty International (with a series of activities in schools and seminars/meetings on anti-discrimination, as well as a downloadable guide on hate speech) or Parole O_stili (which is active in several fields: political debates, corporate training, teachers' training, school labs).

5. Conclusions

The results of MPM2020 for Italy show risks for media pluralism in all areas of the monitor, due to problems inherited from the past, but also due to new challenges that are related to the digital environment.

The protection and working conditions of journalists and the sustainability of news media production are the first emergencies that must be faced, but a wider and medium-period perspective is required to cope with the interrelated risks that threaten market pluralism, political independence and social inclusiveness. In this paragraph we will summarize the main findings of the report and the resulting recommendations highlighting some of the policy proposals. In the area of **Basic protection**, the most alarming situation can be found in the escalation of threats to journalists, with physical attacks and other kinds of menace, often in the form of the use of lawsuits as a form of intimidation. Together with attacks by the organized crime and far-right groups, sometimes direct or indirect menace has come from politicians, even members of the government. This phenomenon worsened with the deterioration in journalists' working conditions, both from an economic and a legal point of view, as they are often more vulnerable to threats, and less free and protected in practice. In this regards it is of the utmost importance that the state protects journalists and guarantees an enabling environment for their work, and that the Parliament finally approves the reform of defamation (now potentially punished with a prison sentence), and also introduces anti-SLAPP rules.

Recommendation:

- **to the State, to guarantee an enabling environment for journalists and journalism, strengthening state protection for journalists under menace; abolishing prison sentences for defamation; introducing anti-SLAPP laws to prevent the chilling-effect on journalists.**

In the area of **Market plurality**, competition is threatened by the growing role of digital platforms. MPM2020 results highlight the high risks for news media viability, the increase in market concentration of the legacy media and the digital dominance in the online advertising market. Despite the abundance and accessibility of information online, these forces nourish a new and massive push towards concentration, in an environment that is already characterized by a low degree of competition - mostly in the audiovisual sector. Media and competition policies have to take into account this new scenario: on one hand, the impact of defensive mergers on media pluralism has to be carefully evaluated; on the other, the digital challenge to competition has to be addressed, updating the tools of the national authority and participating in the enforcement of competition at the EU level. However, as far as media pluralism is concerned, competition enforcement in the market cannot be enough, and an updating of the regulatory framework may be required.

The Fund for Pluralism and Digital Innovation should be implemented; it should aim not only to help the declining legacy media, but primarily to develop new digital strategies in the media industry and to sustain pluralism at national and local/community level, with a more focused attention on the innovation and diversity of digital native news media. A part of the revenues from Digital Service Tax, which is first due to be implemented in 2020, might be earmarked to safeguard media pluralism. As regards the transparency of media ownership, the Public Registers should be both effectively public and easily accessible, with all the relevant information that permits full disclosure of the ultimate owners. Commercial and owner's influence over editorial content may be addressed limiting the potential conflict of interests between investments in the media industries and other businesses.

Recommendations:

- **to the communication and competition authorities, to keep cooperating and to co-ordinate their studies,**

policy initiatives and decisions on online media markets.

- **to the state to use the revenues from the Digital Service Tax to sustain media pluralism**

In the area of **Political Independence**, the reform of RAI's governance has shown all its limits. Not only is the historical problem of PSM's parallelism with political power still there, exacerbated by the instability of the political landscape; but the PSM have not performed their role in counteracting disinformation, misinformation and low-quality information. The parliament and the government should propose new rules to create a truly independent PSM and, at the same time strengthen the independence of the media authority, whose activity in the protection of political pluralism would be more timely and accepted if its appointment was less dependent on political influence. The results of MPM2020 confirm also the risks to the political independence of private media, which could be counteracted by a new and effective law on conflict of interests - at all levels, in the audiovisual, print, as well as in the new digital environment. The role of social media in electoral campaigns and political debates has to be addressed, beginning with a law to oblige the political parties and candidates to publish their expenses for online advertising and activity and to set a cap for online electoral advertising. On the other hand, digital platforms should be requested to disclose the criteria of their self-regulation and to report on their activity in the filtering/removal of political content.

Recommendations:

- **to the State, to reform the law on RAI's governance to strengthen the PSM's independence *vis à vis* the government**
- **to the State, to pass a law requiring political parties and candidates to disclose expenditure for online advertising. AGCOM and DPA should cooperate and coordinate to prevent the abuse of microtargeting practices during electoral campaigns.**

In the area of **Social Inclusiveness**, an important step forward is requested as regards **media literacy**, with educational policies to counteract the lack of digital skills, not only in the school system, but in life-long learning. The very high risk in the Indicator on Access to the media for women needs to be addressed by the use of several actions: promoting gender parity in governance and newsrooms, fighting stereotypes in the representation of women in the media, enabling digital skills in girls' education. In this regard, policy efforts to promote gender parity have had a limited impact only in the PSM. A new and stronger way to face the media gender gap must be found at the regulatory as well as the cultural level; beginning with an inquiry to better understand the phenomenon and to set up well-informed remedies.

In the digital environment the growing concern in relation to hate speech and disinformation should not result in special laws for the internet, but should be better addressed by a holistic policy enabling the market plurality, transparency and accountability of political communication, media literacy, the effectiveness of proportionate remedies against harmful content, and the transparency and accountability of online platforms.

Recommendations:

- **to promote gender equality in the news media's production and governance**
- **to boost media literacy policies with the bold involvement of the PSM. Adopt a holistic media policy, including media literacy, to tackle hate speech online.**

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Thanks to:

Paola Barretta – Carta di Roma

Daniele De Bernardin – Openpolis

Andrea Lamperti - Osservatori Digital Innovation- Politecnico di Milano

Alberto Spampinato – Ossigeno per l'informazione

who were available for expert interviews and greatly helped the country team with their expertise.

ANNEXE I. COUNTRY TEAM

First name	Last name	Position	Institution	MPM2020 CT Leader
Elda	Brogi	CMPF Scientific Coordinator	Centre for Media Pluralism and Media Freedom, European University Institute	X
Roberta	Carlini	Researcher	Centre for Media Pluralism and Media Freedom	

ANNEXE II. GROUP OF EXPERTS

The Group of Experts is composed of specialists with a substantial knowledge and experience in the field of media. The role of the Group of Experts was to review especially sensitive/subjective evaluations drafted by the Country Team in order to maximize the objectivity of the replies given, ensuring the accuracy of the final results.

First name	Last name	Position	Institution
Giovanni	Gangemi	Representative of media regulators	Autorità per le garanzie nelle comunicazioni (AGCOM)
Benedetta	Liberatore	Director, Audio-visual content	Autorità per le garanzie nelle comunicazioni (AGCOM)
Isabella	Splendore	Head of Legal and International Department	Federazione italiana editori giornali (FIEG)
Vittorio	Di Trapani	Usigrai secretary - Fnsi vicepresident	Federazione nazionale stampa italiana (FNSI)
Rosy	Russo	Founder and president	Associazione Parole O_Stili
Gianluca	De Matteis Tortora	Head of Corporate Communication Transparency	Rai-Radiotelevisione italiana
Lorenzo	Chiriatti	Director Legal and Corporate Affairs Register Spa Group	Register Spa



Publications Office
of the European Union

Research Project Report
Published in July 2020
QM-01-20-153-EN-N
ISBN: 978-92-9084-875-2
doi:10.2870/521801