

MONITORING MEDIA PLURALISM IN THE DIGITAL ERA

APPLICATION OF THE MEDIA PLURALISM MONITOR IN THE EUROPEAN MEMBER STATES AND CANDIDATE COUNTRIES IN 2023

Country report: Italy

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Research Project Report

Issue -

June 2024

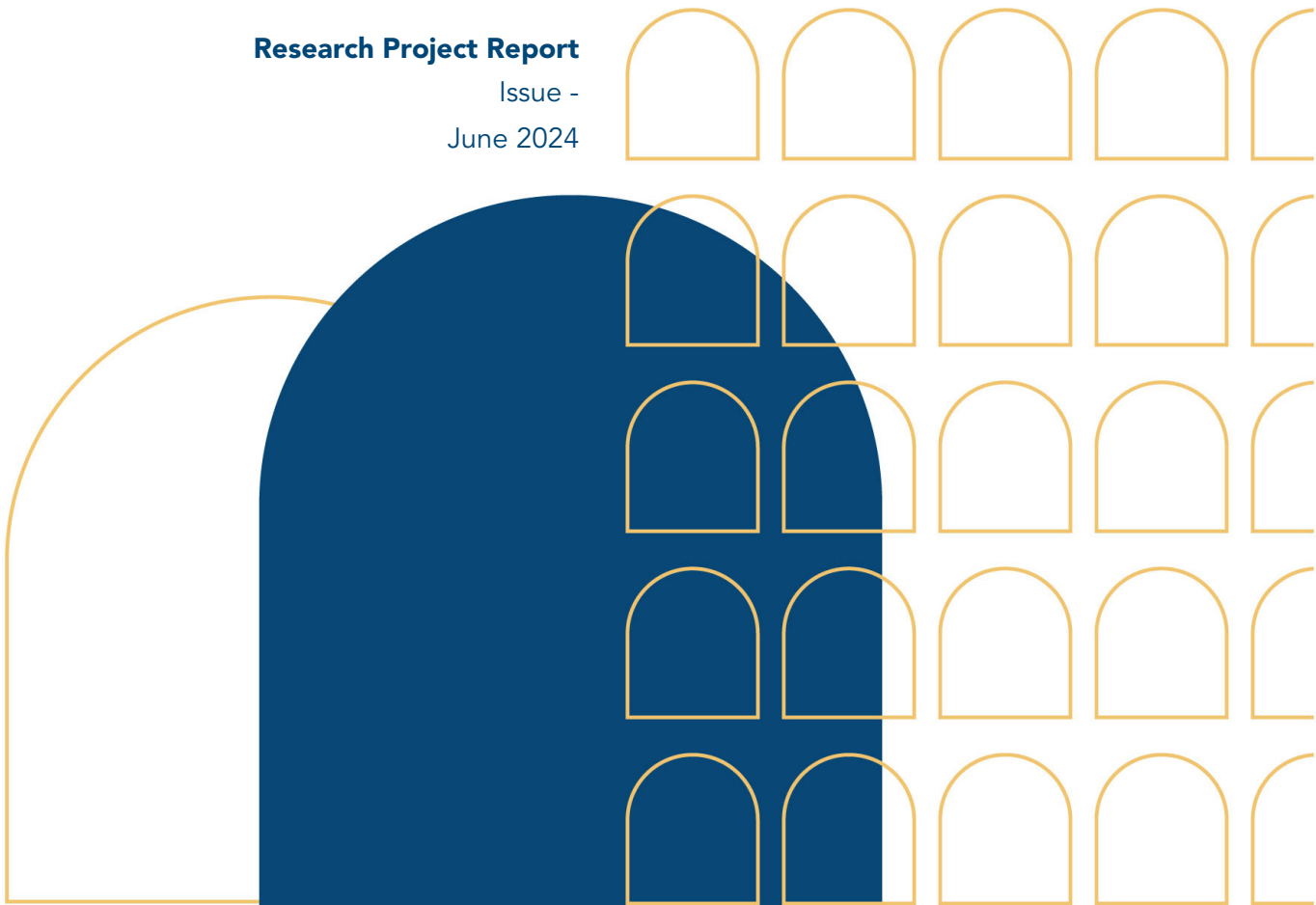


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Published by

European University Institute (EUI)

Via dei Roccettini 9, I-50014

San Domenico di Fiesole (FI)

Italy

ISBN:978-92-9466-571-3

doi:10.2870/278293



**Co-funded by
the European Union**

Funded by the European Union. Views and opinions expressed are however those of the author(s) only and do not necessarily reflect those of the European Union or EACEA. Neither the European Union nor the granting authority can be held responsible for them.

1. About the project

1.1. Overview of the Project

The Media Pluralism Monitor (MPM) is a research tool that is designed to identify potential risks to media pluralism in the Member States of the European Union and in Candidate Countries. This narrative report has been produced on the basis of the implementation of the MPM that was carried out in 2023. The implementation was conducted in 27 EU Member States, as well as in Albania, Montenegro, The Republic of North Macedonia, Serbia and Turkey. This year a part of the MPM has also been piloted in Bosnia and Herzegovina and Moldova. This project, under a preparatory action of the European Parliament, was supported by a grant awarded by the European Commission to the Centre for Media Pluralism and Media Freedom (CMPF) at the European University Institute.

1.2. Methodological notes

• Authorship and Review

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 that was developed by the CMPF.

In Italy the CMPF partnered with Prof. Giulio Vigevani and Dr. Nicola Canzian (University of Milan-Bicocca), Prof. Gianpietro Mazzoleni (University of Milan), Dr. Marco Cecili (University of Milan-Bicocca.), who conducted the data collection, scored and commented on the variables in the questionnaire and interviewed experts. The report was reviewed by the CMPF staff. Moreover, to ensure accurate and reliable findings, a group of national experts in each country reviewed the answers to particularly evaluative questions (see Annex II for the list of experts). For a list of selected countries, the final country report was peer-reviewed by an independent country expert. Risks to media pluralism are examined in four main thematic areas: Fundamental 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 Table 1).

• The Digital Dimension

The Monitor does not consider the digital dimension to be an isolated area but, rather, as being intertwined with the traditional media and the existing principles of media pluralism and freedom of expression. Nevertheless, the Monitor also extracts digitally specific risk scores, and the report contains a specific analysis of the risks that related to the digital news environment.

• The Calculation of Risk

The results for each thematic area and Indicator are presented on a scale from 0 to 100%.

- Scores between 0% and 33%: low risk
- Scores between 34% and 66%: medium risk

- Scores between 67% and 100%: high risk

With regard to the Indicators, scores of 0 are rated as 3%, while scores of 100 are rated as 97%, by default, in order to avoid an assessment that offers a total absence, or certainty, of risk.

Fundamental Protection	Market Plurality	Political Independence	Social Inclusiveness
Protection of freedom of expression	Transparency of media ownership	Political independence of the media	Representation of minorities
Protection of right to information	Plurality of media providers	Editorial autonomy	Local/regional and community media
Journalistic profession, standards and protection	Plurality in digital markets	Audiovisual media, online platforms and elections	Gender equality in the media
Independence and effectiveness of the media authority	Media viability	State regulation of resources and support to the media sector	Media Literacy
Universal reach of traditional media and access to the Internet	Editorial independence from commercial and owners' influence	Independence of PSM	Protection against disinformation and hate speech

Table 1: Areas and Indicators of the Media Pluralism Monitor

• Methodological Changes

For every edition of the MPM, the CMPF updates and fine-tunes the questionnaire, based on the evaluation of the tool after its implementation, the results of previous data collection and the existence of newly available data. The results obtained for these indicators are therefore not strictly comparable with those results obtained in the previous edition of the MPM. The methodological changes are explained on the CMPF website at <http://cmpf.eui.eu/media-pluralism-monitor/>.

Disclaimer: The content of the report does not necessarily reflect the views of the CMPF, nor the position of the members composing the Group of Experts. It represents the views of the national country team who carried out the data collection and authored the report. Due to updates and refinements in the questionnaire, MPM2024 scores may not be fully comparable with those in the previous editions of the MPM. For more details regarding the project, see the CMPF report on MPM2024, which is available on: <http://cmpf.eui.eu/media-pluralism-monitor/>.

2. Introduction

- **Population and Area:** Italy has a population of 58,990,201 residents (Istat, 2023) and an area of 301,338 square kilometers, stretching from the Alps to the Mediterranean Sea. The population decline, which started in 2015, became more pronounced in 2020 due to the COVID-19 pandemic. The last year saw a decrease of 7,000 residents compared to the same date the previous year. In 2023, there were 649,061 deaths and 380,000 births, with a fertility rate of 1.20 (ISTAT, 2024a). The negative natural balance was only partially offset by immigration.
- **Spoken Languages:** Italian is the most spoken language. The Italian Constitution states that "The Republic protects linguistic minorities with appropriate measures" (Art. 6). Law no. 482/1999 establishes, in Art. 1, that "the official language of the Republic is Italian"; according to this law, the recognized and protected historical linguistic minorities are: Albanian, Catalan, Germanic, Greek, Slovenian, Croatian, and populations speaking French, Franco-Provençal, Ladin, Occitan, and Sardinian.
- **Foreign Population:** In 2023, there were 5,308,000 foreigners in Italy (55 thousand less than in 2022, ISTAT, 2024). The "irregular" component also decreased (ISMU, 2024), partly due to progress in regularizations implemented three years ago under the "2020 Emergence" plan, supported by the state to discourage the presence of unregistered foreigners. This progressive regularization is supported by labor market numbers, with a record one million planned hires of immigrant personnel by Italian companies in 2023. Immigration is still strongly linked to low-skilled sectors, relegating workers to "poor work" with wages too low to exceed the poverty line, affecting their families. Among the most present minorities are: Romanians (1,081,836), Moroccans (415,088), Albanians (416,829), and Chinese (307,038). The Ukrainian component grew significantly (249,613), especially after the Russian invasion two years ago.
- **Economic Situation:** Italy is the third-largest economy in the European Union, with a GDP of €2,085,376 million in 2023. After the severe recession of 2020 and a strong recovery in 2021, last year was marked by the impact of rising energy prices and the general economic slowdown due to the war against Ukraine and international economic uncertainty. The economy grew by 0.9% in 2023, slowing down from 2022 (4%). Growth was mainly driven by domestic demand net of inventories, with equal contributions from consumption and investments. Net external demand had a slightly positive figure, while the contribution of inventory changes was negative. On the supply side, value added grew in construction and many service sectors but decreased in agriculture, mining, manufacturing, and industry overall (ISTAT, 2024b). Productive activity growth was accompanied by an expansion in labor input and income. The public debt-to-GDP ratio improved compared to 2022, with the tax burden remaining unchanged. Reduced interest expenditure reflects an improvement in the primary balance. The labor market continued to improve, with the unemployment rate falling to 7.8%. In 2023, average spending increased nominally by 3.9% compared to the previous year, while in real terms, it decreased by 1.8% due to inflation (+5.9% annual change in the harmonized consumer price index), with no significant differences between richer and poorer families (ISTAT, 2024c). According to preliminary estimates, in 2023, 8.5% of families lived in absolute poverty (8.3% in 2022), corresponding to about 5.7 million individuals (9.8%, almost stable compared to 9.7% in 2022). The intensity of absolute poverty (measuring in percentage terms how much poor families' monthly spending is below the poverty line on average) is 18.2% (stable compared to 2022, ISTAT 2024c).

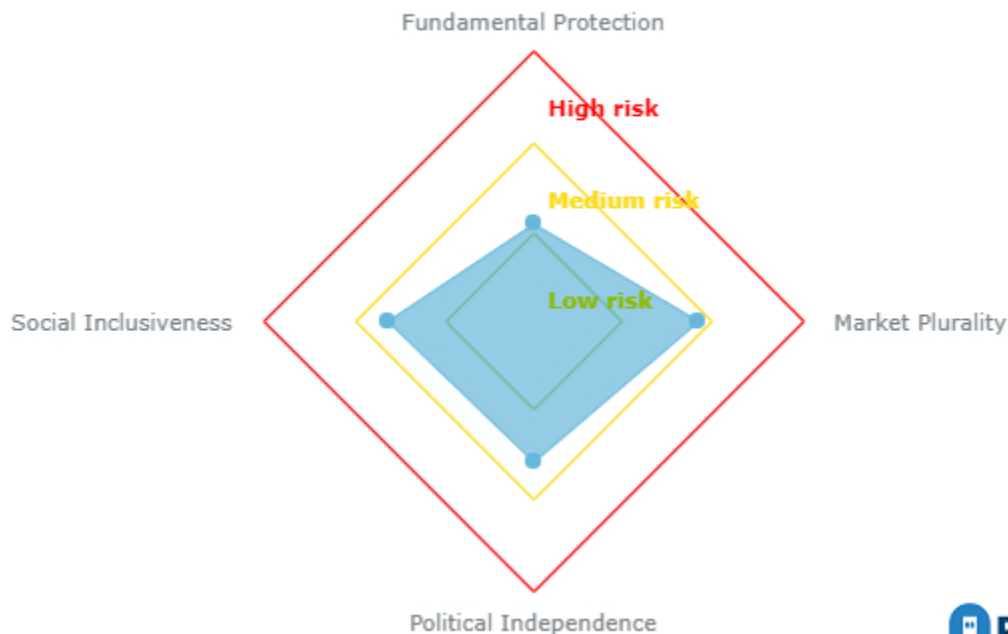
- Political Situation:** After the 2022 elections, the center-right majority leads the country. Prime Minister Giorgia Meloni appears to lead a fairly cohesive majority. In 2023, several reform proposals were presented for both the Constitution and the functioning of the relationship between the state and regions. In particular, there is a desire to introduce the direct election of the Prime Minister and to align the duration of the legislature as closely as possible with the government led by the election winner. In 2023, several events marked Italian politics. Notably, on June 12, 2023, Silvio Berlusconi, four-time Prime Minister and still a key figure in Italian politics, passed away. After his death, Forza Italia decided to appoint Foreign Minister Antonio Tajani as national secretary. The Democratic Party, the largest opposition force, changed its secretary after the 2022 election defeat, electing a woman, Elly Schelin, for the first time. For the first time in the party's history, the outcome of the members' vote was overturned in the open primaries. Finally, the centrist opposition force formed by Calenda and Renzi split, leading to the formation of two separate parliamentary groups.
- Media System:** After the significant digital transformation, the characteristics of the Italian media system can still be associated with the "Mediterranean or Polarized Pluralist Model" (according to Hallin and Mancini's 2004 classification): low newspaper circulation, with an elite and politically oriented press; a parliamentary governance model of politically controlled broadcasting. Television remains the main source of information and the most significant sub-market of the Integrated Communications System (SIC, the broad aggregate on which Italian law bases the assessment of concentration and pluralism). However, digitalization has strongly impacted the information offer and market shares of various actors. Notably, concerning revenues from content purchases by users, there is a further, albeit slight, overall contraction. The negative trend was influenced by reduced revenues from newspaper and periodical sales and subscriptions to satellite pay TV and digital terrestrial TV. In terms of consumption, television remains stable (caused by opposing trends in traditional TV consumption, decreasing, and internet and mobile TV consumption, significantly increasing; satellite TV shows a small increase after a decline in recent years), radio is increasingly characterized by hybrid consumption, the internet has surpassed television in terms of the number of users, while the newspaper share has dropped to a new historic low. In terms of market shares, in March 2023, the Authority initiated proceedings to determine the overall economic value of the SIC for 2021. With resolution 223/23, the Communications Authority determined the total economic value of the SIC for 2021. The total SIC value was estimated at 18.9 billion euros, equal to 1.1% of GDP and an increase of 14.2% compared to 2020, considering the perimeter redefined by articles 3, co. 1, lett. z), and 51, co. 2 of the TUSMA, which identify, respectively, the economic activities and revenue items constituting the aggregate. Among the resources constituting the SIC, those related to advertising in traditional and online media (including sponsorships) prevail, representing 53.6% of the total. Revenues from product and service sales follow (attributable to audiovisual media services, daily and periodical press, news agencies, electronic publishing, including the internet, and cinema), weighing 33.7%. Finally, revenues from the public broadcasting service fee and agreements and subsidies granted to entities operating in the SIC represent 12.6% of the total. In this context, Comcast/Sky ranks first, with its revenues representing 16.1% of the SIC, while RAI, with a 14.4% share of total resources, ranks second. Fininvest group follows, with an overall share of 10.3%. Among other actors, online platforms stand out, with Alphabet/Google, META/Facebook, Netflix, and Amazon ranking fourth, fifth, eighth, and ninth, respectively, with shares below 8%.
- Media Regulation:** Following the new regulatory framework on media pluralism (Art. 51 of Legislative Decree No. 208/2021), AGCOM has initiated updating the definition of all relevant markets and the Integrated Communications System (SIC), simultaneously proceeding with identifying guidelines for evaluating media sector concentration. The guidelines for implementing Art. 51, establishing criteria for

assessing significant market power positions planned for 2022, were published in April 2023 (AGCOM 94/23/CONS) and opened for stakeholder consultation. In January 2023 (Resolution No. 3/23/CONS), AGCOM also issued regulations on fair remuneration by platforms to publishers when protected content is used (Resolution No. 3/23/CONS). On March 15, 2023, after a one-year delay, Directive EU 2019/1937 on the protection of whistleblowers was transposed into Italian law (Legislative Decree March 10, 2023, No. 24). In 2023, AGCOM launched a public consultation on measures to ensure influencer compliance with the Unified Text of Audiovisual Media Services provisions, leading to the issuance of guidelines in January 2024 (Resolution No. 7/24/CONS).

- **War in Ukraine and in Israel/Palestine:** The war began with Russia's attack on Ukraine in February 2022 and continued in 2023, significantly impacting Italian society. Since the conflict began, Italy has pledged political, military, financial, and humanitarian support to Ukraine, welcomed Ukrainian refugees fleeing the war, and contributed materially to reconstructing energy infrastructure. On October 7, 2023, following a series of attacks from the Gaza Strip, a conflict between Israel and Hamas also began.

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

Italy: Media Pluralism Risk Areas



JS chart by amCharts



In the area of **Fundamental Protection**, Italy is assessed as having a medium risk level of 36%, indicating a certain degree of respect for the legal requirements safeguarding media freedom and pluralism. However, this risk level has increased compared to previous reports. This increase stems from various factors, including concerns about the conditions faced by journalists, such as pressures and threats. Additionally, pending reforms in criminal defamation laws and legal protections against Strategic Lawsuits Against Public Participation (SLAPPs) contribute to the heightened risk. There's a worrying trend of increasing criminal and civil lawsuits against journalists, including by government members. Economic vulnerabilities, particularly for younger journalists, and discussions around restricting access to judicial information further exacerbate risks. On a positive note, the independence of the media authority is legally guaranteed, and basic infrastructure for accessing information remains stable.

In terms of **Market Plurality**, the risk level remains medium at 61% for 2023, with slight improvement. Economic threats continue to pose risks to diversity and plurality of information, particularly concerning media viability and concentration indicators. High concentration in media content provision and the digital media environment reflects risks to editorial independence from commercial and owner influence. While regulations exist for transparency in media ownership, they are not fully accessible.

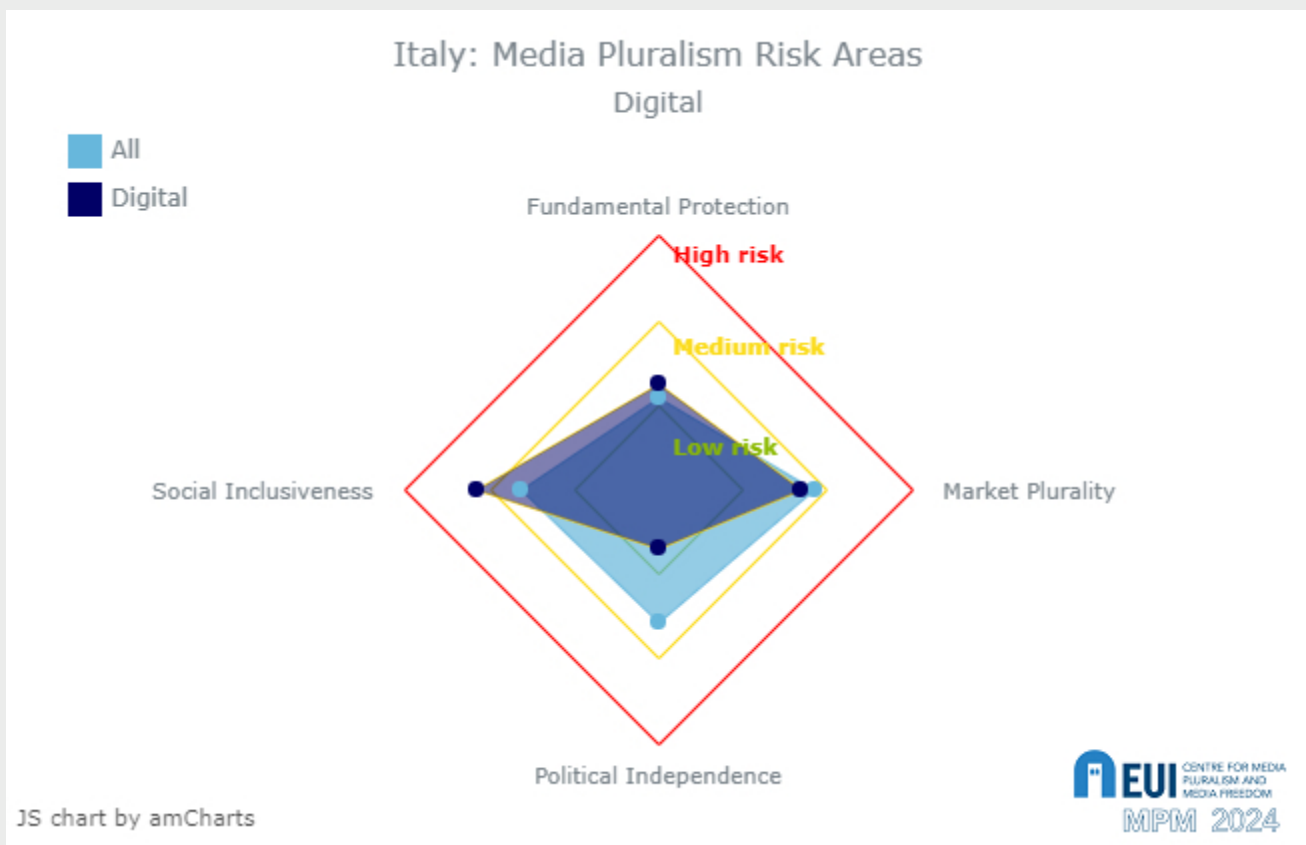
The area of **Political Independence** presents a medium risk level, overall registering a value of 52%. The major critical factor remains the independence of Public Service Media, which in 2023 underwent a blatant operation of occupation by the majority political forces. Furthermore, a significant regulatory novelty is the reduction of resources from the license fee to support PSM. Strong critical issues also persist in the private sector, where some significant media outlets are under indirect political influence. A real threat to editorial autonomy lies in the constant reduction of revenues for traditional media, making them more susceptible to political influences and major advertisers; and this in a context that traditionally offers tools that are not

always effective in safeguarding journalistic independence. The system of public subsidies for publishing, substantially unchanged, continues to distribute resources in a distorted and unreasonable manner.

In **Social Inclusiveness**, the risk level remains medium (54%). The most critical factors remain those related to gender equality and media literacy. There continues to be systematic underrepresentation of women both in governance and in the leadership of major national media outlets; in the press and in informational and political programs, female voices continue to be systematically less present than those of men. The critical issues regarding media literacy persist, in the absence of a true national strategy for acquiring and strengthening these skills. As for other aspects, there remains a significant difference between recognized minorities and unrecognized ones (to the detriment, therefore, of groups such as migrants). Trust in the media remains significantly low, in a context where the penetration of disinformation on traditional and digital media remains high.

Overall, the assessment underscores a mixed landscape in Italy, with improvements in some areas but persistent risks and challenges, particularly concerning media freedom, plurality, and inclusiveness.

Focus on the digital environment



For several years now, the world of information, communication and dissemination has been undergoing a rapid transformation, linked in particular to the development of the digital world and the ever-present Net platforms. The digital revolution in the world of journalism has changed many things: from the way of conceiving an editorial office to the methodology of finding news, an entire ecosystem overturned and readapted to the new media capable of disseminating information. Journalists, therefore, are also 'content creators' focused on the relationship between speed and quality of news.

Being among the first to convey a fact, however, is not the only thing that counts, the need for precision and accuracy remaining to avoid trivial errors or the endless traps of fake news.

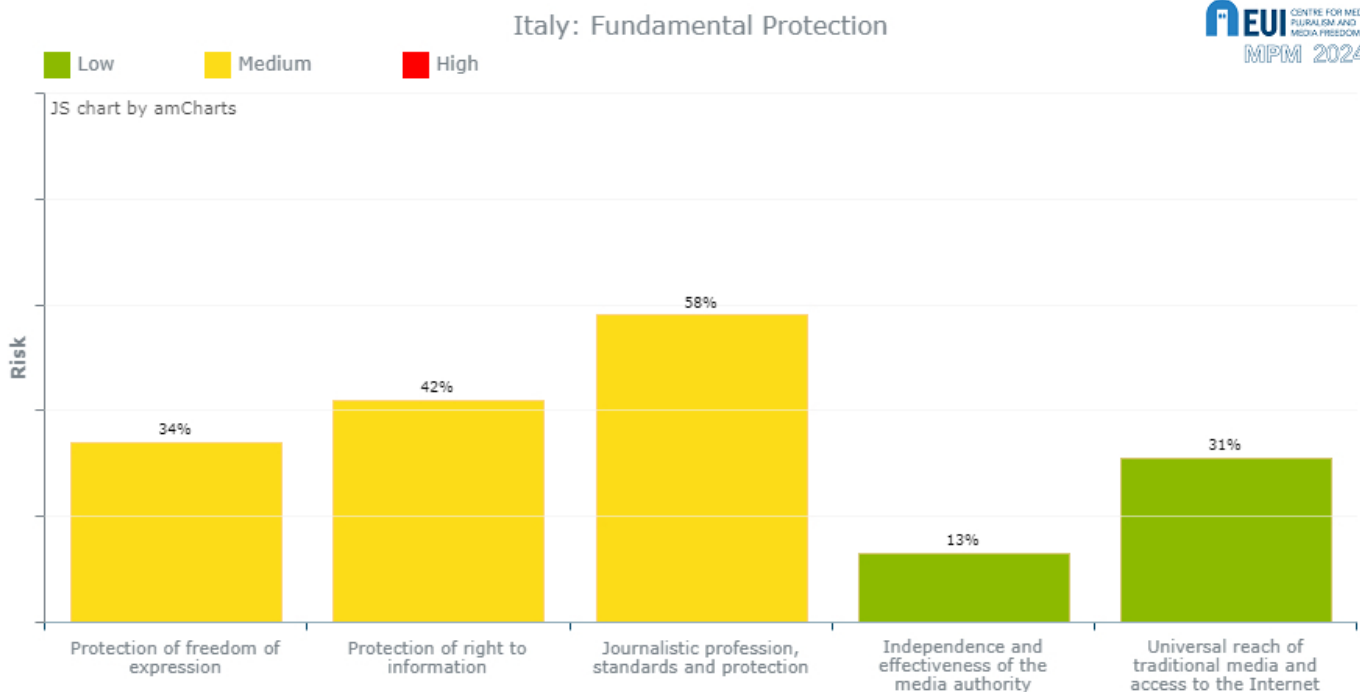
An important advantage brought by digital is undoubtedly interaction. Digital journalism, in fact, gives anyone the opportunity to debate any topic directly, or via social networks. Print media, after all, presented a one-way view of things. The involvement of multiple points of view within a community of people is one of the strengths of a profession that has been decisively disrupted by the changes brought about by new technologies and innovative contemporary sharing platforms.

However, it is important to emphasise that the risks threatening the fundamental guarantees of media pluralism are particularly pronounced in terms of professionalism, standards and journalistic protection, especially for women journalists. Concerning market plurality, although digital media providers show relatively less concentration, both traditional and digital media face threats to their economic sustainability due to the predominant presence of online platforms, which act as gatekeepers for access to news. Regarding **Political Independence** in the digital environment (23%), the main concerns relate to gaps in general regulations regarding online election campaigns and political advertising.

Regarding **Social Inclusiveness**, there is a significant risk related to media literacy, compounded by broader historical issues of low literacy levels, which ultimately undermine political and civic engagement. Moreover, low digital skills contribute to increased vulnerability to misinformation and hate speech.

3.1. Fundamental Protection (36% - medium risk)

The Fundamental 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 the competence to regulate the media sector, and the reach of traditional media and access to the Internet.



The indicator assessing the **Protection of Freedom of Expression** reflects a medium risk level at 34%. The Italian Constitution explicitly recognizes freedom of expression in Article 21, affirming the right of individuals to express their thoughts freely through speech, writing, and other forms of communication. The legal framework in Italy aligns with international standards, requiring that any restrictions on freedom of expression be established by law and proportionate to their intended purpose. Additionally, citizens are afforded legal recourse in cases where their freedom of expression is infringed upon. However, the efficacy of these remedies is often hindered by the sluggishness of the judicial system. Challenges regarding the effectiveness of legal remedies are further exacerbated in the realm of digital communication.

Although there were no violations of Article 10 of the European Convention on Human Rights declared by the European Court of Human Rights in 2023, there remains a pressing need for legal reforms and enhanced enforcement of existing protections.

The long-standing issue of the criminal legal framework on defamation remains unresolved. The ECtHR has repeatedly condemned Italy for the provisions of the Press Law (Law No. 47/1948, Article 13) and the Criminal Code (Article 595), which prescribed imprisonment for defamation, despite the actual imposition of such penalties being exceptional. In recent times, the Italian Constitutional Court addressed the issue twice, in 2020 and 2021 (Ordinance no. 132/2020 and, notably, Judgment no. 150/2021). The Constitutional Court declared the illegitimacy of Article 13 of the Press Law (which mandatorily provided for imprisonment) and otherwise confirmed the established judicial interpretation that the penalty of imprisonment should be applied only in cases of exceptionally serious defamation, while urging Parliament to enact comprehensive reform of the matter. Nonetheless, the laws punishing defamation have not yet been amended.

Consequently, the use of defamation proceedings against journalists persists, often instigated by influential figures as an intimidating measure (SLAPP). For example, on 10 January 2023, the journalist Gad Lerner reported having been summoned for criminal defamation by the steel company Acciaierie d'Italia over critical comments he made on the Radio 3 broadcast *Prima Pagina* on 21 November 2021 (Spampinato, 2023). On the broadcast, Lerner answered a question from a listener and criticised Acciaierie d'Italia's pollution-plagued steel mill in Taranto, saying that despite several inspections carried out by the judiciary at various levels and expert reports of environmental and health dangers to workers and neighbourhoods caused by dust, the mill was still allowed to operate. In Italy, on the other hand, a bill on defamation was presented in March 2023 (AS 466). The proposal is currently under review by the Senate and has not yet been approved by either chamber. It suggests the elimination of imprisonment sentences, following guidance from the European Court of Human Rights. However, the proposed bill has raised concerns because it is accompanied by a significant increase in monetary penalties for journalists, potentially creating an intimidating effect that could profoundly threaten the freedom of editorial offices. At the same time, the proposed law does not include measures to curb the rampant phenomenon of so-called reckless lawsuits.

It is worth to mention a controversial case for freedom of the press in Italy in 2023: on 23 January 2023, the prison administration (working under the Ministry of Justice) warned the doctor of Sassari's prison not to speak with, specifically, *Radio Onda d'Urto*, about the health conditions of the detainee Alfredo Cospito, with the threat of revoking the journalists' entrance to the prison as a whole. Cospito started a hunger strike in October 2022 - lasting for almost 6 months- to protest against the detention conditions under art. 41 bis of the Law on the Penitentiary System (so called "hard jailing", for which Italy has been condemned by the ECtHR). The administration's ban caused concerns among journalistic associations^[1] and some independent newsrooms^[2], that organised events in defence of freedom of expression with regards to a case that was very prominent (and controversial) in the Italian public opinion in the beginning of 2023.

The indicator, **Protection of the right to information**, scores 42%, a medium risk. This indicator highlights several key risk factors, including the limited effectiveness of the framework in facilitating access to information, issues arising from the transposition of the Directive on the protection of presumption of innocence. In the Italian context, this transposition has imposed restrictions on judicial journalists regarding their ability to gather information on ongoing judicial investigations. Additionally, there are deficiencies in the protection of whistleblowers.

The right of access is guaranteed by various regulations at national and European level; the first relevant source is Law 241 of 1990, the Administrative Procedure Act. More recently, Legislative Decree No 33 of 14 March 2013 (as amended by Legislative Decree No 97 of 25 May 2016) introduced the institutes of simple civic access and generalised access. While no official data pertaining to the monitoring conducted by the FOIA Competence Center for the year 2023 have been found, nor have updates on jurisprudence and opinions from the Italian Data Protection Authority relating to 2023, the latest available information stemming from the monitoring initiated in 2017 highlights a surge in appeal requests in 2020.

The Italian implementation that took place with Legislative Decree No. 188 of 8 November 2021 of Directive 2016/343/EU on the strengthening of the presumption of innocence and the right to be present at trial in criminal proceedings raises some doubts about the objective of the decree, which, albeit indirectly, has negative effects on press freedom. In fact, the decree limits the possibility for journalists to communicate with public officials, including judges and the police, before a final judgement on a case has been reached. The general prosecutor is entitled to communicate details of the cases when he considers the overriding

“public interest reasons” persist, in the form of press conferences or press releases, leaving it to him/her the discretionality to interpret the existence of public interest circumstances. It is possible to argue, therefore, that legislative decree no. 188 is an instrument whose purpose is precisely to limit the communication of information to the community, with negative consequences both for the rule of law and for victims of crime who may also receive support from the press and the community, and to hinder the work of journalists as a whole despite the existence of positive obligations on States to implement freedom of the press, in line with the case law of the European Court of Human Rights, a consequence that leads to a compression of EU values and a regression in the protection of the value of the rule of law (Castellaneta, 2022, p. 79).

It is worth to point out that on 24 February 2024 Law 15/2024 was published, which contains, in Article 4, the delegation to the government to amend the Code of Criminal Procedure by providing for 'the prohibition of the publication in full or in extracts of the text of the pre-trial detention order until the preliminary investigation is concluded or until the end of the preliminary hearing'. This intervention created great controversy between the government and journalists (FNSI, 2024a).

As to the protection of whistleblowers, on March 15, 2023, Legislative Decree no. 24/2023, transposing EU Directive 2019/1937 on the Protection of Persons who Report Breaches of Union Law, has been published in the Italian Official Gazette. The ANAC's latest published reports for 2023, based on 2022 data (ANAC, 2023, pp. 74 ff.), highlight key changes resulting from the transposition:

- Whistleblowing is recognized not only as a measure to prevent corruption but also as a fundamental individual right.
- Expansion of the entities required to comply with whistleblowing regulations within the private sector.
- Broadening the definition of a whistleblower to include various stakeholders and extending protection to individuals not yet employed during the information acquisition phase.
- The importance of personal conviction in whistleblowing reports, with an emphasis on reasonable belief rather than certainty.
- Enhanced reporting capabilities for suspected illegal activities.

The awareness surrounding whistleblowers' protection has seen a slight enhancement, largely credited to the efforts of civil society organizations. These groups have voiced concerns regarding delays in transposition and the issuance of new guidelines, which have helped untangle various complexities surrounding whistleblowing. As per the ANAC 2023 report, this has led to an uptick in civil servants coming forward with reports of potentially unlawful behavior, demonstrating a greater adherence to regulatory frameworks. Additionally, the role of Responsible for Corruption Prevention and Transparency (RPCTs) within administrations has grown stronger over time. Consequently, there's been a notable shift: nowadays, civil servants are more inclined to report internally compared to previous years (ANAC, 2023, pp. 74 ff.). Not only have the methods of notification and protection been refined, but there have also been improvements to the electronic platform used for reporting offenses, yielding positive outcomes (ANAC, 2023, pp. 74 ff.).

At the same time, this proved to be insufficient: as reported by Valentina Lostorto from the National School of Administration, "for various reasons (cultural resistance, lack of knowledge, fear of misuse,) the institution of whistleblowing is still viewed with great distrust, both within administrations and in the public

administration” (Lostorto, 2023).

The indicator for **Journalistic Profession, Standards, and Protection** has risen to 58% (from 54% in MPM2023), in the medium-risk category. Within this domain, key sources of risk are identified in sub-indicators assessing impunity, the legal landscape concerning SLAPPs and online threats, which jeopardize journalist safety. Noteworthy concerns also arise in evaluating journalists' working conditions, approaching the high-risk threshold. The economic downturn, affecting advertising expenditure and consequently media revenues, along with persistent crises in legacy media—largely unmitigated by digital media growth—have significantly impacted the profession. Concurrently, there has been a rise in the number of freelance and self-employed journalists, who remain inadequately protected by social security schemes and general regulations (Lorusso, 2023).

The expiration of the primary collective contract for journalists (FIEG-FNSI) in 2016, yet to be renewed, underscores institutional neglect. President Mattarella addressed this issue, highlighting its anomalous and serious nature (27 July 2023). The lapse of the journalists' contract ties the profession to outdated norms, affecting a limited portion of journalists employed in medium to large media outlets.

These circumstances heighten journalists' vulnerability to external influences such as commercial or political pressures, particularly in the absence of robust safeguards and certainty. Notably, various associations (including *Ordine dei Giornalisti*, trade unions, and grassroots organisations like Articolo 21 and Ossigeno per l'informazione) actively advocate for and defend journalists' rights. However, their focus primarily centres on addressing defamation lawsuits, SLAPPs, physical threats, and economic working conditions, with less emphasis on ensuring editorial independence and upholding professional standards (Articolo 21, 2024).

With specific regard to the physical safety of journalists, the analysis of this indicator has evidenced huge concerns that are related to a vast typology of threats. The data at the end of 2023 shows that around 500 journalists have been threatened (Ossigeno per l'informazione, 2023). For example, on 18 August 2023, a TV crew of local Venetian broadcaster Telenuevo was physically and verbally attacked by passers-by near Prato della Valle in Padua while filming a news segment. Journalist Alberto Locatelli and Padova TV camera operator were interviewing people about the new smart traffic lights recently installed in the area, when two middle-aged men confronted them, annoyed that they were asked about their opinion on the matter, and told they didn't want to be filmed (FNSI, 2023a).

While there have been no cases of journalists being killed in the country, and no arbitrary arrests or imprisonments have been reported, physical attacks, death threats and other forms of intimidation have continued. It is worth mentioning that Devrim Akcadag, a Kurdish-German journalist, received an international arrest warrant on 2 August 2023 and was taken to the Bancali prison in Sassari, Italy, accused of complicity with the Kurdish Workers' Party, PKK, and therefore in the opinion of Erdogan and his magistrates, a terrorist. His extradition was denied in October (Angelucci-De Monte, 2023). Moreover, it has to be highlighted the case of two Italian journalists blocked in Kiev, who ended up on a black list by the Ukrainian authorities, having their press accreditation withdrawn with the accusation of working for Moscow's propaganda. As reported by the same journalists in question, in spite of the Italian Embassy having asked the staff of the Ukrainian President to address the issue during the scheduled meeting between Zelensky and the Premier Giorgia Meloni, there has been ultimately no reference to it. Moreover, in spite of the two journalists spontaneously deciding to not attend the meeting, the accreditations that were

requested in advance would have been in any case denied (FNSI, 2023b).

Considering the sub-indicator Positive obligations, in the Italian context, the most used legal references to start a SLAPP case are not only criminal and civil lawsuits, but also the right to privacy and the right to be forgotten. In February 2024, the European Parliament reached an agreement on the EU Anti-SLAPP Directive, containing a set of measures to establish procedural guarantees against SLAPPs in all member states. The directive contains minimum measures and aims to regulate civil cases with cross-border implications (Consilium, 2024) and Italy will be required to transpose it into national legislation. These dangers are aggravated by the fact that the reform of defamation has remained an area in which no decision has been made, while the use of defamation lawsuits against journalists and requests for civil damages – often used by powerful actors as a legal tool to trigger SLAPPs cases – has continued to spread.

According to the Liberties Media Freedom Report 2023, various powerful entities such as politicians, large corporations, judges, and other influential figures have increasingly exploited laws and courts to suppress critical voices. This phenomenon, known as strategic lawsuits against public participation (SLAPPs), persists as a significant issue across several EU member states, including Bulgaria, Croatia, Estonia, France, Germany, Hungary, Italy, the Netherlands, Poland, Slovenia, Spain, and Sweden. Unfortunately, there is a notable absence of sufficient legal safeguards against SLAPPs (Liberties Media Freedom Report 2023, p. 5). SLAPPs are primarily related to a disproportionate application of libel and defamation laws. In this context, 95 reports relating to the safety of journalists in Italy were recorded last year. To give an indication of where these episodes came from, it is worth quoting some numbers: 17 physical assaults; 23 verbal assaults; 34 legal incidents; 14 reports of attempted censorship. On closer inspection, the last two indicators are associated with the dialectic between the media and the Italian government and, albeit to varying degrees, signal a restriction of the space for public contestation (Media Freedom Rapid Response, 2023).

In the Italian legal system, the protection of professional secrecy is traditionally traced back to Article 622 of the Criminal Code of 1930 (in force), which punishes the disclosure of professional secrecy. Journalists and editors, according to Article 2 (paragraph 3) of the Professional Law No. 69/1963, 'are bound to respect professional secrecy on the source of news, when required by the fiduciary nature of the news'. This rule allows the journalist to receive news, while the sources are 'guaranteed'. Article 13 (Paragraph 5) of the Privacy Act (No. 675/1996) also protects journalists' secrecy on the source of news, when it states that 'the rules on professional secrecy of journalists, limited to the source of the news, remain unaffected'. Violation of the deontological rule of secrecy on the source of the news entails disciplinary liability (Article 48 of Law No. 69/1963).

In judging a case of alleged defamation through the press, the Court of Cassation (order no. 30522/2023) provides a reconstruction of investigative journalism, also invoking Article 21 of the Constitution. According to the Court, the "civil and useful role in democratic life" of investigative journalism needs to be protected, even if it does not lead to a truth. Its value, the Court explains, lies precisely in its ability to stimulate the community, to the extent that its outcomes must be evaluated "not so much in light of the reliability and truthfulness of the news, but rather in the author's compliance with the ethical duties of loyalty and good faith." Therefore, ethics are the true barrier set by the Supreme Court against defamatory or otherwise groundless initiatives disguised as journalistic investigations. However, as long as they are inspired by good faith, wide latitude is given to them. "The relaxation of the truth canon," the decision reads, "is justified in light of the constitutional principle regarding the right to freedom of expression, when said journalism

reasonably indicates a 'suspicion of wrongdoing' with the suggestion of an investigative direction to the investigative authorities or a denunciation of obscure situations that require administrative or regulatory interventions to be clarified, provided that they concern social issues of general interest, on the condition that 'suspicion and denunciation' are expressed on the basis of objective and relevant elements; indeed, in investigative journalism, suspicion must maintain its own 'propulsive and inductive character of deepening,' being autonomous and, in itself, ontologically distinct from the notion of attributing an untrue fact.

The **Independence and effectiveness of the media authority** indicator maintained a low risk score of 13%, consistent with the previous year. This reflects the overall presence and functionality of regulatory safeguards concerning governance and budgetary independence, alongside notably positive actions undertaken by the Italian communication authority (AGCOM) throughout 2023.

It must be acknowledged, nonetheless, that four members of AGCOM are appointed by the two chambers in the Parliament in a way that allows them to agree on the names of personalities that are respectively the expression of each main political party^[4].

From a regulatory perspective, the most significant development concerns the appointment of AGCOM as Digital Service Coordinator - a figure established by the 2022 EU Digital Services Act Directive^[3]. Alongside the power of self-organisation, financial autonomy and accounting autonomy are undoubtedly of central importance as manifestations and instruments of institutional independence, posing both a problem of strict provisioning of resources and the adequacy of resources acquired in the perspective of independence.

With the introduction of the first independent authorities, the very qualification of financial autonomy, which would have presupposed at least an embryonic power to impose assets, appeared critical. The problem of resource adequacy remained in the background. Autonomy had been based, in fact, almost exclusively on transfers, mainly the annual budgetary allocations by Parliament: in the first years of the independent authorities' existence, the relevant budgetary allocations were, moreover, commensurate with their 'steady' operation and significant amounts of residuals were carried over (and accumulated).

Later, mixed forms of financing (self-financing and hetero-financing) were adopted, but only exceptionally did financial autonomy consist of full recourse to self-financing. The Authority is financially supported through contributions from entities that are active in the electronic communications, media services and postal services' sections. As reported in AGCOM's annual report to Parliament (July 2023, AGCOM, 2023), the main sources of funding are made up of contributions paid by electronic communications operators and media service providers which cover, respectively, approximately 49.4% and 32.5% of the total requirement. Postal service providers contribute 11.4% of current revenue, while operators in the sector of online intermediation services and online search engines. The 2023 revenue system is completed by the contributions collected by the organisers of sports competitions for the marketing of audiovisual rights and the fees collected for the issue of satellite authorizations and for the supply of other media services, equal to approximately 0.9% of the total, and other non-contributory revenue, relating to recoveries, reimbursements, interest, etc. The revenue in the 2024 budget is EUR 119.839.450,00 while the expenditure (on an accrual basis) was EUR 115,028,590.00 (AGCOM, 2023b).

Given this system, AGCOM is guaranteed financial stability and independence from political and economic pressures. The regulatory framework can be considered to be sufficiently effective, and the 2023 action of the Authority proved to be proactive and rather independent. Both in the electoral and non-electoral period,

the Authority systematically carried out the activity of collecting and publishing data on airtime of political parties in television, although it must be highlighted that these data are difficult to consult and are not exhaustive.

The indicator assessing the **Universal reach of traditional media and Internet access** exhibits a low risk level at 31%, reflecting advancements in technology within both domains. The risk increased significantly compared to MPM2023 (19%) but this is due to methodological changes related to the database assessed for MPM2024. Accessibility to traditional broadcasting networks and PSM coverage are ensured. Notably, the new Service Contract for the years 2023-2028 between RAI and the Government includes obligations for additional technological investments by the PSM to ensure nationwide coverage in the transition to DVBT2 standards. Throughout the reporting period, AGCOM has diligently monitored users' rights to an unrestricted network, free from arbitrary limitations that may unfairly favour certain user groups over others based on commercial considerations of operators. In this regard, AGCOM has actively overseen the discontinuation of zero-rating offers, traffic management practices, and specialized services. This regulatory oversight has exerted significant moral influence, prompting some operators to discontinue or revise practices not compliant with existing regulations (AGCOM, 2023).

Focus on the digital environment

In the Fundamental Protection domain, the risks associated with the digital realm are higher, with an average score indicating a medium risk level at 41%. This discrepancy is primarily attributed to digital risks within the journalistic profession, standards, and protection, while there is little substantial variance in indicators regarding basic legal guarantees of freedom of expression and infrastructure for media access.

Online freedom of expression is generally upheld and subject to limitations or restrictions by the State in circumstances similar to those in the offline environment. The State may intervene to filter or block internet content in specified cases, including violations of criminal law (such as terrorism or child exploitation), unauthorised use of copyrighted content, gambling, and certain unauthorised financial services. However, there are mechanisms for appeal to prevent arbitrary exercise of power.

Decisions regarding the filtering and removal of online content are made by digital platforms according to internal guidelines. There is no comprehensive availability of data on the implementation of these guidelines and on the moderation, filtering, and removal activities of platforms. Indeed, there is a lack of transparency and precise data on the quantity, criteria, and motivations concerning the blocking or removal of content or profiles on platforms. The absence of transparency and general data itself constitutes a risk factor. However, there are some cases of online FoE violations that have individually received media attention. A significant case, for example, is that of activist Karem Rohana (Carboni, 2023a). Rohana is an Italo-Palestinian citizen who was in Palestine on October 7, 2023. Found stuck in Palestine during the conflict, Rohana continued to report on the violence and the situation of Palestinian civilians through his Instagram profile. Meta (Instagram's owner) obscured his profile, along with those of other Palestinian activists. Meta later apologised for this conduct, reactivating profiles (such as Rohana's) that it deemed non-violent and not associated with Hamas. It should be mentioned that when Rohana returned to Italy at the end of October 2023, he was the

victim of an intimidating assault by four individuals.

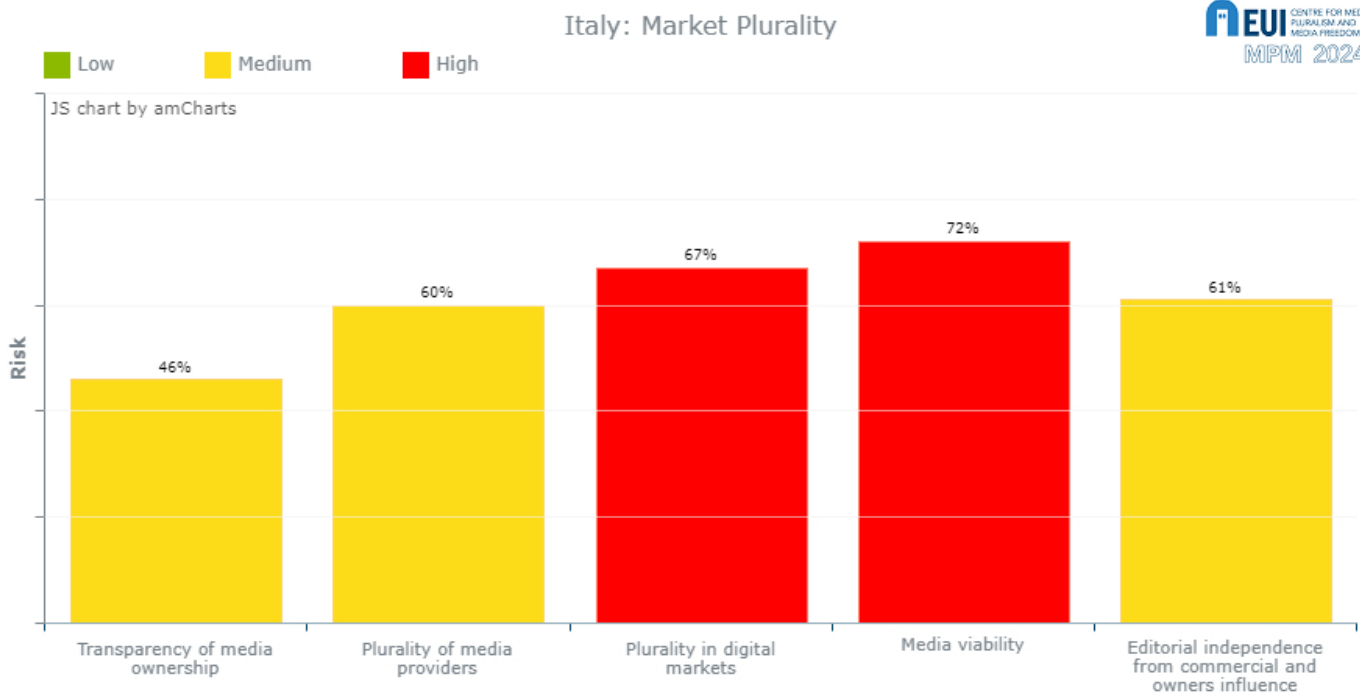
Additionally, there are regulatory efforts in place to address digital platform issues and online content regulation in Italy. A Technical Committee, established by AGCOM since 2017, involves major digital platforms to ensure pluralism and accurate information online. This collaborative approach between regulators and platforms aims to tackle digital sphere issues effectively. Furthermore, both self-regulation by platforms and co-regulation under AGCOM supervision are employed, seeking to balance industry autonomy with regulatory oversight.

Moreover, there is a Code of Practice on Disinformation signed by platforms and fact-checkers, serving as a regulatory tool to combat disinformation online. Article 42 of TUSMA promotes the adoption of codes of conduct by video-sharing platforms, with AGCOM tasked with monitoring their adequacy, effectiveness, and enforcement to uphold transparency and proportionality standards in online content.

Although specific guidelines regarding the implementation of video-sharing platform codes of conduct have yet to be issued, the regulatory framework anticipates future changes, including the implementation of the Digital Services Act into the national framework. Additionally, the approval of the EU Regulation called “European Media Freedom Act” (EMFA) aims to ensure media plurality and protect journalists' independence from political, economic, or private interference. Under the new EMFA, EU member states have obligations to guarantee the editorial independence of public media, transparency in media executives' appointment processes, transparent funding measures, and a commitment to reducing disinformation. Surveillance measures of journalists are only permissible for an overriding public interest and require authorization by the judicial authority, with the use of such software subject to justification and regular judicial supervision. This sensitive aspect warrants careful monitoring in the future to ensure compliance with established standards and protection of journalists' rights and freedoms.

3.2. Market Plurality (61% - medium risk)

The Market Plurality area considers the economic dimension of media pluralism, assessing the risks deriving from insufficient transparency in media ownership, the concentration of the market in terms of both production and distribution, the sustainability of media content production, and the influence of commercial interests and ownership on editorial content. The actors included in the assessment are media content providers, with indicators including Transparency of media ownership, Plurality of media providers, Media viability, Editorial independence from commercial and ownership influence, and digital intermediaries (with the indicator on Plurality in digital markets).



The medium risk of the indicator on **Transparency of media ownership** (46%) arises more from the practical implementation of the rules than from flaws in the regulation. In the Italian legal framework, the principle of financial transparency in the media sector is enshrined in the Constitution (Art. 21, co. 5) and regulated by the following laws and acts: the Law on the Press (no. 47/1948, Art. 5); the new Consolidated Act on Audiovisual Media Services (TUSMA), Legislative Decree no. 208/2021 (Art. 29); and Law 249/1997 (Art. 1 § 6), instituting the AGCOM and the ROC (the Register of Communications Operators). The Register "aims to ensure the transparency and publicity of the ownership structures, the application of the rules concerning the anti-concentration discipline, the protection of information pluralism, and compliance with the limits established for the shareholdings of foreign companies" (AGCOM website). The operators obliged to register with the ROC are: all the media providers (audiovisual, radio, newspaper, press agencies, digital), advertising concessionaires, electronic services providers, online search engines and online intermediation service providers (AGCOM Resolution no. 666/09/CONS, as amended by Resolution 200/21/CONS).

The Italian media ownership system is quite complex. Often the corporate structure is based on a holding company that controls several companies - and ultimately their outlets - through a chain of sub-holdings. The ultimate owner is thus allowed to control the outlet through his company at the top of the ownership pyramid, rather than owning the majority of its shares, the majority shareholder being the one who owns more than 50 per cent of the share capital. Such a system makes it more difficult to recognise which natural or legal person owns the company (Euromedia, 2023). The complexity of the chains of ownership, the scarcity of data in financial reports lead to difficult traceability of information and an intricate financing system that is often not transparent to the public. A number of elements weigh heavily: the proximity of

publishers and owners to political parties and interest groups; economic interests in non-publishing sectors. The examples are numerous for both situations. In the first, the Mediaset-Fininvest group and the links with Forza Italia are clear. But there is also the case of *Avvenire* with the CEI and *Il Sole 24 Ore* with Confindustria. In the second dimension, the top cases are those of Corriere della Sera-Rcs and GEDI respectively linked to the Cairo and Elkann families, who also own Turin and Juventus but also other industries such as Cairo Editore, Exor, Welltec.

The indicator on **Plurality of media providers** scores as decrease at medium risk (60%), but still the market remains fragmented and presents a high degree of concentration, historically born through the “duopoly” of the public and private broadcaster in the traditional television sector, and then confirmed – even if with different characteristics – with the digital evolution of the media environment. The reason for the decrease in risk is a methodological revision, rather than a change in the actual concentration in the field. The risk thresholds were lowered to take into account developments in the media markets. Despite the new criteria and the new threshold, it must be emphasised that concentration is still high.

The evaluation of the SIC, following the new rules, was provided in September 2023 (resolution no. 223/23/CONS). The Communications Guarantee Authority ascertained the economic value of the Integrated Communications System (SIC) as a whole for the year 2021 as provided for in Legislative Decree No. 208 of 8 November 2021 (Tusma). The total value of the SIC was estimated at EUR 18.9 billion, representing 1.1% of GDP and growing by 14.2% compared to 2020. This dynamic is mainly attributable to the recovery of advertising revenues, among which we should highlight the sustained growth of online advertising revenues, the recovery of revenues from traditional media after the contraction recorded during the pandemic period, in addition to the significant growth of revenues from pay-TV offers on the web and the higher revenues from the collection of the public service broadcasting licence fee. The growth of these items has therefore led to an increase in the overall value of SIC, despite the reduction in the items relating to satellite and digital terrestrial pay TV subscriptions, the sale of print and digital copies of newspapers and periodicals, and the public's enjoyment of cinematographic works. With regard to the distribution of the total resources of the SIC for the year 2021 by revenue macro-categories, there is a 58.9% incidence (53.6% in 2020) of those attributable to advertising revenue, 29.2% of those attributable to direct sales of products and services and the remaining 11.9% related to public funds.

The Authority determined the distribution of the shares. Subjects with quotas of not less than 1% jointly represent, with EUR 12.5 billion, 66.4% of the SIC, while the remaining 33.6% of the total resources is characterised by the presence of a rather wide range of subjects with quotas of 1% or less. In this context, RAI ranks first, with a share of its revenues on the SIC of 13.5%, while Comcast/Sky, with a weight of 12.1% on total resources, holds second place. This is followed by the Fininvest group, with an overall share of 10.3% and Alphabet/Google with a share of just over 10%. It should be noted that the SIC shares are measured on a very broad aggregate and not by specific media sectors. Furthermore, it is interesting to note that the increase in revenues in SIC is linked to online adv revenues; this result could be related to the concentration of digital markets and media profitability, which explains why adv growth did not benefit the media and media profitability deteriorated.

The results of the MPM show that there is high concentration in all the sub-sectors. According to the MPM methodology, risks in the sub-indicators on concentration, from a quantitative point of view, are assessed based on the Top4 index. The results in the current assessment show that the **audiovisual** sector is still the most concentrated. In terms of revenues, the first players are the public service media, RAI, with 29.6%, followed by Comcast/Sky (24.3%) and Fininvest/MFE (19,7%) (AGCOM 2023a). When measured in terms

of audience, RAI and Fininvest/Mediaset dominate (respectively, with 37.9 and 36.8%), followed by Warner Bros/Discovery with 7.9%, while Comcast/Sky is only fourth, with 7.3%, and the second private Italian broadcaster, Cairo Comm/La7, is fifth, with 4.3% (data on average daily audience, AGCOM 2023a).

A process of consolidation has characterised the **radio** sector in recent years, and the concentration indices have increased. The first two players are the same as in the television sector: RAI (23.1% of the revenues) and Fininvest/Mediaset (16.1), followed by GEDI (9.2%) and RTL (8.7%). GEDI, in turn, is the first player in the **newspaper** sector (24.4% in terms of market value); the second group here is Cairo/RCS (22.4%), which is also present in broadcasting; followed by Monrif (8.2%) and Caltagirone ed.(6.4%) (AGCOM 2023a). The **digital news media** are more difficult to assess, due to the lack of market data. In terms of audience, they are dominated by the digital outlets of the traditional media, but this sector is less concentrated and shows interesting signals of an increasing role for the digital native news media (like Fanpage and Citynews, among the first top news sites, in terms of unique users).

The indicator on **Plurality in digital markets** also shows as being high risk, with a score of 67%. While the assessment of actual audience concentration in the online environment, which also includes the digital intermediaries for the news, is limited by the lack of data and of standardised and transparent methods of measurement, the very high concentration of the online advertising market is assessed by the AGCOM, which reports a Top4 index as high as 77% (AGCOM, 2023a).

On 4 April 2023, the Antitrust Authority opened an investigation to ascertain the alleged abuse of economic dependence by META. For a period, in fact, it was not possible to add most of the music content on the Meta platforms due to difficulties in negotiations for the renewal of the licence for the use on digital platforms of musical works covered by the rights of authors represented by the Società Italiana degli Autori ed Editori (SIAE). Meta and SIAE reached an agreement in October 2023. A transitional agreement was signed in May by Meta and Siae, under which music protected by the Italian Authors' and Publishers' Society after the non-renewal of licences in March could again be heard on the Menlo Park giant's social platforms, was extended from 6 October until 31 January 2024, and then further extended for another 4 months (Prisco, 2024). AGCOM supervises on media pluralism and regulation, AGCM on competition, also in media sector, GPDP (Garante protezione dati personali) on data protection.

The indicator on **Media viability** is still in the range of high risk for 2023, at 72% (it was at 76%). In the media market, the ongoing decline of the publishing sector, including daily press and periodicals, persists, while the television sector demonstrates resilience, and the radio sector sees revenue growth. Additionally, there has been a continued increase in revenue, offerings, and subscriber numbers for Video on Demand (VoD) services available on internet platforms. These emerging online audio-video platforms are increasingly positioned to supplant traditional media. Linear television is progressively ceding ground to on-demand alternatives, signaling significant shifts in competition dynamics, consumer protection, and the preservation of pluralistic principles (AGCOM, 2023a, p. IX).

In 2023, revenues from advertising decreased, except for the radio and digital; but in this case also, this increasing share of the online advertising market was not to the advantage of media content providers. According to Nielsen's estimate on search, social, classified (sponsored ads) and the so-called "Over The Top" (OTT), the trend for 2023 is +1.9% (NIELSEN, 2024). In terms of individual media, TV is down -1.2% , newspapers are down -4.0%, Magazines are up 0.8%. Radio are grow 6%. Based on estimates by Nielsen, the entire Web advertising universe will close with +3.5% in 2023. For the **audiovisual services** continues a loss of revenue, as already reported in previous years. While the **radio** sector performed slightly better,

the **newspapers'** trends show a deepening crisis, both in revenues from sales and from advertising. Magazine advertising revenue decreased overall by 9.8%, against a 4.6% drop in space. In particular, weeklies dropped by 7% in terms of revenue, monthlies by 1.3%. Total newspaper sales were down 4.1% compared to December 2022 (SNAG, 2024). It should be noted that with regard to digital subscriptions, it is not possible to identify their incidence in overall sales. It is worth noting, however, that digital subscriptions paid at super-discounted prices through offers of various kinds are on the rise: this means that after a few years of these campaigns, the effect is not yet the desired one of a gradual shift of subscribers towards full-price formulas, but the opposite.

The revenue trends for **local media** are also difficult to assess due to the lack of data. In terms of economic viability, we have not found clear data: the high fragmentation of local companies does not allow a clear aggregate. It is worth mentioning, however, that in line with the national trend the local newspapers lost almost 9% readership between January and October 2023 (AGCOM 2023c). Until a few years ago, the GEDI publishing group owned 14 local newspapers, in addition to the national ones *Repubblica*, *Stampa*, *Secolo XIX* (the latter a bit between local and national) and several magazines and radio stations. In recent years, almost all the local newspapers have been ceded (*Tirreno* di Livorno, the *Gazzetta di Modena*, the *Gazzetta di Reggio* and *La Nuova Ferrara*, *La Nuova Sardegna*, *Gazzetta di Mantova*, *Il Mattino* di Padova, *La Tribuna* di Treviso, *La Nuova di Venezia e Mestre*, *Il Corriere delle Alpi* di Belluno, *Il Messaggero Veneto* di Udine and *Il Piccolo* di Trieste). The *Provincia Pavese* is also being sold recently, not yet completed but at a very advanced stage. If successful, as is likely, GEDI would be left with only one local newspaper, the smallest of all those it had: *La Sentinella del Canavese* in Ivrea, covering an area of Piedmont northeast of Turin and the southern part of Valle d'Aosta (Il Post, 2024). In recent years, the commercial strategy of GEDI's new ownership has been very clear: it has been based mostly on cost containment and a decisive reduction in the commitment in areas considered less profitable, such as local newspapers, which are expensive to maintain and in a constant decline in sales for which no remedy has been found so far.

The disruption of the traditional business model, which is evident from the revenue trends, brings this sector to a high risk, which is not counterbalanced by the evolving trends in **innovation**, in terms of sources on revenues, products, and in the newsrooms. In 2023 the shift towards paid distribution online went on (already started in the previous years, after a long period of free access to the websites of legacy media). Now different forms of paywalls and digital subscription are generalized, whereas a limited number of initiatives developed different models (based on memberships, crowdfunding, events, other sources of revenues). The pay-models still struggle to collect enough financing; on one hand, this depends on the fact that for years their content had been free for all; on the other hand, on the fact that, according to Reuters Institute survey, the Italian willingness to pay for the news is not high - it slightly increased, from 9% (2019) to 13% (2021) and was at 12% in 2022 and 2023.

Most newspapers allow access to the site either limited to certain content (e.g. *la Stampa*) or with a maximum of monthly accesses (*Corriere della Sera*). Others provide specialised sections for a fee, such as *Il Sole 24 Ore*, which requires relatively high subscription prices, partly because it is aimed at professionals and an audience with a high willingness to pay.

The indicator on **Editorial independence from commercial and owner influence** scores 61%, and it is thus at medium risk. Legal safeguards for journalists in cases of ownership or editorial line changes are not mandated by law. Instead, self-regulatory mechanisms like the "conscience clause" exist, allowing journalists to terminate their contracts without forfeiting economic rights (severance pay and notice

indemnity) when substantial changes occur in a newspaper's political orientation or when a situation arises that compromises their professional dignity due to the publisher's responsibility. However, this provision has limited coverage, particularly failing to protect the growing number of journalists working without formal status or contracts. Moreover, its effectiveness has dwindled over time, partly due to the challenges of securing employment in a contracting journalism labor market. Regarding editorial integrity, additional self-regulation measures are outlined in the code of journalists ("*Testo unico dei doveri del giornalista*", 2016). Article 2 stipulates that journalists should only receive directives from editorial hierarchies and should not accept gifts or donations that could compromise their independence. Article 10 prohibits journalists from using their name, voice, or image for advertising purposes. Economic journalism is subject to a specific code (*Carta dei doveri dell'informazione economica e finanziaria*) that establishes self-regulatory safeguards concerning information accuracy, conflicts of interest, and the prohibition of gifts or donations. In newsrooms, some media companies implement ethical codes, charters, or policy documents, but specific complaint mechanisms for readers/users are often lacking. Advertorials and disguised advertisements are prohibited by both general consumer protection laws and journalistic self-regulation. However, effectiveness is undermined by loopholes, such as the use of dedicated sections for paid content labeled as "guides" or "specials". Challenges in implementation persist, particularly concerning online influencer marketing, where native advertising is not always clearly labeled as paid content.

One aspect of interest revolves around media proprietors with significant economic stakes in sectors beyond publishing, demonstrating ties to industrial firms, financial conglomerates, or political entities. By examining various affiliations between analyzed media outlets and their owners' affiliated companies, notable instances of such connections become apparent. For instance, there are media owners boasting a diverse portfolio of non-media-related financial assets, such as Exor (holding interests in Fiat Chrysler Automobiles, Stellantis, Juventus football club, and shares in mechanical industries like Iveco, oil and gas companies like Welltec, and fashion firms such as Louboutin and Shang Xia). Similarly, Fininvest (which owns Mediolanum Bank and Monza football team) represents another example. Among the cases under consideration, Cairo Communication stands out as the closest to a "pure publisher" model, with media-centric interests. Its president, Urbano Cairo, concurrently holds the presidency of RCS group and Torino football club.

Focus on the digital environment

The digital dimension of Market Plurality in Italy exhibits a moderate risk level, measuring lower than the overall risk at 56% compared to 61%. This disparity is partly due to elevated risks in offline channels, driven by ownership concentration in traditional media and inadequate safeguards against commercial and owners' interests influencing editorial independence. Moreover, the regulatory framework's architecture, encompassing digital media providers, contributes to this reduced risk, alongside the relatively less concentrated and financially viable nature of digital native media compared to legacy counterparts. Nonetheless, significant concerns persist within the digital media landscape, particularly concerning transparency deficiencies and the predominant role of online platforms as mediators for media content consumption and access. While not exclusive to Italy, this trend profoundly impacts the country's media sector, historically characterized by duopolistic audiovisual services and limited press engagement.

Openness, democratisation and innovation potential are the great advantages of digital markets, which multiply the opportunities for exchanging information, goods, ideas. But the importance of 'network effects' should not make us forget that digital markets can become quite concentrated. Ensuring that they remain fair can be difficult. Indeed, in recent years the European Commission has tried to limit the influence of Big Tech. For instance, with the Digital Market Act, it is not only necessary to fill a regulatory vacuum that is risky for users' privacy, but it is also useful for the removal of barriers to entry for all online services, with the aim of stimulating competition, facilitating competition and innovation, and combating any abuse of a dominant position by the biggest Big Techs present in the digital market, thus creating a fairer economic space for companies operating in the digital economy and offering more choice for European citizens. On 6 September 2023, the Commission, pursuant to the DMA, designated six companies as gatekeepers within the meaning of Article 3 of the aforementioned legislation (European Commission, 2023). These are Alphabet, Amazon, Apple, ByteDance, Meta and Microsoft. Together, these companies provide 22 core platform services, including social networks, Internet browsers, operating systems and mobile app stores. With this designation, therefore, the Commission accomplished a fundamental step towards the practical application of the DMA, since the designated gatekeeper will have time up to March 6, 2024 to comply with the new set of requirements, obligations and prohibitions introduced by the DMA and faces to ensure a fair and open digital market in the EU.

Particularly, the Big Tech recalled will have to fulfill a series of duties such as, for example, allow the final users to cancel the registration to the main services of the platform of the gatekeeper with the same ease with which they abnegate them, fulfillment prohibition to the final users trace to the main service of the platform of the gatekeeper to the targeted advertising purpose without obtaining consent due. In addition, gatekeepers must submit a detailed compliance report describing the measures they have implemented to comply with the DMA within the same six-month period after their designation.

Efforts to enhance transparency in media ownership extend to digital news media, with additional obligations imposed on online intermediation service providers and search engines operating in Italy since 2021. Despite these endeavors, shortcomings in ensuring ownership transparency persist, particularly within the digital sphere. The primary risks to Plurality in digital markets stem from the escalating dominance of online advertising, which now constitutes a substantial portion of overall advertising revenues. In Italy, online advertising represents nearly a quarter of the Integrated System of Communication's economic value. However, while online advertising revenues surpassed

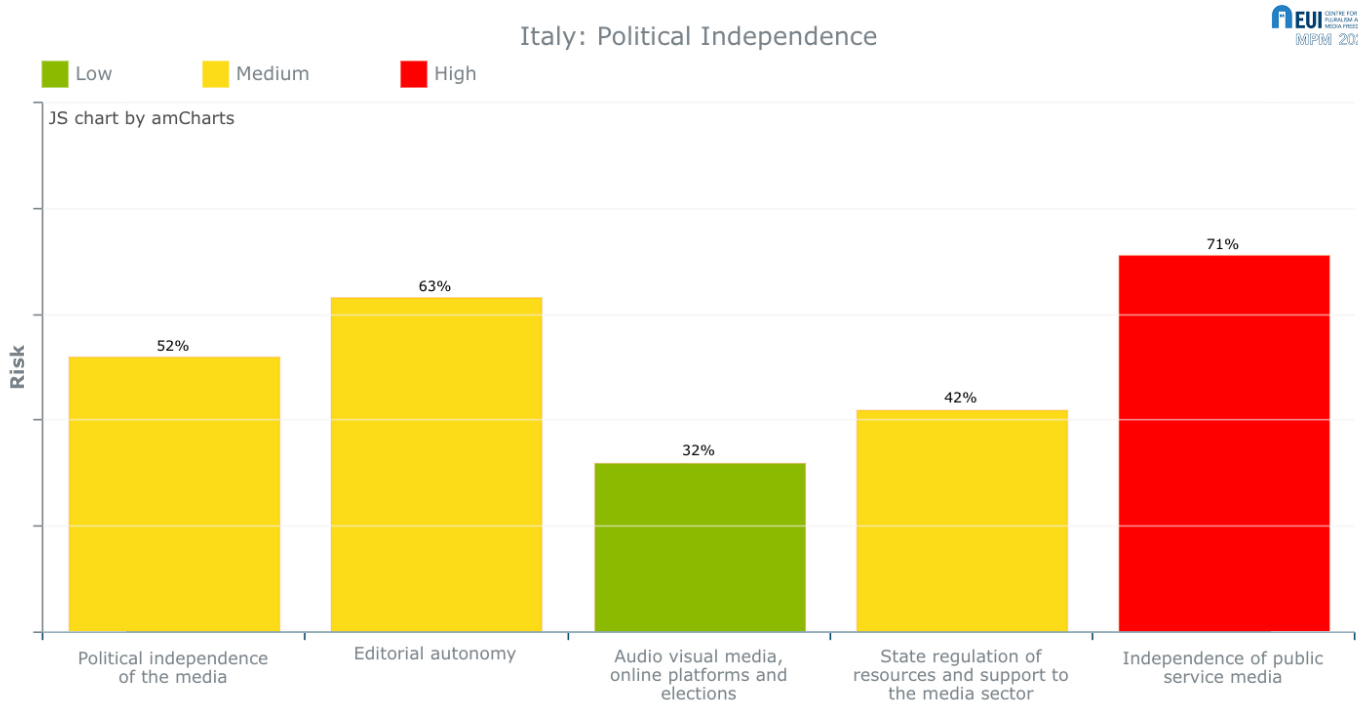
television advertising in 2023, the lion's share of benefits flowed to online platforms rather than digital media publishers.

A new digital player is increasingly gaining a foothold in the media landscape: podcasts. According to a recent survey conducted by OBE in collaboration with BVA Doxa and published in *Il Sole 24 Ore*, as many as 13 million listeners used this form of entertainment and information in 2023. 53% of respondents said they listen to podcasts on a regular basis, and Italian consumers devote an average of 22 minutes a day to listening to podcasts, indicating that the trend is growing steadily, opening the door also to job opportunities in the sector.

In Italy, the podcast market is growing steadily, as shown by the 'Ipsos Digital Audio Survey', which recorded significant growth in 2023, with an increase of 1.8 million users. It is also interesting to note that the podcast audience in Italy is mainly young, with 43% being people under 35. This belies the common idea that young people are not interested in international topics or politics. Despite the growth of the podcast audience, the *New York Times* reports that many publishers are still reluctant to finance projects without a clear prospect of short-term profitability. Even in Italy, experts explain, there is a lack of precise understanding of the podcast, with many people seeing it as an audio product in which 'someone talks with background music'. However, the world of the quality podcast is very complex, so much so that the BBC has defined it as 'cinema for the ears'.

3.3. Political Independence (52% - 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 the public service media. Furthermore, the area is concerned with the existence and effectiveness of (self)regulation in ensuring editorial independence and the availability of plural political information and viewpoints, in particular during electoral periods.



For the year 2023, the overall risk level in the area of **Political Independence** stands at 52% (medium risk). This figure is derived from the average of the results of the five individual indicators composing the area. Compared to the previous report, the figure is slightly lower; however, the slight decrease stems, as will be illustrated, from a different assessment of some data rather than from a substantial improvement. Three indicators (Political independence of the media; Editorial autonomy; State regulation of resources and support to the media sector) present a medium risk; the indicator on Audio visual media, online platforms, and elections presents a low risk (though slightly lower than the previous year, where it narrowly fell within the medium-risk level); the indicator on the Independence of public service media, historically one of the most critical factors in the Italian context, continues to be at high risk (and, as will be seen, while the level of risk has not increased compared to 2022, the situation in this area has shown a deterioration in 2023).

The indicator of **Political independence of the media** has decreased to 52%, remaining in the medium-risk area.

The decrease in the data compared to the previous implementation is due to a different evaluation of the relationship between the main news agencies and political groups (complicit the reform introduced with Article 17 of the decree-law of December 29, 2022, no. 198, and with the Presidential Decree of July 11, 2023), as well as to a lowered assessment on the extent of control that is exerted through ownership means in the newspaper sector (this indicator now scores a medium risk assessment). Despite news agencies heavily depending on public funding, particularly from public tenders issued by the Publishing Department of the Prime Minister's Office (a circumstance not indicative of genuine independence from politics), it should

be considered that the governance and transparency rules to which they are subject nonetheless guarantee a sufficient degree of independence. For these reasons, it was deemed appropriate to assess one of the variables within the sub indicator “Political control over news agencies” as low risk. However, it should be noted that in the first months of 2024, there emerged the intention of Antonio Angelucci, a majority parliamentarian elected with the Lega per Salvini premier party and owner of a publishing group controlling numerous newspapers, to acquire AGI news agency from ENI (a development that was not considered in the MPM2024 risk assessment); still, if such an event were to materialize, the assessment of the independence of the main news agencies could be different.

Regarding the newspaper sector, it is noted that the problem of indirect political control of significant national dailies remains unchanged. Parliamentarian Antonio Angelucci, elected in 2022 with the Lega per Salvini premier (but previously elected with Forza Italia), owns through a trust system the Tosinvest group, which controls the newspapers Libero and Il Tempo and acquired the newspaper Il Giornale in 2023 (previously owned by the Berlusconi family), creating a true right-wing journalistic hub (Abbate 2023). As mentioned above, in the first months of 2024 Angelucci himself expressed the intention to also acquire a well-known and authoritative news agency (AGI). However, it was considered to assign a medium risk rating (compared to the high-risk rating in the MPM2023) due to the fact that no leading Italian newspaper appears to be under political control.

Regarding other aspects related to the Political independence indicator, there are no changes in evaluation compared to MPM2023. The regulatory framework on conflicts of interest remains unchanged, and therefore, the discipline remains that – very unsatisfactory and ineffective (Venice Commission, 2005) – dictated by the Frattini Law of 2004: nothing prevents members of the government or the political majority from owning and effectively controlling, through intermediaries, even leading editorial entities. In the television and radio sector, the Berlusconi family, through the holding company Fininvest, controls Media for Europe (Mfe), which operates the main private television group and the leading group of private radio stations. Following the death of founder Silvio Berlusconi in July 2023, his inheritance was divided among his five children. In particular, the succession favored a line of broad continuity: the eldest children Marina and Pier Silvio, who were already at the helm of the group's companies, inherited together about 52% of their father's assets and thus jointly control Fininvest and all the editorial entities owned by it. All of Berlusconi's children have also continued to provide financial support to the party founded by their father, Forza Italia, which is now one of the three major parties supporting the Meloni government. The thirty-year-old bond between Fininvest's editorial entities and politics is so tight that it cannot disappear solely due to the death of Silvio Berlusconi. Although none of his children or relatives have so far pursued a political career, the problem of a direct and significant political interest in the ownership and management of an editorial giant spanning various media remains intact.

The main Italian digital native media, on the other hand, do not currently show conditions indicating forms of direct or indirect political control; thus far, this market seems not subject to particular political influences. However, it should be highlighted that in the Italian context, the most followed digital media are largely the digital versions of traditional media, rather than native digital media.

The **Editorial autonomy** indicator remains confirmed at 63%, within the medium-risk range. Also in this area, there are no regulatory changes to report.

The relationship between the editor-in-chief and the publisher is governed by the National Journalists' Collective Labor Agreement negotiated by the National Federation of the Press (FNSI) and the Italian

Federation of Newspaper Publishers (FIEG) in 2014; this agreement, which was initially intended to be applicable until 2016, has not yet been renewed to date and remains binding. According to the law and the collective labor agreement, the editor-in-chief has full autonomy in editorial management and determining the editorial direction, but the publisher effectively has the utmost freedom to appoint and dismiss the editor-in-chief. This wide-ranging freedom is not limited by guarantees ensuring that the choice to appoint or dismiss an editor-in-chief is not influenced by political or other interference, which can certainly carry weight in the Italian context, where many publishing companies have economic interests (and profits) in areas other than publishing, or have more or less evident ties to political groups.

In particular, an editor-in-chief (or a co-editor or vice-editor) who is displeasing to their publisher – for any reason – can be dismissed without particular guarantees, but they must be compensated financially for up to a maximum of 12 months' salary (a guarantee, it is worth noting, not insignificant, considering that editors-in-chief usually receive significant remuneration). This arrangement reflects the close fiduciary relationship between the publisher and the editor-in-chief: the publisher cannot interfere with editorial choices, which are the sole responsibility of the editor-in-chief, but can always choose to dismiss them and replace them with someone more agreeable. This by no means excludes the possibility that the choice may depend on developments in the political landscape.

In data collection, at least one significant case emerged, namely the appointment of Mario Sechi as editor-in-chief of *Libero* in September 2023. Just a few months earlier, in March 2023, Sechi had been appointed head of the press office of Prime Minister Meloni. His appointment as editor-in-chief of *Libero*, whose ownership can be traced back to Antonio Angelucci, a parliamentarian from the Lega supporting the Meloni government, was interpreted by some observers as a piece of a broader strategy in support of the current governing majority.

In terms of self-regulatory measures, the most important remains the Unified Text of Journalists' Duties approved in 2016 by the Order of Journalists. In addition, there are also various codes of ethics or charters adopted in recent years by numerous publishing groups. However, all these tools continue to prove weak in ensuring genuine editorial autonomy, both due to an entrenched practice and due to the growing number of freelance journalists, who are evidently more subject to external pressures than those employed on permanent contracts. More generally, the challenging conditions of the publishing market certainly do not contribute to strengthening the autonomy of publishing companies and their workers.

The indicator for **Audio visual media, online platforms and elections**, compared to the previous year, slightly decreased, positioning at the highest margin of the low-risk band (32%). It is confirmed that, within the unchanged regulatory framework, the main critical points concern the fair representation of political groups and online political advertising; essentially, the results of 2022 are confirmed.

Regarding the Public Service, Article 6 of the Unified Text of Audiovisual and Radio Media Services (Legislative Decree no. 208/2021, or "TUSMA") establishes, among other things, the general guarantee of "access for all political entities to information broadcasts on equal treatment and impartiality terms". Similar principles are provided for in the RAI Service Contract 2018-2022, in Articles 2 and 6 (the renewal of the RAI contract only took place in 2024, so the old contract remained in force for 2023).

Regarding specifically the access of political entities to public service spaces during electoral campaigns, the discipline is dictated by numerous sources that have succeeded over time: Law No. 515/1993; Law No. 249/1997; TUSMA; and above all Law No. 28/2000, the so-called "par condicio" law (entitled, precisely,

"Provisions for equal access to the means of information during electoral and referendum campaigns and for political communication"). This last law regulates political communication both during the electoral and non-electoral periods, establishing in any case that all radio and television broadcasters (including private ones) "must ensure impartial and equitable access to information and political communication for all political entities." The Authority for Communications Guarantees (AGCOM) and the RAI Supervisory Committee must then issue implementing provisions for each electoral consultation; compliance with these rules is ensured by AGCOM's supervision at the national level and by the Regional Committees for Communications (CORECOMs) at the local level.

It should be noted that in 2023 AGCOM sent a report to the Government (AGCOM 2023d) for the revision of the rules in this matter, indicating the need to update them in light of new technological and communication scenarios, and in particular the asymmetry between radio and television operators (subject to current regulations) and those operating online.

In the course of 2023, regional and municipal elections were held in Italy, while there was no national competition. For each election, AGCOM adopted a resolution containing the implementing provisions of the discipline on political communication and equal access to the means of information; these resolutions also provide rules for political communication on video sharing platforms and social networks, to which it extended some principles and prohibitions provided for traditional media (for example, regarding the dissemination of polls), and towards which it promoted forms of self-regulation to protect pluralism. AGCOM's activism thus supplements the shortcomings of legislative norms, which still do not adequately take into account communication on digital media.

Formally, the competent authorities have certainly fulfilled their obligations. However, the regulations are not always effective. For example, a violation was reported during the municipal elections in Catania. On the last day of the electoral campaign for the administrative elections in Sicily, Rainews24 broadcasted live the rally of Giorgia Meloni, Matteo Salvini, and Antonio Tajani (respectively, president of the council and vice-presidents of the council, as well as leaders of the three main governing parties). The issue was then brought to Parliament by parliamentarians from the Democratic Party who are part of the Supervisory Committee. The supplementary election for the Senate seat vacated due to the death of Silvio Berlusconi can also be considered local; concurrently with this consultation, the program Report (TG3) aired a report on Berlusconi's legacy, with controversy from the Forza Italia party.

The overall data of the indicator slightly decreased compared to the previous year due to a different evaluation of the variable related to equality conditions for political forces in the purchase of paid advertising spaces. The "par condicio" law prohibits the possibility of purchasing commercial spaces on national broadcasters; it allows it on local ones, limited to local elections, imposing in this case strict conditions of equal treatment and impartiality. Local operators must adopt a self-regulation code that ensures these principles, in particular by establishing pricing criteria based on a proven principle of cost parity among the same candidates (the code was issued by Decree of the Minister of Communications on April 8, 2004). AGCOM is always responsible for supervising compliance with the self-regulation code; in this regard, no violations occurred in 2023. Therefore, regarding the possibility of purchasing paid advertising spaces (a possibility limited in Italy to local electoral competitions, and for spaces only on local broadcasters), it must be noted that conditions of equality do indeed seem to be ensured; for this reason, only a low risk level was recorded for this variable (which, overall, resulted in a slight decrease in the entire indicator).

It is noted that full transparency of online political communication still does not seem sufficiently ensured, as already reported in the 2022 report. The Code of Conduct signed in 2022 requires the publication of more details on political advertising, but not for electoral campaigns.

The indicator on the **State regulation of resources and support to the media sector** maintains the medium-risk level (42%) already recorded in 2022. During 2023, some regulatory changes occurred.

Regarding direct subsidies, the budget law for 2024 (law n. 213/2023) amended law n. 198/2016, which introduced the "Fund for Pluralism and Innovation in Information". Following the changes, it is now named the "Single Fund for Pluralism and Digital Innovation in Information and Publishing". This is a significant change, as all resources previously designated for publishing support, mainly stemming from emergency situations in recent years, now converge into this fund. A regulation from the President of the Council will have to rationalize the use of financial resources according to criteria outlined by the law: therefore, the reform of incentives for publishing is de facto almost entirely delegated to the government, which is bound to comply with reasonable but very general constraints established by the law. As a measure to counteract employment crises, the new legislation stipulates that each year a portion of the Fund, not exceeding 5%, is allocated to address employment crisis situations for companies operating in the information and publishing sector.

The reform was approved at the end of 2023 and therefore, in reality, will be applicable for the subsequent years. For 2023, the previous legislation remains applicable. Direct subsidies are provided not for the benefit of every publishing entity but only for the following subjects (upon request): journalist cooperatives; nonprofit publishing companies; publishing companies whose main shareholder is a cooperative, a foundation, or a nonprofit entity; publishers of newspapers and periodicals representing linguistic minorities; companies or entities publishing periodicals for the blind or visually impaired; publishers of Italian newspapers published and distributed abroad. The distribution of the subsidies is determined annually by decree.

The last allocation decree for the Fund was published in February 2024 and concerns the funds for the year 2022 (Contributi alla stampa 2022). In 2022, the first 15 recipients of the subsidies were the following periodicals: *Dolomiten* (€6.17 million); *Famiglia cristiana* (€6 million); *Avvenire* (€5.75 million); *Italia oggi* (€4 million); *Libero quotidiano* (€3.37 million); *Il manifesto* (€3.27 million); *Corriere Romagna* (€2.21 million); *Cronacaqui.it (Torino Cronaca)* (€2.2 million); *Il Foglio* (€2.07 million); *Primorski dnevnik* (€1.66 million); *Il Cittadino* (€1.42 million); *Quotidiano di Sicilia* (€1.33 million); *Cronache di (Libra editrice)* (€1.25 million); *Die Neue Südtiroler Tageszeitung* (€1.08 million); *Secolo d'Italia* (€1.03 million). The first recipient is a local newspaper; the top three recipients receive more than 20% of the total contributions.

This system presents significant issues. For instance, it is known that some recipients only formally meet the requirements (for example, by creating an ad hoc cooperative, while the owner remains a for-profit corporation). For subsidies to protect linguistic minorities, the law does not require criteria that consider pluralism in the local context, nor additional specific criteria. Furthermore, at present, there is no effective control over the use of the allocated resources. The system, which only assists some publishing entities and without there being an effectively reasonable application, has already been criticized by the Constitutional Court (judgment n. 209/2019).

In addition to these subsidies, those established exceptionally following the pandemic emergency are added. In particular, since 2022, an "Extraordinary Fund for Support Measures to Publishing" has been

established, with an allocation of €90 million for the year 2022 and €140 million for the year 2023. The decree allocating the funds during 2023 specifically concerned the allocation of: €10 million in favor of newsstands, €60 million for the extraordinary contribution based on the number of copies sold in 2022, €15 million for hiring young journalists and professionals with digital skills and for the transformation of precarious journalistic contracts into permanent ones, €10 million for investments in innovative technologies made by newspapers and periodicals publishers and news agencies, and €45 million for investments in innovative technologies made by television and radio broadcasters. Measures of this kind have proven to be only partially effective. In 2022, thanks to contributions from the extraordinary fund, a total of 65 young journalists were hired, utilizing only €520,000 out of €3 million made available by the fund. The budget law for 2024 did not extend the extraordinary fund but provided the possibility of utilizing funds allocated for media support interventions that were not used in 2022 for the years 2024 and 2025.

Regarding the fair and transparent distribution of state advertising on the media, the reference rule is article 49 of the TUMSA, which imposes that public administrations and entities purchasing advertising on mass media must allocate 15% of their expenditure to local radio and TV stations and 50% to newspapers and periodicals. These expenses must be communicated annually to AGCOM. Article 49, however, refers only to public administration expenses and therefore excludes those of state-owned companies (whose advertising spending capacity, in a crisis market, is not irrelevant); for this reason, with reference to this variable, the assessment of medium risk is maintained, since state-owned companies are not bound in this area to particular criteria.

It is further noted that the new Public Procurement Code (Legislative Decree No. 36/2023) stipulates that, starting from 2024, communications regarding the initiation and outcome of public tenders must occur digitally, rather than through publication in newspapers. This is a modification resulting from obligations contracted at the European level to access the PNRR funds, but it will deprive (even if only partially) print media publishers of the traditional revenue from so-called "legal advertising."

The **Independence of public service media** indicator remains at the same level as last year (71%). This sector has historically faced significant challenges, and the events of 2023 fully confirmed its positioning in the highest risk level. The governance system of the Italian public service has once again shown itself to be within the grasp of the government majority and, more broadly, the party system.

The current legislative system does not guarantee the autonomy of the public service from political power. According to the current system, now regulated by Article 63 of TUSMA, the RAI Board of Directors consists of 7 members (2 appointed by the Chamber of Deputies, 2 by the Senate, 2 by the Government, 1 by the employees). The Board elects, upon proposal of the shareholders' meeting (controlled by the government through the Ministry of Finance), the CEO of RAI. The CEO has full operational powers, and major appointments depend on him/her. A fundamental role is played by the Parliamentary Commission for the General Direction and Supervision of Radio and Television Services (RAI Supervisory Commission), a bicameral parliamentary commission: the Commission plays a fundamental role both in some appointments and in the procedure for the removal of members of the Board of Directors. Based on this system, the appointment of each of the company's top management bodies inevitably involves both the political forces present in Parliament and the Government: on one hand, the Supervisory Commission reflects the balances present in Parliament; on the other hand, the Shareholders' Meeting is controlled by the Government through the Ministry of Finance. Furthermore, the CEO is appointed through a procedure that allows the Government and the political majority to choose a person of their liking, without the need for consent from the minority.

The election of the Rai Board of Directors in 2021 had constituted, at least in part, an exception: the president Marinella Soldi and the CEO Carlo Fuortes were not politically affiliated. Following the clear victory of the center-right coalition in the September 2022 elections and the formation of the Meloni government, there was a progressive shift in the balance of power. The majority explicitly claimed greater influence over Rai and a sort of "right" to have a public television aligned with the election winners. Therefore, in accordance with established practice, in 2023 there were a series of appointments reflecting the new political landscape. In particular, the majority acted to replace CEO Carlo Fuortes, who resigned in May 2023. To persuade him to resign, the government offered him the prestigious position of superintendent of the Teatro San Carlo in Naples (Carboni, 2023b). To free up that position, occupied by Stephane Lissner, the government issued a decree-law (no. 51/2023) introducing an age limit to prematurely terminate Lissner's term (the provision is currently under review by the Italian Constitutional Court). Following Fuortes' resignation, a new CEO, Roberto Sergio, was appointed, along with a series of other top-level figures and news editors, including the new directors of Tg1 and Tg2. The changes also affected the hosts and the schedule of TV and radio channels. The influence of the new majority led to the resignation of some prominent and authoritative Rai journalists and hosts: among them Fabio Fazio, Lucia Annunziata, Corrado Augias, and Massimo Gramellini. In summary, what characterized 2023 was a real operation of occupation and spoils, especially by the main governing party (Devescovi 2023). Overall, the quality and authority of the Public Service Media seem to be sharply declining, and the pluralism of information has greatly deteriorated. It is no coincidence that in 2023, for the first time in the history of Italian television, Mediaset surpassed the public service in ratings for the entire year (Carosielli, 2023).

A particular case deserves mention, despite not being part of the 2023 risk assessment, as it occurred in 2024. On Saturday, February 10, 2024, during the final evening of the Sanremo Festival (traditionally the most-watched television event in Italy), the singer Ghali concluded his performance by calling for "Stop the genocide", referring – albeit without expressly mentioning it – to the humanitarian crisis in the Gaza Strip. The statement prompted an immediate reaction from the Israeli Ambassador to Italy, Alon Bar, who publicly declared on a social media platform that he considered the singer's words "shameful." The following day, while participating in a public service broadcast (Domenica In), the singer Ghali reiterated his condemnation of Israeli actions against the Palestinian population. During the same broadcast, the host, Mara Venier, then read a statement of solidarity with Israel from the CEO of Rai, Roberto Sergio. The episode of reading the CEO's statement was criticized by many, who considered it a clear instance of the public service broadcaster being subservient to the government's political line (Fraschilla 2024).

In April 2024, the majority is also attempting to modify the rules of equal airtime, making changes to the text of the Agcom resolution that will be voted on by the Rai Supervisory Commission. Indeed, the amendments, presented by Deputy Francesco Filini, a close aide to government program implementation undersecretary Meloni, Giovanbattista Fazzolari, essentially propose that the space available to members of the majority and the opposition during the European elections not include members of the executive branch who appear on television to discuss "issues pertaining exclusively to the exercise of institutional functions." This obviously risks causing a dangerous imbalance and violating one of the fundamental principles during the electoral campaign (FNSI, 2024b). For Enzo Cheli, one of the major academics of information law in Italy and former president of Agcom and vice-president of the Constitutional Court, 'the purpose of the proposal is clearly to disguise the political communication of the majority in an institutional and governmental one. The two categories, for the purposes of *par condicio*, are quite distinct, because the former requires an equal comparison between the different political positions, while the latter must be strictly limited to offering objective news on the work that the institutions and the government are doing. This is precisely what Law 28

of 2000 on par condicio in political communication calls for. That is, the equal comparison between the different programmes and candidates in the field'. For Enzo Cheli, 'a process of occupation of the public service and the world of communication is already visibly underway,' explained Cheli, who added: 'In the RAI Supervisory Commission, other worrying attempts to circumvent the par condicio are emerging, such as that of broadcasting live rallies on Rainews, outside the news broadcasts. And it is clear that this may favour the majority' (Milella, 2024). This has not been considered for the MPM2024 risk assessment.

As for the funding procedures, the Italian Public Service Broadcasting is mainly supported by the Rai license fee (the so-called Canone RAI), and only to a lesser extent by advertising revenues. The Stability Law of 2015 established that the Rai license fee be incorporated into the electricity bill; in conjunction with the determination of the new collection method, the amount of the fee was initially reduced to 100 euros per year, finally stabilizing at 90 euros (well below the average of the main EU countries). The Budget Law for the year 2024 (Article 1, paragraph 19) reduced the amount of the fee from 90 to 70 euros, reinforcing concerns already raised in previous reports about the insufficiency of resources for the public service.

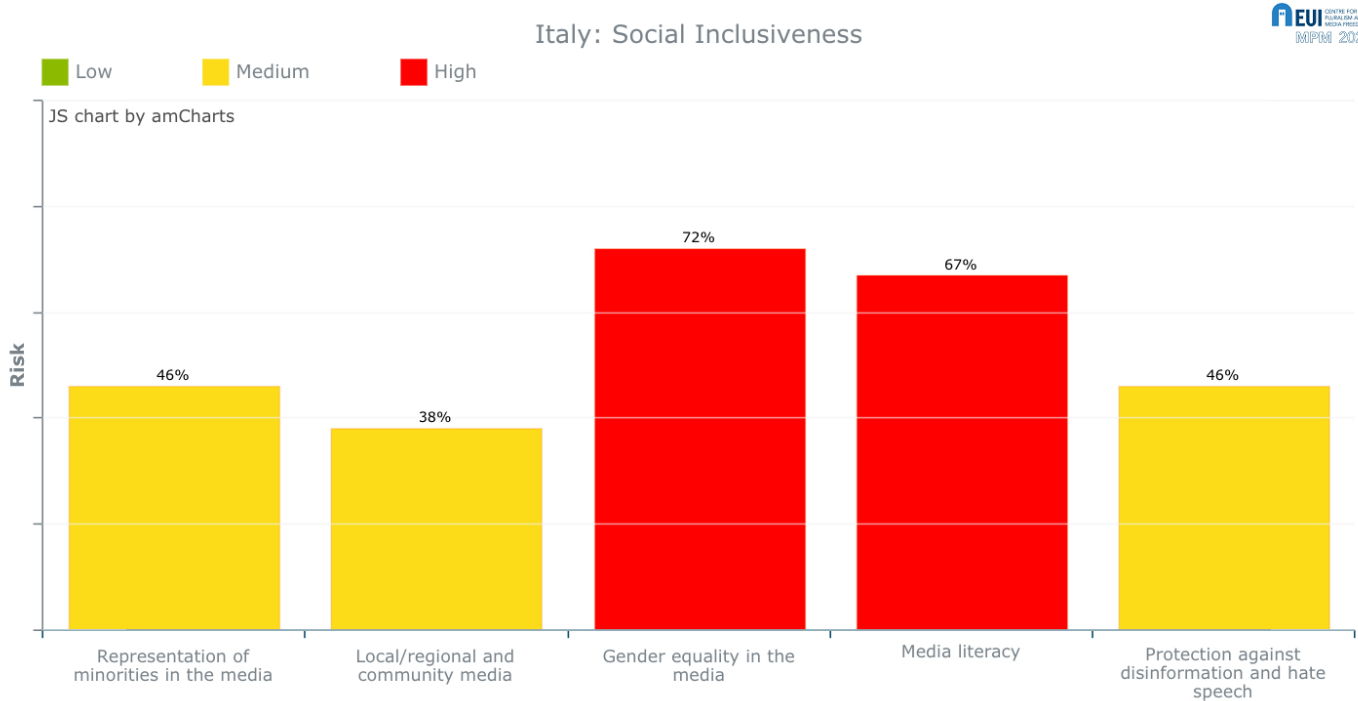
Focus on the digital environment

As already recorded in MPM2023, in 2023 the digital environment presents two opposing data points. In terms of political independence, it is confirmed that, generally, major digital native media do not exhibit elements indicating susceptibility to political control or influence, with respect to the terms under analysis. This data is significantly better than what can be observed in every sector of traditional media and even compared to the overall assessment. However, as already highlighted, the data should not be overestimated: the main online news media in Italy are not digital natives but rather the online version of media existing in the analog market. Therefore, in light of this aspect, the fact that native digital media ensure a high level of independence and autonomy does not at all mean that this is the judgment to be drawn about the entirety of Italian digital media.

On the other hand, the problematic nature of online political advertising is confirmed: as illustrated, there is still a lack of new legislation (or an update of existing legislation) in line with the times and especially with digital communication channels. Although political advertisements are typically labeled as such, enabling tracking of their funding sources and expenditures, the inadequacy of the current regulatory framework regarding transparency requirements for political communication on social media is confirmed for 2023.

3.4. Social Inclusiveness (54% - medium risk)

The Social Inclusiveness area focuses on the access to media by specific groups in society: minorities, local and regional communities, women and people with disabilities. It also examines the country's media literacy environment, including the digital skills of the overall population. Finally, it also includes new challenges arising from the uses of digital technologies, which are linked to the Protection against disinformation and hate speech.



The area of **Social Inclusiveness** maintains the medium risk at the same score recorded for 2022, i.e., at 54%. Two of the indicators are at high risk (Gender Equality in the media and Media Literacy, respectively at 72% and 67%), while the other three are at medium risk (Representation of minorities in the media and Protection against disinformation and hate speech, both at 46%, and Local/regional and community media, at 33%).

The **Representation of minorities in the media** indicator remains at a medium risk, with a score of 46% (1% lower than the previous report). In continuity from previous reports, there remains a notable gap between recognized and unrecognized linguistic minorities. Legislative Decree No. 208/2021 (or "TUSMA") guarantees access to public service media only to recognized minorities (Article 59, paragraph 2, letter f guarantees "radio and television broadcasts in German and Ladin for the Autonomous Province of Bolzano, in Ladin for the Autonomous Province of Trento, in French for the Aosta Valley Autonomous Region, and in Slovenian for the Friuli-Venezia Giulia Autonomous Region"). Similarly, the service contract (both the 2018-2022 and the 2023-2028 contracts) consequently guarantees rights for recognized minorities. Furthermore, since 2020, agreements have been refined with the Department for Information and Publishing of the Presidency of the Council of Ministers for the protection of the Sardinian and Friulian languages, which were previously covered by regional agreements; the new service contract for the 2023-2028 five-year period also stipulates that RAI will produce programming in Arbëreshë for Calabria. Data presented in RAI's sustainability report (RAI 2022) ensures that for every minority with which an agreement has been made, the quantitative requirements for content production/dissemination in their respective languages have been largely met. The main programs in minority languages are the news programs, that are broadcast daily and are also available online.

For unrecognized minorities, however, the guarantee in the Public Service is much weaker. The service contract and TUSMA establish non-discrimination and safeguarding of ethnic diversity as general principles of the audiovisual media system (Article 4 of TUSMA); nevertheless, most legally unrecognized minorities do not have access to airtime, or have it to an extent that is not proportionate to their demographic size in Italy. In the private sector, there is no obligation; although it should be noted that, in some cases, public funding and regional incentives have supported programs and/or channels dedicated to linguistic minorities. As for people with disabilities, the regulatory framework provides for the right to access to media (including audiovisual media: see now Article 3 of Law No. 220/2016) and the RAI service contract includes specific obligations. However, the assessment confirms that there is still room for significant improvement, especially in the private sector.

The indicator for **Local/regional and community media** reaches a score of 38%, moving to medium risk. For this sector, the main sources of risk consist of market difficulties that make it hard for local media to achieve economic self-sufficiency, as well as inconsistencies in the public subsidy system (which are a crucial source of support). Legislative norms governing community media also do not explicitly guarantee access to platforms (though access is actually granted if they fall within the definition of local media), nor do they regulate the independence of such media.

The law ensures local media access to frequencies. In particular, Article 4, paragraphs 7 and 8, of the TUSMA reserves a portion of transmission capacity for the broadcasting of audiovisual media services locally, according to the National Frequency Plan adopted by AGCOM, ensuring local media more UHF frequencies for network implementation, at least one of which covers no less than 90% of the area's population. These provisions also apply to community media, provided they fall within the definition of local media, as previously mentioned. Furthermore, according to Article 59, paragraph 2, letter p) of the TUSMA, the public service concessionaire ensures the presence of its own editorial offices and facilities tailored to specific productions in each region and autonomous province.

Local media largely depend on state subsidies. The Ministry of Enterprises and Made in Italy manages a specific fund for local TV and radio, which is part of the Fund for pluralism and innovation in information (which, as mentioned earlier, renamed as "Single Fund for the pluralism and digital innovation of information and publishing"). The government determines the annual allocation for local television and radio stations. Local newspapers may also receive direct public subsidies from the general fund if they meet the criteria outlined in Law No. 198/2016, as mentioned above (being edited by cooperatives or representing linguistic minorities). Local newspapers often rank among the top beneficiaries of these funds, precisely because a significant portion of the fund is designated to support journalistic outlets representing linguistic minorities; this reflects the government's commitment to promoting media diversity and supporting organs serving local communities. Dolomiten stands as the primary beneficiary (Contributi alla stampa 2022); it is noted once again that the owner of this newspaper, Athesia, controls various printed newspapers, radio stations, advertising channels, and other economic ventures in the Trentino Alto Adige region, with the risk of substantial media monopoly in that area (Congiu 2023). The system of public funding for local media reflects the critical issues and inconsistencies of the general system of subsidies directed to publishing, as highlighted in previous chapters.

Regarding community media, the law still does not provide any specific guarantee of independence. Community media, which are currently declining due to competition from web radios and web TVs, have nevertheless shown a high level of independence in practice so far.

The indicator **Gender equality in the media**, as in previous reports, remains at a high-risk level (72%). While the methodology employed also considers qualitative data, it should be emphasized that the level of risk is mainly due to quantitative data, which objectively reflects a significant and serious imbalance against women in the governance of editorial companies, at the top of editorial offices, and in participation in informative and political programmes and articles. Even in Italy, as in the rest of developed democracies, there has long been a wide-ranging debate on the underrepresentation of women in society, and therefore also in the world of information. Although sensitivity is changing and actions to rebalance have been undertaken, the result is still unsatisfactory. In the publishing world, it may also weigh that, in an era marked by constant economic difficulties in the sector, the limited turnover of editorial staff is penalizing the stable entry and career progression of younger generations (i.e., generations in which women are undoubtedly no longer penalized by factors such as the education gap, which today could disadvantage young men).

From a governance perspective, the boards of directors of the main TV channels (public and private) do not present a radical imbalance, as female members are always above the 40% threshold. However, all CEO positions are still held by men: top roles continue to be exclusively male. Compared to the previous year, in 2023, the already disappointing figure of female responsible directors among the main Italian news media worsened. Indeed, during the year the only female responsible director (Monica Maggioni, at TG1) was replaced by Gian Marco Chiocci; it is interesting to note that this deterioration is due to the series of appointments with which the government majority intended to occupy most of the top journalistic positions in the public service. Therefore, as of today, there are no women leading any of the main traditional or digital media (the calculation was conducted, following the MPM methodology, on the two main publications in each media sector).

Regarding the representation of women in the media, the 2023 AGCOM annual report (AGCOM 2023a) emphasizes that "the gap remains very high regarding the presence of men and women from the political sphere in programs and news broadcasts, with time allocated to men being 83.9%, while only 16.1% to women" (p. 65). Furthermore, the data shows a slight worsening for the first time in years: in 2021, the ratio was 82% for men and 17.9% for women, marking a slight but consistent improvement compared to previous years. For the Public Broadcasting Service, the 2022 Sustainability Report (RAI 2022) states on page 146 that "concerning the presence of women in programs, the so-called 'third rule' is once again confirmed overall (one woman for every two men). The percentage of women present in monitored broadcasts amounts to 36.9% out of 36,075 individuals and characters, with a slight increase (0.1 points) compared to 2021". It should be noted that RAI has undertaken some actions to support gender-balanced representation: in particular, in 2022, the "No women, no panel" Memorandum of Understanding was signed, in which the public service commits, among other things, to organize gender-balanced panels. This specific obligation adds to the provisions of the RAI Service Contract, which require respect for gender diversity. For private operators, the situation regarding female representation is traditionally worse; for these operators, there is no quantitative data for 2023. Female representation is sometimes still characterized by gender stereotypes. For example, it may happen that a well-known woman is referred to only by her first name - which occurs much less frequently with men, who are usually referred to by their last name and sometimes by their academic title or professional qualification – (Miccichè, 2022). However, it is noted that at the same time, some attention is emerging towards a more inclusive language. For example, the practice of not using the generic masculine to refer to a plurality of subjects is experiencing a small but significant spread (Vivian, 2023)

The indicator **Media Literacy** maintains last year's score (67%) and therefore remains at a high-risk level. This data is due to the absence of significant interventions regarding the already identified critical issues, and thus the lack of initiatives aimed at effectively improving the media literacy skills of the general population and students. Therefore, no news is reported compared to MPM2023. The low level of media literacy can be explained by a more general factor, namely the unsatisfactory level of literacy skills among the Italian population. This data has deep-rooted historical reasons and, in an era of mass education, raises doubts about the overall effectiveness of national educational strategies. In this context, it is not surprising that digital literacy skills (which should be built upon so-called general literacy skills) are low. The only significant general action taken at the national level is the reform of Civics Education mandated by Law No. 92/2019. It is now established that one hour per week in every school (from primary to secondary education) is dedicated to this subject, which among its (actually quite numerous) contents also includes digital literacy. However, the teaching is not entrusted to specialized teachers and covers too many topics to be truly effective. Furthermore, the collected data identified the existence of some commendable initiatives in non-formal education (as those provided by MED - Italian Media Education Association), but these are mainly localized and not coordinated within a comprehensive strategy. There is indeed significant room for improvement, but it is necessary to emphasize that the primary urgency is to strengthen basic literacy skills. At the same time, there still seems to be a lack of widespread awareness of the need for digital literacy actions.

The Indicator for **Protection against disinformation and hate speech** is at a medium risk level (46%), with a slight improvement compared to the previous report. There are some overall positive aspects. Italy participates in various initiatives within the European Union to combat disinformation. In Italy, there are independent fact-checkers that adhere to the highest ethical and professional standards.

It is also important to mention that the European Commission has signed an administrative arrangement with the Italian Communications Authority (AGCOM) to support the Commission's supervisory and enforcement powers under the Digital Services Act (DSA). The objective of this arrangement is to enhance the Commission's ability to recognize and evaluate systemic risks outlined in the DSA, such as those associated with the proliferation of illicit content, dissemination of disinformation, and potential harm to minors. It will facilitate the exchange of practical information, data, best practices, methodologies, technical systems, and tools with the regulatory Authority. AGCOM has been designated as Italy's Digital Services Coordinator and will consequently join the Board for Digital Services, an independent advisory group (comprised of one competent authority from each Member State) that has been established by the DSA, with effect from February 2024. Overall, strategies have been developed to combat disinformation, including through collaboration between the state and major digital platforms, which risk limiting the spread of dissenting but still lawful news or opinions. The most relevant examples have concerned information about the pandemic and vaccinations, and pro-Russian propaganda. (Longo, 2023). The main risk factors have not changed, however. There is a strong penetration of disinformation in Italy, and awareness of the effects of disinformation has increased but is still relatively low (AGI, 2023; Open, 2024; Ital Communicatios - Censis, 2023).

As for combating hate speech, it remains a widespread phenomenon in Italy, especially concerning antisemitism and anti-Islamism, not only online but also in traditional media. The response cannot solely be repressive but mainly cultural and educational. Overall trust in the media remains low (45% according to Eurobarometer 98 standards), which does not help in the fight against misinformation and harmful and illegal speech. In fact, traditional media, many of which are politically oriented, are often amplifiers of false news from the internet and propagators of hate speech.

Focus on the digital environment

The main issues of Social Inclusiveness in the digital environment continue to concern two sectors: on the one hand, low literacy skills regarding digital media, and on the other hand, phenomena of online disinformation and hate speech.

Eurostat data continues to show how in Italy the percentage of the population with basic or above basic overall **digital skills** is 45.60%, compared to a European average of 53.92% (Eurostat data, Information and data literacy skills, 2023). As highlighted in the general report, media literacy skills in Italy are lower than the average, and this inevitably also reflects on specific skills related to digital media. Therefore, a situation persists in which the majority of the Italian population does not achieve basic skills for the use of technological tools.

Regarding **disinformation**, also in light of the initiatives undertaken by the European Union, it can now be considered that in Italy there exists an overall regulatory framework aimed at combating online disinformation. First of all, Italy participates in various initiatives within the European Union to combat disinformation. Additionally, it adheres to regulations such as the Digital Services Act, which aims to mitigate systemic risks like manipulation or disinformation, along with the 2022 Code of Practice on Disinformation at the European level. Furthermore, Italy has enacted numerous regulations to balance freedom of expression with the need to tackle disinformation, especially in the evolving digital media landscape. These include legal frameworks, co-regulatory approaches, and self-regulatory mechanisms.

In addition to the agreement signed with the European Commission (already mentioned in the general report), in 2023, AGCOM implemented a series of measures for digital and media literacy and the protection of the most vulnerable individuals (also through the exercise of delegated powers in media education by the Co.re.com.) to effectively counter misinformation and incitement to hatred. The Authority's action took place not only at the national level but also at the European level, through the participation in the expert group within ERGA dedicated to combating misinformation and consolidating the foundational democratic principles and values of EU member states' legal systems. In particular, the group assisted the European Commission in revising and strengthening the Code of Practice on Disinformation, also contributing to the launch of activities by the new Code's task force for an independent assessment of its implementation. Furthermore, it continued to monitor and exchange information on misinformation phenomena related to both the evolution of the Covid-19 pandemic and the emergency related to the war in Ukraine.

However, we must underline that there's a risk of developing censorship through collaboration between state authorities and digital platforms, potentially excessively limiting dissenting opinions and information dissemination.

We can claim that the main **fact-checkers** in Italy adhere to the highest ethical and professional standards, and their funding seems fairly transparent and adequate.

4. Conclusions

In the **Fundamental Protection** domain, Italy registers a medium risk score of 34%, indicating adherence to basic legal prerequisites for media freedom and pluralism. However, compared to the previous MPM report, the risk level has escalated. This composite score reflects opposing trends across various indicators within this domain, with concerning signals regarding journalists' conditions and their susceptibility to pressures and threats. Pending reforms in criminal defamation laws and legal safeguards against SLAPPs contribute to this risk, aggravated by the rise in criminal and civil lawsuits against journalists, including by government officials. Economic instability and inadequate protections for younger media professionals exacerbate risks to journalists' safety, while debates over restrictions on judicial information access persist. Nonetheless, the independence of the media authority is legally ensured, and basic infrastructure for information access remains steady.

Recommendations

To the State:

- Approve a comprehensive reform of criminal defamation laws in accordance with requests by the European Court of Human Rights (ECHR) and the Constitutional Court.
- Introduce legislation to combat Strategic Lawsuits Against Public Participation and implement the directive adopted in February 2024 by the European Parliament
- Ensure an enabling environment for journalists, acknowledging the increasing role of independent professionals.
- Effectively implement protections for whistleblowers.
- Avoid unwarranted restrictions on journalists' access to information.
- Strengthen the independence of the media authority, particularly given its expanded competencies, by establishing transparent and open procedures for appointing its Board members.

To Members of Parliament and Government:

- Refrain from abusing criminal and civil lawsuits against journalists.

To Media Companies and Journalistic Associations:

- Promote cooperative tools and funds to support journalists, including freelancers, against SLAPPs.

To Journalistic Associations and Councils:

- Monitor compliance with professional standards and editorial autonomy, extending oversight to freelancers and self-employed journalists.
- Adopt more effective measures to sanction violations of professional standards.

To the Media Authority:

- Encourage transparent monitoring and reporting of digital intermediaries' filtering and removal of media content within the self-regulatory and coregulatory framework.

Economic threats pose the primary risk to media pluralism in Italy, affecting diversity, sustainability, and editorial integrity. **Market Plurality** remains at a medium risk of 61%, with slight improvement. However, Media viability remains at a high-risk level, alongside concerns over concentration in both content provision and the digital media landscape. Economic downturns, coupled with high concentration, elevate risks to Editorial independence from commercial influences, though still within the medium-risk spectrum. Transparency in media ownership is regulated by law but isn't fully accessible.

Recommendations

To the Media Authority:

- Ensure public access to comprehensive information on media ownership, including details on beneficial owners, especially for media outlets receiving public support.
- Implement new anti-concentration regulations that prohibit positions of market power detrimental to media pluralism.

To the State:

- Reform the system of public support for the media to bolster independent journalism and allocate funds for innovation in production, distribution, and new products.

To Competent Authorities:

- Collaborate within the new regulatory framework for digital services and markets to create an environment conducive to media provision and distribution, particularly in data and online advertising markets.

To the State, Media Authority, Industry, and Digital Platforms:

- Ensure economic agreements for copyright-protected content usage are transparent, effective, and inclusive of all media providers, without compromising pluralism and diversity.

To Media Companies and Journalistic Associations:

- Enhance and enforce self-regulation rules concerning advertising, including transparent disclosure of paid content in digital platforms, such as influencer marketing.

In the **Political Independence** domain, Italy scores 52%, within the medium-risk range. Alarming, Independence of Public Service Media remains at a high-risk level. Safeguarding media's political independence is a pressing concern, given direct or indirect political control over leading media outlets. Risks to editorial autonomy stem from weak regulatory safeguards, allowing interference in editorial appointments. Medium risks arise from flaws in public subsidy systems, including transparency and effectiveness issues, despite an increase in subsidies over time. State advertising provisions exempt publicly owned companies.

Concerns persist over Rai's governance, marked by government influence and political negotiations in top management appointments. After the September 2022 elections, which saw a decisive victory for the center-right coalition and the establishment of the Meloni government, a notable shift in power dynamics ensued. The newfound majority explicitly sought greater control over Rai, advocating for a public television aligned with the electoral victors. Several appointments were made throughout 2023 to reflect the altered political landscape following the elections: among them, the new CEO Roberto Sergio the new editors of Tg1 and Tg2. The new political majority sought to significantly broaden its influence over PSM, resulting in the departure of notable Rai journalists and hosts such as Fabio Fazio and Lucia Annunziata. These events underscore the imperative for substantial reforms to safeguard Public Service Media (PSM) from direct political interference. The primary funding source for the Italian Public Service Media (PSM) continues to be the license fee (Canone Rai). The 2024 Budget Law reduced the television subscription fee for private use from €90 to €70, raising further questions about the adequacy of public funding and, consequently, the independence of Rai.

Recommendations

To the State:

Proceed immediately with the implementation of the European Media Freedom Act, and in particular:

- Modify Italian legislation regarding the appointment and dismissal of members of the board of directors and the CEO, ensuring that the procedures aim to guarantee the independence of Rai.
- Provide, starting from the next renewal of the management board of Rai in 2024, that the board shall be appointed based on transparent, open, effective, and non-discriminatory procedures, and transparent, objective, non-discriminatory, and proportionate criteria. Specify that the duration of their term of office shall be at least five years, sufficient for the effective independence of public service media provider.
- Ensure that Rai has adequate, sustainable, and predictable financial resources corresponding to the fulfillment of its public service remit and its capacity to develop.
- Introducing legislation to significantly restrict the intertwining of political power and media outlets or news agencies.
- Implementing a reform of conflict of interest legislation that establishes a unified discipline applicable to government positions at all levels, from the national to the local level, and reinforces preventive measures to counteract conflicts of interest and incompatibilities between public offices and shareholdings in the media sector.

The **Social Inclusiveness** area overall records a medium risk (54%). Gender equality in the media is confirmed as the worst indicator, which continues to reflect a serious, systematic, and unjustified underrepresentation of women in the governance of publishing companies, in editorial leadership, and also in participation in news and political programs. Although the level of risk recorded for this indicator remained unchanged compared to MPM2023, there is actually a deterioration, considering that the only female editor-in-chief of one of the main news media (TG1) was replaced by a man during 2023; and, more generally, for the first time in years, the data show no improvement in female presence in political programs and news broadcasts. The Media literacy indicator also remains unchanged and stays at a high level of risk: there have been no substantial changes compared to the previous year, confirming the lack of an effective national strategy aimed at developing these skills in the population, which maintains an overall unsatisfactory level. The low level of media literacy skills also presents a challenge given the significant dissemination of disinformation in Italy, which underscores the need for increased awareness among citizens; and the issue of hate speech remains widespread. However, there is a slight improvement in these areas due to initiatives aimed at combating disinformation, particularly driven by European efforts. Inequality in media access persists for minority groups lacking legal recognition

Recommendations:

- to the State, the PSM and the private media: to advance gender equality in media company governance and executive roles within newsrooms, and to ensure a more significant representation of women that accurately reflects their societal influence.
- to the State: to rethink educational policies to seriously develop media literacy skills among students and, more broadly, the population, under an effective national framework in alignment with regional and local initiatives.
- to the State: to adopt policies to counter disinformation and hate speech focusing primarily on education regarding media usage and holding accountable those who act online, particularly by limiting the possibility of anonymity online and instead implementing a principle of transparency; to ensure that the national implementation of European policies on platform governance takes into account balancing the rights involved while respecting the freedom of expression; to support quality journalistic and fact-checking initiatives to ensure the presence of authoritative independent entities in the information landscape

5. Notes

- [1] E.g. Ordine dei Giornalisti della Lombardia <https://odg.mi.it/senza-categoria/caso-cospito-perche-vietare-le-notizie-sulla-sua-salute/> (28 January 2023) and FNSI <https://www.fnsi.it/caso-cospito-dirigente-del-carcere-diffida-il-medico-a-rilasciare-dichiarazioni-fnsi-e-usigrai-surreale> (24 January 2023).
- [2] On January 27, 2023, e.g. on Radio Popolare <https://www.radiopopolare.it/podcast/prisma-di-venerdi-27-01-2023/> .
- [3] Established by law n. 159/2023 <https://www.agcom.it/agcom-dsc> . AGCOM's competences have been expanded in recent years, following the transposition of the AVMS Directive (EU) 2018/1808 (transposed with Legislative Decree no. 208/2021), the Copyright Directive (EU) 2019/790 (transposed with Legislative Decree no. 177/2021), as well as the new Electronic Communication Code (Legislative Decree 207/2021).
- [4] It can be recommended to reform the appointment process and implement a qualified majority voting system. This would enable both the Senate and the Lower Chamber to reach consensus on candidates who are broadly recognized as experts in the domains regulated by AGCOM: <https://www.openpolis.it/una-nuova-nomina-allagcom-e-il-rapporto-tra-politica-e-autorita-indipendenti/>

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ANNEXE I. COUNTRY TEAM

First name	Last name	Position	Institution	MPM2024 CT Leader
<i>Giulio</i>	<i>Vigevani</i>	<i>Full Professor of Constitutional Law</i>	<i>University of Milan-Bicocca</i>	X
<i>Gianpietro</i>	<i>Mazzoleni</i>	<i>Former Professor of media sociology</i>	<i>University of Milan</i>	
<i>Nicola</i>	<i>Canzian</i>	<i>Researcher</i>	<i>University of Milan-Bicocca</i>	
<i>Marco</i>	<i>Cecili</i>	<i>Research fellow</i>	<i>University of Milan-Bicocca.</i>	

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
<i>Isabella</i>	<i>Splendore</i>	<i>Head of Legal and International Department</i>	<i>Federazione italiana editori giornali (FIEG)</i>
<i>Marina</i>	<i>Piترangelo</i>	<i>Researcher</i>	<i>Institute of Legal Information Theory and Techniques - National Research Council</i>
<i>Tommaso</i>	<i>Canetta</i>	<i>Deputy Editor in Chief</i>	<i>Pagella Politica</i>
<i>Carlo</i>	<i>Bartoli</i>	<i>President of the National Council of the Order of Journalists.</i>	<i>Order of Journalists.</i>
<i>Giorgio</i>	<i>Greppi</i>	<i>Director</i>	<i>AGCOM</i>

Research Project Report

Issue -

June 2024

doi:10.2870/278293

ISBN:978-92-9466-571-3

QM-02-24-670-EN-N



Publications Office
of the European Union

