



FUNDAMENTAL RIGHTS AND THE RULE OF LAW

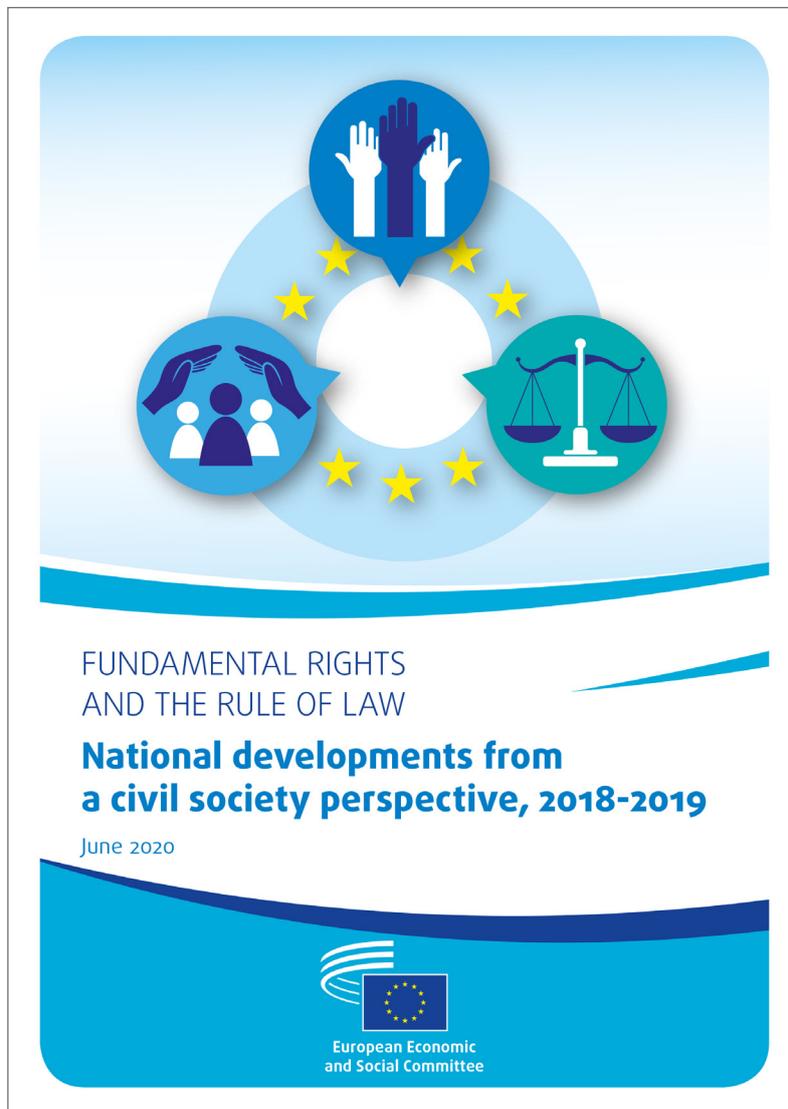
## **National developments from a civil society perspective, 2018-2019**

Excerpt - Authorities' observations on the report  
on country visit to **Italy** | 5-6 December 2019



European Economic  
and Social Committee

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reporting on seven initial country visits in  
Romania, Poland, Hungary, Austria,  
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# Observations from the Italian authorities on the report of the Fundamental Rights and Rule of Law Group on its visit to Italy

## on 5-6 December 2019

The military police (Carabinieri and Guardia di Finanza) and armed forces have COCER (Central Council for Representation), referred to as “military representation”. This is a legal arrangement for the Italian armed forces (including the Carabinieri and the Guardia di Finanza), provided for in Law No 382 of 11 July 1978 which aims to protect armed forces personnel in some limited areas permitted by law.

The situation is quite different for members of the civilian police force, for whom the right of trade union association has already been regulated, namely under Article 82 of Reform Law No 121 of 1 April 1981 establishing the right of state police officers to form trade unions. Prison officers are covered by an equivalent law, Reform Law No 395 of 15 December 1990.

### ***Comments on the Coordination Centre for monitoring, analysis and constant information exchange on the intimidation of journalists***

The Centre is the contact point for representatives of journalists and the Ministry of the Interior, which takes immediate action in cases where threats have been made, assessing individual incidents and providing the necessary safeguards. The Centre has a permanent support body at the Department of Public Security (DPS) which seeks to prevent and combat acts of intimidation against journalists and promotes cooperation between the media and police headquarters and the exchange of information between police officers and journalists on issues of mutual interest.

The Coordination Centre was established within the Ministry of the Interior by the ministerial decree of 21 November 2017.

The Centre is chaired by the Minister of the Interior and has a “political” role with strategic planning functions. The participation of media representatives is considered to be an important form of liaison and consultation, something that is useful for deciding on targeted action to protect the freedom of the press.

It was recognised from the outset that the Centre needed the support of a technical body performing operational tasks in the DPS, the main forum for exchange between the various services in the DPS and bodies representing journalists.

The permanent support body was established in 2018 within the Central Criminal Police Directorate, in line with DPS directives covering:

- the participation of the relevant DPS services, the composition of the body representing the various police forces and the presence of media representatives;
- the meetings schedule (at least once every quarter);
- responsibility for:
  - monitoring and qualitative and quantitative analysis of the issue, including the forms of intimidation, the reasons for the incidents and the geographical spread;
  - prevention and intervention, including through the promotion of cooperation between media outlets and provincial police headquarters (Questure) and the exchange of information between police officers and journalists on aspects of mutual interest.

The activities of the permanent support body include sending monthly reports to the Central Criminal Police Directorate (Department for Criminal Analysis) on acts of intimidation reported by provincial police headquarters and in response to alerts issued by the Council of Europe's Platform for the Protection of Journalists.

In November 2018, the DPS also instructed the provincial governors<sup>24</sup> to raise the issue in the provincial committees on public security, if possible with the participation of local trade union representatives. It has also recommended consolidating cooperation between the local press and police forces so as to promote productive interaction in the provinces and a continuous and timely flow of information.

As stated in the Declaration by Italy<sup>25</sup> of the Permanent Representation to the OSCE at the 2019 Human Dimension Implementation Meeting – HDIM, Working Session 2, Fundamental freedoms I:

*"In 2017 the Italian government set up the Coordination Centre for monitoring, analysis and constant information exchange on the intimidation of journalists. The Centre is the first of its kind in Europe and acts as a contact point for representatives of journalists and the Ministry of the Interior, which takes immediate action in cases where threats have been made, assessing individual incidents and providing the necessary safeguards.*

*The Ministry of the Interior has also activated the provincial public security authorities with the aim of replicating the work of the Centre at local level, involving local journalists and media in order to take immediate decisions on the most appropriate measures.*

*To date, police forces have arranged for surveillance in 176 cases and protection for 19 journalists."*

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24 In a circular issued by the Chief of Police/Director-General for Public Security, No MI-123-U-1-3-2018-68 of 21 November 2018, on the permanent support body for the Coordination Centre for monitoring, analysis and constant information exchange on intimidation against journalists – Monitoring.

25 Document HDIM.DEL/0653/19/IT 4 October 2019.

Finally, it may be useful to add that the Ministry of the Interior has published its “social media policy” on its website (<https://www.interno.gov.it/it/social-media-policy>), stating among other things that:

*“content which is offensive, misleading, alarmist or illegal, or which incites unlawful activities, insults, bad language, threats or attitudes that undermine personal dignity, the dignity of the institutions, the rights of minorities and children and the principles of freedom and equality will not be tolerated;*

*content which is discriminatory on the grounds of gender, race, ethnicity, language, religious belief, political opinions, sexual orientation, age and personal and social conditions will not be permitted.”*