



Rappresentanza Permanente d'Italia
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Contribution by Italy

The Italian Constitution (1948), coeval with the Universal Declaration of Human Rights, protects freedom of expression and freedom of the press under Article 21, which sets forth: “Anyone has the right to freely express their thoughts in speech, writing, or any other form of communication. The press may not be subjected to any authorisation or censorship [...]”.

In line with the constitutional principles of the rights to freedom of opinion and expression, including press freedom and pluralism (Art.21), the widest variety of information and views and the independence of the media are effectively guaranteed. There are no restrictions on access to internet or to create blogs - which have become, over the years, an important source of information.

Article 1 of Legislative Decree 70/2017 established the Fund for pluralism and innovation (operational since 2017) aimed at stimulating the innovation of the information offer and the development of new publishing companies also in the field of digital integration, in the management of constitutional principles regarding freedom and pluralism of information.

As for the communication sector, **allow me to recall the role of AGCOM. This is an independent and “convergent” regulatory Authority covering all segments in the communications sector in Italy.** Mostly, AGCOM is in charge of regulation and competition enforcement under the EU Regulatory framework of electronic communications, news-media pluralism, media concentration and market monitoring, including online, audio-visual media content regulation and surveillance, online copyright protection, regulation of scarce resources (radio-spectrum and numbering), regulation and surveillance of the competition and consumer protection conditions in the postal services sector.

Since 2017, AGCOM has established a self-regulatory body, called “Roundtable to guarantee pluralism and correct information on digital platforms” aimed at promoting self-regulation and co-regulation among its members, which include online advertisers, press publishers, traditional media companies and digital platforms. This initiative anticipated commitments and guidelines by online platforms in the context of political elections. AGCOM has designed the methodology of a new monitoring system of online disinformation (fake news). Cooperation among the members of the AGCOM Roundtable has led also to a number of research partnerships, which are in process of developing innovative detection and monitoring systems to fight against disinformation spreading across online platforms.

As for RAI (national public broadcasting company) and pluralism, in addition to AGCOM, the relevant parliamentary Oversight Committee - within which specific “*marges de manoeuvres*” are entrusted to the opposition - is entrusted by law to providing guidance, in order to ensure, inter alia, respect for pluralism.