[IT] Agcom: Violation of Regulation on respect for human dignity and the principle of non-discrimination and countering hate speech

IRIS 2020-4:1/23

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On 27 February 2020, the Council of the Italian Authority for Communications found the violation of the Regulation on respect for human dignity and the principle of non-discrimination and countering hate speech - Resolution No. 157/19/CONS (see IRIS 2019-4:1/25 and 2017-1:1/24) - by a national television programme, *Fuori del coro,* broadcast by Rete 4 of the Mediaset group.

This is one of the first cases of a violation of the aforementioned Regulation adopted in 2019 which contains provisions aimed at countering the use of hate speech in audiovisual media services and establishes the principles with which audiovisual and radio media service providers must comply in terms of respect for human dignity and the principle of non-discrimination. More specifically, media service providers are required to observe a series of warnings and guidelines which help to identify the specific context of reference with respect to possible stereotyped representations and generalisations that, through the use of hate speech, could generate prejudice towards people who are associated with a specific category or group subject to discrimination, thus offending human dignity and violating the rights of the person. To this end, the Authority also assesses whether graphic elements present in the programme are likely to generate "discriminatory" effects (titles, news tickers, quoted statements) as they aim to generalise or attach systematic meaning to specific facts and individual occurrences, as well as, in the absence of clarifications regarding the context of reference, to generate doubts about their episodic nature.

Following the monitoring of some episodes of the aforementioned programme broadcast during September and October 2019, the Authority found that, through the use of graphic elements and the ways in which presenters referred to immigration issues, the broadcaster had spread inaccurate, condensed, misleading and biased information. Furthermore, elements were found that undermine the principles of fairness, objectivity and good faith in the reconstruction of events, for example, by improperly associating news or facts in a way which is taken out of context or is generalised and not related to the topic being discussed, with the intention of establishing links between specific events and specific groups of people, thus running the risk of spreading instrumental, stereotyped representations which could potentially encourage discrimination and

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intolerance.

The broadcaster has been sent a specific communication on non-compliance with the provisions of the Regulation, with the hope that such a solicitation could represent a positive move towards ensuring compliance with the principles contained therein.

Agcom: Violazione Del Regolamento In Materia Di Rispetto Della Dignità Umana E Del Principio Di Non Discriminazione E Di Contrasto All'hate Speech Da Parte Della Trasmissione "fuori Dal Coro" (Rete 4)

https://www.agcom.it/documentazione/documento?p_p_auth=fLw7zRht&p_p_id=101_INSTANCE_FnOw5lVOIXoE&p_p_lifecycle=0&p_p_col_id=column-1&p_p_col_count=1&_101_INSTANCE_FnOw5lVOIXoE_struts_action=%2Fasset_publisher%2Fview_content&_101_INSTANCE_FnOw5lVOIXoE_assetEntryId=17976245&_101_INSTANCE_FnOw5lVOIXoE_type=document

Agcom: Violation Of The Regulation Regarding Respect For Human Dignity And The Principle Of Non-discrimination And Of Contrast To Hate Speech By The National Television Program "Fuori Dal Coro" (Rete 4)

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