



EUROPEAN COURT OF HUMAN RIGHTS  
COUR EUROPÉENNE DES DROITS DE L'HOMME

Communicated on 12 September 2016

## FIRST SECTION

Application no. 22350/13  
Alessandro SALLUSTI  
against Italy  
lodged on 18 March 2013

## SUBJECT MATTER OF THE CASE

The applicant is a journalist and, at the material time, he was the director of the newspaper *Libero*. The application concerns his criminal conviction for defamation through the press (*diffamazione a mezzo stampa*) and for failure to conduct supervision of the content of the publication (*omesso controllo sul contenuto dell'articolo diffamatorio*).

## QUESTION TO THE PARTIES

Has there been a violation of the applicant's right to freedom of expression, and in particular of his right to impart information and ideas, contrary to Article 10 of the Convention? In particular - considering that the applicant was sentenced to one year and two months of imprisonment, coupled with the payment of a fine and the payment of compensation - were the sanctions imposed proportionate in their nature and severity (see, among many authorities, *Cumpăună and Mazăre v. Romania* [GC], no. 33348/96, ECHR 2004-XI and *Fatullayev v. Azerbaijan*, no. 40984/07, 22 April 2010)?

## INFORMATION SOUGHT

The Government are invited to provide information on the current status of legislative proposals related to sentencing in the sphere of defamation, with particular reference to Draft Law n. 1119-B.