

## **Policy for the circulation and distribution of photographs of Denise Pipitone**

The Pipitone family authorises the diffusion of the image of their daughter Denise Pipitone, solely for research activities and public information, with exclusion of all and any concession for business and advertising purposes.

Fully in keeping with privacy law (\*1) and the "Carta di Treviso" (\*2), the parents of Denise Pipitone declare their consent to the publication by means of information, of only the image of the daughter and of a possible link that leads to the websites [www.cerchiamodenise.it](http://www.cerchiamodenise.it) and [www.cerchiamodenise.org](http://www.cerchiamodenise.org) these latter bring the sole official references in seeking the missing young girl. This consent concerns: television and radio broadcasts, sites of information, journalistic publications and other means suitable for public distribution. In particular, the image of Denise must always be protected in regard to the content proposed by way of information. No image, texts, video and audio, or personal data of Denise Pipitone may be related, by the means of information, to advertising of any kind without the specific written authorisation from the family. All and any associations between photographs of Denise Pipitone with images or contexts of explicit sex, obscenities, violence, intolerance, pedophilia, advertising and politics, are always and in all cases strictly prohibited. Additionally, subject to those cases of news and special programmes where the release of the photograph is associated to reporting of the events, all media bodies accept and acknowledge that the circulation of pictures of minors cannot be done from a page other than the main one (for websites the "Home Page", for radio and television, the peak listening/watching time-bands). In default, and in any other circumstance, such alternative policy can be construed as having intentions other than that of helping, for the diffusion capacity is limited and the circumstances are thereby not optimal; there is indeed a strong probability that such operations are undertaken with the sole purpose of obtaining publicity through the media means itself (for websites such probability is increased by the presence of Internet "Search Engines", which exploit the mechanisms of the so-called "key words". In addition, where an official website of the family is identified, this would be the point of reference for all activities of searching for the child. In particular, with reference to the Internet, the name of the missing child (or any specific term that might explicitly identify this minor) may not be used to register names of dominions of any level and no copy may be made of the documents of the official sites regarding Denise Pipitone, without specific, prior and written authorisation from the family.

The only official sites regarding Denise Pipitone are: [www.cerchiamodenise.org](http://www.cerchiamodenise.org) and [www.cerchiamodenise.it](http://www.cerchiamodenise.it)

**Possible authorisations may be granted in writing to certain subjects for specific search activities.**

(\*1)

### **A.1. CODE OF ETHICS REGARDING PERSONAL DATA PROCESSING IN JOURNALISM ACTIVITIES**

#### Art. 7. Protection of minors

1. In order to safeguard the person involved, journalists shall not publish the names of minors involved in news items or supply any details able to lead to their identification.
2. Taking account of the quality of the news and its components, the safeguarding of the minor extends to the events that are not specifically crimes.
- 3. The right of the minor to confidentiality must always be considered as primary with respect to the right of critique and news broadcasting; if, however, for reasons of important public interest and subject to legal constraints, journalists decide to divulge news or pictures regarding minors, they must take the responsibility of assessing whether such broadcasting is truly in the objective interest of the minor according to the principles and limits laid down in the "Carta di Treviso".**

(\*2)

**CARTA DI TREVISO (Treviso Charter)**

**FNSI** and the **Professional Journalists' Register** believe that information provision services must be inspired by, and respect, the principles and values in which our constitutional Carta (Charter) and is rooted, which in particular are:

\* the recognition that the supreme value of the state and community is the human being, with his/her inviolable rights, which must not only be guaranteed but also improved, helping each other human being to overcome those negative conditions that *de facto* hinder the full expression of one's personality;

\* the commitment of all of the Republic of Italy, in its various institutional and community aspects, to protect children and young people and to promote the right to education and suitable and proper human upbringing and growth;

\* declare taking on the principles re-stated in the UN Convention of 1989 on the rights of children, and in particular that:

- that children must grow up in an atmosphere of understanding and that "for their physical and mental need, they need particular care and assistance";
- that in all actions regarding children, the primary purpose must be "the best interests of the child" and that all other interests must therefore be subordinate to this goal;
- that no child must be subjected to arbitrary or illegal interferences in their "privacy" nor to unlawful attacks on their honour or reputation;
- that the State must foster the development of appropriate codes of conduct so that children are protected from information and all other material that may detrimental to their well-being;
- and that governments must take appropriate legislative, administrative, social and educational remedies to protect children from all forms of violence, damage, abuse - also psychological - and exploitation.

**FNSI** and the **Professional Journalists' Register** are aware that the fundamental right to information can face limits when in conflict with the fundamental rights of persons who deserve privileged protection and that, subject to the right to providing news, and specific protection, **FNSI** and the **Professional Journalists' Register** call upon the specific rules as provided for by the Italian Penal Code on minors which, under Article 13 prescribes the: "ban on publishing and disclosing, with any means, news or images suitable for identifying the minor, even if involved in the offence.

"Article 114, sub-section 6 of the new Italian Code of Penal Procedure bans "the publication of details of pictures of minors, witnesses, wronged and damaged persons ... "According to the above premises and to the code of conduct contained in Art.2 of the Law that instituted the **Professional Journalists' Register** to develop the divulging of information based on values that move more towards a culture for safeguarding infancy and adolescence in our country,

**FNSI** and the **Italian Professional Journalists' Register**, in co-operation with "Telefono Azzurro" (children's help line) sign the following Agreement Protocol:

**e) if, it is thought opportune to publish personal data of and/or show pictures of minors in the interests of the same – e.g. cases of abduction/kidnapping and disappeared children –, prior consent from the parents and competent Judge will nevertheless be sought and verified.**