

**Mandates of the Special Rapporteur on the situation of human rights defenders; the Working Group on the issue of human rights and transnational corporations and other business enterprises; the Special Rapporteur on the human right to a clean, healthy and sustainable environment; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and the Special Rapporteur on the human rights to safe drinking water and sanitation**

Ref.: AL ITA 8/2025  
(Please use this reference in your reply)

6 November 2025

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on the situation of human rights defenders; Working Group on the issue of human rights and transnational corporations and other business enterprises; Special Rapporteur on the human right to a clean, healthy and sustainable environment; Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and Special Rapporteur on the human rights to safe drinking water and sanitation, pursuant to Human Rights Council resolutions 52/4, 53/3, 55/2, 52/9 and 51/19.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning concerning **the defamation lawsuit filed by the fossil fuel company Fox Petroli S.p.A. against environmental human rights defenders Roberto Malini and Lisetta Sperindei.**

**Roberto Malini** is an environmental human rights defender, an author and an artist. He co-founded the PESARO: NO GNL civic initiative, opposing the establishment of a liquified natural gas terminal in a residential area, the Tombaccia neighbourhood of Pesaro, at high environmental risk. He is also the co-founder of EveryOne Group, an organization working to protect and promote the rights of Roma, refugees, LGBTI individuals and people affected by environmental injustice.

**Lisetta Sperindei** is an environmental human rights defender and a member of the civic initiative PESARO: NO GNL. She has been actively engaged in promoting public participation, raising awareness about health and environmental risks, and defending the right to a healthy environment, the right to health, the right of access to information, and ecological justice.

According to the information received:

Since the beginning of 2025, human rights defenders Roberto Malini and Lisetta Sperindei, in the context of the civic initiative PESARO: NO GNL, have been exposing the environmental risks of building new liquified natural gas plants in the Tombaccia neighbourhood of Pesaro. They have released public statements about the site's current condition, where the existing tanks dating back to the 1950s lack a double bottom and could thus contaminate the soil and water. Furthermore, they have denounced the potential health risks for the local population deriving from air, soil and water pollution.

On 8 May 2025, the human rights defenders announced in a press release that they had filed a formal environmental complaint to local and national authorities. The statement referred to the site as “degraded”, term reportedly used on the basis of technical, legal and other documents which pointed out the soil contamination and the need for remediation. Fox Petroli S.p.A. rejected these allegations, claiming that the human rights defenders were spreading unsubstantiated news by accusing the company of committing environmental crimes, thus discrediting it.

On 30 June 2025, the District Court of Pesaro summoned Roberto Malini and Lisetta Sperindei in relation to a complaint filed against them by Fox Petroli S.p.A. This complaint followed the decision of the Regional Technical Committee of the Fire Brigade to prohibit the construction of a new liquified natural gas terminal for the company’s use because of the high risk of a major accident. As communicated by the Ministry of Environment on 26 June 2025, the negative opinion of the Regional Technical Committee nullified the Environmental Impact Assessment (EIA) previously conducted, which had concluded in favour of the project. The final approval of the EIA was subject to a positive evaluation from the Regional Technical Committee of the Fire Brigade.

On 29 September 2025, a mediation hearing took place at the Court of Pesaro. This preliminary step is required to take place in disputes before legal proceedings can begin. Since no agreement was reached between the human rights defenders and the company during the mediation process, the case has been taken to trial. The first hearing should take place on 22 December 2025.

The company requested the human rights defenders to pay a minimum of two million euros as damage compensation for “causing alarm among the population by spreading false and defamatory news about the company and its functioning facilities” since May 2025 and “running a denigrating and persecutory campaign against the company and that its good name, reliability and credibility were harmed”.

While we do not wish to prejudge the accuracy of these allegations, we would like to express concern about the defamation lawsuit filed by Fox Petroli S.p.A. against environmental human rights defenders Roberto Malini and Lisetta Sperindei. We believe they have been targeted in direct retaliation for their public criticism of the company’s operations and for their environmental human rights advocacy opposing the establishment of a liquified natural gas plant in a densely populated area and exposing the potential environmental and health risks and harm that might derive from its activities. Human rights defenders, including environmental rights defenders, should never be targeted for exercising their right to freedom of expression, acting in the public’s interest, or peacefully doing their legitimate human rights work.

We are particularly concerned that the civil lawsuit initiated against the environmental human rights defenders Roberto Malini and Lisetta Sperindei seems to carry the characteristics of a Strategic Lawsuit Against Public Participation (SLAPP). The high amount sought for damage is highly disproportionate and appears to have the intent to financially intimidate and silence the human rights defenders. We also wish to

stress the potential negative impact that this might have on the defenders' psychological wellbeing and ability to carry out their activities.

In connection with the above alleged facts and concerns, please refer to the **Annex on Reference to international human rights law** attached to this letter which cites international human rights instruments and standards relevant to these allegations.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations.
2. Please indicate what measures have been taken to ensure a prompt review and resolution of the defamation lawsuit filed by Fox Petroli S.p.A. against environmental human rights defenders Roberto Malini and Lisetta Sperindei by the competent court, as well as to ensure its early dismissal and the imposition of the litigation costs on the plaintiff, should the lawsuit be proven to be unsubstantiated. Please indicate any measures taken to ensure that the proceedings are not unduly prolonged. Please also provide information on any opportunities for financial support Mr. Malini and Ms. Sperindei could access, to ensure the financial viability of their legal defence and the continuation of their activities as human rights defenders.
3. Please indicate what measures your Excellency's Government has done or is planning to take to prevent and discourage companies from engaging in strategic litigation against public participation (SLAPP) against human rights defenders. Please also provide information on any measures taken or planned by your Excellency's Government to investigate the reported use of SLAPPs against human rights defenders in the context of the business activities in Italy and to raise awareness and enhance understanding among judges and prosecutors of SLAPPs, as well as establish procedures to address and respond to them, including early dismissal mechanisms.
4. Please indicate what measures your Excellency's Government has taken to ensure that human rights defenders are able to freely exercise their rights to freedom of expression and conduct their legitimate human rights work, including by exposing the potential environmental and health impact of business-related activities and voicing concerns, without fear of judicial harassment and other acts of intimidation and reprisals.
5. Please provide information in relation to the scientific, technical and legal reasons why the Environmental Impact Assessment of the project proposed by the company Fox Petroli S.p.A was not approved, including the analysis and conclusions from the Regional Technical Committee of the Fire Brigade in their report.

6. Please provide information on the measures your Excellency's Government has taken, or is considering taking, to ensure that companies domiciled in its territory and/or jurisdiction respect human rights in all their activities, including the right to a healthy environment, the right to health, and the rights of human rights defenders, and implement human rights due diligence processes.

This communication and any response received from your Excellency's Government will be made public via the communications reporting [website](#) within 60 days. They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person(s) responsible for the alleged violations. We also call on your Excellency's Government to promptly transpose the EU anti-SLAPPs Directive (2024/1069) into the national legal framework and ensure that all human rights defenders, including environmental rights defenders, are able to freely exercise their rights and freedoms and carry out their work without fear of reprisals, harassment or retaliation.

We may publicly express our concerns in the near future as, in our view, the information upon which the press release will be based is sufficiently reliable to indicate a matter warranting immediate attention. We also believe that the wider public should be alerted to the potential implications of the above-mentioned allegations. The press release will indicate that we have been in contact with your Excellency's Government's to clarify the issue/s in question.

Please be informed that a letter on this subject matter has also been sent to the company Fox Petroli S.p.A.

Please accept, Excellency, the assurances of our highest consideration.

Mary Lawlor  
Special Rapporteur on the situation of human rights defenders

Pichamon Yeophantong  
Chair-Rapporteur of the Working Group on the issue of human rights and transnational corporations and other business enterprises

Astrid Puentes Riaño  
Special Rapporteur on the human right to a clean, healthy and sustainable environment

Irene Khan  
Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression

Pedro Arrojo-Agudo  
Special Rapporteur on the human rights to safe drinking water and sanitation

## Annex

### Reference to international human rights law

In connection with above alleged facts and concerns, we would like to refer your Excellency's Government to article 19 of the International Covenant on Civil and Political Rights (ICCPR), ratified by Italy on 15 September 1978, which guarantee the right to freedom of expression.

Article 19 of the ICCPR guarantees the right to freedom of opinion and the right to freedom of expression, which includes the right "to seek, receive and impart information and ideas of all kinds, either orally, in writing or in print, in the form of art, or through any other media". This right applies online as well as offline, protects the freedom of the press as one of its core elements and includes not only the exchange of information that is favourable, but also that which may criticize, shock, or offend.

In its general comment No. 34, the Human Rights Committee stated that States parties to the ICCPR are required to guarantee the right to freedom of expression, including "political discourse, commentary on one's own and on public affairs, canvassing, discussion of human rights, journalism, cultural and artistic expression, teaching, and religious discourse" (CCPR/C/GC/34, para. 11). The Committee states that article 19 also covers the right of a free press and other media able to comment on public issues without censorship or restraint and to inform public opinion and a corresponding right of the public to receive media output.

The Committee further asserts that there is a duty of States to put in place effective measures to protect against attacks aimed at silencing those exercising their right to freedom of expression (para. 23). Recognizing how journalists and persons who engage in the gathering and analysis of information on the human rights situation and who publish human rights-related reports, including judges and lawyers, are frequently subjected to threats, intimidation and attacks because of their activities, the Committee stresses that "all such attacks should be vigorously investigated in a timely fashion, and the perpetrators prosecuted, and the victims, or, in the case of killings, their representatives, be in receipt of appropriate forms of redress" (para. 23).

Any restriction on the right to freedom of expression must be compatible with the requirements set out in article 19(3) ICCPR. Under these requirements, restrictions must (i) be provided by law; (ii) pursue one of the legitimate aims for restriction, which are the respect of the rights or reputations of others and the protection of national security or of public order (*ordre public*), or of public health or morals; and (iii) be necessary and proportionate for those objectives. The State has the burden of proof to demonstrate that any such restrictions are compatible with the Covenant. The Human Rights Committee recalled that the restrictions must be "the least intrusive instrument among those which might achieve their protective function". (CCPR/C/GC/34, paras. 34 and 35).

Furthermore, we would like to draw your Excellency's Government attention to article 12 of the International Covenant on Economic, Social and Cultural Rights (ICESCR), ratified by Italy on 15 September 1978, which safeguards the right to health, including the enjoyment of the highest attainable standard of both physical and mental

health. General comment No. 14 on the right to health interprets the right “as an inclusive right extending not only to timely and appropriate health care but also to the underlying determinants of health, such as access to safe and potable water and adequate sanitation, an adequate supply of safe food, nutrition and housing, healthy occupational and environmental conditions (...)”. “A further important aspect is the participation of the population in all health-related decision-making at the community, national and international levels.” The right to health also comprises the prevention and reduction of the population’s exposure to harmful substances, such as harmful chemicals or other detrimental environmental conditions that directly or indirectly affect human health.

We further recall the explicit recognition of the human rights to safe drinking water and sanitation by the UN General Assembly (resolution 64/292) and the Human Rights Council (resolution 15/9), which derives from the right to an adequate standard of living, protected under, inter alia, article 25 of the Universal Declaration of Human Rights, and article 11 of ICESCR.

General comment No. 15 on the right to water stresses that the right to water “clearly falls within the category of guarantees essential for securing an adequate standard of living” enshrined in article 11 of the ICESCR and that it is also “inextricably related to the right to the highest attainable standard of health” guaranteed under article 12. A sufficient and continuous water supply must be available for personal and domestic use, and “water is necessary to produce food (right to adequate food) and ensure environmental hygiene (right to health).”

Moreover, water required for personal or domestic use must be safe, i.e., free from micro-organisms, chemical substances, and radiological hazards that constitute a threat to a person’s health. Water facilities and services must be accessible to everyone, both physically and economically, and must be free from discrimination. Such accessibility includes the right to seek, receive, and impart information on water issues. Further, “access to traditional water sources in rural areas should be protected from unlawful encroachment and pollution”.

We further recall that the Human Rights Council and the United Nations General Assembly respectively expressly recognized the human right to a clean, healthy and sustainable environment with the adoption of resolutions 48/13 and 76/300. A safe climate is one of the substantive elements of the right to a clean, healthy and sustainable environment.

In addition, we would like to bring to the attention to the Framework for environmental, social and human rights impact assessments on the human right to a healthy environment, presented to the UN General Assembly in October 2025 (A/80/187). According with this Framework, all States, including your Excellency’s, have the obligation under international law, to prevent environmental harms. In connection with such obligation and also recognized as an obligation of all States under international law, is the obligation to regulate and undertake comprehensive environmental, social and human rights impact assessments prior to any proposal authorization or the commencement of any activity that might cause significant environmental, social or human rights impacts (ESHRIA), or to significant modification or expansion. Such ESHRIAs must be comprehensive therefore including

direct, indirect, domestic, transboundary, cumulative, long-term, short-term, climate, biodiversity, environmental, health, cultural, social and human impacts must be considered; integrally evaluate climate impacts including consideration of scope 1, 2 and 3 emissions from projects; comply with international law principles of precaution, prevention, proportionality, best-available science – including Indigenous science, maximum disclosure and equity and non-discrimination; be prepared by independent, qualified experts; ensure access to information, public participation and access to justice and remedy, in all steps of the process; and, guarantee special measures for the protection of the rights of marginalized people and groups.

In addition, we wish to refer to the Framework Principles on Human Rights and the Environment, presented to the Human Rights Council in March 2018 (A/HRC/37/59), which set out basic obligations of States under human rights law as they relate to the enjoyment of a safe, clean, healthy and sustainable environment. In particular, we would like to refer to principle 4, which provides, that “States should provide a safe and enabling environment in which individuals, groups and organs of society that work on human rights or environmental issues can operate free from threats, harassment, intimidation and violence.” Accordingly, “The requirements for such an environment include that States: adopt and implement laws that protect human rights defenders in accordance with international human rights standards; publicly recognize the contributions of human rights defenders to society and ensure that their work is not criminalized or stigmatized; develop, in consultation with human rights defenders, effective programmes for protection and early warning; provide appropriate training for security and law enforcement officials; ensure the prompt and impartial investigation of threats and violations and the prosecution of alleged perpetrators; and provide for effective remedies for violations, including appropriate compensation (see also A/71/281, A/66/203 and A/HRC/25/55, paras. 54-133).”

Finally, we would like to refer to the fundamental principles set forth in the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, also known as the UN Declaration on Human Rights Defenders. In particular, we would like to refer to articles 1 and 2 of the declaration, which state that everyone has the right to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels and that each State has a prime responsibility and duty to protect, promote and implement all human rights and fundamental freedoms. We would further wish to stress the following articles of the declaration:

- article 6(b), which states that everyone has the right to freely to publish, impart or disseminate to others views, information and knowledge on all human rights and fundamental freedoms.
- article 6(c), which states that everyone has the right, individually or in association with others, to study, discuss, form and hold opinions on the observance in law and in practice of all human rights and fundamental freedoms and to draw public attention to these matters.
- article 8, which provides for everyone’s right to participate in the conduct of public affairs, including the right to submit to governmental bodies

criticism and proposals drawing attention to aspects of their work that might hinder or impede the promotion, protection and realization of human rights.

- article 9(3)(a), which states that everyone has the right individually and in association with others, *inter alia*, to complain about the policies and actions of individual officials or governmental bodies with regard to violations of human rights and fundamental freedoms, by petition or other appropriate means.
  
- article 12(2), holding that States shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, *de facto* or *de jure* adverse discrimination, pressure or any other arbitrary action as a consequence of their legitimate exercise of the rights referred to in the declaration.