

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 OTH 141/2025
(Please use this reference in your reply)

6 November 2025

Mr. Baldini,

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.

We are independent human rights experts appointed and mandated by the United Nations Human Rights Council to report and advise on human rights issues from a thematic or country-specific perspective. We are part of the special procedures system of the United Nations, which has 60 thematic and country mandates on a broad range of human rights issues. We are sending this letter under the communications procedure of the Special Procedures of the United Nations Human Rights Council to seek clarification on information we have received. Special Procedures mechanisms can intervene directly with Governments and other stakeholders (including companies) on allegations of abuses of human rights that come within their mandates by means of letters, which include urgent appeals, allegation letters, and other communications. The intervention may relate to a human rights violation that has already occurred, is ongoing, or which has a high risk of occurring. The process involves sending a letter to the concerned actors identifying the facts of the allegation, applicable international human rights norms and standards, the concerns and questions of the mandate-holder(s), and a request for follow-up action. Communications may deal with individual cases, general patterns and trends of human rights violations, cases affecting a particular group or community, or the content of draft or existing legislation, policy or practice considered not to be fully compatible with international human rights standards.

In this connection, we would like to bring to your attention information we have received 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

Fox Petroli S.p.A.

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.

We strongly condemn the initiation of the defamation lawsuit against human rights defenders Roberto Malini and Lisetta Sperindei and urge your company to immediately withdraw it.

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 provide detailed information on the factual and legal grounds based on which your company filed a defamation lawsuit against environmental human rights defenders Roberto Malini and Lisetta Sperindei.
3. Please indicate what measures your company has taken to ensure that human rights defenders and civil society can freely exercise their right to freedom of expression and conduct their peaceful activities and advocacy without fear of threats, acts of intimidation or harassment of any sort, including when they expose abuses and voice concerns about your company’s activities.

4. Please provide information on the human rights due diligence policies and processes established by your company to identify, prevent, mitigate and account for actual and potential adverse human rights and environmental impacts of its activities, in accordance with the UN Guiding Principles on Business and Human Rights.
5. Please provide information in relation to the scientific, technical and legal reasons why the Environmental Impact Assessment of the project proposed by your company was not approved, including the analysis and conclusions from the Regional Technical Committee of the Fire Brigade in their report.
6. Please provide information regarding the measures that your company has taken, or is considering taking, to ensure that the individuals affected by its activities have access to effective remedies in line with the UN Guiding Principles on Business and Human Rights. As part of this response, please indicate the steps that your company has taken, or is considering taking, to establish and maintain an effective operational-level grievance mechanisms, or cooperate with legitimate remedial mechanisms to address adverse human rights and environmental impacts that may have caused, contributed to, or be linked with.

This communication and any response received from you 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 your company immediately withdraw the defamation lawsuit against human rights defenders Roberto Malini and Lisetta Sperindei.

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 you to clarify the issue/s in question.

Please be informed that a letter on this subject matter has also been sent to the Government of Italy.

Please accept, Mr. Baldini, 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 draw your attention to the applicable international human rights norms and standards, as well as authoritative guidance on their interpretation.

We would like to highlight the UN Guiding Principles on Business and Human Rights, which were unanimously endorsed in 2011 by the Human Rights Council in its resolution (A/HRC/RES/17/31) after years of consultation with governments, civil society, human rights defenders and the business community. The guiding principles have been established as the authoritative global standard for all businesses to prevent and address business-related adverse human rights impacts. These guiding principles are based on the recognition of:

- a) The role of business enterprises as specialized bodies or corporations performing specialized functions, which must comply with all applicable laws and respect human rights.
- b) The need for rights and obligations to be matched by appropriate and effective remedies when they are violated".

The guiding principles also make clear that companies have an independent responsibility to respect human rights. Principles 11-24 and 29-31 provide guidance to companies on how to meet their responsibility to respect human rights and to provide remedies where they have caused or contributed to adverse impacts. The guiding principles have identified two main components of the corporate responsibility to respect human rights, which require "business enterprises to:

- a) Prevent their own activities from causing or contributing to adverse human rights impacts and address those impacts when they occur.
- b) Seek to prevent or mitigate adverse human rights impacts directly related to operations, products or services provided through their business relationships, even where they have not contributed to those impacts". (guiding principle 13).

The commentary to guiding principle 13 notes that companies can be affected by adverse human rights impacts, either through their own activities or as a result of their business relationships with other parties (...) The 'activities' of business enterprises are understood to include both actions and omissions; and their 'business relationships' include relationships with business partners, entities in their value chain and any other non-State or State entities directly linked to their business operations, products or services.

To meet their responsibility to respect human rights, companies should have in place policies and procedures appropriate to their size and circumstances:

- a) A political commitment to uphold their responsibility to respect human rights.
- b) A human rights due diligence process to identify, prevent, mitigate and account for how they address their human rights impact.
- c) Processes to redress any adverse human rights impacts they have caused or contributed to (guiding principle 15).

According to guiding principles 16-21, human rights due diligence involves:

- a) Identifying and assessing actual or potential adverse human rights impacts that the enterprise has caused or contributed to through its activities, or that are directly related to the operations, products or services provided by its business relationships.
- b) Integrate the results of impact assessments into relevant business functions and processes and take appropriate action in accordance with their involvement in the impact.
- c) Monitor the effectiveness of the measures and processes adopted to address these adverse human rights impacts in order to know whether they are working.
- d) Communicate how adverse effects are addressed and demonstrate to stakeholders - particularly those affected - that appropriate policies and processes are in place to implement respect for human rights in practice.

Where an enterprise causes or is likely to cause an adverse human rights impact, it should take the necessary steps to end or prevent that impact. “The establishment of operational-level grievance mechanisms for those potentially affected by corporate activities can be an effective means of redress provided they meet certain requirements listed in principle 31 (guiding principle 22).

Furthermore, business enterprises should remedy any actual adverse impact that they cause or to which they contribute. Remedies can take a variety of forms and may include apologies, restitution, rehabilitation, financial or non-financial compensation and punitive sanctions (whether criminal or administrative, such as fines), as well as the prevention of harm through, for example, injunctions or guarantees of non-repetition. Procedures for the provision of remedy should be impartial, protected from corruption and free from political and other attempts to influence the outcome (commentary to guiding principle 25).

In addition, the guiding principle 18 and 26 underline the essential role of civil society and human rights defenders in helping to identify potential adverse human rights impacts related to business. The Commentary to principle 26 underlines how States, in order to ensure access to remedies, must ensure that the legitimate activities of human

rights defenders are not obstructed. In its 2021 guidance on ensuring respect for human rights defenders (A/HRC/47/39/Add.2), the Working Group on Business and Human Rights highlighted the urgent need to address the adverse impacts of business activities on human rights defenders. It explains, for States and companies, the normative and practical implications of the Guiding Principles in relation to protecting and respecting the vital work of human rights defenders.

We further wish 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.

Finally, we wish to draw 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, international finance institutions, conservation organizations and other actors that finance, regulate or implement projects must mandate independent impact assessment processes and condition financing and support with a project's adherence to the highest human rights standards, including by requiring comprehensive, transparent stakeholder engagement and effective grievance mechanisms. Preventive and mitigation measures identified through assessments must be integrated into corporate decision-making, risk management systems and public reporting. Therefore, the Special Rapporteur on the human right to a healthy environment recommended that businesses should ensure that impact assessments are undertaken for projects and that they complement ongoing due diligence processes, aligning with the Guiding Principles on Business and Human Rights and Organisation for Economic Co-operation and Development guidelines.