

8 January 2020

Italy: No-TAP movement due to face trial

On 9 January 2020, the Tribunal of Lecce will consider the case of 25 environmental rights defenders from the **No-TAP** movement who have been protesting against the construction of the Trans Adriatic Pipeline (TAP) which will transport gas from Azerbaijan to Italy. The defenders are facing the charges of participation in an unauthorised demonstration, road blockage, and insulting a public official, related to their participation in a peaceful protest in November 2017.

No-TAP is a spontaneous citizen's initiative organising peaceful marches and events since 2011, aimed at raising awareness about the environmental impacts of the TAP project. The protests started in the town of Melendugno, located in the province of Lecce, where the terminal of the pipeline and the gas processing plants are currently being built. They have been staged primarily by residents of Melendugno, but also neighbouring towns which will be affected by the project. The human rights defenders have been protesting as the construction of the pipeline threatens ancient olive farms, water sources, cultural heritage sites and the local coastline, in a region which heavily depends on agriculture and tourism. Moreover, the local population was not consulted when the project was being discussed and approved, the environmental impact was not adequately assessed, as the "Seveso Law" (a law related to the prevention of industrial accidents) was not applied, and the project is contrary to the provisions of the Paris Agreement about progressively ending fossil fuel production. Members of the No-TAP movement have also raised concerns about alleged corruption involving Italian and Azeri government officials.

All 25 defendants in the upcoming trial face charges of participation in an unauthorised demonstration under Article 18 of the Laws of Public Security; 6 of them have been charged with blocking the road and the vehicles of the private surveillance company working for TAP under Articles 110, 610 and 612 of the Criminal Code; 3 defendants are facing the charge of offending a public official under Article 341 bis and 337 of the Criminal Code; and 9 individuals have been charged with "private violence" under Article 610 of the Criminal Code for blocking the road and TAP vehicles. The human rights defenders claim that their protest was legitimate and peaceful and that the road blockage occurred only because they were ordered by the police to stop and leave their vehicles close to the road in order to be identified.

The charges are related to events that took place in November 2017. During the night of 13 November 2017, the local government office (*Prefettura*) issued an ordinance establishing a "Red Zone" around the TAP pipeline building site, in San Foca di Melendugno (province of Lecce), making the area inaccessible for the public.

A few months earlier, the human rights defenders had established a permanent protest camp next to the building site, on land belonging to a private citizen who had given them authorisation to use it. Protesters were present on the camp site 24/7. On the night of 13 November 2017, the police and a private security firm, acting on behalf of the TAP Multinational, surrounded the Red Zone with their vehicles and did not allow the human rights defenders to leave the area until the following morning. Following the incident, two defenders filed a complaint against the police with the Public Prosecutor of Lecce, for kidnapping, abuse of power and private violence. To date, no investigation has been opened in relation to the complaint.

On the morning of 13 November 2017, when the defenders were finally allowed to leave the red zone, about twenty people started marching towards the town of Melendugno, to protest against the aforementioned incident as well as the militarisation of the area.

Dozens of peaceful protesters are currently under investigation facing fines of up to 8.000 euros. Moreover, twenty defenders are facing restrictions to their freedom of movement, as they have been prohibited from entering the municipality of Melendugno, where the TAP is being built. Some activists are also banned from entering the capital of the province, Lecce, and at least two people have lost their jobs because of this ban.

Front Line Defenders believes that the charges brought against the human rights defenders from the No-TAP movement are directly linked to their exercise of the rights to freedom of expression and peaceful assembly in order to defend environmental rights.

Front Line Defenders urges the Italian authorities to:

1. Immediately drop all charges against the 25 environmental rights defenders, lift restrictions to their freedom of movement and close the investigation concerning their participation in protests, as it is believed that these measures are solely motivated by their legitimate and peaceful activities in defence of human rights;
2. Guarantee in all circumstances that all human rights defenders in Italy are able to carry out their legitimate human rights activities without fear of reprisals and free of all restrictions including judicial harassment.