

Which protection for bloggers?

Government and the Internet: Participation, Expression and Control

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Blogs

- ➔ websites usually maintained by an **individual** with regular entries of commentary.
- ➔ Most blogs are **interactive**, allowing visitors to leave comments and even messages.

What happens when defamation claims are raised?

Recent decisions of the Italian lower courts adopted a criticized approach where

- ➔ BLOGS = NEWSPAPERS
- ➔ BLOGGERS = NEWSPAPER EDITORS

- 📌 Same obligation to monitor and select content to be published
- 📌 Same standard of liability in case of negligence for bloggers and editors
- 📌 Problems
 - ➡ Lack of specific rules applicable to the blogosphere
 - ⇒ Current (piecemeal and overlapping) legislation could not be interpreted so as to allow such analogy.
 - ➡ Should bloggers be treated differently with regards to ISPs?
 - ⇒ Allocation of liability on those who are more easily identifiable