

ISOC ITALY'S POSITION
ON INTERNET CONTENT BLOCKING REGULATIONS
April 2026

Società Internet, the Italian chapter of the Internet Society, would like to express its position on the current national regulations requiring access and service providers to block internet content.

Ideally, the network's data routing and transport mechanisms should be neutral and not used for content-related matters. However, given the absence of better solutions within the architecture of the internet, and bearing in mind the need to balance competing interests, rights, costs and benefits, we believe that, in specific cases involving clear and evident risks to the public, an infringement of the net neutrality principle might be justified.

Even in such cases, preference should be given to less intrusive solutions that are less likely to cause collateral damage, such as the blocking of legitimate content. Therefore, we note that blocks at the network or IP address level are the most damaging. In hosting or caching services, for example, a single IP address typically provides access to hundreds or thousands of different services, all of which would be blocked together.

Blocking domain names during the DNS resolution phase is preferable, as this method acts at the level of individual services. Moreover, an experienced user can bypass this method, thereby reducing the risk and effects of any abuse. This method is also less costly for operators to implement and maintain. Conversely, blocking a long list of IP addresses risks overwhelming the computational capacity of network elements (e.g. routers), thereby compromising the quality and speed of internet access for end users.

In any case, when lawmakers or other public authorities institute blocks on internet content, it is of the utmost importance that they are designed to limit side effects and potential abuse. Furthermore, as this constitutes an encroachment on the constitutionally protected freedoms of expression and information of all citizens, such blocks must be clearly justified.

We therefore deem the legislative and judicial measures and practices that block services hosting child sexual abuse material, promoting violence and totalitarian ideologies, supporting online scams or posing threats to network security to be justified. However, we cannot say the same of the so-called 'Piracy Shield', as this measure does not defend the rights and safety of citizens; rather, it safeguards the narrow economic interests of a limited number of commercial companies linked to the Serie A football championship. While such an interest is legitimate, the actions taken to protect it must be proportionate, balanced against restrictions on freedoms, and weighed against the costs and harm

caused to other equally legitimate interests, ranging from telecommunications operators to ordinary citizens.

Furthermore, we find it unacceptable that this measure does not provide any means to limit its side effects. To date, numerous cases have emerged where rights holders have requested and obtained the blocking of network resources that did not violate the law. In some cases, this has led to the prolonged blocking of services used by millions of citizens and hundreds of thousands of businesses and public institutions, such as Google Drive, thereby damaging the entire national economy.

Currently, there is no rapid, effective or technically transparent procedure for unblocking IP addresses and domain names included on the list in the event of an error or subsequent reallocation to other users. Since these measures can instantly affect the accessibility of lawful services, including essential ones, this shortcoming is a significant issue. Indeed, the collective damage caused by the inaccuracy and excesses of Piracy Shield's blocks is so striking that it has been widely reported in the international media and addressed at conferences, in scientific articles and in the meetings and blogs of various global internet governance bodies. This has caused significant damage to the global image of the Italian internet community¹.

Furthermore, the procedural safeguards for parties subject to blocking measures are inadequate. There is no transparency regarding the evidence or reasons provided by those implementing the block, nor any effective, timely means of appealing against it. Nor is there any compensation for damages resulting from errors or any possibility for operators to reject the blocking order where it clearly impacts services unrelated to football that are in common use, such as Google Drive. These fundamental shortcomings must be urgently addressed.

Similar safeguards must be provided to citizens. To defend their fundamental rights, end users have the right to be informed why the State has decided to prevent them from accessing an online resource. They should be provided with a clear and simple way to distinguish this from a technical malfunction. At a technical level, albeit still in the experimental phase, there are mechanisms for the DNS server to notify the user's browser that the resource has been blocked at the domain name level while also

¹ We hereby include a limited selection of examples, though it could be much longer:

- <https://www.techradar.com/vpn/vpn-privacy-security/italys-privacy-shield-may-be-breaching-eu-law-according-to-lawmakers>
- <https://ris.utwente.nl/ws/portalfiles/portal/504589587/piracyshield.pdf>
- <https://piracymonitor.org/italy-piracy-shield-found-committing-indiscriminate-blocking-losing-to-evolving-evasion-techniques/>
- <https://blog.apnic.net/2025/10/17/an-italian-case-study-collateral-damage-from-live-event-site-blocking-with-piracy-shield/>
- <https://labs.ripe.net/author/antonio-prado/live-event-blocking-at-scale-effectiveness-vs-collateral-damage-in-italys-piracy-shield/>
- <https://datatracker.ietf.org/meeting/124/materials/slides-124-iabopen-piracy-shield-talk-00> (IETF 124)
- <https://dev.to/polliog/why-cloudflare-is-right-to-stand-against-italys-piracy-shield-1efo>

providing a reason and a link to an explanatory page². Institutions should engage with rightsholders, operators, and browser manufacturers to ensure this is done in a timely manner.

Finally, we do not consider it acceptable for the cost of protecting these companies' economic interests to be passed on to the public and Internet service providers, who are then forced to pass this cost on to citizens in the form of higher Internet access prices. Any company that derives a direct economic benefit from these blocks should bear the associated costs. A fee for each reported website would also act as a disincentive for shallow and inadequately verified reports, thereby reducing the aforementioned errors.

We would also like to comment on the position recently expressed by Cloudflare, the world's largest content delivery network (CDN) operator, through its CEO³. As outlined above, we broadly agree with the criticism of the 'Piracy Shield' measure. However, we find it unacceptable for a global operator that dominates the Italian market to refuse to comply with our laws. It is even less acceptable that they respond with blackmail, threatening to withdraw their services from Italy or boycott the Winter Olympics.

The claim that it is technically impossible to implement the block at the domain name resolution level is also unconvincing, given that much smaller Italian companies with far fewer resources have already done so. Furthermore, although the technical methods could be different, Cloudflare's own commercial service already offers the possibility of configuring different responses depending on the end user's country of origin.

We believe it is crucial that any measure to block or control content treats global and national operators equally. This has rarely been the case in the past, and this has had a damaging effect on the Italian internet industry. Global access providers, content delivery networks (CDNs) and public domain name system (DNS) resolvers can compete unfairly with their Italian counterparts by offering end users free access to content that is inaccessible in Italy. We therefore call on the authorities to ensure equal treatment of Italian and global operators and guarantee compliance with the law by all parties while it remains in force.

We support the Italian state's right to impose rules on the internet and apply them to all operators serving Italian users, even those based outside the European Union. At the same time, we urge the Italian state to strike a better balance between the various interests, pay greater attention to the technical integrity of the network and the needs of internet service providers, and involve the technical community more closely in defining the rules that directly affect everyday operations.

Specifically, we await the opening of a consultation process for reviewing the so-called 'Piracy Shield', to which we will gladly contribute constructively, whether that be to improve or overhaul the

² More precisely, we refer to Extended DNS Errors #15, #16 and #17 (RFC 8914) and to the proposed extensions *draft-ietf-dnsop-structured-dns-error* and *draft-nottingham-dnsop-censorship-transparency*.

³ <https://x.com/eastdakota/status/2009654937303896492>

entire measure. However, in the absence of amendments that address the numerous shortcomings we have already described, this legal instrument is incompatible with the architecture of the internet and international best practice. It damages Italy's image and the efficiency of its digital telecommunications services, and it can only be earmarked for abolition.