

Security Council Open Debate on Protection of Civilians in Armed Conflict, July 17th 2013,
Security Council Chamber

Statement by Mr. Rosenthal, Permanent Mission of Guatemala to the United Nations.

I thank you, Madam President, for organizing this open debate on the protection of journalists, media and communication professionals and associated personnel. On the basis of our commitment to the freedom of the press in general, we value the possibility of addressing the issue with specific reference to conflict and post-- conflict situations. We are grateful for the eloquent presentations of Deputy Secretary--General Jan Eliasson and Ms. Kathleen Carroll, Mr. Mustafa Haji Abdinur, Mr. Richard Engel and Mr. Ghaith Abdul--Ahad.

The topic of the protection of journalists is part of a long--standing debate, accentuated in recent times by explosive advances in information technology and news dissemination — for good or for evil. Although article 19 of the Universal Declaration of Human Rights has been interpreted in many circles as an unlimited endorsement of the freedom of opinion and expression, other voices have tried to qualify that endorsement, invoking issues ranging from security concerns to respect for traditions and cultural norms. Those subjects have been amply debated in many global forums, including the Human Rights Council, the General Assembly, and above all UNESCO. Today's debate is focused on the protection of journalists in conflict and post--conflict situations — a topic that is clearly within the purview of the Council.

Journalists in situations of armed conflict face very particular circumstances. First, unless they are fully serving a party to the conflict and are perceived as adversaries by the opposing party, they form part of the civilian population not directly involved in the conflict and are therefore subject to international humanitarian law.

Secondly, they represent an especially vulnerable segment of the civilian population, not only because, through their exposure to the battle field, by definition they risk involvement in potentially dangerous activity, but also because they also risk exposure to potentially serious human rights violations inflicted by repressive Governments or armed militias. Either may lead to harassment, intimidation, incarceration, kidnapping and even violent death.

Thirdly, journalists play an especially important role by reporting events on the ground, particularly if they do so with objectivity and professionalism. We have heard eloquent examples of all three situations described by our four briefers from the profession.

As with the entire civilian population, the primary responsibility for the protection of journalists falls to the Government of the country in conflict, as highlighted in resolution 1738 (2006). But the international community can and must contribute to creating an environment that offers incentives to Governments and societies in conflict to respect the right of journalists to carry out their mission of informing, while it weighs consequences for those who seek to compromise that right. In other words, my delegation feels totally aligned with the aforementioned resolution, as well as with the presidential statement (S/PRST/2013/2) adopted on 12 February, especially its reference to acts of violence against journalists.

Despite the Council's pronouncements, we note that, according to the Committee to Protect Journalists, the situation has not improved; rather, it has worsened. There are alarming reports of imprisonment, beatings, disappearances and even violent deaths. Of similar concern are attacks against women journalists, who are even more vulnerable during armed conflicts.

Further, as Jan Eliasson and other colleagues have observed, the impunity rate for crimes against journalists continues to be very high. According to information from UNESCO, on average only one in ten cases of crimes committed against journalists over the past few years has led to a conviction. It should be recalled that journalists, as civilian persons, are also protected by international criminal law. Thus the Rome Statute classifies grave violations of international humanitarian law as war crimes. In the same vein, the Assembly of State Parties to the Rome Statute has in various resolutions acknowledged the need for States and other parties to armed conflicts to protect journalists as civilians, in accordance with international humanitarian law.

Finally, we recognize the fundamental role played by the communications media, which are exposed to the brutal reality of war. The protection of journalists must continue to be part of the global strategy to promote the protection of civilians while also bringing the horrors of war before public opinion. That is why this Council must persist in the defence of journalists in situations of conflict, an undertaking to which we are fully committed.