

STATEMENT BY AMBASSADOR ASOKE KUMAR MUKERJI, PERMANENT REPRESENTATIVE OF INDIA AT THE UNITED NATIONS SECURITY COUNCIL OPEN DEBATE ON “PROTECTION OF CIVILIANS IN ARMED CONFLICT: PROTECTION OF JOURNALISTS IN CONFLICT SITUATIONS” ON MAY 27, 2015

Madam President,

Thank you for organizing today’s debate focusing on protection of journalists in conflict situations. We appreciate the concept note circulated by your delegation for the debate. We thank the distinguished briefers for their contributions.

Madam President,

2. At the outset, my delegation would like to express our strong agreement with your assessment in the concept paper that it is not so much the lack of rules but the failure to implement existing norms which is wanting, in terms of protecting journalists working in conflict areas from harm. It is pertinent therefore to reiterate that protection of journalists in all situations is the foremost responsibility of every State, and States should do everything possible in their reach in fulfilling this obligation, a view which my delegation has held consistently.

3. Nevertheless, it is also true that the threat faced by the journalists, as is the case with civilians in armed conflict situations, has undergone a significant change in recent years, especially due to the change in the nature and rising number of the armed conflicts. These often put journalists at specific risks. This situation calls for concerted efforts by all States and parties to ensure the safety of journalists in conflict situations.

Madam President,

4. At national level, India’s Constitution and relevant legislation safeguard freedom of expression and functioning of free media, online as well as offline, in building inclusive and peaceful knowledge societies and democracies. Since 1950, India has adhered to and fully supported the Geneva Conventions. India is committed to the protection of the rights for all its citizens, including journalists, as stipulated in the international instruments to which we are party to.

Madam President,

5. With regard to the specific questions the concept paper has raised, our views are as follows. **Firstly, on the issue of accountability as well as on safety while operating in non-state controlled areas:** We recall this Council’s demand in Resolution 1738 as well as the call by relevant UNGA resolutions, most recently in Resolution 69/185, for all parties to an armed conflict to comply fully with the obligations and for Member States to ensure accountability.

6. Accountability of Member States faces a specific challenge with regard to non-state actors, especially terrorist groups, who act beyond the pale of law with impunity. The international community is witness to acts committed by such non-state terrorist groups against journalists in the recent past. However, even non-state terrorist groups cannot act in a vacuum. We believe that the Council, as the primary organ of the United Nations for maintaining international peace and security, needs to act robustly. It should do so using the instruments of law, using the information available to it, to make Member States act against such non-state actors. The Council should assist those Member States who may require assistance to strengthen their national capacities to take such action.

7. **Secondly on the issue of best practices** for protecting journalists in conflict situations. We believe that journalists should (i) function within the relevant domestic laws of the countries concerned, (ii) seek access in a legal manner and (iii) maintain strict neutrality and impartiality and not become a party to the conflict. By following such precautions, it will become easier for Member States to protect journalists, facilitate their professional work, and ensure that journalists become a catalyst for conflict resolution and peacebuilding. On their part, national governments must put in place mechanisms for protection of journalists and their equipment especially where their whereabouts and coordinates have been provided in advance and deter from arbitrary restrictions unless there is a dire need.

8. **Thirdly in the context of peacekeeping missions** while we concur with the view that particular focus also should be given to the protection of journalists as a distinct category of civilians to be protected in terms of implementing the mandates, we would like to reiterate that this responsibility is vested in the Member State/s hosting such peacekeeping operations.

Thank you.