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**STATEMENT BY
MR. ALEXANDER LUKASHEVICH, PERMANENT
REPRESENTATIVE OF THE RUSSIAN FEDERATION, AT THE
1067th MEETING OF THE OSCE PERMANENT COUNCIL**

10 September 2015

**On the adoption of the United States Department of Defense
Law of War Manual**

Mr. Chairperson,

On 8 September, the global community marked the International Day of Journalists' Solidarity. I recall that this day was established in memory of the famous Czechoslovakian journalist, writer and anti-fascist Julius Fučík, who was executed in Nazi Germany on 8 September 1943. Even today, being a reporter is still one of the most dangerous professions, especially in conflict situations. Unfortunately, some States are making journalists even more vulnerable.

Recently, the United States Department of Defense updated its Law of War Manual. In this 1,175-page document, there is a section on the US army's attitude to journalists in conflict zones. In particular, it says that journalists may be members of the armed forces, persons authorized to accompany the armed forces, or unprivileged belligerents. It states that reporting on military operations can at times be similar to spying. Thus, such journalists may be detained indefinitely without charge and subjected to punishment (although it does not specify what kind). According to the Pentagon's interpretation, the provisions of the Geneva Conventions for the Protection of War Victims do not cover such unprivileged belligerents. They could face prosecution under the rules of military tribunals.

It is worth pointing out that the term "unprivileged belligerents" was invented by the Pentagon. No such concept exists in either international law or the laws of the United States itself.

Many American human rights activists and journalists are disgusted by the introduction of such a term. They express legitimate concern over the distortion of the fundamental international principles for the protection of civilians in conflicts. For example, Chris Chambers, a professor at Georgetown University, believes that American soldiers will now be authorized to attack and even kill journalists who for some reason they do not like, but who are nonetheless not on the enemy's side.

Such an approach totally contravenes OSCE commitments, in particular, the Moscow Document of 1991 and the Budapest Document of 1994, as well as United Nations Security Council resolution 2222 (2015).

We should like to add that subjecting reporters to the jurisdiction of military tribunals is remarkably reminiscent of the infamous legal proceedings at the American base in Guantánamo.

In short, the Pentagon's new manual once again confirms that rights and freedoms mean nothing to the United States when it comes to their national interests. It is clear that Washington has decided to adopt the practices of the Ukrainian security officials under its charge, who are expelling, abducting, torturing and even killing journalists, who are trying to report truthfully on the situation in the country.

We call on the Representative on Freedom of the Media, Ms. Dunja Mijatović, to make an appropriate assessment of this.

Thank you for your attention.