

## AIDE MEMOIRE

### **Information for the U.S. Senate Foreign Relations Committee Regarding the Media Accreditation of Matthew Lee**

#### **Introduction**

1. By a letter, dated 24 March 2016, the United States Mission to the United Nations, on behalf of the United States Senate Foreign Relations Committee, requested the following:
  - (i) Rules that include restricted access to unused interpreter booths during unofficial meetings in the UN Press Briefing Room.
  - (ii) Documentation received by Cristina Gallach, Under-Secretary-General for Communications and Public Information, including emails, letters, and any other written communications indicating that the United Nations Correspondents Association meeting in the Press Briefing Room, which Mr. Lee was barred from attending, was a closed meeting.
  - (iii) Media Guidelines that journalists, such as Mr. Lee, have signed.
2. Having consulted with the officials from the Department of Safety and Security and the Department of Public Information and in accordance with the letter of 8 April 2016 from the Under-Secretary-General for Legal Affairs and United Nations Legal Counsel, United Nations voluntarily provides the following information in response to that request.

#### **Responses of the United Nations**

- (i) *Rules that include restricted access to unused interpreter booths during unofficial meetings in the UN Press Briefing Room.*
3. The Chief, United Nations Headquarters Security and Safety Service of the United Nations has informed the United Nations Office of Legal Affairs that such rules are set forth in the United Nations Handbook for Security and Safety Personnel. In particular, Part 22 of that Handbook, "OPS-22: Command Operations: Press and Media Relations" and Part 60 of that Handbook, "OPS-60.8: Passes, Identification and Screening," sets out the following rules on access to members of the accredited press to the United Nations Headquarters to the facilities and meeting rooms of the United Nations Headquarters:
  - "22.04 Media Access to Restricted Areas in UNHQ
  - ...
  - "22.04.07 Open Meetings:  
"Correspondents are permitted access to open meetings in designated areas within a conference room. If these areas are in addition to the fixed press areas, they will be designated by MALU in consultation with the Chairperson of the meeting."

**“60.08.04 - Radio Broadcasting, Telecasting, Video and Newsreel Recording**

“(a) Authorized staff of the [Department of Public Information] are responsible for booth assignments of accredited representatives and technicians. [United Nations Headquarters Safety and Security] Officers assigned to booth areas will admit only persons holding proper identification;

“(b) All requests for permission to make radio, telecasting, video and newsreel recording arrangements in areas of Headquarters District, other than in booths provided for such purposes, must be approved by the responsible DPI official. Staff of the Security and Safety Service observing such activity or preparations for such work will immediately contact their supervisor. Normally, security supervisors will have advance knowledge of approved arrangements, and instructions covering the security, fire and safety precautions necessary. They will check each such arrangement to ensure that proper security, safety and fire arrangements are in effect;

“(c) Radio broadcasting, telecasting, video and newsreel recording staff will not be allowed to conduct interviews or work in a manner that would cause unsafe conditions or potential harm to anyone or damage to property. Staff of such organizations must transport their equipment only as permitted under arrangements so that damage to the buildings and their contents will be avoided. Construction of platforms, scaffolds, etc., which are unsafe or which may cause building damage, will not be permitted. Use of tables or chairs or other fixtures will not be permitted.”

4. The Chief, United Nations Headquarters Security and Safety Service of the United Nations has informed the United Nations Office of Legal Affairs that, in accordance with Part 22.04.07 of the Handbook, representatives of media accredited to the United Nations are not permitted access to closed meetings, whether official meetings of the United Nations or other meetings that are not official meetings of the United Nations, such as those called by representatives of Member States or by representatives of non-governmental or other entities who have been given permission to use rooms and facilities within the United Nations Headquarters premises.
5. The Chief, United Nations Headquarters Security and Safety Service of the United Nations has informed the United Nations Office of Legal Affairs that, in accordance with Part 60.08.04(a) of the Handbook, representatives of media accredited to the United Nations are permitted access only to open press booths in meeting and conference rooms. Representatives of media accredited to the United Nations are not permitted access to any other booths, including interpreter booths, audio-visual control booths or other booths. Given that the UN Press Briefing Room is a meeting room with seating specifically for the media, when open meetings occur, there is no need in the UN Press Briefing Room for an open press booth, and none exists in that room.
6. The Chief, United Nations Headquarters Security and Safety Service of the United Nations has informed the United Nations Office of Legal Affairs that, in accordance with Part 60.08.04(b) of the Handbook, representatives of media accredited to the United Nations are not permitted to engage in recording, whether video or otherwise,

other than in areas designated therefor. Closed booths, to which such representatives of the media are not permitted access, are not areas designated for such recording activities.

7. The Chief, United Nations Headquarters Security and Safety Service of the United Nations has informed the United Nations Office of Legal Affairs that these Parts of the United Nations Handbook for Security and Safety Personnel are based on an agreement between the United Nations Department of Public Information, the Department of Safety and Security, the Office of the Spokesman of the Secretary-General, the United Nations Correspondents Association and the Office of the General Assembly President. This fact is expressly stated in Part 22.01.01 of the Handbook. In addition, the Chief, United Nations Headquarters Security and Safety Service refers to the Media Access Guidelines (see response at (iii), below) by which members of the accredited media to the United Nations Headquarters acknowledge rules and restrictions concerning their access to the premises of the United Nations.

*(ii) Documentation received by Cristina Gallach, Under-Secretary-General for Communications and Public Information, including emails, letters, and any other written communications indicating that the United Nations Correspondents Association meeting in the Press Briefing Room, which Mr. Lee was barred from attending, was a closed meeting.*

8. No official of the United Nations has received or is in possession of any documentation, correspondence or other written materials, whether in print or electronic form, indicating that the closed meeting of the United Nations Correspondents Association (UNCA), which took place on Friday, 29 January 2016, was taking place or would be a closed meeting.
9. The Spokesperson of the Secretary-General of the United Nations has informed the Office of Legal Affairs that on or about Tuesday, 26 January 2016, he was approached by the President of UNCA, who orally requested permission from the Spokesperson for use of the UN Press Briefing Room in order to hold a members-only meeting of UNCA. Among his other duties, the Spokesperson grants permission for the use of the UN Press Briefing Room for meetings other than press briefings. The President of UNCA told the Spokesperson that the UNCA Meeting Room on the fourth floor of the United Nations Secretariat Building was being prepared for a reception to be held by UNCA after the closed members-only meeting and so, the UNCA Meeting Room was unavailable for such closed members-only meeting on the 29th of January. The Spokesperson gave permission orally to the President of UNCA during that encounter on or about the 26th of January.
10. The Spokesperson of the Secretary-General of the United Nations has informed the Office of Legal Affairs that, at or about 4:45 p.m. E.S.T. on Friday, 29 January 2016, he caused officials in his office to send out a message over the public address broadcast system that a closed members-only meeting of UNCA would be taking place at 5:00 p.m. on that date in the UN Press Briefing Room. The message was announced over the public address system and was heard on the second, third, fourth and tenth floors of the United Nations Secretariat Building. Members of the accredited press were on the second, third and fourth floors that day during such announcement.

*(iii) Media Guidelines that journalists, such as Mr. Lee, have signed.*

11. All representatives of media accredited to the United Nations Headquarters in New York are held to abide by and to adhere to the United Nations Guidelines on Media Access at United Nations Headquarters by acceptance of and use of the United Nations issued media identification cards. Such Guidelines on Media Access are available on the Internet at <http://www.un.org/en/media/accreditation/guideline.shtml>.