

### **WOLF IN SHEEP'S CLOTHING**

# Why Democracies Should Sanction UN Rapporteur Francesca Albanese For Inciting Antisemitism and Supporting Terrorism

Presented to the United Nations Human Rights Council

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#### **EXECUTIVE SUMMARY**

Addressing the U.N. Human Rights Council on March 1, 2022, Secretary of State Antony Blinken pledged that the United States, which had just returned to the discredited Council, would "counter anti-Israel bias and the unfair and disproportionate focus on Israel."

Four weeks later, however, and the U.S., along with fellow members Britain, France, Germany and the Netherlands, showed themselves unwilling or unable to stop the UN's top human rights forum from trampling its own impartiality rules by appointing a new investigator on Palestinian human rights who had openly <u>exulted</u> that those calling Israel an "apartheid" state have "liberated the word," and who repeatedly compares the Palestinian situation to the Nazi Holocaust.

The UNHRC president had appointed Francesca Albanese, an anti-Israel activist and graduate law student who worked for UNRWA, the relief agency for Palestinians, to be the next "Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967."

While the title implies concern for all actors in the area, in fact the mandate of the rapporteur—unchanged since February 1993—is solely to investigate "Israel's violations of the principles and bases of international law." Whatever Hamas, Islamic Jihad and the Palestinian Authority may do, whether to their own people or to Israelis, is excluded.

The post was created by the Arab states as a political weapon to target Israel, and the democracies seem resigned to letting the Palestinians pick the candidate. Yet if there were an objective expert holding the mandate, he or she could use it to uphold human rights for Palestinians and Israelis alike.

Instead, noting "her vision for implementing the mandate," the vetting committee gave first ranking to Francesca Albanese, someone who had <u>equated</u> the Palestinian Nakba with the Nazi Holocaust, accused Israel of <u>apartheid</u>, <u>genocide</u>, <u>ethnic cleansing</u>, and <u>war crimes</u>.

On her application, Albanese was asked whether she holds "any views or opinions that could prejudice the manner in which the candidate discharges the mandate." She replied "No." Yet just the year prior, Albanese had <u>acknowledged</u> the opposite, saying her "deeply held personal views" on the Palestinian issue "could compromise my objectivity."

Indeed, Albanese has <u>said</u> Israel is "keeping captive millions of civilians," <u>organized</u> a panel on "Israel Apartheid," and campaigns for an <u>arms embargo</u> against Israel.

On her <u>application</u>, Albanese also certified no personal conflicts of interest, failing to disclose that her husband, who <u>compares</u> Palestinians to Jews of the Warsaw Ghetto resisting the Nazis, formerly <u>worked</u> for the Palestinian Authority, where he authored a <u>report</u> on Israel's "exploitative" policies.



According to its own rules, the UNHRC was obliged to give "paramount importance" to "impartiality" when selecting mandate-holders. Albanese is the opposite of impartial.

#### **Albanese's Record Since 2022 Appointment**

Since her appointment on April 1, 2022, Francesca Albanese has routinely spread antisemitism and openly supported Hamas terrorism. She became the first UN human rights rapporteur in history to be condemned for antisemitism by the United States, France, and Germany.

In July this year, after Ms. Albanese endorsed <u>comparing</u> the Prime Minister of Israel to Nazi dictator Adolf Hitler, the U.S. Permanent Representative to the United Nations for the first time ever declared a UN official— Francesca Albanese—be unfit for office. Ambassador Linda Thomas-Greenfield <u>said</u>, "it is clear she is not fit for this or any position at the UN." She emphasized that "There is no place for antisemitism from UN-affiliated officials tasked with promoting human rights." The U.S. Representative to the UN Human Rights Council, Ambassador Michele Taylor, <u>called</u> Albanese's comparison "reprehensible and antisemitic," adding that "Special rapporteurs should be striving to improve human rights challenges, not inflame them."

Likewise, in February 2024, Ms. Albanese was condemned by both France and Germany for antisemitism when she denied that the October 7 Hamas massacre was the worst attack on Jews since the Holocaust, instead <u>justifying</u> it as a "reaction to Israel's oppression." France <u>labeled</u> her remarks "scandalous" and "a disgrace," while Germany <u>described</u> them as "appalling" and "a disgrace." Both denounced her justification of the terror attacks and her denial of their antisemitic nature.

In addition, just last week, between October 15-18, 2024, Albanese was hit with global condemnation for her latest antisemitic remarks, in which she compared Israel with the "Third Reich" and its "pure race" laws. Condemnations came from France, the United States and Israel, from German and Canadian lawmakers, and from the World Jewish Congress, Conference of Presidents of Major American Jewish Organizations, American Jewish Committee, Anti-Defamation League, Canada's Centre for Israel and Jewish Affairs, and United Nations Watch.

All other UN member states—Britain, Canada, the Netherlands, and others—must end their silence and speak out against her dehumanizing rhetoric.

All of this is on top of Albanese's prior statements and actions promoting antisemitism and terrorism, detailed in the annexed <u>Draft Resolution to Terminate the Mandate</u>.

For example, in an UNRWA fundraiser letter that she posted on Facebook, before being appointed Special Rapporteur, Albanese <u>wrote</u> that "America is subjugated by the Jewish lobby." She was condemned for this by Ambassador Deborah Lipstadt, the U.S. Special Envoy to Combat Antisemitism. Also, in November 2022, Ms. Albanese <u>told</u> a Hamas



conference: "You have a right to resist." Since October 7, Ms. Albanese has systematically whitewashed Hamas's atrocities.

#### Allegations of Financial Improprieties and Request for Transparency

In addition to Ms. Albanese's disgraceful racism, antisemitism and support for terrorism, the Investigations Division of the United Nations Office of Internal Oversight Services announced on June 26 that it had opened a case (0808/24) into allegations of <u>financial improprieties</u> by Ms. Albanese. The allegations pertain to Ms. Albanese's use of research interns to illegally collect payments for her UN activities. The case has been referred to the High Commissioner for Human Rights for "appropriate action."

#### **Call for Action**

For the reasons detailed below, United Nations Watch is calling on all UN member states to take action immediately and terminate the mandate of Francesca Albanese. This can be done by adopting the annexed Draft Resolution at the Human Rights Council in Geneva.

Ahead of her planned visit to the United States on October 30, 2024 to address the UNGA's human rights committee, and to speak on October 26 at Georgetown and then on October 29<sup>th</sup> at Princeton, the U.S. should bar Francesca Albanese from entering the United States on account of her propagation of antisemitism and support for Hamas terrorism, which amounts to a national security threat.

If the U.S. does not wish to bar her from speaking at the UN, then at a minimum it should impose a strict geographic restriction on Albanese, preventing her from traveling in the US beyond the UN building, and denying her the possibility of inciting jihadi terrorism and antisemitism on campuses.

The U.S. should also impose additional targeted sanctions on Albanese, including freezing her bank accounts, and waiving her diplomatic immunity so that families of terror victims can sue her for damages in U.S. Courts.



#### I. FRANCESCA ALBANESE PROMOTES TERRORISM & ANTISEMITISM

As an independent UN expert, Francesca Albanese is bound by the <u>Code of Conduct</u> for UN Special Procedures to uphold the highest standards of integrity, probity and impartiality. However, as detailed below, both before and after being appointed as the UN's Palestine rapporteur, she has conducted herself in the opposite manner by encouraging and promoting terrorism, spreading antisemitism, and demonizing the Jewish state.

#### A. Albanese Spreads Antisemitism

In 2024 alone, Francesca Albanese has been condemned several times for spreading antisemitism by the United States, France, and Germany. Below are some examples of her systematic incitement to racial hatred against Jews:

- 1. "America is subjugated by the Jewish Lobby." This is what Albanese <u>posted</u> on Facebook in an UNRWA fundraising appeal that she addressed to the archbishop of her diocese in Italy, on July 31, 2014. Making mendacious or stereotypical allegations about a world Jewish conspiracy or of Jews controlling the government is a classical form of antisemitism.<sup>1</sup>
- 2. In a classic antisemitic trope, Albanese accuses the Jews of being responsible for their own suffering. She mocked the statement of French President Macron that the October 7 atrocities by Hamas constituted the greatest antisemitic massacre of our century. Instead, she <u>claimed</u> that the victims were "not killed because of their Judaism," but rather "in reaction to Israel's oppression." (February 10, 2024). In other words, Israel is responsible. Albanese was swiftly condemned for antisemitism by both <u>France</u> and <u>Germany</u>. In her keynote address to the Austrian Parliament conference on antisemitism, Professor Monika Schwarz-Friesel <u>identified</u> this Albanese statement as classic antisemitism.
- 3. Albanese <u>tells</u> a Harvard University gathering that when Hamas refer to killing Jews ("Yahudis") they do not actually mean Jews.
- 4. Albanese <u>referred</u> to Gaza as "the largest and most shameful concentration camp of the 21<sup>st</sup> century..." (August 10, 2024).
- 5. Albanese criticized Germany's support for Israel in its war against Hamas by comparing Israelis to Nazis and <u>accusing</u> Germany of "doing all you can to make it wrong, once again." (August 8, 2024).

<sup>1</sup> See the defition of antisemitism by the International Holocaust Remembrance Alliance, as endorsed by 43 countries: <a href="https://holocaustremembrance.com/resources/working-definition-antisemitism">https://holocaustremembrance.com/resources/working-definition-antisemitism</a>.



- 6. Albanese <u>compared</u> Israeli Prime Minister Benjamin Netanyahu to Adolph Hitler. This led to her being <u>condemned</u> for antisemitism by both U.S. ambassadors to the UN (July 25, 2024).
- 7. Albanese <u>accused</u> Israel of committing genocide against the Palestinians like the Nazis during the Holocaust. (December 4, 2023).
- 8. Albanese <u>posted</u> a public message to the BBC, telling the global media agency that "the Israeli lobby is clearly inside your veins and system" and spoke of an Orwellian nightmare caused "once again by Israel's greed." (July 25, 2014).

#### **B.** Albanese Justifies Terrorism

Francesca Albanese also openly justifies Hamas-style jihadi terrorism against Israel in her public appearances and on social media. For example:

- 1. Albanese <u>blamed</u> the October 7 Hamas atrocities on Israeli policies that had "turned some of the people into these individuals full of rage and vengeance." (May 15, 2024, *DAWN*).
- 2. In an interview with JNS, Albanese <u>implied</u> that the Palestinians had not other choice but to invade Israel in response to its "illegal" occupation and other violations "So excuse me, what did the Palestinians have to do…I'm just asking what they are left with?" (December 22, 2023, *JNS*).
- 3. Albanese's immediate reaction on October 7, 2023 was to justify the horrific Hamas attack, <u>stating</u>, "Today's violence must be put in context" and blaming Israel for "aggression." (October 7, 2023).
- 4. Astonishingly, Albanese <u>participated</u> in an official Hamas conference. Speaking <u>by video</u>, she <u>told</u> the assembled terrorists, "You have a right to resist this occupation." She <u>added</u>: "Israel says 'resistance equals terrorism,' but an occupation requires violence and generates violence." Albanese participated in the Hamas conference together with Ghazi Hamad, former Hamas Deputy Foreign Minister; Abd al-Latif al-Qanu, Hamas spokesperson; Ahmad al-Mudallal, Palestinian Islamic Jihad (PIJ) leader; Khadr Habib, PIJ leader in Gaza; as well as Basem Naim and Isam al-Da'alis from Hamas. (November 2022).
- 5. Albanese repeatedly <u>legitimized</u> Islamic Jihad rocket attacks against Israeli civilians, instead <u>condemning</u> Israel's airstrikes on the terrorist group (August 2022). She again endorsed this tweet in August 2024 when she <u>whitewashed</u> the Hamas October 7 atrocities, tweeting that "The war' did not start on October 7" and blaming Israel for all the past conflicts with Hamas. (August 10, 2024).
- 6. Albanese <u>tweeted</u> that "Palestinians' right to resist [referring to "armed resistance"] is inherent to their right as a people." (August 2022).
- 7. Albanese <u>said</u> "Israel says 'resistance equals terrorism' but an occupation requires violence and generates violence. The Palestinians have no other room for dissent



- than violence." (June 2022, Atreconomia).
- 8. Albanese <u>asserted</u> "Palestinian violence is inevitable because the right to exist of the Palestinian people has been denied for 55 years." (May 2022, RAI News Interview).
- 9. Albanese argued for a militarized Hamas to rule Gaza, <u>writing</u> "Israel demands a demilitarized (and 'de-hamasised') Gaza. So that it can rule over it the same way it does in the West Bank." (July 25, 2014).

#### C. Albanese's Denial of October 7 Atrocities

Since the Hamas massacre of 7 October 2023, Albanese has systematically attempted to deny, justify or minimize Hamas atrocities.

- 1. Albanese <u>questioned</u> whether six Israeli hostages shot in the head by Hamas in a Rafah tunnel were "executed or killed," implicitly lending support to the false rumour propagated by Hamas supporters that IDF soldiers themselves had killed the hostages in a bombing. (September 2, 2024).
- 2. Albanese <u>raised doubts about</u> the October 7 atrocities, saying "this is the thing: it's very difficult to also understand, to have clarity, on what has happened. But let's assume that what they say in the media is true..." (January 14, 2024).
- 3. In an interview with JNS, Albanese <u>defended</u> the Hamas October 7 invasion of Israel, arguing that "Killing soldiers is not an international crime. I mean, why is this so unbelievable? You seem to be puzzled by this. What is the right to resist for the Palestinians? No one wants to live under oppression." (December 22, 2023, *JNS*).
- 4. Well after it was established that a misfired Palestinian Islamic Jihad rocket hit the parking lot of Gaza's al-Ahli Hospital on October 17, she continued to <a href="mailto:promote the false narrative">promote the false narrative</a> that this was an "atrocity" caused by an Israeli "strike." (October 19, 2023).
- 5. A few days after October 7, she <u>claimed</u> that "Hamas' crimes including rape" had not been confirmed, and that divulging information about the perpetration of rape by Hamas risked "to escalate tensions and endanger lives in a volatile context." (October 11, 2023).

#### D. Albanese Spreads Hamas Misinformation

At the same time that Francesca Albanese denies, justifies or minimizes Hamas atrocities against Israelis, she rushes to post blatantly false Hamas propaganda and misinformation about alleged Israeli violations.



- 1. Albanese continues to <u>spread misinformation</u> claiming there is a "#famine across all of Gaza" and that Israel is committing "intentional #starvation" as part of its "genocidal campaign against the Palestinians." (July 10, 2024). Previously in March, she <u>falsely accused</u> Israel of "intentionally starving the Palestinian people in Gaza since October 8" and called for sanctions against Israel. (March 3, 2024). These lies have been thoroughly debunked.
- 2. Albanese <u>shared</u> the findings of a widely debunked article in The Lancet claiming that the Gaza death toll was as high as 186,000. The information was <u>based on</u> a non-scientific 1-page letter by Palestinian activists with a clear political agenda who had estimated possible "indirect" future deaths. (July 8, 2024).
- 3. Condemning Israel's June rescue of four hostages from the heart, Albanese misrepresented the event saying the hostages had been "released" (not rescued"), shared discredited claims that "foreign soldiers" participated in the operation, and endorsed a questionable claim that the Israeli soldiers had hidden in an "aid truck." (June 8, 2024).
- 4. Albanese <u>dismissed</u> accusations by Israel that UNRWA employees had participated in the October 7 atrocities "fallacious allegations" in a bid to urge states to resume funding to UNRWA. (May 17, 2024). The UN itself later <u>admitted</u> that at least nine UNRWA employees had participated in the October 7 attack.
- 5. Albanese <u>reposted misinformation</u> that "Israel has created kill zones in Gaza where they kill everything that moves." (March 31, 2024).
- 6. Albanese <u>shared misinformation</u> that the Israeli military had opened fire on Palestinians waiting for aid and that Israel is "starving a population and trying to kill them when they look for means of survival." (February 18 and 29, 2024).
- 7. Albanese <u>falsely claimed</u> that Israel had not created any safe areas in Gaza and that it had "dropped ammunitions equal to 2 nuclear bombs including during evacuations or in in 'safe zones.'" (December 23, 2023).
- 8. Albanese <u>falsely charged</u> that "The Israeli army is fighting everyone and everything in Gaza including the UN." (December 12, 2023).
- 9. Albanese <u>falsely claimed</u> that there were "no more functioning hospitals" and "no more medications" in Gaza (December 5, 2023).
- 10. Albanese <u>falsely accused</u> Israeli ministers of issuing "genocidal statements" by Israeli ministers citing to the Hamas propaganda *Quds News Network* misquoting a radical Israeli politician as saying that Israel had killed "120 Palestinians" in the last six months, when in fact he said "120 *terrorists*." (June 27, 2023).



11. Albanese <u>liked a video</u> claiming that Israel, not Hamas, uses human shields. (May 19, 2021).

#### E. Demonizes Israel

Francesca Albanese also routinely demonizes Israel, attributing to it the worst possible intent while whitewashing Hamas. For example:

- 1. Albanese <u>condemned</u> Israel's targeted assassinations of Hamas chief Ismail Haniyeh and Hezbollah commander Fouad Shukr as "murders" and "acts of aggression." (August 10, 2024).
- 2. Albanese <u>deemed</u> Israel's targeted strike on Hamas Commander Mohammed Deif, one of the masterminds behind October 7, as "senseless massacre of Palestinian civilians." (July 13, 2024).
- 3. Albanese <u>tweeted</u> "While we savor our #summer, #Israel continues to displace, starve, torture, and murder Palestinians..." (July 1, 2024).
- 4. Albanese reacted to the Israeli rescue of hostages from Gaza in June by <u>accusing</u> the Jewish state of "genocidal intent turned into action," prompting a German Member of Parliament to <u>condemn</u> her "disgusting commentary," adding thay Albanese "must finally be removed from her position as UN Special Reporter." (June 8, 2024). Albanese later <u>dubbed</u> the hostage rescue as "The #Nuseirat massacre."
- 5. In honor of International Women's Day, Albanese <u>demonized</u> female Israeli soldiers saying they "will be haunted forever" when they realize what they have done to Palestinian women. (March 8, 2024).
- 6. In December 2023, Albanese <u>tweeted</u> that "what Israel is doing to the Palestinians, especially in Gaza, is the "monstrosity of our century."
- 7. In multiple tweets in October 2023, Albanese denied that Israel was acting in self-defense and <u>accused</u> it of "carpet bombing" Palestinian civilians and of "ethnic-cleansing" against Palestinians. (October 14, 21, 26, and 27, 2023).
- 8. Before Israel started its ground invasion, Albanese led an official UN statement by seven experts <u>warning</u> of "genocide" in Gaza. (October 19, 2023). Albanese had already accused Israel of genocide prior to October 7 when she <u>endorsed</u> a claim that Israel was committing genocide against Palestinians. (March 1, 2023). Indeed, she has been falsely <u>accusing</u> Israel of "genocide" since at least July 2014.
- 9. Less than ten days after the Hamas atrocities, and with the terrorist leaders threatening to repeat the massacre, she <u>called</u> Israel's operation against Hamas a policy of "revenge" against Palestinian civilians. (October 16, 2023).
- 10. Albanese has <u>equated</u> the Palestinian "Nakba" with the Nazi Holocaust. (January 20, 2022).
- 11. After the Hamas-instigated war with Israel in May 2021, Albanese organized



- events focused on demonizing Israel, including a panel titled "Israel Apartheid Exposed: What's Next?" (June 9, 2021).
- 12. Albanese <u>accuses</u> Israel of apartheid, including against Arab Israelis. (May 14, 2021).
- 13. Albanese <u>equates</u> Israeli bombings in Gaza with indiscriminate Hamas rockets on Israeli civilians and deems both to be war crimes "Dropping bombs and killing civilians is a WAR CRIME (no self-defense can be invoked)." (May 14, 2021).
- 14. Albanese <u>dubbed</u> Israel's May 2021 airstrikes on the sources of Hamas rocket fire against Israeli civilians as "horrific" and "immoral." (May 12, 2021).

#### F. Rejects Israel's Right to Exist

Francesca Albanese routinely rejects Israel's right to exist, including by denying it has any right to self-defense and calling to expel Israel from the UN.

- 1. Albanese tweeted "NEED TO ENFORCE ARMS EMBARGO" against Israel to deprive it of ammunition in its war against Hamas in Gaza. (August 31, 2024). In June, she led a joint statement by 33 UN experts calling for an arms embargo against Israel due to the "risk" of "State complicity in international crimes, possibly including genocide." (June 20, 2024). Albanese has been advocating for an arms embargo against for years. In May 2021, she called to "end arms sales to Israel," arguing this would "de-escalate the situation." (May 13, 2021).
- 2. Albanese <u>disparaged</u> Israel's security needs, tweeting "40,000 ascertained casualties, yet the focus remains on Israel's security, whatever that implies..." (August 19, 2024).
- 3. Albanese <u>calls</u> to end "Israel's Apartheid regime," meaning to end the State of Israel which she deems to be an apartheid state. (July 19, 2024).
- 4. Albanese is now the only UN special rapporteur ever to have called to expel the country she is mandated to investigate from the UN with her <u>tweet</u> to "Time to #UNseatIsrael from the UN." (July 18, 2024). Even the UN country experts on Iran and North Korea have never issued such a call.
- 5. Albanese tweets about Israel's "violent 55 year-old occupation," and then endorses her follower's correction (later deleted) that it is "74 years, not 55."<sup>2</sup> The SR responds to the correction, tweeting "that is another story. Even more painful. Still longing for justice," meaning longing for justice regarding the very creation of Israel in 1948. Then Albanese likes a reply claiming that Israel's

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<sup>&</sup>lt;sup>2</sup> FranceskAlbs, **Twitter** (August 8, 2022, 12:02 AM), <a href="https://twitter.com/FranceskAlbs/status/1556385406358372353">https://twitter.com/FranceskAlbs/status/1556385406358372353</a>.



occupation goes back more than 100 years to the Balfour Declaration in 1917. (August 8, 2022).

- 6. In an interview for the *Palestine Chronicle*, Albanese <u>attacked</u> Israel's very existence, saying the Jewish state is "in long-standing breach of the basic principles of international law, which started 70 years ago with the forced depopulation of two-thirds of the indigenous Arab population in what became the State of Israel in British Mandate Palestine." (October 28, 2021).
- 7. Albanese <u>refers</u> to Israeli territory as the Palestinian "homeland." (May 14, 2021).

#### G. Campaigns to Expel Israel from UN

On repeated occasions, Albanese has <u>called</u> to "unseat" Israel from the UN. In doing so, she grossly violates the terms of her mandate and the Code of Conduct.

When mandate holders of UN human rights mechanisms spread antisemitism, UN Member States can and should speak out. The Chair of the UNHRC, other UN officials, and numerous Geneva ambassadors from leading democracies <a href="mailto:spoke out firmly">spoke out firmly</a> in August 2022 when UN commission of inquiry member Miloon Kothari made similar remarks questioning Israel's right to be at the UN. Member states are the only source of genuine accountability for UN mandate-holders. A policy of not holding them to account would dangerously grant impunity to racists and antisemites like Albanese.

The UN Code of Conduct for Special Procedures requires mandate-holders to be impartial and to engage with governments in cooperation and dialogue. This obligation is mentioned in the Code seven times: repeatedly in the Preamble, and in Articles 3, 11 and 13.

Under no circumstances is a UN mandate-holder entitled to call for the removal of a member state, which is the complete opposite of her duties and obligations. Unless ambassadors speak out, Francesca Albanese will set a dangerous precedent of UN rapporteurs calling to expel Member States, a prospect that threatens to undermine the integrity of the Special Procedures system as a whole.



#### H. Condemnations of Albanese by Governments, Ambassadors, Lawmakers and Special Envoy on Antisemitism

It is extremely rare for a government to condemn a UN official, and even more rare for them to condemn a human rights mandate-holder at the UN. Because Albanese's actions are so extreme, however, she has managed to become the first UN human rights rapporteur in history to be condemned by the governments of France and Germany. She was also condemned by the U.S. Special Envoy on Antisemitism, the U.S. Ambassador to the United Nations, the U.S. Representative to the UN Human Rights Council, and by lawmakers from Germany, Canada, the U.S. and elsewhere. She has also been condemned by numerous Jewish community organizations around the world. Following is a selection.

- German Parliament Member Frank Müller-Rosentritt (June 9, 2024): "A
  disgusting commentary on the successful release of the hostages.
  Francesca Albanese must finally be removed from her position as UN Special
  Reporter! Germany must not support this blatant one-sidedness, demonization and
  delegitimization of Israel."
- French Foreign Ministry (February 11, 2024): "The October 7 massacre is the largest anti-Semitic massacre of the 21st century. Disputing it is a mistake. Seeming to justify it, by including the name of the United Nations, is a shame. These comments [by Francesca Albanese] are all the more scandalous since the fight against anti-Semitism and all forms of racism are at the heart of the founding of the UN."
- **German Foreign Ministry (February 11, 2024):** "Full support to @francediplo. To justify the horrific terror attacks of 7/10 & deny their antisemitic nature is appalling. Making such statements in a UN capacity is a disgrace and goes against everything the United Nations stand for."
- U.S. Congress, Bipartisan Letter of 11 Representatives (January 23, 2023): "We write to you today to express our opposition to Ms. Francesca Albanese continuing



to serve as the UN Special Rapporteur on the Situation of Human Rights in the Palestinian Territories [...] You have stated that 'there is no room for antisemitism in the UN,' but it seems you do have room for Special Rapporteur Albanese and others who have repeatedly made statements that are antisemitic. Failure to take meaningful action on repeated instances of antisemitism by UN officials undermines the UN's credibility. We urge you to demonstrate that the UN is capable of genuinely addressing antisemitism by removing Ms. Albanese from her post."

- U.S. Ambassador to the UNHRC Michèle Taylor (December 14, 2022): "We are appalled by recently uncovered antisemitic remarks on social media made by a UN Human Rights Special Rapporteur before taking on the role. References to the 'Jewish Lobby' are an age-old trope; this is outrageous, inappropriate, corrosive, & degrades the value of the UN."
- U.S. Special Envoy on Antisemitism Deborah Lipstadt (December 14, 2022): "Such blatant antisemitic rhetoric-particularly when it's an established pattern-is simply unacceptable. It severely undermines the credibility of the UN Human Rights Special Rapporteur to deal with the issue of human rights in the context of Israel & the Palestinian territories"
- U.S. Representative Kathy Manning (December 16, 2022): "[Albanese's rhetoric has been] completely unacceptable and frankly shocking. [...] She made statements that were not true in her application which I think calls her fitness for that position into question. [...] There's also a code of conduct for mandate holders and I think she has violated that code of conduct."
- U.S. Congress, Bipartisan Letter of 11 Representatives (January 23, 2023): "We write to you today to express our opposition to Ms. Francesca Albanese continuing to serve as the UN Special Rapporteur on the Situation of Human Rights in the Palestinian Territories [...] You have stated that 'there is no room for antisemitism in the UN,' but it seems you do have room for Special Rapporteur Albanese and others who have repeatedly made statements that are antisemitic. Failure to take meaningful action on repeated instances of antisemitism by UN officials undermines the UN's credibility. We urge you to demonstrate that the UN is capable of genuinely addressing antisemitism by removing Ms. Albanese from her post."



- U.S. Public Delegate to UNGA Andrew Weinstein (December 16, 2022): "This report about UN special rapporteur Francesca Albanese is appalling. Antisemitism should have no home at the United Nations."
- European Parliament Member Miriam M. Lexmann (December 15, 2022): "Appalling Antisemitic rhetoric from the UN Special Rapporteur. Ms Albanese must resign and apologise. A sad reflection on today's state of the UN system that a Special Rapporteur was on human rights engages in such blatant Antisemitism."
- Israel's Permanent Mission to the UN in Geneva (December 14, 2022): "Antisemitism is a persistent malice that has infected the United Nations Human Rights Council for far too long. Comments made by UN Special Rapporteur Francesca Albanese that surfaced today are yet another stain on the credibility of this body and yet another example of the impunity that exists today regarding antisemitism and antisemitic comments made by UN officials."

#### October 2024 Condemnation of Albanese Antisemitic Outburst

In addition, just last week, between October 15-18, 2024, Albanese was hit with <u>global</u> <u>condemnation</u> for her latest antisemitic remarks, in which she compared Israel with the "Third Reich" and its "pure race" laws.

Condemnations came from France, the United States and Israel, from German and Canadian lawmakers, and from the World Jewish Congress, Conference of Presidents of Major American Jewish Organizations, American Jewish Committee, Anti-Defamation League, Canada's Centre for Israel and Jewish Affairs, and United Nations Watch. We call on all other UN member states to speak out against her dehumanizing rhetoric.



### II. ALBANESE OPERATES GLOBAL INFLUENCE NETWORK TO TARGET ISRAEL, LOBBY FOR UNRWA FUNDING

Under the auspices of her employment at the Arab Renaissance for Democracy and Development, Fracesca Albanese founded and has been running a global influence network of more than 100 individuals and NGOs to target Israel by orchestrating lawfare campaigns, whitewashing Hamas terrorism, and <a href="mailto:cynically manipulating governments">cynically manipulating governments</a> into funding UNRWA.

Albanese's network specifically advocated using <u>overtly racist messaging</u> about the threat of Arab "illegal migration" overwhelming Europe, and "association tensions," as talking points to be made by network members "particularly to officials from right-wing, anti-immigration governments," to scare them that failure to fund UNRWA (despite its <u>terror ties</u>) would mean "millions of Palestinians are forced to flee the Middle East."

Notably, a member of the global lobbying network includes Kjersti G. Berg, a Norwegian researcher and activist whose CMI group helped run the Independent Review of UNRWA. In other words, a member of the international lobbying network for UNRWA was a key figure in the "independent" group auditing UNRWA.

### Albanese's GNQP Network Includes UN, UNRWA, PLO Officials, Institutions in 22 Countries

Albanese is proud of <u>co-founding</u> and <u>running</u> the "Global Network on the Question of Palestine" (GNQP). She runs it under the auspices of the Arab Renaissance for Democracy and Development (ARDD) in Amman, an organization she joined in November 2018 as a senior advisor.

No other co-founder is listed, however the other leading figures behind the network appears to be <u>Lex Takkenberg</u>, UNRWA's former legal counsel and chief ethics inspector, who today lives in Vienna and Paris. Albanese was his colleague when she worked at UNRWA's legal office in 2010-2012, and he likely was the one who hired her.

Like Albanese, Takkenberg also works for ARDD, where he is the leader of its Question of Palestine Program, which "aims to to establish a platform in the Arab World for critical reflection with respect to the unresolved Israeli-Palestinian question and the Palestinian refugee issue."

Notably, Global Network co-leader Lex Takkenberg has <u>boasted</u> that, after the October 7th massacre by Hamas, their lobbying network was a key player in spreading the "genocide" libel against Israel.

In 2020, Albanese and Takkenberg co-authored a book together, "Palestinian Refugees in International Law." Albanese and Takkenberg are also close collaborators on numerous



other projects, including their co-authoring in 2021 the working paper, "Rethinking solutions for Palestinian refugees: A much-needed paradigm shift and an opportunity towards its realization," and a paper for ARDD, "The Actuality of the Palestinian Refugee Question: An International Law Perspective."

ARDD, the institute funding Albanese and Takkenberg, is a listed <u>partner</u> of UNRWA, and its <u>donors</u> include not only UNHCR, UNOCHA, and UN Women, but also the European Union, United States, Germany, France, The Netherlands, Norway and Switzerland. It is unclear whether the citizens and lawmakers of these governments are aware that they are funding an organization that runs a global influence network which uses orchestrated messaging campaigns to manipulate decision-makers and public opinion.

Albanese appears to have created the "Global Network on the Question of Palestine," which is described as constantly <u>expanding</u>,in <u>2021</u>. Today, Albanese's Global Network counts 100 individuals and institutions in 22 different countries, including former cabinet ministers, former senior UN, UNRWA, PLO and government officials, and a former member of the European Parliament.

ARDD is based in Amman and the Global Network has a strong Jordanian connection. Prince Hassan bin Talal, former heir to the Jordanian crown, is listed as a patron. The network includes several former Jordanian government officials: former social development minister Reem Abu-Hassan, former economic affairs minister of state Yusuf Mansur, and Yasin Abu-Awwad, former director general of Jordan's Palestinian affairs department.

#### Members of Albanese's Global Network: 100 Anti-Israel Officials, Activists, NGOS

The <u>Global Network</u> of experts, senior advisors and observers includes senior Palestinian politicians and diplomats, academics, and journalists, as well as many from Western countries such as the U.S., Canada, UK, Austria, Italy and France.

Key members of Albanese's global lobbying network include:

• **Kjersti G. Berg**, <u>UNRWA expert</u> and post-doctoral research fellow at Denmark's Christian Michelson Institute (CMI), one of the three groups that led the recent "Independent Review" of UNRWA. Berg is one of the world's leading champions of UNRWA and a staunch opponent of holding the agency to account for its links to terrorism. That she was part of a network orchestrating complex schemes to influence countries to fund UNRWA, while also taking part in Catherine Colonna's "Independent Review" of UNRWA, is outrageous. Berg is involved in most if not all of CMI's <u>publications on UNRWA</u>. In 2022, she authored a CMI <u>report on UNRWA</u> examining reasons for the agency's funding troubles and advising steps forward. Berg's report <u>states</u> that UNRWA's funding problems are caused by "unfounded claims" that the agency "instigates violence, for example, through school curricula with an anti-Israeli edge." In other words, although CMI was selected to conduct an "independent review" of UNRWA, Berg's CMI report had already



expressed the opinion that claims of UNRWA incitement—documented over 10 years in a series of reports by UN Watch that show screenshots of UNRWA teachers calling to slaughter Jews—are "unfounded."

Berg's CMI report also celebrated UNRWA's political significance "as a symbol of the refugees' right of return and the international responsibility for their predicament." Presumably Berg was a focal point for CMI's work on the Colonna review group. In her CMI reports on UNRWA, and in her other writings, such as a 2021 CMI-sponsored article, Berg strictly adheres to UNRWA talking points, and turns a blind eye to UNRWA's complicity with and incitement to terrorism. Berg ardently defends funding UNRWA. In her 2023 book, "Palestine: Facts on the Ground," as in all her other writings on UNRWA, Berg argues in favor of a Palestinian "right of return," which effectively means the destruction of the State of Israel. In 2017, Berg hosted a lecture with Raja Shehadeh, founder of the group Al-Haq, which was in 2021 was designated by Israel as a terrorist organization

- **Susan Akram**, a US law professor who had actually applied for Albanese's job, to be the UN Special Rapporteur mandated "to investigate Israel's violations of the bases and principles of international law." Akram co-authored publications on the Israeli-Palestinian conflict with Albanese's predecessor, former UN special rapporteur Michael Lynk and has partnered with Palestinian NGO Badil since 2000, publishing a Palestinian refugee protection handbook which described Israel as "nondemocratic" and "committed to an apartheid vision of greater Israel." In her lectures and writings, Akram accuses Israel of "apartheid" and claims it maintains "an institutionalized regime of systematic oppression and domination by one racial group" amounting to "a crime against humanity." She denies Jewish nationality and Jewish rights to self-determination in Israel, and rejects the two-state solution in favor of "a single multi-national, multi-ethnic state from the Jordan river to the Mediterranean Sea." Akram advocates for the "right of return" for millions of Palestinians, completely absolves Palestinians of any responsibility for their lack of statehood today; and argues for termination of US military aid to Israel. Akram also has worked closely with Al Haq, a Palestinian group with ties to the PFLP terror organization. Akram taught at Al Hag's summer school and spoke at an Al Hag conference rejecting the concept of Jewish indigenous rights in Palestine. Elsewhere she criticized the Balfour declaration for discriminating against "native Palestinians" in favor of immigrant Jews," making clear her view that Jews do not possess legitimate rights in the territory. In 2012, Ms. Akram participated in the Russell Tribunal on Palestine, a mock court which put Israel and its Western allies "on trial" and promoted the BDS movement.
- **Ralphe Wilde**, UK, faculty member at University College London, also applied to be the UN Special Rapporteur mandated "to investigate Israel's violations of the bases and principles of international law." He is an international law professor who has long <u>accused Israel</u> of "apartheid" and "war crimes," and refers to the creation of the State of Israel using the Palestinian term *Nakba* (Arabic for catastrophe). He was commissioned to provide an expert opinion on "the interface between Israel and



Palestine's human rights obligations in the OPT" for the pro-Palestinian Swedish group Diakonia, which runs a legal program in Jerusalem that focuses exclusively on attacking Israel and ignores Palestinian violations. In his expert opinion, Wilde wrote that "the legal self-determination entitlement of the Palestinians requires Israel to end the occupation promptly." At a February 2022 webinar for the Arab Organization for Human Rights in the UK, Wilde suggested that Palestinians could achieve self-determination even without a peace agreement with Israel simply by applying international law to end the "occupation," which Wilde claimed is "illegal and constitutes aggression, which is a crime in international law." Wilde spoke at the 2018 Al Hag conference titled The *Threshold from Occupation to Annexation* where he made a similar argument stating "there is a need to move beyond occupation law in order to challenge the existence of the occupation itself as violations of the right to self-determination." Wilde has advocated for the Palestinian cause in different fora. In February 2020, he and Palestinian activist Ata Hindi attempted to submit an amicus brief to the ICC in support of the Palestinians' arguments on statehood, but it was rejected for missing the deadline. Wilde has also signed petitions supporting the Palestinian cause, including a February 2016 statement titled *Defending the Right to Support BDS for Palestinian Rights*.

- Hanan Ashrawi, former member of the PLO Executive Committee and PA Minister of Education. Appointed by Yasser Arafat, Ashrawi was the voice of the PLO in major media during the 1980s and 1990s, and pioneered using fashionable academic jargon to justify Palestinian terrorism. When she left the Palestinian government in 1998, she had promised to hold it accountable to demomcratic standards and created MIFTAH, the Palestinian Initiative for the Promotion of Global Dialogue and Democracy." But Ashrawi remained an apologist for the PLO, and her group is most famous for posting that "the Jews used the blood of Christians in the Jewish Passover."
- **Diana Buttu**, former PLO lawyer and spokesperson, infamous for <u>justifying</u> Hamas placement of rockets in UNRWA schools during summer vacations.
- Ramzy Baroud, USA, editor of Palestine Chronicle, now under <u>calls for</u>
   <u>sanctions</u> because its writers included the terrorist Abdallah Aljamal who held
   Israeli captives in his home in the UNRWA Nuseirat refugee camp
- Feda Abdelhaddy-Nasser, PLO Deputy Ambassador to UN
- Hania Assaly, lawyer, former member of PLO Negotiations Support Unit
- Karen Abu Zayd, former UNRWA Commissioner-General
- **Damian Lilly,** former UNRWA Chief of Protection Division



- **Richard Falk,** USA, former UN Special Rapporteur on Palestine (2008-2014), denounced by UN Secretary-General Ban Ki-moon for 9/11 conspiracy theories, condemned for antisemitism by Britain, US, Canada
- Michael Lynk, Canada, former UN Special Rapporteur on Palestine (2016-2022)
- Rania Madi, Switzerland, lobbyist for Palestinian advocacy group Badil at UN Geneva agencies
- Nicholas Morris, UK, former UNHCR Special Envoy and staff member
- **John Quigley,** USA, emeritus professor at Ohio State University, author of "The Case for Palestine: An International Law Perspective"

The network has seven "youth leaders," including Albanese's research assistant Sara Troian — the one who famously tried, at Albanese's request, to collect payment from an external group in exchange for a lecture by Albanese at Columbia University, for which she acknowledged that payment was improper.

Albanese's GNQP also counts in its ranks 10 institutions including the <u>Hamaslinked</u> Palestine Return Centre, Al-Haq and <u>European Legal Support Centre</u>, all of which are active in anti-Israel lawfare campaigns designed to negate Israel's right to self-defense against Hamas terrorism.

#### Before October 7th: Albanese Begins the "Genocide" Libel

When Francesca Albanese presented a report in March 2024 accusing Israel of genocide, this was not new. In fact, she had been publicly accusing Israel of genocide since at least 2014:

- <u>July 25, 2014</u>: Albanese posts article accusing Israel of "incremental genocide"
- March 1, 2023: Albanese endorses claim that Israeli commits genocide. She is condemned for "a truly sickening and antisemitic" statement. "Genocide is the deliberate and systematic destruction of a group of people because of their ethnicity, nationality, religion, or race. Accusing Israel of the worst human rights crime a crime that Jews have been the most prominent victims of over the past century is not meant to protect Palestinians but to cause pain to Jews."
- March 30, 2023: Albanese accuses Israel of being "an oppressive regime that threatens the right of an entire people to exist."

Her network was mobilized after October 7th to spread the "genocide" libel.



# 10 Days After October 7th: Albanese's Global Network Condemns Israel for "Genocide," Mobilizes Global Lawfare Against Israel

Only 10 days after October 7<sup>th</sup>, Albanese's Global Network accused Israel of "genocide" and urged states to bring Israel before the ICJ. One month later, these genocide claims against Israel were echoed in a statement by 41 UN special rapporteurs, initiated by Global Network leader Francesca Albanese. A month later, South Africa filed its genocide case against Israel. Then in January, the Global Network threatened countries that support of Israel would bring legal consequences. A month later, Nicaragua filed a case against Germany at the ICJ for its support of Israel.

#### Here is a timeline of events:

- October 17<sup>th</sup>: Albanese's Global Network issues <u>statement</u> strongly condemning the "assault by the Israeli occupation power on the Gaza Strip beginning on the 7<sup>th</sup> of October" and stating that the actions "amount to genocide under international law." The statement urged states that have not made reservations to Article 9 under the Genocide Convention to bring proceedings against Israel to the ICJ. The statement notes that states supporting Israel may additionally incur legal responsibility.
- November 16<sup>th</sup>: Global Network leader Francesca Albanese leads <u>joint statement</u> of 41 UN experts alleging that Israeli actions "point to a genocide in the making."
- November 21<sup>st</sup>: Global Network co-leader Dr. Lex Takkenberg <u>boasts</u> that their group was "among the first to contribute to the discussion on genocide after 7<sup>th</sup> of October."
- December 29th: South Africa files genocide case against Israel at the ICI.
- January 29<sup>th</sup>: Global Network issues <u>statement</u> welcoming the ICJ's provisional ruling of January 26<sup>th</sup>, and called for legal consequences against counties aiding or assisting Israel, under the notion of "third-party responsibility."
- March 1st: Nicaragua filed ICJ <u>case</u> against Germany for providing "political, financial and military support to Israel."

# The 10-Point Plan: How Albanese's Global Network Plotted to Influence States to Reinstate Funding to UNRWA

In the Global Network's <u>10-Point Lobbying Strategy & Taking Points Memo to Resinstate</u> <u>UNRWA Funding</u>, developed chiefly by former UNRWA spokesperson Chris Gunness and Albanese partner Lex Takkenberg, network members were encouraged to stress to "officials from right-wing, anti-immigration governments" that it is "far more cost effective



and politically advantageous to pay UNRWA to deal with Palestinian refugees in the Middle East, rather than defunding UNRWA and risk millions of refugees heading to Europe."

- Global Network Talking Points (published March 4, 2024, 6 weeks before Colonna Report)
- Francesca Albanese's "Global Network on the Question of Palestine"

#### Strategic Lobbying & Talking Points Memo

The talking points are presented as a "Ten-Point Recover Plan for UNRWA" with the main purpose of "filling UNRWA's funding gap by the end of March 2024." These talking points were drafted in February and published on the Global Network website on March 4. The document divides the donors into two categories – the "good donors," being those like Norway, Spain and Ireland who strongly support UNRWA, and can convince the "defunders" to resume funding. The strategy calls for the good donors to convene the Good Donorship Forum (GDF) within 10 days. Presumably this happened.

Of course, the Plan does not consider the possibility that UNRWA's government-services (education and healthcare) should not be provided by the UN at all. At the end, when it discusses the cost issues and how no other UN agency would be able to take over from UNRWA, it is understood that these services are to be provided by the UN. Only two alternatives are presented: (1) UNRWA and (2) Palestinian refugees to floor Europe and get services there, knowing that European states won't want this.

The Plan does not offer the third option, which is that Palestinians should be providing these services for themselves. They have created a quasi-state, are demanding state recognition and several European countries (Slovenia, Spain, Ireland, Norway) that also fund UNRWA have now recognized a Palestinian State. Why should these countries not be demanding that the Palestinians take on the responsibilities of statehood, and not just get the benefits? Western donors could in fact fund these services by direct funding to the Palestinian Authority instead of to UNRWA.

Here are some of the main features of the Plan:

- 1. **Manipulation of European Donors.** The Plan explains how to manipulate European donors by feeding donors misinformation so they will resume funding to UNRWA.
  - This would specifically target "right-wing" officials and "anti-immigration" governments by threatening an influx of 6 million Palestinian refugees to Europe (like what happened with the Syrian refugees "as recent history has shown") and suggesting the only way to prevent that is to support UNRWA to provide for their "aid and security in the Middle East." This will be "more cost effective and politically acceptable." (Paragraph 3)
  - The Plan presents UNRWA funding as the lesser of two evils by claiming that since UNRWA took "swift and robust action to separate staff members [accused of participating in October 7], the "neutrality risks" are now



"significantly outweighed by the risk of humanitarian implosion." (Paragraph 3). This approach would make European governments believe that the neutrality risk is not a systemic rot in the agency, but just limited to a few bad apples, and that this small "neutrality risk" is not life-threatening for anyone.

- To get the EU and Germany to come back, they have to be convinced that the Gulf States will step up. To help with this, the Plan suggests a scheme to redistribute UN Donor Funds whereby the Europeans shift some of their WFP/UNICEF donations to UNRWA and the U.S. will then take its UNRWA money and give it to the WFP and UNICEF. UNRWA will tell the other agencies to align with this plan. In this way the "defunding donors" become just a minor obstacle that can easily be solved simply by changing how donor monies are distributed within the UN. (Paragraphs 7 and 8)
- 2. **Helping Donors "climb down the ladder" / Give them the Justification to Renew Funding.** The main priority here is to maintain the existence of UNRWA while avoiding having to seriously address any of the criticisms related to neutrality and complicity with Hamas terrorism. It suggests that donors don't really care about the neutrality issue and are happy to donate as long as they are not implicated in any scandals. Since donors don't truly care about neutrality, but just about their image, the UN investigations are just for show. Thus, the "OIOS Report and/or the Independent Review" will give donors "something visible in the policy arena" to enable them to "justify the policy shift back to resuming aid." (Paragraphs 2 and 4)
- 3. **OIOS Investigation Results Predetermined.** The Plan claims that "sources in New York close to OIOS have already indicated to journalists and others that they will not be able to substantiate the Israeli claims." Therefore, the messaging regarding the OIOS report should be that "it will not substantiate Israeli claims against UNRWA." (Paragraph 2).
- 4. **Donors Give Each Other Cover.** The idea is that the donors all have each other's backs, so the good donors will lead the re-funding of UNRWA and get other donors (Australia, Netherlands, UK, Switzerland, Germany) to follow (similar to how the defunding happened). The Commissioner-General should lobby in Switzerland. Once the UK and Switzerland are on board, it will be easier to get the other donors.
- 5. **UNRWA Should Go On The Offensive.** Since Netanyahu (doesn't say Israel) is trying to kick UNRWA out of the OPT and the U.S. is kind of out of the picture, UNRWA needs to go on the offensive to shift the conversation, "purveying overtly political messages." The narrative should be around peace and stability for Palestinians and Israelis AND Europeans. (Paragraphs 9 and 10).

These are the key political messages for Western Donors:



- UNRWA is essential to two-state solution
- o Political attack on UNRWA is an attack on the two-state solution
- Only UNRWA can prevent Israel's extremist government from "undermining the international order including IHL"
- UNRWA is vital to stability in the Middle East
- The fact that there are sometimes neutrality breaches ("individual allegations") is because of the donor states own failure to bring peace. But UNRWA deals with these problems when they arise ("most heavily audited UN agency").
- o It would be impossible to replace UNRWA with another UN agency, they don't have enough staff on the ground.
- Purely looking at the financial aspect, it is more cost effective to pay UNRWA to deal with the Palestinians than to have them come to Europe and get services there. The cost of education for UNRWA is \$838 per person per year. It would be several thousand in Europe.



#### III. UNDER INVESTIGATION FOR FINANCIAL IMPROPRIETIES

In wake of a Complaint by UN Watch, Francesca Albanese is under investigation. On 26 June 2024, the Investigations Division of the UN Office of Internal Oversight Services decided to open OIOS Case No. 0808/24, concerning allegations, as outlined below, that Albanese has been illegally requesting payments, via her assistant Sara Troian and an institute at Erasmus University, in exchange for work done in her official UN ity, in violation of Article 3 of the Special Procedures Code of Conduct; and concerning the allegations about an estimated \$20,000 trip to Australia by Albanese in November 2023, in which she either improperly accepted remuneration from pro-Palestinian lobby groups to cover all or part of these expenses, as they stated, or, as she would later claim, improperly arranged for the UN to pay for a trip that has no connection with Albanese's monitoring and reporting mandate, is unlisted on the list of official country visits, and which the UN has refused to acknowledge. Following are the main allegations which prompted the investigation.

# A. Francesca Albanese Illegally Requested Payments For Work Done in Official Capacity

There are serious and substantiated allegations that Ms. Albanese has been illegally requesting payments for work done in her official UN capacity, in gross violation of her solemn obligations under the Code of Conduct.

Article 3 of the Special Procedures <u>Code of Conduct</u> expressly prohibits Ms. Albanese from accepting remuneration from "any governmental or non-governmental source" for "activities carried out in pursuit of his/her mandate." Indeed, as noted below, the office of Ms. Albanese has acknowledged this prohibition, noting that she "cannot take [an] honorarium for anything she does in her official capacity."

As the evidence shows, Ms. Albanese is engaged in a practice by which she knowingly and unethically circumvents this prohibition, by requesting instead that, in exchange for her lectures, payments by external groups be made to her research assistant.

In correspondence that has been confirmed by Ms. Albanese's office<sup>3</sup>, in response to a request for Ms. Albanese to speak to student protesters at Columbia University on 7 May 2024, Ms. Albanese's assistant Eleonora De Martin <u>replied</u> to the purported event organizer:

<sup>&</sup>lt;sup>3</sup> See statement by Sara Troian from the office of Francesca Albanese in K. Akiva, UN Official Duped By Fake Rabbi's Invite To Speak On 'Morality Of Intifada' At Anti-Israel Protest, **The Daily Wire** (May 7, 2024), <a href="https://www.dailywire.com/news/un-official-duped-by-fake-rabbis-invite-to-speak-on-morality-of-intifada-at-anti-israel-protest">https://www.dailywire.com/news/un-official-duped-by-fake-rabbis-invite-to-speak-on-morality-of-intifada-at-anti-israel-protest</a>,



"[C]oncerning the honorarium, she [Ms. Albanese] cannot take honorarium for anything she does in her official capacity. However, she kindly asks for this honorarium to be transferred to the Fellowship of her volunteer which supports her mandate and work. Could you please provide some detail on the sum of the honorarium? The research institute will then send you the invoice for payment."

In other words, the Albanese correspondence confirms the following:

- As remuneration for speaking, Ms. Albanese "kindly" asked that payment of an honorarium be made to her assistant. An unnamed "research institute" issues the invoices.
- This same payment was acknowledged by Ms. Albanese to be *improper* for her to accept. Thus Ms. Albanese was "kindly" asking that a payment be made indirectly to her assistant which she knows was improper for her to accept directly.
- Contrary to later claims by her colleague Sara Troian that "it was *me* proposing" that the funds be sent, the original email from Albanese's UNSROPT office made clear that the proposal was made by Ms. Albanese herself: "*she* kindly asks for this honorarium to be transferred to the Fellowship of *her volunteer* which supports *her mandate and work.*"

In light of the foregoing, UN Watch has requested that the UN commence an immediate and independent investigation into Ms. Albanese's violations of the Code of Conduct.

Moreover, under the transparency guarantees enshrined in Resolution 16/21,<sup>4</sup> in which the Council highlighted "the need for full transparency in the funding of the special procedures," UN Watch further calls for the following information to be produced:

- (a) Full UN disclosure, including with dates and amounts, of all honoraria or other payments received by UN Special Rapporteur Francesca Albanese—either directly or indirectly including via Ms. Sara Troian, or via any other assistants or "institutes," since her tenure began on 1 May 2022;
- (b) Name of the "institute" which, as per Albanese's office, is issuing the invoices for such payments in exchange for Albanese's lectures or lobbying activities; and
- (c) An explanation as to how UN human rights officials can legally ask for or accept funds from any non-UN sources, paid via Albanese's office or otherwise, in exchange for the performance of lectures or any other functions related to her UN mandate and work.

<sup>&</sup>lt;sup>4</sup> See Annex to Human Rights Council Resolution 16/21, Article 24: "The integrity and independence of the special procedures and the principles of cooperation, transparency and accountability are integral..."



### B. Palestinian Lobby Group Says It "Sponsored" Francesca Albanese's \$20,000 Australian Visit

UN Watch is further requesting that the remit of the investigation into Albanese's financial practices include an examination and disclosure of information relating to her November 2023 trip to Sydney, Australia, together with an additional six flights—to Melbourne, Adelaide, Canberra, Melbourne again, then Auckland and Wellington in New Zealand—which is estimated to have cost \$22,500.<sup>5</sup> This figure includes expenses for Ms. Sara Troian, who accompanied Ms. Albanese on the trip.<sup>6</sup>

Evidence indicates that Albanese, directly or indirectly via Sara Troian and the unnamed "institute," either (a) improperly accepted a significant remuneration pro-Palestinian lobby groups to cover all or part of these expenses, in gross and material breach of the Code of Conduct, or (b) improperly arranged for the UN to pay for her trip across the world, accompanied by at least one assistant, to a country that has no connection whatsoever with Albanese's specific mandate to investigate human rights in the Palestinian territories, in a trip that involved no investigating whatsoever.

The first of the above two scenarios is substantiated in the statements of several Palestinian lobby groups to the effect that they "sponsored" or "supported" Albanese's visit to Australia and New Zealand:

• Australian Friends of Palestine Association (AFOPA) <u>stated</u> on its website that the lobby group "sponsored Ms. Albanese's visit to Australia." AFOPA is a group that explicitly <u>solicits donations</u> to fund its <u>lobbying work</u>, under which category it cites the Edward Said lecture and the Press Club—both of which were performed by Francesca Albanese during her visit to Australia that was "sponsored" by AFOPA. Ms. Albanese <u>thanked</u> AFOPA for "organizing such a busy visit," which included her <u>meetings</u> with pro-Palestinian politicians in New South Wales and South Australia, and in Canberra with politicians of the Australian Green Party and foreign ministy officials. Notably, Albanese did not thank any UN body or office for organizing her trip or meetings.

<sup>&</sup>lt;sup>5</sup> The average cost of Business Class air travel to Australia and New Zealand, departing from Ms. Albanese's current domicile in Tunis, is at least USD \$10,000. The six additional flights are estimated to have cost a total of \$2500. Ms. Albanese arrived in Sydney on 9 November 2023, and is understood to have left New Zealand for her return journey to Europe on or around 22 November. Ms. Albanese's hotel accommodations for 13 nights, meals, local transportation to her numerous meetings and related expenses are estimated at \$5,000. Assuming that her assistant Sara Troian flew in Economy Class, her flights, hotel and other expenses are estimated at \$5,000. The total cost for Ms. Albanese and her entourage is thus estimated at \$22,500. If Sara Troian flew in Business Class together with the Special Rapporteur, the total cost of the trip for Ms. Albanese is estimated at \$30,000.

<sup>&</sup>lt;sup>6</sup> Opening her AFOPA lecture in Adelaide, Albanese <u>thanked</u> Sara Troian for 15 months of work. Ms. Troian is further <u>listed</u> as attending Ms. Albanese's November 20th meeting in Auckland, New Zealand, in which Ms. Albanese lobbied the NZSF to divest from Israel-related companies.



- Likewise, <u>according to</u> an Australian government agency, Ms. Albanese's visit to Australia was "as the guest of the Australian Friends of Palestine Association."<sup>7</sup>
- Free Palestine Melbourne stated that it "<u>supported her visit</u> to Victoria, ACT [Australian Capital Territory] and NSW [New South Wales]." Free Palestine Melbourne openly <u>describes</u> how it lobbies politicians, organizes protests, and promotes the anti-Israel boycott, divestment and sanction (BDS) campaign.
- Australian Palestinian Advocacy Network (APAN), headed by <u>convicted kidnapper</u> and <u>Hamas supporter</u> Nasser Mashni, said it was <u>"honoured to support the visit"</u> to Australia of Ms. Albanese. APAN explicitly states that it engages in "lobbying" for Palestinians.<sup>9</sup> Indeed, during her visit, APAN <u>facilitated</u> "a range of meetings" for Ms. Albanese "with both parliamentarians and civil society."
- Palestinian Christians in Australia (PCIA) "supported her visit to Victoria, ACT [Australian Capital Territory] and NSW [New South Wales]." The group engages in "direct lobbying" of politicians. During her visit, Ms. Albanese helped PCIA fundraise by addressing their gala dinner event with the participation of the Palestinian government. Ticket prices for the fundraising gala were \$90 for members, and \$99 for non-members. Albanese thanked PCIA, together with AFOPA and APAN, for "inviting me to this country." Notably, Albanese did not thank the UN or mention anywhere that it was the world body that paid for the trip.
- Likewise, Ms. Albanese's visit to New Zealand on November 20-21 was not organized by the UN, but rather by the Palestinians in Aotearoa Co-ordinating Committee (PACC) and Palestine Solidarity Network Aotearoa (PSNA). The groups arranged for her to speak with media, politicians, campaign groups, as well as two public events. They also arranged for and joined Ms. Albanese to lobby a major New Zealand sovereign wealth fund to divest from Israel-related companies. According to the notes, Ms. Albanese, was accompanied by Sara Troian, described in the notes as "volunteer supporter, University of the Netherlands." Ms. Albanese's visit to New Zealand is currently the object of a Freedom of Information request concerning her meetings with the foreign ministry, due to be answered by the government on 5 June 2024.

As part of her trip to Australia, Albanese delivered AFOPA's annual Edward Said Memorial Lecture in Adelaide and made media appearances, including an address to the National

<sup>&</sup>lt;sup>7</sup> See also, Francesca Albanese, National Press Club of Australia (November 14, 2023), https://www.npc.org.au/speaker/2023/1242-francesca-albanese.

<sup>&</sup>lt;sup>8</sup> See also, Australian peak bodies condemn allegations against UN Rapporteur Francesca Albanese, **Pearls** and Irritations (November 21, 2023), <a href="https://johnmenadue.com/australian-peak-bodies-condemn-allegations-against-un-human-rights-expert-francesca-albanese/">https://johnmenadue.com/australian-peak-bodies-condemn-allegations-against-un-human-rights-expert-francesca-albanese/</a>.

<sup>&</sup>lt;sup>9</sup> One of APAN's three stated focus areas is "*Political Lobbying,*" An APAN intern writes: "Highlights from my experience include meeting UN Special Rapporteur Francesca Albanese and *lobbying politicians* across the continent to stand up for Palestine." (See: <a href="https://apan.org.au/palestinian-youth-internship/">https://apan.org.au/palestinian-youth-internship/</a>



Press Club in which she <u>parroted</u> the Hamas narrative that Israel's right to self-defence was "non-existent." Once again, it was not the United Nations which arranged the press club event, but rather the Australian Palestinian Advocacy Network (APAN), headed by <u>convicted kidnapper</u> and <u>Hamas supporter</u> Nasser Mashni. "APAN has secured Francesca Albanese... as a speaker for the National Press Club in Canberra," the group <u>tweeted</u>.

Independence and impartiality are basic requirements for UNHRC Special Procedures under Article 3 of the <u>Code of Conduct</u>, which requires them to be "free from any kind of extraneous influence...either direct or indirect." In addition, they may not "seek nor accept instructions" from any "non-governmental organization or pressure group whatsoever," or accept any "favour, gift or remuneration" from any "non-governmental source for activities carried out in pursuit of his/her mandate."

In light of the above, it is clear that the lobby groups' stated sponsorship of Albanese's trip constitutes a blatantly prohibited form of favour, gift or remuneration under Article 3. The financial favour further subjects Albanese to prohibited direct or indirect influence. Indeed, these groups have urged her to <u>sue</u> an organization that called out her pro-Hamas remarks.

Albanese's gross violations of UN rules and ethics, if confirmed, constitute further grounds for the UN to take action to remove Albanese from her position as Special Rapporteur.

#### C. Albanese Denies Palestinian Lobby Sponsorship, Claims UN Paid For Trip

Contradicting the <u>statement</u> of the Palestinian lobby group, Albanese <u>denied</u> that AFOPA sponsored her trip to Australia, claiming instead that her trip to Australia "was paid by the UN as part of my mandate's activities."

Bizarrely, however, rather than cite a UN source for this claim, or produce documentation showing that the UN paid for her travel and that of her entourage, Albanese instead cited the lobby group, the Australian Friends of Palestine Association. "The 'Palestinian lobby' falsely accused by UN Watch of funding my trip to Australia confirms the UN funded it," tweeted Albanese.

She cited to this <u>statement</u> by AFOPA: "Ms. Albanese was authorized by the UN to accept AFOPA's invitation to deliver the Edward Said Memorial Lecture. The UN funded Ms. Albanese's travel & accommodation costs. No Palestinian Solidarity group paid for this trip."

But how could AFOPA know what the UN "funded," or "authorized"? Ms. Albanese never publicly discloses her UN travel and other expenses. One possible scenario is that AFOPA initially paid for the expenses of Ms. Albanese and her entourage, and then later, after UN Watch began to ask questions, it subsequently arranged for the UN to send them a reimbursement, in order to be able to publicly state that "The UN funded Ms. Albanese's travel & accommodation costs."

Accordingly, we call on the UN to do the following:



- 1. Explain in what manner the Palestinian lobby groups in Australia "sponsored" and "supported" Albanese's trip;
- 2. Produce receipts and documentation of all expenses incurred in connection with the Special Rapporteur's trip to Australia and New Zealand, including all travel, hotel, food, and local transportation expenses, whether incurred by Albanese or other members of her entourage, including Sara Troian;
- 3. Describe in detail which expenses incurred by Albanese and her entourage in connection with their trip to Australia and New Zealand were paid for by the UN;
- 4. Indicate any prior instance in the history of the UN when a Special Rapporteur was funded by the UN to fly to a country as "the guest of" a partisan lobby group—and in a country unrelated to the expert's mandate—in order to perform media advocacy and lobbying on the basis of which that lobby fundraises;
- 5. Explain how, at a time when the UN's liquidity crisis has severely hit the staffing and ability to travel for numerous UN human rights mandates—including the Commission of Inquiry on Ukraine, the...., link and quote the UN could justify funding the visit of a rapporteur to a country *unrelated to the expert's mandate*; and
- 6. Provide a copy of all meeting notes, minutes, emails, briefing notes, file notes and such like arising from the meetings of Albanese and her entourage while in Australia and New Zealand, in line with the <u>pro-active disclosure</u> made by the New Zealand Super Fund concerning Ms. Albanese's November 20th lobbying meeting in Auckland.

If, as Albanese claims, the UN did fund all or part of her trip to Australia, this would constitute a gross breach of UN rules and procedures because UN funds are intended to cover only official country missions. For country-specific mandates, this means visits to the country concerned, usually at the invitation of the government. As detailed in the Practical Guide to Special Procedures, UN funds are not available to cover informal visits such as Albanese's trip to Australia. The only exception would be trips to third countries to interview human rights victims or groups, in situations where travel to the country concerned is not possible.

Otherwise, we are unaware of country-specific mandate-holders carrying out official UN-funded visits to countries other than the one that is the object of the mandate. This is especially true at a time when so many critical human rights mandates have been hit with severe budget cuts owing to the liquidity crisis.

At a time when the UN announced the need to <u>reduce or postpone investigation</u> mechanisms that combat human rights violations in Russia, Myanmar, and Honduras, and



address global human rights violations related to child marriage, racism, and restrictions on independent civil society, the UN cannot be approving expensive trips to countries that are *completely outside* a rapporteur's remit.

In this regard, it is notable that Ms. Albanese's trip to Australia and New Zealand *does not appear* in the 2023 list of official country visits that is contained in the <u>Facts and figures</u> with regard to special procedures in 2023 report. Therefore, it is clear that the trip was not viewed by either Ms. Albanese or the UN as an official country visit that would warrant UN funding.



#### IV. TERRORISTS AND THEIR SPONSORS WHO RELY ON FRANCESCA ALBANESE

Francesca Albanese knowingly supports Hamas and other terrorist groups. In November 2022, Albanese <u>participated</u> in an official conference of Hamas, a designated terrorist group in the U.S., Canada, European Union, Australia and other countries. Speaking <u>by video</u>, she <u>told</u> the assembled terrorists, "You have a right to resist this occupation." She <u>added</u>: "Israel says 'resistance equals terrorism,' but an occupation requires violence and generates violence."

Albanese participated in the Hamas conference together with Ghazi Hamad, former Hamas Deputy Foreign Minister; Abd al-Latif al-Qanu, Hamas spokesperson; Ahmad al-Mudallal, Palestinian Islamic Jihad (PIJ) leader; Khadr Habib, PIJ leader in Gaza; as well as Basem Naim and Isam al-Da'alis from Hamas. (November 2022).

Likewise, Albanese is well aware that her reports and statements are regularly used and relied upon by terrorist groups and their sponsors to justify terrorist attacks against Israelis and Jews.

How terorrists rely on the work of Albanese is illustrated by the following quotes:

- Basem Naim, Member of Hamas Politburo: The Hamas website *Seraj TV* reported the following: "Dr. Basem Naim, Member of the Hamas leadership in the Gaza Strip, expressed his appreciation to Human Rights Rapporteur Francesca Albanese and her team for conveying the painful and harsh reality in the Palestinian territories with objectivity and professionalism, to remind the world once again of the Palestinian people's cause and their ongoing tragedy for more than 75 years as a result of the Zionist occupation and its ongoing crimes." Naim said: "Today we listened with great care to the report of UN Special Rapporteur Francesca Albanese, which she read before the Human Rights Council, in which she noted that the Israeli military occupation has turned the entire Palestinian territories into an 'open prison." (Seraj TV, July 12, 2023)
- **Jihad Taha, Hamas Spokesman:** The Hamas website *Seraj TV* reported the following: "Hamas spokesman Jihad Taha praised the speech of UN Special Rapporteur Francesca Albanese, before the Human Rights Council yesterday, in which she highlighted the crimes and violations of the Zionist occupation army against our people, which have turned the Palestinian territories into an open prison in which all forms of racism, discrimination and colonial settlement expansion are practiced." Taha "renewed Hamas's call to the international community and the United Nations to work to do justice to our people and our cause by condemning and boycotting the rogue Zionist entity." (Seraj TV, July 11, 2023)
- **Abdul Latif al-Qanou, Hamas Spokesman:** The Telegram channel of Hamas-run *Al-Aqsa TV* posted a graphic with the following quote attributed to Abdul Latif al-Qanou, Hamas Spokesman: "We commend the position of the United Nations Special Rapporteur in the occupied Palestinian territories, Francesca Albanese, in which she



condemned the violations of the government of the gross occupation against our people." (Al-Aqsa TV Telegram Channel, September 2, 2023)

- Ahmed Bahar, Former Speaker of the Palestinian Legislative Council (PLC) and Senior Hamas Leader: The Hamas website *Seraj TV* reported the following: "Acting Speaker of the Legislative Council, Ahmed Bahar, praised the position of the UN Special Rapporteur on the situation of human rights in the occupied Palestinian territories, Francesca Albanese, before the Human Rights Council, which reviewed the crimes and violations of the Israeli occupation entity against our people. In a press statement, Bahar stressed that these violations monitored by the UN rapporteur support the advocacy of the Palestinian people's representatives before the International Criminal Court, to confirm their position that the occupation is committing war crimes and crimes against humanity in occupied Palestine in violation of all international laws, charters, and norms." (Seraj TV, July 11, 2023)
- Hamas: Hamas-affiliated news website *The Palestinian Information Center (PIC)* reported the following: "Hamas said that the statements of the UN Rapporteur on Human Rights in the Palestinian Territories, Francesca Albanese, that there is sufficient evidence that the criminal Zionist occupation army committed genocide and ethnic cleansing against our Palestinian people, is an additional acknowledgement by a senior UN official. Hamas added... that this puts the international community and the United Nations before a real test to protect humanity, and to rise to their responsibilities to prevent the genocide that humanity has overtaken decades ago." (The Palestinian Information Center, March 26, 2024)
- **Hamas:** An official press statement from Hamas published by the *Resistance News Network* on Telegram stated the following: "The scenes broadcasted by Al-Jazeera, documenting the heinous crime of Zionist occupation soldiers killing in cold blood two unarmed civilian youths raising white flags, and then bulldozing their bodies to hide their atrocious crime, are further evidence of the fascism and criminality that govern Zionist behavior, in the context of the brutal genocide war on our people in Gaza Strip, which was addressed yesterday by the United Nations Human Rights Council's Special Rapporteur for the Palestinian Territories, Ms. Francesca Albanese." (Resistance News Network Telegram Channel, March 27, 2024)
- The Popular Front for the Liberation of Palestine (PFLP): An official press statement from the PFLP published by the *Resistance News Network* on Telegram stated the following: "The Popular Front for the Liberation of Palestine welcomed the report issued by the United Nations Special Rapporteur for the Palestinian territories, Francesca Albanese, presented to the Human Rights Council in Geneva, and her conclusion that 'Israel' committed acts of genocide in the [Gaza] Strip, and the existence of a premeditated intent from it to destroy the life of the Palestinian people and starve them, and to commit practices of apartheid... The Front called for taking all necessary measures to stop the Zionist genocide war on the Gaza Strip, based on the UN Special Rapporteur's demands, to refer these proven legal



evidences issued by the Rapporteur to the International Criminal Court, and to prosecute the occupation leaders and those who provided protection for them as war criminals before these courts." (Resistance News Network Telegram Channel, March 27, 2024)

- Iran's Islamic Republic News Agency: In an article titled "Palestinians have right to resist oppression: UN rapporteur," Iran's Islamic Republic News Agency reported that Albanese said, "Palestinians like it or not have the right to resist oppression," and that she was among a group of UN human rights experts that warning that "Israel risks becoming an international 'pariah' over its 'genocide' in Gaza, suggesting that the regime's UN membership could be called into question." (Islamic Republic News Agency, September 17, 2024)
- **Iran's** *Al-Alam*: Iranian state-owned news network *Al-Alam* reported the following: "Francesca Albanese stressed that measures must be taken to prevent the massacre in Gaza... She added: 'The international community can stop the massacre in Gaza if the countries that have business relations with Israel cut off this relationship to put pressure on Israel.' The UN Human Rights Rapporteur admitted that 'Israel' never respects international law and has been allowed to violate it since 1967 and that 'Israel' is still carrying out ethnic cleansing in Gaza, the West Bank and East Jerusalem." (Al-Alam, February 7, 2024)
- Iran's Al-Alam: Iranian state-owned media company Al-Alam ran a news update stating: "UN Special Rapporteur on Palestine Francesca Albanese: The Israeli occupation is illegal and must be dismantled and Palestinian sovereignty restored." (Al-Alam, September 10, 2024)
- Hezbollah's Al-Manar: Hezbollah TV channel Al-Manar ran a story stating: "The United Nations Special Rapporteur on Human Rights in the Occupied Palestinian Territory, Francesca Albanese, said that a large part of the population of the besieged Gaza Strip is being subjected to genocide, as thousands have been killed and injured as a result of the ongoing Israeli bombardment since the start of Operation Flood of Al-Aqsa. 'What is happening is that a large part of the Palestinian population in Gaza is being wiped out, not in a different way than before, but with increasing ferocity,' Albanese added." (Al-Manar, October 13, 2023)
- Saudi Arabia's Asharq News: Saudi-based Asharq News ran a story with the headline: "UN rapporteur: Israel is an occupying power and has no right to selfdefense in Gaza" (Asharq News, November 3, 2023)
- **Iran's DEFA Press:** Iran's *Holy Defense News Agency (DEFA Press)* reported the following: "Francesca Albanese, the United Nations human rights rapporteur on Palestinian affairs, who prepared a report on the genocide of the Zionist regime against the Palestinian people and presented it to the Human Rights Council, has



announced that since the beginning of her mission to investigate the crimes of Israel In the Gaza Strip, she has been repeatedly attacked and threatened." (<u>DEFA Press, July 30, 2024</u>)

- Shafaqna International Shia News Agency: The international Shia news agency <a href="Shafaqna">Shafaqna</a> reported the following: "The UN Human Rights Rapporteur in the Palestinian Territory announced that Gaza's agricultural lands and infrastructure were destroyed and genocides were launched in Gaza... The UN Human Rights Rapporteur in the Palestinian territories noted that we cannot ignore Israel's plan to destroy the Palestinians." (Shafaqna, March 26, 2024)
- Hamas's Al-Aqsa TV: The Telegram channel of Hamas-run Al-Aqsa TV posted the following: "UN Special Rapporteur on the Occupied Palestinian Territories, Francesca Albanese: 'The Palestinians in Gaza are heroes, and we should all be ashamed of the sacrifice imposed on them by the culture of impunity that has permeated the multilateral system, ultimately enabling Israel to commit genocide." (Al-Aqsa TV Telegram Channel, July 11, 2024)
- Hamas's Shehab News Agency: The Telegram channel of Hamas-affiliated Shehab News Agency posted the following: "UN Special Rapporteur on the situation of human rights in Palestine, Francesca Albanese: A Palestinian state already exists, and Israel is practicing apartheid against Palestinians and growing more brutal and sadistic towards its victims every day." (Shehab News Agency Telegram Channel, July 22, 2024)
- Hamas's Shehab News Agency: The Telegram channel of Hamas-affiliated Shehab News Agency posted the following: "UN Special Rapporteur on Palestine, Francesca Albanese: Israel cannot claim self-defense in this conflict, and the deliberate killing of Palestinians continues and has reached a shameful stage." (Shehab News Agency Telegram Channel, August 7, 2022)
- IRGC's Tasnim News Agency: This outlet tied to the Islamic Revolutionary Guard Corps reported the following: "According to this report, the systematic and extensive destruction of houses and service centers and civilian infrastructure in Gaza are war crimes and crimes against humanity and genocide. Francesca Albanese, the UN rapporteur in the occupied Palestinian territories, documented all of them and sent them to the Human Rights Council." (Tasnim News Agency, April 16, 2024)
- Iran's Donya-e-Eqtesad: This Iranian newspaper reported the following: "Yesterday, Francesca Albanese, the UN rapporteur on human rights in the occupied Palestinian territories, announced that the Palestinian community is facing a collective genocide. Albanese said: 'There are double standards in Europe regarding the Palestinian issue. We must confront Israel's actions against Palestinians,



especially in Gaza.' The UN rapporteur on human rights in the occupied Palestinian territories emphasized that the Zionist regime has killed more than 14,500 Palestinian children in Gaza since the start of the attack on Gaza on October 7 last year. Albanese also stated that since the beginning of the war against Gaza, the Zionist regime has martyred 250 Palestinians daily. The UN rapporteur on human rights in the occupied Palestinian territories said: 'Israel has committed at least 3 crimes of genocide in Gaza.'" (Donya-e-Eqtesad, April 17, 2024)

• The Palestinian Information Center (PIC): This Hamas-affiliated news website reported the following: "The United Nations Special Rapporteur on Human Rights in the Palestinian Territories, Francesca Albanese, said that Israel is committing genocide against the Palestinians in one school after another in Gaza, and that 'Israel annihilates the Palestinians in Gaza with American and European weapons, amidst the indifference of all civilized nations." (The Palestinian Information Center, August 10, 2024)

As documented above, through her UN reports, Francesca Albanese knowingly provides material support for Hamas and other terrorist groups.



# V. CONFLICT OF INTEREST: ALBANESE'S HUSBAND WORKED FOR PALESTINIAN GOVERNMENT

### Albanese Lied to the UN, Failed to Disclose Conflict of Interest

On her <u>application</u> for the position of UN expert on the Palestinian territories, Albanese certified that she had no personal conflicts of interest. This was a lie. Albanese deliberately omitted the fact that her husband, Massimiliano Calì (a.k.a. "Maxillo Calì")—who together with Albanese <u>compares</u> Palestinians to Jews of the Warsaw Ghetto resisting the Nazis—formerly <u>worked</u> for the Palestinian Authority, where he authored a <u>report</u> on Israel's "exploitative" policies.

Massimiliano Calì is a senior economist in the Tunisia office of the World Bank. "Prior to joining the [World] Bank," according to <u>Cali's official biography</u>, "he served as an economic advisor to the Palestinian Ministry of National Economy." Cali continues to see himself as a de facto surrogate for the Palestinian government, parroting their line in public social media posts.

For this conflict of interest alone, and for lying about it on her application, Albanese should be removed from her position.

## Cali Promoted Antisemitic Blood Libels and Jihadi Terrorism

As a senior economist with the World Bank in Tunisia, employed there since at least <u>since</u> 2014, Cali has systematically committed serious breaches of his neutrality obligations. For at least the past decade, he publicly promoted antisemitism on his social media. His posts clearly meet the criteria that define antisemitism, according to the International Holocaust Remembrance Alliance: Cali repeatedly claims that the existence of a State of Israel is a racist endeavor, and draws comparisons of contemporary Israeli policy to that of the Nazis.

Cali regularly posts incitement to antisemitism and jihadi terrorism on Facebook, including comparing Israelis to Nazis, promoting boycott and sanctions against Israel, accusing the Jewish state of genocide and apartheid, and justifying Palestinian terrorism.

And yet the World Bank has taken no action to ensure compliance. The World Bank Staff Rules Directives and Code of Conduct require staff in Article 4 to "act responsibly in making public statements" as these statements are understood to "reflect WBG official positions." Article 11 expressly states that "staff are perceived as representing the World Bank Group even when expressing views in a personal capacity." Moreover, as of 2021, the World Bank Group clarified for its employees that "public comments made by staff (including on personal social media accounts) could compromise WBG neutrality and lead to unwanted reputational risks."

A collection of Mr. Cali's public pronouncements on Facebook can be found <u>here</u>. Selected examples are provided below:



- In a joint post with Albanese, promoting her March 2024 UN report, Cali accused Israel of seeking the objective of "exterminating" the Palestinians. Cali has systematically promoted statements by Albanese replete with antisemitism and justification of terrorism, including this report which ignored the Hamas October 7 atrocities, and which was devoted to perpetrating the blood libel that Israel was committing "genocide" in its war against Hamas. In the words of Cali: "The most compelling compendium of evidence so far that Israel is perpetrating a genocide in Gaza." (Maxillo Calli, Facebook, March 25, 2024).
- In another joint post with his partner Albanese, Cali portrayed Israelis as Nazis. This has been a decade-long obsession of the husband-wife team. Cali justified Hamas indoctrination of Palestinian children to terrorism by equating a "Jewish minor from the Warsaw Ghetto" to a young Palestinian boy "dressed as a military man, clumsily holding a (presumably) fake rifle." (Maxillo Cali Facebook January 30, 2015).
- In yet another joint post with Albanese, Cali promotes his wife's antisemitic book "J'Accuse" which accuses Israel of "apartheid and neocolonial occupation." The title, J'Accuse, inverts the famous title of Emile Zola's epic manifesto in 1898 denouncing the antisemitism of the Dreyfus Affair. Cynically, Albanese deliberately seizes upon historic terms used to denounce murderous antisemitism, and turns them against the Jewish State. (November 28, 2023).
- In yet still another joint post with Albanese, Cali posted her RAI News 24 interview in which she demonized Israel as a "colonial and apartheid project." (May 16, 2022).
- Cali promoted false moral equivalency between Israel's 2014 war against Hamas in Gaza and Palestinian suicide attacks targeting Israeli civilians—"My guess is that killing while wearing an Israeli military uniform spares you the hassle of a New York (or any other) court." (Maxillo Cali Facebook February 25, 2015).
- Cali called for sanctions against Israel—"the most terrorist state on earth." (<u>Maxillo Cali Facebook, May 29, 2018</u>).
- Cali whitewashed Palestinian terrorism when he criticized the BBC for describing Palestinian youths killed by Israel while planting a roadside bomb as "terrorists" instead of just "3 Palestinian children in the outdoor prison of Gaza." (Maxillo Cali Facebook October 30 2018).
- Cali minimized Palestinian terrorism as "phantom attacks by Palestinian Kamikazes armed with kitchen knives" which "Israelis sometimes invent" to justify "carnage" against Palestinians. (Maxillo Cali Facebook February 6 2019).
- Cali justified antisemitism in response to Israel's post-October 7 war in Gaza. Perversely, he blamed the rise of global antisemitism on Western politicians' defense of Israel, claiming that their "anti-Palestinian racism" and Islamophobia" are



"stronger than their desire to protect Jews and humanity." (Maxillo Cali Facebook, December 6, 2023).

Given that World Bank staff are perceived as representing the organization even when expressing views in a personal capacity, it is shocking that for over a decade the World Bank has allowed Cali to publish social media posts, many of them together with Albanese, that propagate antisemitism and justify jihadi terrorism. The World Bank must investigate how these repeated breaches by Massimiliano Calì were allowed to take place, and hold him and all other relevant stakeholders accountable.



#### VI. ACCOMPLICES TO ALBANESE'S ANTISEMITISM

Francesca Albanese participated in a conference organized by Hamas, a designated terrorist organization under the law of the U.S., Britain, Canada, Australia, the European Union, Japan and other democracies.

On repeated occasions. Albanese has been internationally condemned for antisemitism by France, Germany, the U.S, and by numerous lawmakers and civil society organizations.

No institution or individual should be an accomplice to Albanese's promotion of terrorism and antisemitism. Following is a partial list of known accomplices.

# A. Institutions Providing Support to Francesca Albanese

In the most recent 2024 disclosure provided by UN human rights mandate-holders, the following institutions were identified by Francesca Albanese as providing support to her work<sup>10</sup>:

- University of Galway, Irish Centre for Human Rights, Ireland: Provided five research assistants to Albanese in 2023. The university wrote: "Students from the Irish Centre for Human Rights at University of Galway have had the distinct honour of assisting Francesca Albanese [...] in her vital research. This collaboration contributed to the preparation of Albanese's fourth report, titled 'Anatomy of Genocide,' which was presented to the United Nations Human Rights Council on 26th March 2024." The Centre was "proud" of its students' contributions to this "landmark report." The team of students that helped Albanese promote the genocide libel "[was] comprised of Debora Lacerda, Domenica Altamirano, Nadeen Yousef, Kevin Clarke, and Ramez Hayek."
- **Erasmus University**, **Netherlands**: Provided Albanese with one research assistant. This is her primary assistant, Sara Troian, who has been implicated in several of Albanese's financial improprieties that are now under investigation, as detailed in Section III.
- **University of Westminster, UK:** Provided two research assistants to Albanese in 2023.
- **Columbia University, USA**: Provided four research assistants to Albanese in 2023.
- **Sant'Anna School of Advanced Studies, Italy:** Provided two research assistants to Albanese in 2023.
- **Harvard University:** Provided one research assistant to Albanese in 2023.

<sup>&</sup>lt;sup>10</sup> A/HRC/55/69/Add.1, Facts and figures with regard to the special procedures in 2023, at 62-63: https://www.ohchr.org/en/documents/reports/ahrc5569add1-facts-and-figures-regard-special-procedures-2023



- **University of Glasgow, Scotland**: Provided one research assistant to Albanese in 2023.
- **University of Windsor, Canada**: Provided two research assistants to Albanese in 2023.
- **University of Nottingham, UK:** Provided "advice and guidance" to Albanese in 2023.
- **University of Edinburgh, Scotland:** Provided "advice and guidance" to Albanese in 2023.

## B. Individuals Providing Support to Francesca Albanese

The following individuals have boasted of their work for Francesca Albanese, an internationally-condemned antisemite and supporter of Hamas terrorism:

- Sara Troian: Albanese's lead assistant, accompanies here on visits to Australia, New Zealand and the UN in Geneva. Based out of the International Institute of Social Studies at Erasmus University in the Netherlands. Troian manages Albanese's unregulated fundraising operation, has been implicated in several of Albanese's financial improprieties that are now under investigation, as detailed in Section III.
- Assia Brahimi: Describes herself as a "Research assistant for the reports of [the] UN Special Rapporteur on the situation of Human Rights in the Palestinian Territory occupied since 1967," and "Member of Research Group of UN Special Rapporteur," with her term from March 2023 through the present. 11 Notably, Assia Brahimi also indicates that during this same time period, between January and June 2024, she was an intern with the Permanent Mission of Italy to the United Nations. The Italian government should clarify if they allow their interns to serve as accomplices to internationally-condemned antisemities and supporters of terrorism.
- Leeza Leeza: Served as "External Research Assistant to the UN Special Rapporteur" while at the Irish Centre of Human Rights at the University of Galway, from October 2022 to August 2023. She conducted "research for the report of UN Special Rapporteur on the situation of Human Rights in the Palestinian Territory occupied since 1967."<sup>12</sup>

<sup>11</sup> https://www.linkedin.com/in/assiabrahimi/

<sup>12</sup> https://www.linkedin.com/in/leezaleeza5679/



- **Debora Lira de Lacerda:** LLM student at Irish Centre for Human Rights at University of Galway, worked on Albanese's March 2024 report propagating the "genocide" libel. Lacerda <u>interviewed</u> Albanese on a podcast.<sup>13</sup>
- Domenica Altamirano: LLM student at Irish Centre for Human Rights at University of Galway, worked on Albanese's March 2024 report propagating the "genocide" libel.<sup>14</sup>
- Nadeen Yousef: LLM student at Irish Centre for Human Rights at University of Galway, worked on Albanese's March 2024 report propagating the "genocide" libel.
- **Kevin Clarke:** LLM student at Irish Centre for Human Rights at University of Galway, worked on Albanese's March 2024 report propagating the "genocide" libel. 16
- Ramez Hayek: LLM student at Irish Centre for Human Rights at University of Galway, worked on Albanese's March 2024 report propagating the "genocide" libel.

We urge all the institutional and individual accomplices above to immediately cease all activities with or for Albanese.

<sup>&</sup>lt;sup>13</sup> https://www.universityofgalway.ie/irish-centre-human-rights/newsevents/llm-students-collaborate-with-special-rapporteur-on-groundbreaking-human-rights-research.html

<sup>&</sup>lt;sup>14</sup> Ibid.

<sup>15</sup> Ibid.

<sup>&</sup>lt;sup>16</sup> Ibid.

<sup>&</sup>lt;sup>17</sup> *Ibid*.



#### IV. UN SPECIAL RAPPORTEUR ON PALESTINE: MANDATE TO DISCRIMINATE

Beyond the particular abuses of Francesca Albanese, her UN mandate itself is discriminatory and should be terminated. In the Annex of this report, UN Watch has produced a Draft Resolution for member states to end the mandate. The reasons are set forth below.

# A. Mandate's Deceptive Title

The UN gives the Human Rights Council's lead investigator on Israel the title of "Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967." The position has been held by Francesca Albanese since April 1, 2022, and is up for renewal in April 2025. She succeeded Michael Lynk who held the position from 2016 to 2022; Makarim Wibisono, who stepped down in March 2016 after just two years; and Richard Falk, who held the position from 2008 to 2014.

The title of the mandate is deliberately misleading, designed to mask the discriminatory and prejudicial nature of the Council's permanent investigative mandate on Israel. The title is a key part of the UN's larger, routine misrepresentation of this mandate.

In April 2010, for example, the UN's Office of the High Commissioner for Human Rights (OHCHR) sent out a press release stating that Mr. Falk was "mandated by the UN Human Rights Council to monitor the situation of human rights and international humanitarian law on Palestinian territories occupied since 1967." This statement, like the rapporteur's title, is false and misleading because the actual, unchanged mandate since 1993, as spelled out in Article 4 of Commission on Human Rights resolution 1993/2, is as follows: "To investigate Israel's violations of the principles and bases of international law, international humanitarian law and the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, in the Palestinian territories occupied by Israel since 1967."

As the UN rights office described it to the press, the mandate would have universal application to all actors, be they Israeli or Palestinian. The mandate as it actually is, however, applies only to *Israeli* actions, and with guilt—"Israel's violations—declared in advance. There is a substantial difference between the two.

The title grants the false legitimacy of fairness to an entirely one-sided and unfair mandate. When Albanese is introduced at panels, the hosts never disclose that her mandate is to exclusively focus on Israel's actions, and that these actions are presumed from the start to be "violations." Rather, such as when Sir Geoffrey Bindman introduced Albanese's predecessor at Amnesty International headquarters in London, a false picture was



presented: "The work that Michael Lynk is doing, and the work required by his office, is to report on the state of human rights in the occupied territories," said Bindman. In fact, "the work that Albanese is doing and "the work required by [her] office" is to report only on Israel, and the guilty verdict is pre-determined by her mandate. 18

## B. Mandate Against Human Rights

Indeed, it may be said that the mandate negates the very idea of universal human rights and the rule of law. Victims of human rights violations cannot be ignored or addressed by the United Nations depending on the identity of the alleged perpetrator.

### **Protection Gap**

The result is a protection gap that must be remedied. The United States and the European Union should lead an effort in the Council to change the mandate to improve protection and accountability for victims of violations of human rights and humanitarian law. The U.S. and EU should take action in the 49th session to provide the new special rapporteur with a clear mandate, as even Amnesty International once said, "to investigate and report on violations of international human rights and humanitarian law committed by all parties—Israeli and Palestinian, state agents and non-state actors." Ensuring the comprehensiveness of the Special Rapporteur's mandate is necessary to protect and promote the rights of all persons.

### Mandate Obsolete

It is important to note that the current mandate is obsolete. It was created in February 1993, when Israel was the sole authority in the West Bank and Gaza. This was just prior to the dramatic changes on the ground engendered by the Oslo Accords of September 1993, including the arrival of Yasser Arafat and the PLO to the West Bank and Gaza, the establishment of the Palestinian Authority, and the subsequent take-over of Gaza by Hamas. The focus of the mandate was never expanded to protect Palestinians who are ruled by the PA and Hamas.

Former Special Rapporteur Michael Lynk acknowledged the protection gap, but refused to act to amend it

Facing intense criticism when he was appointed special rapporteur due to his decades of anti-Israeli campaigning and lack of impartiality, Michael Lynk insisted to the Canadian

<sup>&</sup>lt;sup>18</sup> UK should ban imports from illegal Israeli settlements – new campaign, AMNESTY INTERNATIONAL (June 13, 2017), <a href="https://www.amnesty.org.uk/press-releases/uk-should-ban-imports-illegal-israeli-settlements-new-campaign">https://www.amnesty.org.uk/press-releases/uk-should-ban-imports-illegal-israeli-settlements-new-campaign</a> (referencing June 13 panel with Michael Lynk); see also @HillelNeuer, Twitter (October 26, 2018, 1:42 AM), <a href="https://twitter.com/HillelNeuer/status/1055590327447420928">https://twitter.com/HillelNeuer/status/1055590327447420928</a>.

<sup>&</sup>lt;sup>19</sup> Israel/Occupied Palestinian Territories (OPT): Mandate of the Special Rapporteur, AMNESTY INTERNATIONAL (July 11, 2008), https://www.amnesty.org/en/documents/MDE15/028/2008/en/.



media in March 2016 that he was "open to looking at expanding the job" to cover human rights abuses committed by actors other than Israel.<sup>20</sup> He repeated that pledge in October 2017, again while facing criticism, when Lynk told a UN press conference that he was "actively considering" asking for the "mandate to be expanded."<sup>21</sup> In fact, however, Lynk never acted on these promises, and it appears he never had any intention to do so.

Special Rapporteurs Dugard and Falk Recognized Bias of Mandate

As former rapporteur John Dugard noted in his August 2005 report, the mandate "does not extend to human rights violations committed by the Palestinian Authority." Human rights abuses by Hamas, Islamic Jihad, and the Palestinian Authority enjoy impunity.

On June 16, 2008, Mr. Falk himself acknowledged the one-sided nature of the mandate, saying it was open to challenge regarding "bias and one-sidedness." He added: "With all due respect, I believe that such complaints have considerable merit." However, the Council refused to eliminate the discrimination.

Special Rapporteur Giacomelli Recognized "Severe Limitations" of Mandate

On March 15, 2000, then Special Rapporteur Giorgio Giacomelli emphasized in his report to the Commission on Human Rights (predecessor to the Human Rights Council) that "since the establishment of this mandate [in 1993], a new situation has come into being in the mandated area"—meaning the establishment of the PA—noting "that new players have appeared on the same ground." These factors "have created a new, more complex situation" which requires "attention and action." Giacomelli further commented that the fact that the Special Rapporteur had access only to one concerned party "severely limits the possibility of drawing a complete picture of the situation," threatening to relegate the mandate "to a routine and limited role." He asked the Commission to consider if the mandate, as it stands,

<sup>&</sup>lt;sup>20</sup> Patrick Martin and Michelle Carbert, *UN appointment of Canadian professor creates controversy*, THE GLOBE AND MAIL (March 30, 2016), <a href="https://www.theglobeandmail.com/news/world/un-appointment-of-canadian-professor-creates-">https://www.theglobeandmail.com/news/world/un-appointment-of-canadian-professor-creates-</a>

 $<sup>\</sup>frac{controversy/article 29467174/\#: \sim : text = The \%20 appointment \%20 of \%20 a \%20 Canadian, of \%20 controversy \%20 on \%20 three \%20 continents.$ 

<sup>&</sup>lt;sup>21</sup> Video: U.N. Palestine rapporteur 'unaware' he could address Palestinian human rights violations, UN WATCH (October 26, 2017), <a href="https://unwatch.org/u-n-palestine-rapporteur-unaware-report-palestinian-human-rights-violations/">https://unwatch.org/u-n-palestine-rapporteur-unaware-report-palestinian-human-rights-violations/</a>.

<sup>&</sup>lt;sup>22</sup> In his August 2005 report, Dugard for the first time broke the mandate's instructions, explaining that he felt compelled to address Palestinian violations as well. Not those against Israel, however, but rather in regard to the Palestinian use of the death penalty against their own. It would be "irresponsible for a human rights special rapporteur to allow the execution of Palestinian prisoners to go unnoticed... The Special Rapporteur expresses the hope that these executions were aberrations and that the Palestinian Authority will in future refrain from this form of punishment." See Report of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the Palestinian territories occupied by Israel since 1967, UN Doc. A/60/271, ¶ 50 (August 18, 2005), https://digitallibrary.un.org/record/557079?ln=en.

<sup>&</sup>lt;sup>23</sup> See Human rights situation in Palestinian territories 'remains grave,' UN NEWS (June 16, 2008), <a href="https://www.refworld.org/docid/4860ae678.html">https://www.refworld.org/docid/4860ae678.html</a> (summarizing Richard Falks remarks).



"still fully serves the purpose for which it was originally conceived" and "whether it reflects a complete picture of the human rights situation in the occupied territories." <sup>24</sup>

Special Rapporteur Halinen: Mandate is "So Distant From Reality," Must be Changed

Hannu Halinen of Finland, who served as Special Rapporteur from 1995 to 1999, recognized the acute discrimination and prejudice in the mandate, and on numerous occasions called for change. On March 15, 1996, the Special Rapporteur urged the Commission on Human Rights to amend the mandate, emphasizing "human rights violations perpetrated in areas under the control of the Palestinian Authority." He wrote that the protection and promotion of human rights is a "general responsibility," and it is essential that the Special Rapporteur be able to study and report about the situation of human rights in a "comprehensive" manner. The "situation on the ground... has to be reflected appropriately in the mandate of the Special Rapporteur." The Palestinian Authority had "promised him full cooperation in reviewing the mandate accordingly." The responsibility of improving the human rights situation in the West Bank and Gaza Strip, said the rapporteur, lies also with the Palestinian Authority.<sup>25</sup>

On March 19, 1998, according to a UN press release, Special Rapporteur Halinen, noted that he was unable to visit Palestinian prisons "as these were not under his mandate." <sup>26</sup> He again called for the mandate to be changed. Mr. Halinen said he was asking for "equal treatment" with other Special Rapporteurs. It was up to Commission members to act and start discussions on this matter. The Special Rapporteur explained that "the mandate was prejudging the outcome of the findings" and "it was taken for granted that there were violations" and "that they were committed by Israel." Halinen added that "to move ahead and create trust, it was necessary to regard the question in its entirety and look at how to help prevent violations." He wished to have a mandate "to investigate in the whole area." <sup>27</sup>

On March 31, 1999, according to a UN press release, Special Rapporteur Halinen said "he had not been happy with his mandate from the very beginning." <sup>28</sup> He had been "constantly asking for an amendment of the mandate," which was "so distant from reality" that "it must be reviewed if one wanted to improve the human rights situation." He was only able to

<sup>&</sup>lt;sup>24</sup> Giorgio Giacomelli, *Report on the situation of human rights in the Palestinian territories occupied since 1967*, UN Doc. E/CN.4/2000/25 (March 15, 2000), <a href="https://www.un.org/unispal/document/auto-insert-185026/">https://www.un.org/unispal/document/auto-insert-185026/</a>.

<sup>&</sup>lt;sup>25</sup> Hannu Halinen, *Report on the situation of human rights in the Palestinian territories occupied since 1967*, UN Doc. A/CN.4/1996/18 (March 15, 1996), <a href="https://undocs.org/E/CN.4/1996/18">https://undocs.org/E/CN.4/1996/18</a>.

<sup>&</sup>lt;sup>26</sup> Informal note on the press briefing by Mr. Hannu Halinen, Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, UN (March 19, 1998),

 $<sup>\</sup>frac{\text{https://webcache.googleusercontent.com/search?q=cache:sjUsvdlkBq4J:https://unispal.un.org/DPA/DPR/unispal.nsf/eed216406b50bf6485256ce10072f637/ee2516e3a1e476f685256b9d0053d531%3FOpenDocument+&cd=1&hl=en&ct=clnk&gl=il.}$ 

<sup>&</sup>lt;sup>27</sup> Israel lashes out at U.N. rights investigator, Associated Press International (March 19, 1998) (summarizing the remarks).

<sup>&</sup>lt;sup>28</sup> Press Briefing by Hannu Halinen, Special Rapporteur on Occupied Arab Territories, UN (March 31, 1999), https://webcache.googleusercontent.com/search?q=cache:l\_yynV90nMIJ:https://unispal.un.org/DPA/DPR/unispal.nsf/1ce874ab1832a53e852570bb006dfaf6/3fe5c1856e94ed888525710000797097%3FOpenDocument+&cd=1&hl\_en&ct=clnk&gl=il.



report on human rights violations by Israel. Yet he wanted "to be able to report on the situation of human rights as did other Special Rapporteurs," and "not be told beforehand what the violations were and by whom they were committed."

Special Rapporteur Felber Resigned, Called for Eliminating the Mandate

After presenting his second report to the Commission, Rene Felber resigned as Special Rapporteur on February 9, 1995 and called for the mandate to be eliminated altogether. The Associated Press reported that the Special Rapporteur said that "promoting the peace process, not condemning Israel, was the best way to insure Palestinian rights." Felber's comments unleashed a wave of criticism from member states of the commission, particularly Muslim countries. "Maybe I said out loud what other people merely think," Felber, a former Swiss foreign minister, told a news conference. "I don't regret it."

"Instead of condemning Israel, Felber said it was better to support the peace process because it will promote respect for basic freedoms." Is it better to condemn or is it better to support a peace process which leads to a concrete solution?" he asked. "For me, I support the concrete solution."

"It is in this spirit that we submit this report," he wrote in his final submission to the UNHRC, "which naturally concludes with a proposal to do away with our services, and even to do away with appointing a Special Rapporteur in the occupied territories altogether." 33

Amnesty International: Bias Undercuts Mandate's Credibility and Effectiveness

Human rights groups have likewise criticized the one-sided nature of the mandate. On July 11, 2008, even Amnesty International said that the mandate's "limitation to Israeli violations... undercuts both the effectiveness and the credibility of the mandate." Amnesty noted that the mandate "fails to take account of the human rights of victims of violations of international human rights and humanitarian law committed by parties other than the State of Israel." <sup>35</sup>

Only Mandate Never to Undergo UNHRC Review, Rationalization and Improvement

Amnesty also called for the mandate to be subjected to the review, rationalization and improvement process that was applied to all other mandates in the transition from the

<sup>&</sup>lt;sup>29</sup> Clare Nullis, *Special Investigator Defends Controversial Decision to Quit*, Associated Press (February 3, 1995); Clare Nullis, *U.N. Rights Prober: Focus On Israel Should End*, Associated Press (February 1, 1995).

<sup>&</sup>lt;sup>30</sup> Michael Huggins, U.N.'s Mideast rights monitor resigns, UNITED PRESS INTERNATIONAL (February 3, 1995).

<sup>&</sup>lt;sup>31</sup> Clare Nullis, *Special Investigator Defends Controversial Decision to Quit*, Associated Press (February 3, 1995) <sup>32</sup> *Id*.

<sup>&</sup>lt;sup>33</sup> Rene Felber, Report on the human rights situation in the Palestinian territories occupied since 1967, UN Doc. E/CN.4/1995/19 (December 13, 1994), <a href="https://digitallibrary.un.org/record/167181?ln=es">https://digitallibrary.un.org/record/167181?ln=es</a>.

<sup>&</sup>lt;sup>34</sup> Israel/Occupied Palestinian Territories (OPT): Mandate of the Special Rapporteur, AMNESTY INTERNATIONAL (July 11, 2008), <a href="https://www.amnesty.org/en/documents/MDE15/028/2008/en/">https://www.amnesty.org/en/documents/MDE15/028/2008/en/</a>.

<sup>35</sup> Id.



Human Rights Commission to the Human Rights Council.<sup>36</sup> During this period, the outgoing president of the Council, Ambassador Doru Costea of Romania, had similarly called for the mandate to be subject to the RRI process.<sup>37</sup> Nevertheless, the RRI never took place, and the mandate on Israel was the only UN Human Rights Council mandate not to be reviewed, rationalized or improved.

<sup>&</sup>lt;sup>36</sup> Id

<sup>&</sup>lt;sup>37</sup> See Daniel Kuhn, *Outgoing HRC head: Review Palestinian mandate*, Jerusalem Post (June 7, 2008), http://www.jpost.com/International/Outgoing-HRC-head-Review-Palestinian-mandate.



#### VII. RECOMMENDATIONS & CALLS TO ACTION

In light of the foregoing, United Nations Watch make the following recommendations and calls to action:

#### A. To All United Nations Member States:

 Take action in the United Nations Human Rights Council to adopt the annexed Draft Resolution, in order to immediately terminate the mandate of Francesca Albanese.

#### B. To the United States:

- Bar Francesca Albanese from entering the United States on account of her propagation of antisemitism and support for Hamas terrorism, which amounts to a national security threat. If the U.S. does not wish to bar her from speaking at the UN on October 30, 2024, then at a minimum it should impose a strict geographic restriction on Albanese, preventing her from traveling in the US beyond the UN building, and denying her the possibility of inciting jihadi terrorism and antisemitism on campuses, as she is scheduled to do at Georgetown on October 26, and Princeton on October 29<sup>th</sup>.
- Impose additional targeted sanctions on Albanese, including freezing her bank accounts, and waiving her diplomatic immunity so that families of terror victims can sue her for damages in U.S. Courts.
- Take leadership to ensure the UN adopts the annexed Draft Resolution, in order to immediately terminate the mandate of Francesca Albanese.
- Speak out far more often to ensure that Albanese is condemned whenever she violates her mandate, take leadership to build a democratic coalition that will join the US, France and Germany, and ensure that Albanese's hatred and support for terrorism do not become normalized.

#### C. To Canada:

 Bar Francesca Albanese from entering Canada, thereby denying her the ability to incite jihadi terrorism and antisemitism on campuses, including at the University of Toronto on November 7<sup>th</sup>.



• Join France, Germany and the US in condemning Albanese's antisemitism. Canada should end its silence. The Trudeau Government has a special obligation to speak out given that its diplomat was on the five-member UN consultative group that shamefully selected Albanese for her appointment on April 1, 2022.

## D. To Britain & European Union Member States:

 Britain and all European Union member states that have not yet spoken out against Albanese's antisemitism and support for terrorism should end their silence and join France, Germany and the US in holding her to account. They should also support France's call for "consequences" by supporting the Draft Resolution to terminate Albanese's mandate immediately.



# ANNEX: DRAFT RESOLUTION TO TERMINATE THE MANDATE OF FRANCESCA ALBANESE

Member states of the Human Rights Council should introduce the following resolution.

## **Human Rights Council**

# Agenda item 7

Human rights situation in Palestine and other occupied Arab territories

# 56/... Termination of the Mandate of Special Rapporteur Francesca Albanese

The Human Rights Council,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the International Convention on the Elimination of All Forms of Racial Discrimination,

Recalling Human Rights Council resolution 5/1 on the institution-building of the Council, and resolution 5/2 on the Code of Conduct for special procedures mandate holders of the Council, of 18 June 2007, and stressing that mandate holders are to discharge their duties in accordance with those resolutions and the annexes thereto.

Reaffirming the Council's power to create and terminate special procedure mandates, and to appoint and remove mandate-holders,

Recalling that the Council and its predecessor have previously terminated mandates on Afghanistan (2005), Belarus (2007), Bolivia (1983), Bougainville Papua New Guinea (1995), Burundi (2011), Chad (2005), Chile (1990), Cuba (1998, 2007), DRC (2008), El Salvador (1995), Equatorial Guinea (2002), Former Yugoslavia (2003), Guatemala (1997), Iraq (2004), Islamic Republic of Iran (2002), Kuwait Territories Occupied by Iraq (1992), Liberia (2008), Nigeria (1999), Romania (1992), Rwanda (2001), South Africa (1995) and Sudan (2003),

Acknowledging that the title of the mandate held by Francesca Albanese—"Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967"—is false and misleading, given that the actual mandate provided in resolution 1993/2 is to investigate only "Israel's violations,"



Recognizing that several previous mandate-holders have condemned the inherent defects of the mandate, which was established prior to the September 1993 establishment of the Palestinian Authority, and prior to the 2007 Hamas take-over of Gaza, and that the mandate was never updated to examine actions by these and other relevant actors.

Recognizing in particular that the inherent bias of the mandate was acknowledged by previous Special Rapporteur Hannu Halinen, who objected that "the mandate was prejudging the outcome of the findings" in that "it was taken for granted that there were violations" and "that they were committed by Israel," and who further objected that the mandate was "so distant from reality," and that he did not want to "be told beforehand what the violations were and by whom they were committed,"

Recognizing further that in 1995 Special Rapporteur René Felber called for the mandate to be eliminated altogether, adding that "promoting the peace process, not condemning Israel, was the best way to insure Palestinian rights,"

Recalling that civil society organizations have likewise criticized the biased and one-sided nature of the mandate, including Amnesty International which <u>stated</u> that the mandate's "limitation to Israeli violations... undercuts both the effectiveness and the credibility of the mandate," which "fails to take account of the human rights of victims of violations of international human rights and humanitarian law committed by parties other than the State of Israel."

Recalling further that the mandate on "Israel's violations" is the only mandate of the former Commission on Human Rights that has evaded the required Review, Rationalization and Improvement (RRI) process that was applied to all other mandates which transitioned to the Human Rights Council, despite several appeals in 2008 for the RRI to take place, including by the <u>President of the Council</u>, as well as by <u>Amnesty International</u>,

Recalling that the Palestinian representative to the Council, Ibrahim Khraishi, himself once sought the removal of a Special Rapporteur on Palestine, as documented in the 16 February 2010 U.S. State Department cable revealed by Wikileaks, on account of that Rapporteur's support for Hamas,

Recognizing that the mandate of the Special Rapporteur has been rendered duplicative and especially obsolete by the establishment in May 2021 of the perpetual Commission of Inquiry on Israel and Palestine, a body of three commissioners



with 18 full-time staff, which addresses all of the matters contained in the mandate of the Special Rapporteur, who has one staff member.

Expressing grave concern at the conduct of the current mandate holder, Ms. Francesca Albanese, which harms the credibility of the United Nations, the Human Rights Council, and its independent experts,

*Noting* that Ms. Albanese is the first Human Rights Rapporteur in the history of the United Nations to have been condemned for antisemitism by the governments of France and Germany,

Deeply concerned that Ms. Albanese mocked the statement of French President Macron that the October 7th atrocities by Hamas constituted the greatest antisemitic massacre of our century, claiming that the victims were "not killed because of their Judaism," but rather "in reaction to Israel's oppression," and claiming that when Hamas refer to "Yahudis" (Jews) they do not actually mean Jews,

Recalling that France <u>replied</u> to Ms. Albanese that "the October 7 massacre is the biggest antisemitic massacre of the 21st century," and "to deny it is wrong," adding that it was "scandalous" and "a disgrace" for the Special Rapporteur "to appear to justify it, by dragging in the name of the United Nations,"

Recalling further that Germany <u>stated</u> it was "appalling" for Ms. Albanese "to justify the horrific terror attacks and to "deny their antisemitic nature," adding that her remarks were "a disgrace,"

Strongly condemning Francesca Albanese for having posted on Facebook that "America is subjugated by the Jewish Lobby," in an UNRWA fundraising appeal that she addressed to the archbishop of her diocese, and has made additional references to "Jewish lobbies," language with a subtle message that she has aimed at no other ethnic or religious group,

Conscious that Ms. Albanese has repeatedly evoked racist and antisemitic tropes, posting a public message to the BBC that "the Israeli lobby is clearly inside your veins and system," claiming an Orwellian nightmare caused "once again by Israel's greed,"

Appalled that Ms. Albanese has for many years falsely compared Israel's treatment of the Palestinians to the Nazi genocide against the Jews, recently quoted a Nazi war criminal to assert Israel's "genocidal logic," endorsed the statement of Massimiliano Calì equating Palestinians with Jews who resisted



Nazis in the Warsaw ghetto,

Strongly supporting German Bundestag Foreign Affairs Committee member Frank Müller-Rosentritt for having reaffirmed that "anyone who uses the Holocaust as a starting point to demonize Israel's actions against Hamas is perfidiously stirring up Antisemitic hatred" and thus "Francesca Albanese...should finally be relieved of her position,"

Bearing in mind that immediately upon beginning her term in May 2022, Ms. Albanese began to justify and incite terrorist violence, stating, as documented in statement NGO/55 from the 51st Session, that "Palestinian violence is inevitable" (May 17, 2022), "Palestinians have no other room for dissent than violence" (June 9, 2022), and "Palestinians' right to resist is inherent," (August 8, 2022, Twitter), and she repeatedly legitimized Islamic Jihad rocket attacks against Israeli civilians (August 6-7, 2022),

Gravely concerned that when UN Commissioner Miloon Kothari was condemned for antisemitism by the President of the Human Rights Council, along with 18 UN Member States including Belgium, Brazil, France, Germany, Liberia and Switzerland, Ms. Albanese defended his remarks about "the Jewish Lobby" controlling social media, stating that these were "possibly poorly chosen words" that were "disingenuously mischaracterized," and proclaimed that allegations of antisemitism were "preposterous,"

Recalling that the United States Special Envoy to Combat Antisemitism has <u>condemned</u> Ms. Albanese for "blatant antisemitic rhetoric" which "severely undermines the credibility of the UN Human Rights Special Rapporteur,"

Commending the bipartisan group of 11 lawmakers from the United States Congress who, on 23 January 2023, <u>urged</u> the Secretary-General "to demonstrate that the United Nations is capable of genuinely addressing antisemitism by removing Ms. Albanese from her post," and commending also the bipartisan group of 18 lawmakers who, on 24 February 2023, <u>called on</u> the United Nations to sever all ties with Ms. Albanese,

Strongly condeming Ms. Albanese for having participated in a Hamas conference on 28 November 2022 and for telling the assembled terrorists, "You have a right to resist,"

Gravely concerned that since the Hamas massacre of 7 October 2023, Ms. Albanese has systematically attempted to deny, justify or minimize Hamas atrocities, with her immediate reaction on that day being to justify the horrific attack, stating, "Today's violence must be put in context" and blaming Israel for "aggression,"



Appalled that only four days after the Hamas atrocities, and with the terrorist leaders threatening to repeat the massacre, Ms. Albanese on 11 October 2023 <a href="called">called</a> Israel's operation against Hamas a "policy of revenge," and <a href="claimed">claimed</a> that "Hamas' crimes including rape" had not been confirmed, and that divulging information about the perpetration of rape by Hamas risked "to escalate tensions and endanger lives in a volatile context."

Cognizant that after the Islamic Republic of Iran attacked Israel with the largest drone assault in history, firing an estimated 170 drones, 30 cruise missiles, and 120 ballistic missiles, Ms. Albanese's reaction was not to condemn the Iranian regime but rather to "urge everyone to remain committed to stop Israel's genocide in Gaza,"

Aware that Ms. Albanese has been falsely <u>accusing</u> Israel of "genocide" since at least 2014, and that she co-founded and <u>helps to run</u> the Amman-based Global Network on the Question of Palestine which <u>boasts</u> as having been "among the first to contribute to the discussion on genocide after 7<sup>th</sup> of October,"

Bearing in mind that Ms. Albanese reacted to the Israeli rescue of hostages from Gaza by accusing the Jewish state of "genocidal intent turned into action," prompting a German Member of Parliament to condemn her "disgusting commentary," adding thay she "must finally be removed from her position as UN Special Reporter."

Taking into account that the United States has <u>stated</u> that "Francesca Albanese has a history of using antisemitic tropes" and that "her most recent statements justifying, dismissing and denying the antisemitic undertones of Hamas' October 7 attack are unacceptable and antisemitic,"

Welcoming the decision by the Investigations Division of the UN Office of Internal Oversight Services to open OIOS Case No. 0808/24, on 26 June 2024, concerning allegations that Ms. Albanese has been illegally requesting payments, via her assistant Sara Troian and an institute at Erasmus University, in exchange for work done in her official UN capacity, in violation of Article 3 of the Special Procedures Code of Conduct; and concerning the allegations about an estimated \$20,000 trip to Australia by Ms. Albanese in November 2023, in which she either improperly accepted remuneration from pro-Palestinian lobby groups to cover all or part of these expenses, as they stated, or, as she would later claim, improperly arranged for the UN to pay for a trip that has no connection with Ms. Albanese's monitoring and reporting



mandate, is <u>unlisted</u> on the list of official country visits, and which the UN <u>refuses</u> to acknowledge,

*Recalling* that U.S. Representative Kathy Manning denounced Francesca Albanese for having "made statements that were not true in her application" which "calls her fitness for that position into question,"

Recalling in particular that in her <u>UN application</u> form, Francesca Albanese falsely declared having no conflicts of interest, failing to disclose that that her husband Massimiliano Calì had worked for the Palestinian Authority government, that her work for the Jordan-based Arab Renaissance for Democracy and Development involved her creating and operating a <u>Global Network on the Questions of Palestine</u> that lobbies countries and international institutions to accuse Israel of genocide, and that she already publicly <u>acknowledged</u> "deeply held personal views [that] could compromise my objectivity,"

- 1. Strongly condemns Francesca Albanese for repeatedly inciting violence and terrorism, in gross violation of her duties as a United Nations Human Rights Expert, and of the bases and princples of the Charter of the United Nations and the Universal Declaration of Human Rights;
- 2. Deplores in the strongest terms repeated statements by Francesca Albanese that have incited antisemitism, in violation of the International Covenant on Civil and Political Rights and the International Convention on the Elimination of All Forms of Racial Discrimination;
- 3. Affirms that Francesca Albanese has committed gross and systematic violations of her obligations under the Charter of the United Nations and the Code of Conduct for Special Procedures to uphold the highest standards of efficiency, competence and integrity, probity, impartiality, equity, honesty and good faith; has failed to ensure that her personal political opinions are without prejudice to the execution of her mandate, or to show restraint, moderation and discretion so as not to undermine the recognition of the independent nature of her UN position, and so as not be seen to be taking sides with one party to the conflict;
- 4. Recognizes that the mandate of the "Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967" is biased, duplicative, counterproductive, lacks credibility and negates the very idea of universal human rights and the rule of law;
  - 5. *Decides* to terminate the mandate of the Special



Rapporteur, effective immediately.