

Human Rights Council

Fifty-sixth session

18 June–12 July 2024

Agenda item 7

Human rights situation in Palestine and other occupied Arab territories

DRAFT RESOLUTION

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 [stated](#) 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 [President of the Council](#), as well as by [Amnesty International](#),

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 [replied](#) 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 [stated](#) 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 Cali 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 [condemned](#) 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, [urged](#) 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, [called on](#) the United Nations to sever all ties with Ms. Albanese,

Strongly condemning 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 [called](#) Israel’s operation against Hamas a “policy of revenge,” and [claimed](#) 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 [accusing](#) Israel of “genocide” since at least 2014, and that she co-founded and [helps to run](#) the Amman-based Global Network on the Question of Palestine which [boasts](#) as having been “among the first to

contribute to the discussion on genocide after 7th 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 that she “must finally be removed from her position as UN Special Reporter,”

Taking into account that the United States has [stated](#) 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 [unlisted](#) on the list of official country visits, and which the UN [refuses](#) 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 [UN application](#) form, Francesca Albanese falsely declared having no conflicts of interest, failing to disclose that her husband Massimiliano Calì had worked for the Palestinian government, that her work for the Jordan-based Arab Renaissance for Democracy and Development involved her creating and operating a [Global Network on the Questions of Palestine](#) that lobbies countries and international institutions to accuse Israel of genocide, and that she already publicly [acknowledged](#) “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 principles 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, counter-productive, 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.