

His Excellency Jürg Lauber President, Human Rights Council United Nations Palais des Nations 1211 Geneva Switzerland

26 March 2025

<u>Notice Under 8/PRST/2 of Persistent Non-Compliance by</u> <u>Ms. Francesca Albanese With the Code of Conduct for Mandate-Holders</u>

Dear President Lauber,

I write to formally request that the Human Rights Council not renew the three-year term of Ms. Francesca Albanese, the Special Rapporteur on the Palestinian territories, when it expires on April 1, 2025. Ms. Albanese's conduct has been in persistent and egregious non-compliance with the Code of Conduct for Special Procedure Mandate-Holders as outlined in HRC resolution 5/2. Consequently, under the framework set forth in the UNHRC Presidential Statement 8/PRST/2, her reappointment should be rejected.

Ms. Albanese's breaches of the Code of Conduct are widespread, systematic and grave. She repeated makes inflammatory and antisemitic statements that violate the fundamental principles of impartiality and integrity required of special procedure mandate-holders. In her frequent if not daily tweets, Albanese routinely breaches her duty under the Code of Conduct to uphold the highest standards of probity, objectivity, and good faith, violates her duty to show restraint, moderation and discretion, and fails even to attempt use only objective, reliable and cross-checked information.

Her rhetoric has been widely condemned for fostering antisemitic tropes, Holocaust distortion, and delegitimization of Israel. Multiple governments—including Canada, France, Germany, and the United States—have publicly denounced her statements as antisemitic. Leading figures and organizations have likewise censured her rhetoric, highlighting its detrimental effect on both the credibility of the UNHRC and the fight against global antisemitism. Please find many of these statements attached in our October 2024 report, "Wolf in Sheep's Clothing."

Among the most concerning instances of her misconduct are:

- Comments minimizing or distorting the Holocaust, which have been deemed unacceptable by democratic nations and experts in antisemitism.
- Repeated use of language echoing antisemitic conspiracy theories regarding Jewish power and influence.
- Public statements that dehumanize Israel and its citizens, in violation of the impartiality mandate set forth by UNHRC resolution 5/2.



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• Persistent refusal to engage in good faith with affected communities, or to exercise judgment in her statements, in contradiction to the minimal expectations of her role.

In addition, Ms. Albanese has also repeatedly violated key provisions of the Code of Conduct that require mandate-holders "not to undermine the recognition of the independent nature" of their UN position, and to "not be seen to be taking sides with one party to the conflict."

Notably, in the immediate aftermath of the October 7, 2023 terrorist attacks perpetrated by Hamas—a group designated as a terrorist organization by the European Union, United States, Canada, and others—Ms. Albanese used her official platform to amplify unverified and false claims sourced directly from Hamas. Despite later evidence disproving these narratives, she did not issue meaningful corrections or retractions. This reckless dissemination of propaganda not only compromises her credibility as a UN official, but also demonstrates a serious breach of the duty to exercise discretion and neutrality. Such conduct actively undermines the perception of the United Nations as an impartial and credible actor in one of the world's most sensitive conflicts.

As the UNHRC has pledged to uphold the integrity and independence of the special procedures system, the Council must not disregard the mounting evidence of Ms. Albanese's violations. UNHRC Presidential Statement 8/PRST/2 obligates the President to convey cases of persistent non-compliance to the Council, especially prior to the renewal of mandate-holders. Given the severe and repeated breaches of conduct, it is incumbent upon the Council to act and ensure that her mandate is not extended.

Failure to address this issue would gravely undermine the credibility of the UNHRC and signal an unacceptable tolerance for antisemitism within its ranks. I urge you to uphold the Council's commitment to impartiality, accountability, and human rights for all by denying Ms. Albanese's reappointment. I appreciate your attention to this critical matter and look forward to your response.

Sincerely,

Hillel C. Neuer Executive Director

CC: U.S. Secretary of State Marco Rubio French Foreign Minister Jean-Noël Barrot German Foreign Minister Annalena Baerbock UK Foreign Minister David Lammy Canadian Foreign Minister Mélanie Joly