

Sanctions on Albanese illegal, represent further US complicity in genocide


By Craig Mokhiber
*Former head of
New York OHCHR*
O P I N I O N

Fresh from face-to-face meetings in Washington with fugitive from justice Benjamin Netanyahu, indicted by the ICC for crimes against humanity, US Secretary of State Marco Rubio took the extraordinary step of declaring sanctions against the United Nations Special Rapporteur on human rights in the occupied Palestinian territory Francesca Albanese.

The announcement was accompanied by a flurry of false and defamatory statements by Rubio attacking Albanese, further demonstrating the lengths to which the Trump administration (and the Israel proxies empowered within it) are willing to go to buttress the impunity of the Israeli regime.

Rubio's lawless action has been condemned and rejected by international organizations, experts, and human rights defenders across the globe as a moral outrage.

Indeed, outside of Washington (and the Israel lobby groups that hold dangerous sway there), Rubio's smears and his lawless imposition of sanctions will bring only condemnation of Rubio and the Trump administration. Special Rapporteur Francesca Albanese is a highly respected expert and human rights defender, well known globally as an advocate who has dedicated her life to opposing all forms of bigotry and oppression and to promoting the cause of universal human rights.

She has been widely praised for carrying out her United Nations mandate with honor and with the highest degree of competence and integrity, particularly during the Israeli regime's 20 months of genocide in Palestine. But this action by the US government is not only a moral outrage. It is also entirely unlawful.

The sanctions order and its accompanying statements are a direct breach of the United Nations Charter, the Convention on the Privileges and Immunities of the United Nations, and the Agreement Regarding the Headquarters of the United Nations (Host Country Agreement).

They represent a deliberate obstruction of the human rights mission of the United Nations. And given that this action is taken to insulate Israel and other perpetrators (including the corporations named in the Specials Rapporteur's latest report) from accountability for war crimes, crimes against humanity, and genocide, it is also a breach of US obligations under the UN Genocide Convention (under which Israel is currently on trial in the International Court of Justice), and under Common Article 1 of the Geneva Conventions of 1949 (obliging the US to ensure that Israel and other parties respect the Conventions).

Furthermore, as this act by the Government of the United States was explicitly connected by the Secretary of State to its (also unlawful) sanctions against the International Criminal Court, it is also an offense against the administration of



US Secretary of State Marco Rubio (L) hugs Israeli Prime Minister Benjamin Netanyahu at a news conference at the latter's office in the occupied al-Quds (Jerusalem) on February 16, 2025.
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justice as codified by Article 70 (1) (c) of the Rome Statute, for which territorial jurisdiction may be secured through the locus of the Court (the Netherlands, a state party to the Rome Statute), and through which Special Rapporteur Albanese may be entitled to reparations as a victim of the unlawful conduct.

Additionally, Special Rapporteur Albanese may be entitled to compensation for civil wrongs (torts) for economic and reputational damage, given the defamatory nature of Secretary Rubio's statements, and their manifest basis in "actual malice" and a "reckless disregard for the truth," recognized by US courts as exceptions to sovereign immunity.

Of course, as recent years have

demonstrated, the US cares little about international (or even domestic) legality. But external pressure and action are inevitable.

Outside the US, moves are underway to demand that the United States withdraw the sanctions and compensate Special Rapporteur Albanese for any and all economic, reputational, or emotional harms caused to her or her family, and compensate the United Nations for any damages done to her vital mandate.

The United Nations and all UN member states and regional organizations (like the EU) can and must publicly reject the sanctions, use all mechanisms at their control (of which there are many — legal, financial, political, and

diplomatic) to insulate the special rapporteur from their effects, speak out clearly in her defense, and use diplomatic channels to press the United States to lift the sanctions and compensate the special rapporteur.

If the many statements already issued by influential members of the international community are any indication, the lawless US government may soon learn that, in attacking Francesca Albanese in this way, it has crossed a bridge too far in its campaign for Israeli impunity.

And regardless of the short-term harms of this shameful act by the Trump administration, we can be certain that the US will not succeed in its ultimate objectives of silencing Albanese

and the broader UN, intimidating other human rights defenders, and guaranteeing the Israeli regime's impunity for war crimes, crimes against humanity, apartheid, and genocide. To the contrary, such brazen acts of lawlessness and complicity in genocide will only stoke the flames of resistance to these historic crimes, and to their co-perpetrators in Washington and Tel Aviv.

The global movement for solidarity with Palestine is growing. And, as has been evident since Rubio's latest shameless act, that movement stands unapologetically with Francesca Albanese. And so do I.

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Francesca Albanese, the UN special rapporteur on the occupied Palestinian territories (R), meets people and speaks to the press ahead of her talk at Queen Mary University of London in London, United Kingdom, on November 12, 2024.
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