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NEW YORK, NY 10017

UNITED STATES MISSION TO THE UNITED NATIONS

June 20, 2025

Excellency:

The United States thanks you for your letter dated April 21, 2025, and writes again to express grave concerns about the continued activities of Francesca Albanese, the "United Nations Special Rapporteur on the situation of human rights in the Palestinian territory occupied since 1967" (Special Rapporteur). Your letter confirms that Ms. Albanese is not a staff member of the United Nations and serves in a personal capacity expressing only personal views. Yet, your referral to the Member States of the Human Rights Council to consider any appropriate action is insufficient in these egregious circumstances.

As explained in our letter to you of April 2, 2025, Ms. Albanese has engaged in years of virulent antisemitism and support for terrorism, conduct which renders her unfit to serve as Special Rapporteur and must be condemned. The United States strongly opposed the renewal of Ms. Albanese's appointment, warning that it would demonstrate a disregard for the code of conduct for Special Rapporteurs and bring further disgrace to the United Nations. Those warnings are proving true, and the United States reiterates its request that you directly condemn Ms. Albanese and publicly call for her immediate removal.

In recent weeks, Ms. Albanese has sent threatening letters to dozens of entities around the world, including corporations and nonprofit organizations, and has prepared a draft report for the 59th session of the Human Rights Council improperly identifying those entities as having

His Excellency
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New York

engaged in purported wrongdoing. These materials are riddled with inflammatory rhetoric and false accusations, confirming—yet again—that Ms. Albanese wholly lacks impartiality and credibility.

The recipients of Ms. Albanese's threat letters include more than 20 U.S. entities, including many of the most prominent American corporations in varied sectors including technology, financial services, manufacturing, and hospitality. In her letters, Ms. Albanese makes extreme allegations, such as that the entities may be contributing to purported offenses including "gross human rights violations," "apartheid," and "genocide." She wrongly asserts that recipients have violated "preemptory norms of international law" and face exposure to "potential criminal liability," and demands that they cease activities relating to Israel. These letters constitute an unacceptable campaign of political and economic warfare against the American and worldwide economy. Business activities specifically targeted by Ms. Albanese contribute to and help strengthen national security, economic prosperity, and human welfare across the Middle East, North Africa, and Europe. Disrupting these activities would have significant and destabilizing impacts.

Ms. Albanese's allegations that Israel is committing "genocide" and engaging in "apartheid" are false and offensive. Israel is fighting a legitimate war of self-defense in which it is attacking military targets. This war was prompted by Hamas committing the worst massacre of Jews since the Holocaust—itsself a genocidal act—and abducting 251 hostages; 53 hostages remain in captivity. Israel has taken extensive measures to reduce incidental harm to civilians, while Hamas deliberately uses civilians as human shields. Israel is not an "apartheid" state, but rather a democracy in which its Arab citizens possess equal rights and are represented in positions of influence throughout government and society.

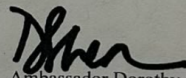
Ms. Albanese's legal arguments are also baseless under established international law. In particular, Ms. Albanese's draft report alleges that "corporate entities named in the report have aided, abetted, and/or are otherwise implicated in international crimes and human rights violations[.]" Draft report at para. 10. That allegation is flawed in multiple ways. For example, private actors have no obligations regarding human rights under international human rights law, irrespective of whether a business entity has made specific commitments to do so. The draft report attempts to rely on the United Nations Guiding Principles on Business and Human Rights (Guiding Principles) as "the normative framework for regulating corporate entities' conduct." Draft report at para. 18. Yet, the Guiding Principles are a non-binding instrument and impose no binding obligations on States, much less on private business entities. The Guiding Principles make this clear by their own first provision, which states that "[n]othing in these Guiding Principles should be read as creating new international law obligations." In addition, neither General Assembly resolution A/ES-10/24 nor the Advisory Opinion of the International Court of Justice dated 19 July 2024 impose binding obligations on either States or private actors.

These fundamental legal errors, particularly considered alongside Ms. Albanese's antisemitic record, confirm that her work is illegitimate. Moreover, critical deficiencies remain unaddressed with respect to Ms. Albanese's appointment. There are credible concerns that, prior to the renewal of the appointment, the President of the Human Rights Council failed to convey significant information to the Council about the persistent non-compliance by the Special Rapporteur as a mandate-holder. Ms. Albanese has also misrepresented her qualifications for the role by claiming to be an international lawyer despite admitting publicly that she has not passed a legal bar examination or been licensed to practice law. The legal errors underlying Ms. Albanese's recent allegations demonstrate that lack of qualification. Considered together, these

facts call into question any alleged privileges and immunities of Ms. Albanese as an expert on mission for the United Nations. The United States further notes that the Special Rapporteur's status as an expert on mission does not afford her immunity for her speech or conduct outside of the course of performance of her mission.

For the reasons above, the United States calls upon you, again, to condemn Ms. Albanese's activities and specifically call for her removal, encouraging Member States of the Human Rights Council to act. The lack of such action to date has enabled Ms. Albanese to pursue her campaign of economic warfare targeting entities across the world, including major American companies. Continued failure to do so would not only discredit the United Nations, but would also require significant actions in response to her misconduct.

Accept, Excellency, the renewed assurances of my highest consideration.



Ambassador Dorothy C. Shea
Acting Representative of the United States
to the United Nations