



US Sanctions UN Gaza Investigator Francesca Albanese

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Glenn Greenwald (GG): Let me ask you about the specific job that you have because I think a lot of people don't understand the function generally of UN rapporteurs but also the specific function that you serve as the UN rapporteur for Palestine, for the occupied territories of Palestine. So can you talk about what it is that your job at the UN as an official is intended to be both generally but specifically with your case?

Francesca Albanese (FA): United Nations Special Rapporteurs are independent experts of the United Nations appointed by the Human Rights Councils to serve for a term of three or six years, that's my case, documenting and reporting given human rights situations. It can be thematic issues like reporting on the state of the right to food, the prevention of torture, freedom of assembly, freedom of expression. And there are also a number of mandates that have a country focus, for example, Iran, Afghanistan, Ethiopia, Sri Lanka, and occupied Palestinian territories. So my responsibility as per the resolution that created this mandate, is to document and investigate and report violations of international law committed by Israel in the occupied Palestinian territory. Is it an obsession to focus on Israel? Not really, because when the mandate was created, the Palestinian authorities or whatever people think that the Palestinians have, were not even in existence. And so Israel was and still remains the occupying power ruling through a brutal regime of oppression and apartheid over the Palestinians. And this is why this mandate is still in function. I would be the happiest to be the last special rapporteur on the occupied Palestinian territory and see the end of the forever occupation, apartheid, and justice for the genocide that is still ongoing.

GG: One of the reasons why you're even more in the news than you often are this week is because the U.S. State Department under Secretary of State Marco Rubio announced that there were going to be a whole variety of sanctions directed at you for your criticisms, essentially of Israel, which is your job at the UN. And I want to get into a lot of the other reprisals that you face, but I want to just focus on this for the moment because it's new. It struck me, and I'm wondering whether it also struck you as important, that the last thing you did as rapporteur before being sanctioned was the publication of this report detailing the role

that key U.S. tech companies such as Google and Amazon and others play in providing the IDF with technology, with intelligence, with all kinds of instruments and weapons that they use in their destruction of Gaza. It was on the front page of the Washington Post and elsewhere and that was followed then by the announcement of these sanctions. Can you talk a little bit about what this report was and whether you think that it was the proximate cause or the last straw as it were before sanctions were imposed on you?

FA: Yes, my last report is the outcome of an investigation that I started about eight months ago and has led me to collect information through various sources, submissions, investigative journalists, forensic experts, economists, civil society scholars, lawyers, about 1,000 entities that operate in the occupied Palestinian territory as a private sector, which includes a broad range of entities, from arms manufacturers, tech companies, construction machinery-related companies, producing anything from bulldozers, bases, or anything to build infrastructure, from water grids to roads and rails, until banks, pension funds, supply chain companies, and universities. Now, I've realised that by looking at this puzzle and organising all the elements, Israel has maintained what had already been called by many economists and scholars, an economy of the occupation, where I have realised each sector and various companies per sector are advancing the displacement and replacement of the Palestinians.

For example, to take control of their land and emptying it of Palestinians, Israel has used weapons, bulldozers, and other machinery, it has used surveillance technology to segregate Palestinians and make sure that their life would grow increasingly constrained to the benefit of the expansion of the colonies, in which, meanwhile, there would be the realisation of the second pillar of the Israeli economy, the replacement of the Palestinians through the construction on their land of colonies, water grid, electricity grid and rails, roads, and then the installation of companies to produce and sell goods from dates to wines to beauty products from the Dead Sea, etc. and then there would be a network to sell this product. But all of these would have not been possible without the enablers, banks, pension funds and other providers of financial resources and universities and other institutions, charities lending legitimacy to Israel. Israel's economy is inseparable from that of the occupation. So we need my report to say first and foremost, we need to stop this fiction of there is a good Israel within the green line and a bad Israel in the occupied Palestinian territory because when everything is so ingrained, all the more now that there are proceedings against Israel for war crimes, crimes against humanity, and genocide. And in the last 20 months and this is the last point [inaudible] when it comes to the facts without bothering the legal framework is that while the Israeli economy was nosediving in many respects in freefall and Israelis were losing jobs and livelihoods, the Israeli stock exchange kept on rising amassing 220 billion dollars, which means a growth, an increase of 170 plus percent. How is it possible? Because there have been companies that have profited from the escalation of violence and the genocidal violence in Gaza; for example, tech companies in particular, and arms manufacturers. Israel has sophisticated, perfected, even changed and made it more lethal, weapons that have been provided through these companies directly or through member states like the United States, Germany and others. But also Israel wouldn't have been able to do that without the banks that at the moment of great crisis, increased deficit and fall in the credit

rating, like credit trust, in that case, it's been the banks and other financial institutions intervening to supply Israel with all the resources it needed. And meanwhile, all the other companies, we should have disengaged decades ago, have continued to stay engaged and provide tools that have allowed not just Israel to continue the ethnic cleansing of the Palestinians in the West Bank, but that have contributed to the extrajudicial killings and other genocidal acts, including the pulverisation of Gaza.

GG: And I should note that it has been often the case that these kinds of instoring sustained occupations and massacres have often used the nation's industries as a tool for doing so. Obviously Nazi Germany relied on it to a great extent, but many others as well. But I guess one of the things I'm trying to get at is in the United States government's mind, these companies, Apple or Google and Amazon and Palantir and others, are really kind of the crowning jewel of American power. They're very integrated into the U.S. military, the U.S. intelligence community. They provide a lot of money to a lot politicians in Washington, and you have been the target of extreme criticism from the Trump administration, even before that from the Biden administration, and it seems like these sanctions came right as your report was issued implicating these companies in this ethnic cleansing and genocide, and I'm wondering if you think that was what provoked these sanctions.

FA: Look, first, let me tell to the benefit of your audience that all these companies – and by no means I would like people to think that this is an exhausting list. My report contains reference to 48 entities, 60 if we could see there's also the parents, subsidiaries, franchisees, and licensees. But this is not the list, this is just a set of cases which are illustrative of an overall criminal endeavour and all these companies have been put on notice. I gave them time to check the facts that they were contesting, I have prepared a tailored legal analysis for each company telling them all the violations they were taking part of by the very fact, according to international law of engaging in a situation which is as unlawful as the one that Israel maintains in the occupied Palestinian territory. That is, the International Court of Justice has ordered Israel to dismantle totally and unconditionally, dismantle the settlements, withdraw the troops, and stop exploiting Palestinian natural resources, stop practising racial discrimination and apartheid. This is the decision of the ICJ. In the face of this, in the face of criminal proceedings, in the face off proceedings for genocide, companies, entities that have stayed engaged have at least contributed not just to the violation of the self-determination of the Palestinian people and the perpetual occupation that Israel maintains on their land, but also other ancillary violations by being directly linked, contributing to, and even in certain cases, causing the human rights violations. Some of these violations, like extracting from the quarries in the West Bank as a German Heidelberg company has done, can amount to pillage. So I put everyone on notice from Booking.com, Google, Amazon, et cetera, Palantir, Elbit, they could have responded. Some of them have a small number, 18, and the others have completely ignored my facts and legal analysis. But the thing is that you see, Glenn, my report has not been challenged substantively. It has given rise to a hurricane of violence, agitated violence against me, which is not new. I'm not new to this constant smear, defamation, reputational damage from the United States, which is unacceptable because I'm just a legal expert serving pro bono the United Nations. And the U.S. as a member of the

United Nation should respect my work, should engage with my work, instead of engaging in senseless, senseless attacks.

But all the more, it's clear what is happening here. I've touched a nerve, a nerve that resonates with the Palestinians, that alerts consumers, that may ignite litigation, civil suits and other criminal proceedings against these companies. But besides this, people understand that there is a direct link between the laboratory that Palestine has become at the hand of decades of experimentation of all sorts of military and surveillance and other techniques by Israel that then have been marketed handsomely for decades and sold to all dictatorships first and foremost in many states as we speak. But also people make a link between the profits that companies like Amazon or Airbnb make, including in the context of a genocide, and the profits that these companies make in our own system in Europe and elsewhere. So these companies have become rights holders without corresponding obligations. It's the usual operating outside the law for those who detain power, where multinationals today hold more power than states and therefore more power than us. I understand why, Glenn, universities have cracked down so harshly on students because the students have been the ones exposing their complicity with the military industry, their complicity with Israel's apartheid. And this university realised like the Technical University of Munich that probably losing this partnership will cause it bankruptcy. So it was better to go harsh on the students. And this is what has led probably the United States administration to conclude that I'm a threat to a global economy because I'm provoking an awakening that has not been there before through the tragedy of the Palestinians.

GG: Yeah, absolutely. And I should note, first of all, I mean, so often the worst attacks on someone comes not when they lie, but when they tell the truth, the truth that people want most to hide, and I think that's happened repeatedly in your case, and I do think it's worth noting that there are very few people who have been the target of just a more systemic, organised, official smear campaign over the last almost two years now than you have been. I don't mean mean comments online, I mean very coordinated attacks from multiple governments led by Israel, led by the United States. And now you have these sanctions. I don't know if you're under legal constraints in terms of what you can say about them. But can you talk to whatever extent you can about the effects that these sanctions are likely to have on you, your life, your finances, your travel, anything else?

FA: Glenn, honestly, it's not even about legal restraints, is that, believe it or not, I've had very brief conversations, both with my family and my legal advisors because I've been busy travelling across Slovenia and now Bosnia. I need to pause and look at this, I need let it sink in because my reflex as a lawyer is the 1946 Convention on Private Privileges and Immunities prohibits the United States from doing what it's doing and would make total sense for me to start advocating, so a member state, any member states take the United States before the International Court of Justice. Because enough with this mafia style, intimidation techniques. This is unsustainable, not just for me, but for the system. We need to protect the multilateral arena. We will miss human rights very much when we don't have them anymore.

However, I've not done it, probably because I'm really coming to terms with this, which is huge. But also, I don't want to distract anyone from member states to civil society from our priority, which is to stop the genocide in Gaza. I mean, yesterday, yes, I woke up to the news of the sanctions. I mean I had heard about that and then I read the night before and then, I needed to get some time to realise what it was. But then I had my cup of tea, I had my shower, I spoke with my kids and went on with my life. While again, dozens and dozens of Palestinians were killed yesterday alone. And this is every day in Gaza. People are being starved. I'm so exhausted to see the bodies of dying kids, starving kids in the hands or in the arms of their moms. It's something that we cannot tolerate, we cannot, and I don't know what kind of monstrosity has infected all of us, because right now, Glenn, what member states should be doing, especially those in the Mediterranean area, should send their navies with doctors, nurses, and real humanitarian aid, food, baby formula, medicines, everything that is needed for the to overcome the current difficulty. It's a tragedy and that thing that people call the Gaza Humanitarian Foundation is a death trap and I do see the criminality in it. It looks like a joint criminal enterprise and this must stop. So this is my priority and this is why, no, I'm not even thinking of the sanctions and impact that they will have on me. This is the state I am in right now.

GG: I think a lot of people share your horror and almost the inability to express it at this point anymore in words, not just what's happening there, but the way in which the world is not just standing by, but much of the Western world is funding and arming and enabling it. I just have a last question out of respect for your time, I know you have limited time because you're travelling. I do think it's so important that you mention that your background is in human rights law. That's where everything is steeped in. You're not talking out of ideology or politics, let alone anti-Semitism or anything else that you're accused of. And you use two words to describe Israel and what's happening, which is apartheid and genocide. And you're by far not the only person to use those words. High level Israeli officials have called what the Israeli treatment of Palestinians is as apartheid. Huge numbers of Israeli genocide experts have used genocide as the word. But with somebody with the legal background and the human law and international law background that you have, how do you understand those two terms briefly and why do you think they apply to Israel's treatment of the Palestinians, apartheid and genocide?

FA: Look Palestine for me has been such a such a learning environment also to connect the dots and break the walls or the silos that contain the legal knowledge because you know in our field you have specialised human rights lawyers or international humanitarian law experts or genocide experts, while Palestine allows you in real time to understand it all, taking the land and the resources from people forcibly displace them, this is the essence of settler colonialism. And Israel has used, as other settler colonial endeavours, think of South Africa, but also think of Algeria, think of other places where colonialism has been accompanied by the transfer of civilians from the metropolis, from another place by apartheid. Apartheid is an institutionalised system of racial segregation entailing inhumane acts and we cannot claim that we have had a system in history of settler colonialism that was not apartheid. South Africa has given us the term apartheid, but apartheid is everywhere. There is like a legal

dualism that then reflects in policy the same practices in a given country, place, state among citizens, distinguishing them and separating them according to racial lines. And Israel does it. It does it inside Israel because Palestinians have Israeli citizenship, but they have less rights. But it does so, especially in the occupied Palestinian territory. Well, Israeli settlers are under Israeli civil law. And Palestinians are under Israeli military rule, military orders, draconian military orders written by soldiers and forced by soldiers and reviewed in military courts, including for children by soldiers.

And the thing is that genocide, I've realised throughout history, genocide is the intentional destruction of a group as such in its essence and can take place through acts of killing, but not exclusively. There are genocides that have been committed exclusively through creating the conditions of life calculated to destroy and also the separation of children, but also another act of genocide is that severe bodily and mental harm. And I really, I would like to see who today can keep on claiming, I mean, anyone with a grain of decency, that what happens is not a genocide. However, settler colonialism carries inside the dormant gene of genocide in its legal sense, which is a very restrictive sense, because genocide as it has been conceived also includes cultural elements which are not protected under the definition of the crime. And look, eventually, from Srebrenica and from Sarajevo, I can tell you, it takes time. There will be one day where everyone, as an illustrious Palestinian writer has said, everyone will have been against it. Tonight it's very heavy to carry this responsibility together with many others, like Amnesty International, the Palestinians first and foremost, Israeli scholars who have denounced the genocide, it is very heavy to carry this responsibility of chroniclers of genocide who are also trying to stop it with all their might and here we are facing sanctions because of this.

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