

Palestine, International Law and Solidarity

Francesca Albanese in Belgrade, 17.3.2026

Filip Balunović: This evening we have a pleasure of talking to the UN Special Rapporteur on the situation of human rights in the occupied Palestinian territory Francesca Albanese who is being under constant pressure, but also who has not given up and will not give up from speaking truth about what is happening in Gaza at this moment, and what has been happening ever since the genocide started in Gaza. One of the main things, or the main issues behind the possibility of conducting genocide in Gaza, but also in many different parts of the world throughout history – and I would start from that question – is the point of dehumanising those against which the genocide is conducted.

The history of dehumanisation of Palestinian people and narrative behind it did not start in 2023, it started way before, with statements of some of the Israeli Prime Ministers from 1969; for instance Prime Minister Golda Meir who said that there was no such thing as Palestinians, which is a narrative that until nowadays is present in parts of not only Israeli public, but also global public. So I would start by asking you about roots of this dehumanisation of Palestinian people, something you have been extensively writing about in your reports, but also saying in your public statements.

Francesca Albanese: Thank you very much Filip, and thank you all for being here and for welcoming me. It is a pleasure to be in Serbia and tonight in Belgrade with you.

Dehumanisation is one of the root causes of crimes toward others, especially when the other is a collective. And I can't recall a moment in history for the past 100 years during which Palestinians were not dehumanised. Of course they have been dehumanised. They have been dehumanised by the British who arrived to their land breaking promises, they have made conflicting promises, but promising to help the Palestinians, the people of Palestine, to achieve independence had they helped defeat the Ottomans, which is what happened. And then they were betrayed because eventually the Palestinians became the *non-* – in the United Nations precursor, the League of Nations, in 1922 they became the “non-Jews” of Palestine, when the League of Nations decided that the British could help create a national homeland for the Jews in Palestine.

And of course there is no question that Jewish people were enduring the most horrific crimes and they had done so for centuries on this continent. But the Palestinians didn't have anything to do with that. Rather the contrary: the Ottoman Empire and Palestine as part of it, had been welcoming people kicked out of Europe for centuries, including Jewish people. But the problem is that colonial countries back then supported the

creation of the state of Israel not because it was a way to pay back the Jews, because it took decades to recognise the harm done to the Jewish people of Europe.

So the Palestinians have been dehumanised meaning they have been made invisible. They have been invisibilised through this narrative: “Palestinians do not exist”, Golda Meir said. So what was the word that was printed on her passport? The first passport that she had when she arrived in Palestine from Eastern Europe, she got the passport that had the word “Palestine” on top of it. She was a citizen of the British mandate for Palestine, like all the Palestinians who were kicked out by Israel at its creation between 1947 and 1949. And this have been dehumanising because international community stopped seeing them as a people belonging to a land, as any indigenous people – in Canada, in Australia, in the United States and other places in the world – have also endured. They've been “refugees”, they have been “people in the occupied territories”... Today we call the people in Gaza “Ghazawi”. They're not even Ghazawi, 75% come from modern-day Israel.

So you see the dehumanisation... the first layer of dehumanisation is not recognising who these people are. Palestinians are, as Edward Said used to say, “orphans of a homeland that existed and is no more”. But still they exist as the people. They have reconstituted themselves as a people and in the past decades Israel has made them – especially during the occupation which started in 1967 – they have been treated as the enemy, not as the protected people under occupation. There are rules even when you conduct wars, there are rules even when there is a military occupation. And Palestinians have been treated as an encumbrance that had to be uprooted. They've become killable, displaceable, torturable. Just look at the staggering numbers of those who have been arrested and detained over 55 years until 2023. I investigated, it's nearly a million Palestinians that had been detained at least once. And how many have been killed and how many have been tortured and how many have been left really without the possibility of envisaging the future for themselves and the others.

And this is the thing: so dehumanisation is the constant factor of an oppressive regime. Apartheid is premised upon the dehumanisation of the Other. Genocide is premised upon this, it is made permissible by dehumanisation of others. Years ago I read a testimony of a soldier who, asked why he would kill – I mean, the Israeli soldiers would kill and beat and arrest children – he asked “which children”, because they don't see children, these are “young adults” at best, who are “terrorists in the making”. So you see dehumanisation around the...

And of course, what happened on October 7 ignited the rage and the fear in Israeli society that have not gone out of still... It's not “900 days from October 7” is “900 days of October 7”. This is the mindset. And so Palestinians have been called Amalek, they've been called monsters, a nation responsible that has genocidal logic. But as I

was saying it comes from afar and it's a huge responsibility for the international community not to have prevented and stopped what Israel has done in the last 900 days.

Filip Balunović: You mentioned the international community which fits well to my next question. Ever since the Balfour Declaration in 1917 and later, after the Six-Day War also, we had the UN resolution 242 in which – and this is agreed on by many historians, both Israeli and Palestinians and all the others who deal with the issue, from Ilan Pappé to Rashid Khalidi etc – they all write about the absence of Palestine or Palestinians from any possible arrangements, especially after the Six-Day War in 1967.

Whenever the Palestine was at the table among the great powers or on the table of the international community, it is always – as Ilan Pappé writes – the negotiations were happening above Palestinian heads, so they were rarely involved in these negotiations and talks about their destiny. What's the responsibility – I would say, what's the role – but the responsibility of international community, international institutions and especially great powers in the destiny of Palestinian people?

Francesca Albanese: Yes, of course, but the dehumanisation of the others is not the prerogative of Israel. There is an interesting, very interesting and instructive book by Rashid Khalidi, *The Iron Cage*, that explains how the colonial project, without even mentioning colonialism in that part, but he explains how the land between the early 1900 and until after 1948 the land has been taken from the Palestinians. And it's not that the Jewish migration from Europe... surely, there were persecutions from Russia, Ukraine, and then in Europe, in Nazi Germany and in Fascist Italy and in the Vichy France, pretty much everywhere in Europe, the Jews were aggressed, attacked, discriminated against and threatened. So no question about it.

However, they didn't move to Palestine seeking refuge, they went as part of a colonial project and this is a reality. And this colonial project would have not been possible without the support of the colonial countries. Back then in 1948, between 51 and 54 states where part of what we call the international community. Two thirds of the world were still under... actually more, 3/4 of the world were still under colonial yoke. They had not got independence somewhere would still have to undergo brutal cruel wars to break the colonial ties. And that mentality, that colonial mentality was premised upon the idea of superiority. Colonial European countries were superior, they were the civiliziers toward the others. So, of course, if you read the papers, the documents, the official documents, and if you dig into the archives including the UN archives of those years – or journalists, for example, in the '30s, they would talk of Palestinians as a horde of savages and desert people. And Palestine was a very sophisticated society.

They had fruit- and agriculture-related businesses, and industry, and they were exporting weapons ... sorry, no, they were exporting oranges. I was thinking of your

country. Sorry for distracting you. They were exporting oranges. They had universities. Look at the pictures of the women in Palestine in the early 30s. I mean when I compare them with Italians of those years, it's mind blowing how backward we looked. So I say it was not this backward place, Palestine, in the last, in the first half of the last century. It was destroyed. They destroyed an entire civilization. They fragmented it as a child would do with a cookie. And this people... look at the Palestinians, although 2/3 of them were kicked out at gunpoint, I mean Palestine was ethnically cleansed from the bottom to the end and there are plans that continue to be discovered and documented, but who cares. So there was an ethnic cleansing and many... 500 villages were erased, destroyed. There were 53 or 56 massacres during which women, children, the elderly were exterminated. The Tantura massacre... I mean, there is even the documentary, *Tantura*, where you have former Israeli soldiers laughing about the girls that they had raped for days.

It's not me. Listen to them. And the dehumanisation of the Palestinians continues in this international community that even if we, ordinary people, finally understand Israel as a settler-colonial project, and finally understand Israel as an apartheid state – because a state that rules through military rule over an ethnic group, while it maintains civil law for its own privileged citizens, it's an apartheid state. And so we now understand and still it's not enough. Israel has killed 75,000 people through bombs and other forms of ammunition, and we still don't stop it. Actually there are people, I mean there are governments that say “we sell weapons, we buy weapons, and we will continue”. And you will have to face justice. This is what I say, because this is the response that we have to give to this insufferable hubris and discrimination that is really based on dehumanising the other. So, again, I mean we can talk for hours about that, but I think that this is enough to kick off discussions.

Filip Balunović: How come that after the Second World War we had the Universal Declaration of Human Rights which in a way essentialise human rights saying that, or arguing that human beings are value in itself, regardless of who they are, regardless of their skin colour, whether they have a state or they don't have state, etc. – as an answer to the atrocities of the Second World War, Holocaust being the biggest atrocity of the Second World War. How come that all the things, and you mentioned colonialism, colonial project, you mentioned settler-colonialism which is specifically applicable to the contemporary situation in Gaza and the West Bank, but also to the history of Palestine from the Second World War onwards. What was the response by the international institutions having such document at hand, that human beings are essentially, there is an essential value in them, even regardless of the fact that most of the great powers didn't talk about Palestine as a state.

Francesca Albanese: Palestine has been central to the life of the United Nations since the very beginning. The question of Palestine is one of the first issues that the United

Nations had to deal with as an international question. So it's not that it was not relevant. The way they are... actually in the first documents that you find in the UN archives they talk about the future of Palestine. And after the creation of the state of Israel between 1947 and 1949 it becomes "the question of Palestine". So the question is problematised, it's not about the future of Palestine, the future has already been decided, and it's Israel and what remains of Palestine. Because you remember Israel was created inside Palestine.

When Zionism, this ideology that envisages that Israel is a state, is the biblical land of Palestine, is the... the Jewish people have the only self-determination rights in that land. And when they arrived, when Zionism arrived to the land, the Palestine was inhabited by... 10% of the population was Jews, 70% Muslim, 20% Christian. And while it does change over time ... sorry, I forgot the question... I'm sorry, it's been intense. ...

They knew what Palestine was. They knew what the Palestinians had suffered. In 1948 the Swedish Red Cross, the head of the Swedish Red Cross, Folke Bernadotte was appointed as mediator on the question of Palestine. Because the United Nations had accepted the British proposal to divide Palestine into two. So despite the fact that the Jewish people possessed, had control over 6% of the land, the United Nations divided it into two, proposed to partition it into two: 55% for the Jewish state, 45% to the Arab state. They exported the model that they had tested in this part of the world into the Middle East, dividing people according to ethnic lines. That has always been a disaster, you know that. I'm in the best place to talk about that. But I mean it has not worked. It does not work in India and Pakistan, it does not work in Palestine. And the British had never apologised about that. But still international community had endorsed it and has maintained it. And how it's possible that they told themselves, they recognised human rights while the question of Palestine was in the making, while 3/4 of the international population was under colonial yoke. Because that was a promise.

But we should... as I was saying this morning, we should stop telling ourselves the comforting story that all of a sudden after the Second World War we decided to be good and we entered international treaties and all of a sudden we embraced freedom. It's not true. It took 20 years to many countries in Europe – I won't mention any one because people are sensitive, it's part of the world... I'm not talking about Serbia for once. I was talking about Germany. It took years to recognise what had been done to the Jewish people. Read Primo Levi. When Primo Levi, Holocaust survivor from Italy, wrote "If This Is a Man" – he spoke perfect German and he wanted to check the German version, and the Germans didn't want to publish it, they said that's not true, it's an exaggeration, it's relativising the danger we were facing... You see, so it's not that they had all of a sudden embraced the Jewish people... And it's not like the Jewish people were all of a sudden, after the gates of the concentration camps were open, it's not that all of a sudden people were welcoming the Jewish people. No. The British... the United States

and Great Britain were turning back boats full of Jewish refugees from Europe. This is why... it's clearly, they had no other place to go. This is the thing.

We have passed the Universal Declaration of Human Rights because there were good people. There have always been good people in the system. And this was the promise. There was a moment of weakness, there were millions of people who have been killed, and so we said, okay, probably we have been too brutal toward each other, so let's agree about this. But then the politics do not change as much as the good intentions of good people. And this is why I want to say: it seems to us that this is the darkest moment in history. It seems to us that we are going back. Not really.

Yesterday I was in a podcast where the interviewer told me there is someone who says that the border is no longer a border when you get there, when you get too close to that. Yes, we have reached the limit of the freedom that the system has allowed to us. So it's either we stick to it and we get smashed against the wall, or we broaden the frontier of the space of freedoms and rights. What I'm trying to say is that we have done better. I mean, until 50 years ago there were countries that were practicing torture on a regular basis, were punishing inmates by burning their bodies with boiling oil. There were people of colour kept in zoos until 50 years ago, in Europe. There was segregation, a racial segregation, and there was apartheid.

I'm not saying that all of these has disappeared, but today clearly we have a human rights conscience. So having human rights in the Universal Declaration of Human Rights has inspired human rights treaties. Treaties have been ratified also because of the push of people like us, those who have been fighting for the recognition of equal rights for women, those who are still fighting for recognition of equal rights of women, and the queer community, and indigenous people. The decolonisation wouldn't have happened without people rebelling, rebelling, revolting. And unfortunately in order to remove colonial oppressive regimes, sometimes you need the use of force. Sometimes it's been violent. I'm not saying you should be violent. I'm saying this is what history tells us, that the oppression doesn't leave on its own will. Look at Algeria, it had been brutal, the War of Independence of Algeria, brutal. But why the French didn't get out of Algeria and let them enjoy the independence without... Still today they cannot cope with the fact that they've committed massacres Algeria.

So this is why I'm saying today my hope against this darkness is that people are getting together, they understand that the genocide is not acceptable, that we have responsibility, that it's not normal that countries continue to send weapons to the country which is... to the state which is committing... which is accused of committing genocide, war crimes and crimes against humanity. That's why I don't think that eventually human rights have been essentialised, human rights have been given, put there as a promise,

and as a container that now it's up to us to fill and fill and refill, up to the point we will be all equal, satisfied and free. This is what I think it is about.

Filip Balunović: If we talk about the history and the events in history from this part of the world but also more generally about human rights and the great powers' role... also there is this period between 2008 and 2022 that you mention in your last piece for *Le Monde diplomatique* where you replied to the critiques that you received recently, especially by the French minister foreign affairs and some others. And then for the first time I see these numbers: from 2008 to 2022 there were six thousand Palestinians killed, also 1200 children killed. And in that piece you also mentioned a concept that drew my attention which is the concept of “unchilding”, taking away the childhood from the kids in Palestine. Can you please elaborate?

Francesca Albanese: Yes. Look, if I look at the question... First of all I wrote that article for *Le Monde diplomatique* because I really wanted to put things in context. But I think that the minister of foreign affairs of France had received the right response already by his own people and his own media, so I was fine with it. But just... I thought that it was important to put in context the aggression against human rights people, human rights advocates, human rights defenders, human rights experts, who provoke the fury of those in power more than the fact that some of their homologues are inciting to commit brutal crimes for 900 days and with impunity. I mean I've not seen any reaction of the kind that the French minister of foreign affairs had toward me – for something I didn't say, by the way – against Israeli leaders who were inciting to genocide and ethnic cleansing.

I think that what it boils down to is that colonialism is torture, is – as I argue in my last report which was published yesterday – constitutes a torturous environment for those who live under colonial yoke. Meaning, people are naturally not free, not free to determine themselves – in violation of the right of self-determination. Because what is the right of self-determination? It is the right to exist as a people as simple as that. Which means either you have your own state or you are protected as a minority. Palestinians cannot do that, because they are kicked out of the land and kicking them out of the land means violence. Violence of displacement, home demolition and if they resist, or if they do not resist, they are likely either shot or arrested. And when they are arrested it's difficult that they return to life healthy, as a healthy people.

The Israeli jail system had always been brutal and I have documented it early on in my reporting. And if you look at what it means – life under Israeli occupation, life under Israeli apartheid enforced through military rule – through the eyes of a child you see nothing but despair. And this is why I use this term. That is not my invention, it's by a Palestinian scholar Nadera Shalhoub-Kevorkian. She says Israel, with its domination over the Palestinians, *unchilds* them, deprives them of childhood. Because a child is

forced to live without the tenderness, without the lightness, without the silliness of being a child. But really, the lightness, because they are forced to carry heavy weights that are far too big for their little shoulders. The fact of the fear, the constant fear of going to school and not finding your home when you go back, it's real. The fact that you can be arrested on the way to school or from school or if you encounter a settler or a "terror squad" as the settlers in the occupied Palestinian territory should rather be called.

It's very easy to lose a parent: killed or taken by the illegal occupation army. Because the occupation is unlawful, even the International Court of Justice say that. So it's very difficult to be a child and to grow peaceful and loving. And I don't know how the Palestinians do, because seriously despite all what they have endured they remained peaceful and lovely. And, yes, they have part of their population that has resorted to violence. Regrettable as it is, I continue to say that we cannot tell the story of Palestine as the story of the last 900 days or the story of one day out of 100 years, if you see what I mean.

And the Palestinians... now the *unchilding* has become one of the extreme, if you think that there have been 20,000 children five months ago that have been killed by traumas, or by bombs, or by sniper fire. And then there are... the same number of children who have been left orphans in Gaza alone. We are talking of Gaza. And then there is the same number of children who have lost a limb, at least one limb. I've seen kids with one elbow only left. Or no legs, no arms. I mean there are 700 in there, babies who have remained limbless, without having even crawled one day of their life. And how do you call it? I mean, calling it *unchilding* is extreme, but genocide is a crime intended against the people from their very roots. And this is why I say we've been really fools not to recognise what Israel was preparing for the Palestinians. Because it's exactly from the treatment of children, 700 of them arrested every year for 15 years and we in the United Nations were writing... but everyone, including human rights organisations, were writing reports, recommending Israel to be gentle with Palestinian children in military jails. And this has been... this is the problem. We get used, we normalise the violence to a point that it becomes itself dehumanising of the, in this case of the Palestinians.

Filip Balunović: What are other indicators ... We are talking about genocide and we're talking about different dimensions of genocide, probably the most difficult ones or most sensitive ones being related to the cases you just described with Palestinian children. And you've been struggling as an international lawyer to push international public into direction of accepting that there are, that the indicators for genocide in Palestine are there, are present... There are cases before the international courts. Can you talk a little bit about, in general, the indicators that show us clearly that there is, what you call in international law, the genocidal intent?

Francesca Albanese: Yeah, I wouldn't necessarily talk of indicators. But the Genocide Convention, Article 2 and Article 3, lists the crimes of genocide. But the acts of genocide, what constitutes a genocide is Article 2, which says "the intent to destroy" a group – national, racial ethnical or religious group – as such. "As such", and we'll come back to that. "In total or in part" through one of these acts, that I'm going to tell you, constitutes genocide. So these acts are act of killing, acts of infliction of severe bodily or mental harm to members of the group – as such. Then the creation of conditions of life calculated to destroy. What does it mean: if I leave you without water, without food, without electricity, without medications, while I'm also carpet bombing you, and also telling you "go there" and bombing you there, "come back" and bombing you here – chances are that I am creating conditions calculated to destroy, when I destroy all the means of livelihood.

When I leave two million people without a roof over their heads, when I destroy the health system not only by raiding, by pulverising the hospitals, but also targeting medical personnel, killing over 1,000 health workers, doctors, nurses, specialists. You remove the possibility of people being cured and also you remove the capacity of the system to rebuild itself once the war within which the genocide is taking place is over. And then there is... so the inflicting of suffering, as I said, but also the prevention of birth...

So these acts are crimes in and of themselves, but also constitute genocide when there is the intent through this crimes to destroy a people as such. And indeed this is why lawyers speak of "double intent". So you kill the people intentionally, you deprive intentionally the people of food, water, medications – which are crimes under international law, war crimes. But also you torture people, torture thousands in prison, dozens of thousands, without charge, without trial... These are all crimes in and of themselves. But if behind it there is the intention to destroy the group as such, then you are also committing genocide. So this is the genocidal intent.

The genocidal intent you cannot distinguish it from the identity or the words of the perpetrators, you recognise it from the identity of the victims – they have only one thing in common: belonging to the group targeted for destruction. They can be women, men, old or young or even babies, they can be nurses, doctors, journalists, unemployed, they can be praying or they can be sleeping or they can be fighting... they are all treated the same. An encumbrance to be killed or to be destroyed.

This is the other thing – we tend to confuse, people tend to confuse, so far even the jurisprudence has been very focused on genocide as killing, as mass killing, but even during the Holocaust – and frankly even in this genocide in this part of the world – there are crimes that were not recognised as such because we didn't even have the sensitivity probably as a society to recognise... but raping thousands of women as part

of the war, is it okay? of course not. It is part of the destruction of people as such. This is not just my interpretation. And the thing is, Israel is really showing the colonial pedagogy of genocide, genocide as part of a colonial erasure, because it's saying that, "they have to leave", "they have to go", voluntary migration, ship them to Malaysia, to Africa, who cares, someone will take them, go to Egypt, we'll give everything you need there as long as you're not here because we need the land – the land is ours because God has given it to us.

The motivation of the *genocidaire* does not count, what counts is the fact that they are targeted as such. And genocide is a process, it's not the crime that is committed in one second or one month, it takes I mean it takes planning, it takes dehumanisation, it takes execution... Indeed this is why genocide scholars, especially after the Rwandan genocide, said that in order to have genocide you need to have the intention, but also you look at the reality on the ground and the capacity. Israel had the capacity to commit genocide, this is why the moment International Court of Justice in January 2024 – also recalling the jurisprudence of Bosnia vs. Serbia, in which it said the moment a state has... there is a signal, there is a sense that genocide, act of genocide might be committed, this is when especially states with influence need to intervene and prevent the genocide.

This is the thing, the Genocide Convention speaks of prevention, the obligation – member states have the obligation to prevent, from the moment they know that genocide might be committed. So the January 2024, and then stop and then punish. And nothing of this is still happening. Why? Because far too many states are denying that a genocide is happening and are profiting from it. Some people are dying, others are becoming rich, or just being complicit in genocide.

Filip Balunović: What are other obligations of states under such circumstances of the process of genocide? One of the obligations, and you spoke about it at earlier events, is for instance not to export weapons to the state that is obviously committing the genocide. And you were quite vocal about it yesterday, since we're sitting and talking now in Belgrade, in Serbia, and yesterday you said during your media engagements, actually referring to a country that is not, actually, that is exporting weapons to Israel in spite of its obligation according to international law not to do so under these circumstances.

Actually this is something that was openly and publicly said by the president of the republic in which this space is now. And also in the meantime, now just before the event started, we saw the statement issued by the ministry of foreign affairs of Serbia accusing you of interfering into domestic businesses of Serbia and I would like to give you a chance to respond to these accusations.

Francesca Albanese: I will not respond to this accusations. I will say what I said yesterday and it's... Again, I want to be challenged on the substance, because I have not spoken of something that is an internal business. I mean, it would be if, let's say, the ammunitions sent by your countries were not used to slaughter children in the part of the world that I am mandated to document the violations taking place in. So, if Serbia was sending ammunitions to another country probably I would understand the sensitivities then that someone is resenting my statements. But as a human rights and an international law expert, I have to say it's not correct to say that you are free to send weapons to whomever you want. Not under international law.

There are two things that cannot stay in the same sentence. It's the fact that you are sending weapons to a country, to a state which is accused before the International Court of Justice of genocide – that puts an obligation upon you not to transfer weapons, not to aid and assist in any possible way. All the more because International Court of Justice has declared that the occupation is illegal and until and unless Israel dismantles the occupation, withdrawing the troops, dismantling the colonies and allowing the Palestinians to return, including by paying reparation, member states cannot engage with it, otherwise they are supporting the illegality of the occupation.

So even taking the genocide, putting the genocide aside, it would be problematic for any country to transfer weapons to a state that maintains an unlawful occupation through its military system and so it's likely to use those ammunitions against the occupied people. You see the point. So international law doesn't sit well with this. So international... what I said is that this country – like my own country and other countries which are transferring, selling or buying weapons, selling to or buying weapons from Israel, are violating international law. Including a 2004 deliberation of the International Court of Justice which, in the genocide proceedings instituted by Nicaragua versus Germany, reminded member states of their obligations not to transfer weapons to a state which is committing violations of international humanitarian law. So even if again we take genocide aside, the International Court of Justice has already said that member states cannot send weapons.

So this might be an internal matter too, but for all intents and purposes and as far as I'm concerned it's a problem that concerns international community under the auspices of which I conduct my mandate and I speak. But of course the reason why I'm telling you this is because this genocide is not going to be stopped by the current governments. Can we be honest about that? I mean I always tell myself that had I been born 100 years ago, I would have not been silent and this is the proof that what I say is true. Have they been born 100 years ago, had I seen what our ancestors were doing to the Jewish people and others, I would have not been silent and this is why I cannot be silent today while another genocide is committed. And it's committed with the complicity of the very international community that has promised "never again".

Filip Balunović: In spite of pressures and in spite of the fact that many states are run by people who are not willing to interfere too much on the side of those who suffer in Palestine, there is a huge international wave of mobilisation for Palestine. These people, these activists are often faced with state violence, police violence and brutality. How do you comment...? And we spoke about it a little bit yesterday as well, even in let's say in the second part of the 20th century, we had many wars against which the international mobilisation was active.

This time... there are in your home country, in Italy, we witnessed mass demonstrations, even organised by trade unions, and it was really impressive, the images from Italy went all over the world, including Serbia. What is your... I mean, how do you see this? Is this an important element of the encouragement? And I know that you are getting encouragements on a daily basis from people who share your... actually who support not only you but the cause. Is that... How important is this international, transnational mobilization for Palestinian people?

Francesca Albanese: Okay let's be very honest. I mean I know that... I know that I'm pretty active... I mean, in the UN bureaucracy I'm quite atypical. However it's not because frankly I enjoy going around the world trying to awaken people's conscience instead of enjoying my beautiful family. It's that they feel the urge of this time. I feel the horror of this time. I see people dying, people being slaughtered, I mean as we speak. When you hear what I have to say to the Human Rights Council next week, when I will lend my voice to the torture survivors who continue to endure the practices that have been documented. Because it's not that I can use the past tense, you will understand.

So I've been asked by the Human Rights Council to monitor, to document and report on the violations committed by Israel in the occupied Palestinian territory and to engage in activities that are... that may help this mandate, which eventually aim to advance the protection of human rights. I mean it's not the cause for me it's really a UN commitment, and naive as I might be I really believe that we need multilateralism, we need to be protected by this agreement that member states on the basis of reciprocity accept to limit the use of force in order... and think twice before waging a war. This is the multilateralism that is being broken, but this is a multilateralism that has also revealed the finally, not, like exposed the limitations it has.

The fact that it has never been an equal system it's been for eighty years an unequal system. Because when the Security Council is not made of equal members, but there are five who can use their veto power. Who are you in 2026 to exercise the veto powers? So this is an aberration. It's an anomaly in a system that calls itself democratic. But again we are not going to change that... I mean, that system is not going to change by itself. Because those who have privilege rarely turn into good Samaritans and give that privilege away.

It requires always a shock, some cultural shock or some revolution, to push that border I was referring to before, a bit forward. And I think that this moment has the potential to provoke that revolution that make us more human. We are who we are, better than in the past because there have been people who have fought the system, who have spoken truth to power. Otherwise the slave trade would have not been... I mean, I'm not saying that it was abolished because all of the sudden the entire world was horrified. No. But there were people that made it very costly, pushing for the abolition of the slave trade, and they did the same for the abolition of slavery, and then for the abolition of racial segregation... As I was saying before, every right that is codified as a human right is not the legacy of a gift that we have received from states. It is the recognition of the sacrifice of hundreds, thousands and millions who have fought and died in order to correct the injustices.

And today we are at the point where we are called, we are being tested. We are... it's clear that Gaza has unveiled the reality. We live in a world where double standards are not only committed here and there, I mean, this is the institutionalisation of double standards. Today you have a German official saying that a given country cannot invoke international law because... Who are you, Germany, to say a country cannot invoke the international law? And again, I mean, I have no sympathy for a regime who has killed thousands or tens of thousands of its people between December and January, the Iranian regime. But at the same time, excuse me, this is not a cause for aggression. So there are dictatorships with which the Western countries are fine and others that are not. And it happens that those who stand against Israel are those who are punished the most. This is the reality. It has happened to Iraq, it has happened to Libya, it's happened to Syria.

So this is why I'm saying we live in a very difficult moment which has the potential to provoke a change, but the change needs us, needs people, conscientious people realising what's the problem. That the reason why the genocide has not been stopped is because, as I said, our governments are helping it. How come despite the pressure, how come that the UK, Germany, France and Italy have been among those who have suddenly repressed fundamental freedoms like freedom of expression and freedom of association the most, because people have been taking to the streets were asking for the end of a genocide, for concrete measures. And this is the thing, this is a system, system that connects center of powers to Israel, and Israel could have not been committing these crimes alone.

So a government... I'm talking of my own country – that despite the huge protest, the strikes and everything, instead of dealing with the request coming from the masses, from the millions of Italians who have taken to the street in solidarity with the Palestinian people, passes a law that criminalises freedom of expression. Because basically it says,

it conflates critic of the state of Israel with antisemitism. So what I'm saying, if the law is passed, the law the parliament is considering is passed, I will have committed a crime.

And again, it's more work for us because we will have to challenge this law and bring it to court and the court will consider it unconstitutional. But you see how much effort it takes. So what does it mean, that, guys, we need to take care of politics. This is not something that can be done by procurement, we need to check on the people we elect in general. And look at us – I mean, European Union, you are still outside so I cannot even blame you for that – but us, Europe, look at the leaders we have. You have millions of Europeans who protest against the genocide, and we keep on through our leaders, on celebrating and recognising the *genocidaire*.

So I think that it's critical that we understand how strategically we can win this over. And I think that first of all we need to inform ourselves better about Palestine. And it's not difficult. Today it's much easier. Israel is understood as an apartheid state – five years ago it would have been impossible, now it's better understood, better documented as a genocide, look at what Israelis themselves have to say. Please, invite Israeli activists here. Invite those who have written the report which is called "Our genocide" and ask someone in the ministry of foreign affairs to read it please. You don't want to talk to Special Rapporteur? Fine. Talk to the Israelis.

We need to unite, we need to have one conscience, we need to understand the world that we want. For me, it's quite easy. And it's not about being from the left parties and right parties, doesn't matter, everyone, every decent person from the right to the left should be against the slaughter of kids. Can we agree that killing kids, or making kids intentionally orphans and homeless is wrong? And if it is wrong we need to stand against Israel for what it does today. I am not calling for the destruction of the state of Israel, absolutely not. I'm calling for Israel to behave according to international law. I think it's possible. Am I the only one who imagines that Israel can behave other than as an apartheid state? But we cannot tolerate that member states defend an apartheid state. Not in 2026.

So there are concrete actions that can be taken. Citizens can boycott. Must boycott, must boycott products that are connected to the occupation and must put pressure on the businesses that are involved in the economy of the occupation, that have... I have documented by the BDS – the "Boycott, Divestment and Sanctions" movement – it's the largest Palestine-led movement worldwide, and it's really helping map the companies. And also look at where you keep your savings – don't say that you don't have savings – I mean even small savings are invested by our banks. Make sure that they are not invested... this is when people start venting that they have no savings... It's okay let's keep it for later...

But for those of you in this country who have savings, let's make sure that they are not invested in war related activities. And the reason why I say that this is not done for Palestine, it's for us, it's for all of us. Trust me, it's evident that whatever is produced and whatever is happening to Palestine, will not stay in Palestine. The weapons, the containment technologies, the unconventional weapons that are developed and used to annihilate today the Palestinians, might be used one day against you or against people in this country especially the refugees and asylum seeker communities, who will be the first victims of these containment strategies that have been tested in Palestine. And of course there are so many other things that can be done but we can talk about that as we go.

Filip Balunović: Now you mentioned businesses which is something that you extensively write about in your report on the economy of genocide, where you list the companies that in this way or another are supporting the genocide, and you are actually urging for them to be accountable as well. But you also mentioned that we should look at our leaders, we should try to keep them accountable. On the other hand many authors nowadays write about this so-called global war regime, so we can talk a little bit about the present moment in which the picture doesn't look that bright, not only for Palestinians but for many peoples and nations in countries around the world. Regardless of whether we are talking about Venezuela, or Iran, or Lebanon, or Palestine, and we are just wandering who is going to be next.

It seems that Cuba could be next. Under such circumstances, how do you find strength? Do you see any people among leadership of certain countries – first to my mind is the Prime Minister Sanchez in Spain – but also, let's say, the progressive line of the Democratic party in the United States, Alexandria Ocasio Cortez, or new mayor of New York, and Bernie Sanders, of course. Do you see this possibility of new political figures coming to power in different countries and becoming leaders of the change you were talking about?

Francesca Albanese: Certainly there are European countries like Spain and Slovenia that have really behaved... I mean, Slovenia was I think the first country in Europe, or among the first countries in Europe who... Much respect for Slovenian people. But also the authorities. I mean I was received by the president and the prime minister, a number of ministers, and they're amazing, they're really responsive... So you see, I mean, I told them "greatness doesn't come with size". So it's "power doesn't come with size" in fact. These are also governments that can say what they say, surely they have principled leaders. Having someone decent in power is a good start.

I understand that sometimes – I'm talking about my country – sometimes it's difficult because we have ministers who say we have international law up to a certain point, who cares about international law, this is the concept. So it's disgraceful to have leaders who

speaking this way, because it means that they don't even understand the constitution that the country has. However, these leaders in Slovenia and in Spain can say what they say also because they have a strong population behind. It has been really for two years, not only taking to the streets, but taking concrete actions.

You have had Spanish lawyers suing companies – CAF, which is a Basque company that was helping to build the railway in the occupied Palestinian territory for Israel. And they have extraordinary coordinated dock workers who have committed not to be serving as ports for goods directed toward the occupation and the places of genocide as Italians have done. So what I'm trying to say... or the scholarship, the scholars in Spain have been phenomenal. So each part of the society has done what they had to do, no one has been silent. Even when the government was not among those that denounced the genocide. I mean, Sanchez has been amazing, but he has become increasingly vocal because he knows that he has a strong country that demands it to be principled. And this is why I say the same should happen to us.

I mean this country, I don't know if this is something that it's necessarily understood here, but everyone was looking at you during the students protests that became national protests, and it's been amazing to see over one year and a half this sustained action, whatever the reasons have been – because then they say that I interfere with internal politics – I'm not talking about the reasons you are protesting for. I'm saying the fact of sustaining with sacrifice, helping each other, providing food, providing means to each other, this is what I mean by acting organically, organically as a body. A body is made of different limbs, of different organs, but it functions with one brain and one heart and moves all together, hopefully protective toward itself.

And this is the test for humanity that starts in every place. In Serbia, are the Serbian people able to stand together – the scholars, the constitutional experts, the parliamentarians, the journalists and the activists and ordinary citizens – are they able, also remembering that this country as well and the Serbian people themselves have experienced the torment of being dehumanised across history, several times. And also in order to turn the page with the past, because I say really Serbia has already been associated with genocide once. Why not use this as an opportunity to say no, I really stand against this. Yeah, I think that you have all the reasons not to be associated with this genocide. But if you want to do that, you need to act. You cannot just criticize your government. I mean it's upon all of us to play a role and this is a test that will allow us as humanity to get out of the genocide better than we have entered. Because in any case if it doesn't happen, the world that awaits for us out there will be much worse than what we have today.

Filip Balunović: I think this might be a good moment for opening the floor for the audience and for questions from the audience even though I have difficulties to see you...

Audience member: Hello, my name is Duška, I am an archaeology student at the Faculty of Philosophy, at the University of Belgrade, and my master thesis is actually connected to destruction of cultural heritage and breaking the Hague Convention (for the Protection of Cultural Property in the Event of Armed Conflict) in occupied Palestinian territories. So... thank you. My question for Francesca is, in your opinion, does international law currently recognise the destruction and appropriation of cultural heritage in occupied territories as a structural component of colonial domination or is it still treated merely as isolated war crime and can we call the destruction of cultural heritage and history also as the means of committing a genocide?

Audience member: Good evening. You talked about how arm struggle is inevitable under colonialism, but you did call Palestinian armed resistance regrettable... so I was just wondering if you can talk a bit about the equation of violence the oppressed and violence of the oppressor, if armed struggle is codified under international law, why condemn Palestinian resistance?

Audience member: Hello, my name is Vladan, I am a member of Queer Zbor Beograd, which can be translated as 'queer citizen assembly of Belgrade'. At the moment we are doing a small campaign about boycotting Eurovision because of Israel's participation... thank you. And I wanted to ask you to talk a little bit more about how Israel is using culture in general to promote itself in other countries internationally. How it's using its forces within academic community, within arts etc.

Francesca Albanese: So the destruction of cultural heritage and places of historical relevance is a crime under international law. It's clearly a crime, is a war crime and it can be part of genocidal conduct in a sense, it's not an act of genocide itself. In fact, the Jewish scholar who coined the term genocide had very clear in mind that the genocide was a sort of endemic to settler-colonial regimes, because settler-colonialism erases the people and their culture. But this was not codified as part of the crime of genocide. Why? Because in 1948, 3/4 of the world were still colonised. And settler-colonialism was part of it and surely some of the signatories, France, Great Britain and others would have not wanted to sign off to a document that could incriminate them.

And this is why the definition of genocide is quite narrow compared to how genocide is described in other disciplines, like by anthropologist, by historians... But I think that this is going to change. This is why I've, together with other special rapporteurs, we are investing all we can in order to provide a correct, adequate and fitting legal reading of the situation so as to help the doctrine develop and allow legal categories to serve and to protect human beings instead of narrowing them. Because judges tend to be quite

conservative in order to have progressive jurisprudence you need to have progressive states. The reason why the Israeli occupation was declared illegal with such a firm and strong analysis, is because 60 states had made submissions. So the court was sure that was not just the law, but state practice. And the genocide jurisprudence of the International Court of Justice is not very developed. There are two cases that have been dealt with, now a new one with Myanmar, and the fourth one with Palestine. So this is why I think we need to try to advance as much as possible the debate, and we need to talk about that.

I'm really glad to see researchers, young researchers and students devoting their time and their focus on this. Particularly because – and this is something I say as a legal scholar, as a legal expert – we lawyers, but this is something that even doctors, do in the pursuit of rigor we tend to specialise ourselves on a given topic that then doesn't let us understand the rest. So you have those specialised in genocide, those specialised in economic, social and cultural rights, who do not necessarily understand civil and political rights, and then... No, the protection of the human being, we need to have as lawyers a people-centered approach.

Human rights are for people to enjoy, not for academics to write books about. I was saying today it's great that the protests were started by students, but shouldn't have been continued or led just by students, it should have been also supported by other parts of the people. If they were, as I understand – and here I'm getting in trouble with the government – so let me give you the example of Italy, when I say why academics are not taking a stand in support of the students in the encampments? So it's okay to write extensive books about human rights, but then when this young folks are trying to make sense of what you are teaching, you say “oh, I need to be neutral”. So change profession, do something else.

But at the same time I also have a sort of critique for the solidarity movement, because ... I didn't condemn the armed struggle at all, and I'm surprised that this question is asked, because I've taken so much garbage for what I say about arm resistance. But I can take garbage from everywhere. Including the fact that armed resistance exists as protected in the international law as many other rights. I mean there are rights that are much more protected than armed resistance and are violated. The right of self-determination is an *erga omnes* obligation, okay, so member states should intervene every time the rights of self-determination of a people is undermined. The right to resist is the flip side of the right of self-determination, like the right to defend itself is the flip side of sovereignty.

However the right to resist does not justify the killing of civilians, like it or not. And if there was not such clarity in international law about the fact that civilians cannot be killed I couldn't say what I say that nothing that the Palestinians have done on October 7

justifies what Israel has done before and after. The thing that is very critical, because you asked me about the equivalents. I don't do any equivalents, I mean I have always said that an illegal act of the resistance doesn't delegitimise the resistance itself. While an illegal act of an illegal occupation keeps on piling up the list of crimes that have to be reviewed, investigated and adjudicated before an international court or national courts. So it's clear that I'm not creating even a parallel or pushing for equivalence, no. But civilians are civilians and can never be touched. This is the main point.

I was smiling when you asked the question about whether I had in mind any activities of where the state of Israel is promoting cultural appropriation in foreign countries. Look at where we are. I mean in this place there is, how do you call it, the Falafel festival? People, do you know where the falafel comes from? It's Palestine. I mean, the moment you take money for an event funded by the Israeli embassy, and it's called Falafel festival, you are not only taking money from an embassy whose state is committing genocide, war crimes and crimes against humanity, you're also contributing to the erasure of the Palestinian people. Because the Palestinian food is one of the things that is being sold by Israel as part of the colonial erasure of these people. Like it or not.

And this is not even new, because the film industry, the arts scene... and this is not just Israel. Do you remember the Hollywood movies during the 80s, Rambo or... what was the other one... Rocky. I mean, talk about the politicisation of a movie. Everything was crafted so that you could hate the Other. And it's been done through filmography, look at the... no, don't watch "Fauda" – but there are some TV series that are made to hate and despise the Palestinians. And it has been in the arts, it has been in filmography, it's been in the literature, it's been everywhere.

But the point is... I respect arts. You want to produce and celebrate the Israeli military, do this. But then let the possibility... as an artist you have the right to do that, but it's you, ordinary citizens, that have to choose whether to support it or not. This is the thing. I'm not for cancelling, promoting cancel culture, I'm just proposing not to accept funds from organisations or from the emissaries of the state of Israel which are clearly using their influence and their power in order to silence, including the solidarity with the Palestinians.

Audience member: Hi everyone, hi Francesca. My name is Siniša, I work for the United Nations as a business and human rights advisor. Last year you published a report on the role of businesses supporting the genocide. For those who are unfamiliar with your report, can you tell us just a bit about which businesses you were talking about; how we as citizens should treat those businesses and try and holding them accountable; and what effect of your report has been near the year onwards on those businesses, whether there's been any effect in terms of their support to the genocide. Thank you.

Audience member: Buonasera, dobro večer and good evening. Thank you very much. My name is Giorgio Andrian, I'm an Italian living here and working for UNESCO in various countries of the world, including Palestine. By the way, UNESCO is the only UN body that fully recognised Palestine as a member state. So thank God not all international communities are the same. And I had the big privilege to work there to protect the properties that are listed in the world's heritage list. It's amazing job. And I'm teaching at the Bethlehem University, cultural diplomacy. I'm here to thank you on behalf of all my students there are resisting there, fixing the Nativity church day by day, hoping that you will come to see us soon, and giving the big message like in the book *I Saw Ramallah*, you know. Because when someone is being unrooted, is unrooted forever. Grazie mille.

Audience member: Hi Francesca, my name is Katarina, I am a co-founder of the podcast called the Peace Room and what we deal with in our podcast is try to explore diplomacy as well as community-led and grassroots peacebuilding. I would like to ask you more about what's happening on the grassroots level right now, are people collaborating, are there initiatives in Palestine, in Israel, actually advocating and how large is it? How are people really doing on the ground? And please come to my podcast.

Francesca Albanese: I'll try to be really brief. I've been investigating the genocide for two years now. First, I took an x-ray of the military acts and the military conduct and why it could constitute acts of genocide. And then after six months things have not stopped and I said, okay, just let me explain why it's a genocide, because Israel is planning to ethnically cleanse the land and in the meantime it's committing war crimes, crimes against humanity and also acts of genocide. I kept on wondering why it is that genocide doesn't stop and one year I produced two reports. One is, the last one, the report looking at the conduct of states, over 60 states have provided political support, military support and economic, financial support, ideological justification to Israel. This is why I say Gaza is a collective... what happens in Gaza is a collective crime. It bears the fingerprints of all of us, through our states.

However, there is something worse, and I get to the point of your question, which is Israel has maintained an economy of occupation and this is something that... This report could have been written decades ago, with the different scan that this economy has been strengthened over the past two years plus, becoming economy of genocide. And the thing is that while the costs of the war were rising up, where 6000 Israeli businesses were shutting down, where part of the Israeli population was suffering attacks from Lebanon and so with people being displaced people, from the south also being displaced. How come the Tel Aviv's stock exchange kept on rising for 213 percent compared to where it was in late September 2023? If you start digging, you understand why. So Israel first of all uses the private sector to displace and replace the

Palestinians. And this has not been costly for the Israelis. For example, the military system, the military industry has been used to force the Palestinians at gunpoint, using violence, to leave their lands, that have been then expropriated and protected from their return. This is in the occupied Palestinian territory.

And then Palestinians have been contained and surveyed and then once they've been displaced, they have been replaced by... where their villages were, colonies were built. And this has meant using cement, building the infrastructure, the water grid, electricity grid, roads that connect like 300 colonies in the West Bank alone and they're connected to Israel. So this 400 kilometres of road cut the occupied Palestinian territory, leaving Palestinians unable to connect. And so it's really an archipelago of places where they live segregated, discriminated, marginalised and dispossessed. And again there are companies behind it. So companies, the private sector has some standards – these are not obligations – but still, they are obliged to divest or not to be associated with... not to cause and not to contribute to human rights violations. If they do, they need to face consequences.

And the consequences are of three types: either the states take action against them, or the citizens take legal action against them – very costly, but still it's a strategy; the other thing is putting pressure on them, divesting, using the power of your pocket and this is why I was so determined to write that report. I've collected information about 10,000 entities, not just the military companies, construction companies, car companies, bus production companies, surveillance systems – most of them are Israeli, but not only, think of Palantir, think of the big tech: Google, Amazon, Microsoft... – and banks, pension funds, and universities. And NGOs. And then I picked some, that seem to be really well ingrained among themselves, to explain the system. But it's very rich. If my report "From economy of occupation to economy of genocide" is taken as a [complete] list of businesses I would have failed. Because I only showcased 48 of them. But look at the work of BDS movement, it has a list of all companies we should boycott, and all banks where we should not keep our bank accounts in.

Knowledge is power because then it can lead us to put pressure. How is has been received? It has been received with an applause by the Human Rights Council, which has surprised me. It has been received with great support by the civil society. I've been sanctioned by the United States for that, because I've been accused of being a threat to the global economy – which tells you how powerful this report was. But the point is I have to say that to an extent I'm disappointed because I'm taking so much risk upon myself and my family. And I'm not playing the martyr here, it's true. This job is voluntary. What am I doing it for? I mean, I'm insulted every other day, my reputation in certain corners has been ruined. I'm just a lawyer who analyse and writes boring rewards. I should be protected by member states, but they insult me because I put them in front of a mirror. But then why do I do that for? Because there is someone who needs to act.

And I'm surprised that with all the people standing in solidarity with the Palestinians, we have not been able to put pressure even... I'm not saying Google and Amazon, because I understand how comfortable they are. Although it's our responsibility to use alternative services, because they are part of the problem and not just in Palestine. But the point is that even Airbnb and booking.com... I'm sure that in this room there are people who have used Airbnb and booking.com... "ah, just one time", ok, some of you, but sure there are others. The fact that Airbnb has not divested from occupied Palestinian territory proves that I'm right. For me that was a low-hanging fruit, because it's not that I'm asking you not to use your email anymore, God forbids. No, just use another way, do like your parents used to do. It's not that your parents didn't go on holiday. We need to renounce a little bit of our comforts so that an entire people doesn't have to renounce everything they have.

Filip Balunović: I think I will say this on behalf of all the people who are in this room: it's been an honour hosting you in Belgrade, Francesca, thank you very much.