Unprecedented: Haley-Backed Candidate for Key UN Human Rights Committee Fails to Win Seat

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By [Patrick Goodenough](https://www.cnsnews.com/author/patrick-goodenough)

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United Nations member states voting by secret ballot Thursday to fill nine vacancies on a key human rights treaty body sidelined a U.S. candidate who, as a war crimes prosecutor, successfully secured the first genocide conviction in history.

In an election in which 16 candidates contested nine vacancies on the U.N. Human Rights Committee, Pierre-Richard Prosper was unsuccessful. Candidates from Albania, Chile, France, Greece, Guyana, Japan, Slovenia, Tunisia and Uganda were voted in.

Prosper’s candidacy had the support of U.S. Ambassador to the U.N. Nikki Haley, who earlier this month hosted a reception in his honor.

“With a pristine record confronting our world’s most pressing civil and political rights issues, he will be an important voice on the Committee,” she tweeted afterwards.

The committee in question, the Human Rights Committee, is a body of 18 independent legal experts who review countries’ compliance with the International Covenant on Civil and Political Rights (ICCPR).

The U.S. ratified the ICCPR in 1992, and since 1995 the U.S. has always held one of the 18 seats on the committee. Thursday’s vote outcome means that will change for the first time, with effect from the beginning of next year.

The Human Rights Committee is based in Geneva, but should not be confused for the U.N.’s better-known and often controversial Human Rights Council, also based in Geneva, which comprises 47 member-states. (The Trump administration has threatened to quit the Human Rights Council, citing anti-Israel bias and a membership that includes rights-abusing regimes.)

Candidates for the Human Rights Committee are put forward by their countries, and are voted for, in a secret ballot election, by the 169 U.N. member-states that are parties to the ICCPR.

They serve four-year terms, and the committee holds three three-week sessions a year, meeting either in Geneva or New York.

Its members are required to be “experts of high moral character and recognized competence in the field of human rights.”

Prosper, the Denver-born son of physicians who emigrated from Haiti, prosecuted gang-related murders and international drug cartels as Deputy District Attorney and Assistant U.S. Attorney in California before serving as prosecutor at the International Criminal Tribunal for Rwanda in 1996-1998.

As lead trial attorney, he successfully prosecuted the [first-ever defined case of genocide](https://www.ushmm.org/wlc/en/article.php?ModuleId=10007157) under the 1948 Genocide Convention, persuading the tribunal in the process to recognize rape as an act of genocide and a crime against humanity.

Prosper went on to serve as policy advisor to the first U.S. ambassador-at-large for war crimes, in the Clinton administration, and then was himself appointed ambassador-at-large under President George W. Bush, serving under Secretaries of State Colin Powell and Condoleezza Rice.

After 9/11, he played what the Bush State Department described as “a key role in the war on terror,” and was chief negotiator and lead diplomat for the U.S. in engaging nations regarding their nationals captured in combat and detained at Guantanamo Bay.

He has also served a five-year term on the U.N. Committee on the Elimination of Racial Discrimination, and is a [partner](https://www.arentfox.com/attorneys/pierre-richard-prosper) at the law firm Arent Fox LLP, where according to his biography his work “centers on international government relations and trade, mediation and internal assessments, and investigations on behalf of government entities and companies.”

In 2010, he helped to [secure the release](https://www.cbsnews.com/news/ca-man-home-after-release-from-iranian-prison/) of an American businessman held in Iran.

Prosper was a member of former Massachusetts Gov. Mitt Romney’s foreign policy team in the Republican nominee’s 2012 presidential election campaign, chairing a human rights working group. In the 2016 election he supported former Florida Gov. Jeb Bush’s campaign for the Republican nomination.