

Testimony of Keith M. Harper  
Nominee to be Representative of the United States to the  
United Nations Human Rights Council  
Senate Foreign Relations Committee  
September 24, 2013

Chairman Boxer, Ranking Member Paul, and distinguished Members of the Committee, thank you for the opportunity to appear before you today as President Obama's nominee to serve as the United States Representative to the United Nations Human Rights Council. I am honored to be here and am grateful to President Obama and Secretary Kerry for their confidence in nominating me for this important position.

With me here today is my wife and partner, Shelby Harper, as well as three of our four children, Nailah, Arlo and Elsa. I want to thank them for their steadfast support today and always.

I have spent many years as an attorney defending the rights of Native Americans domestically and seeking protection for indigenous peoples internationally. I spent the majority of my career at the non-governmental organization, the Native American Rights Fund, prior to leading the Native American Practice Group at Kilpatrick Townsend, an international law firm. This experience has instilled in me a deep and abiding commitment to protecting and advancing the human rights of all individuals, not just Native Americans and indigenous peoples, but also women and girls, LGBT individuals, human rights defenders, persons with disabilities, journalists and individuals who are members of many other groups whose rights are far too often denied around the world.

As an attorney and a litigator, my practice has afforded me the opportunity to hone my skills as an advocate. Whether in negotiations or in presenting a case in court or other fora, I have gained skills and capabilities which should serve me and my country well should I be confirmed.

The United States has long been a vocal champion of the rights enshrined in the Universal Declaration of Human Rights, driven not only by the founding values of our nation but the conviction that international peace, security and prosperity are strengthened when human rights and fundamental freedoms are respected and protected. The promotion and defense of these values has been a cornerstone of the Obama Administration's foreign policy. That commitment is perhaps no more evident than in the Administration's decision to seek a seat on the Human Rights

Council in 2009 and then successfully campaign for re-election to the Council in 2012. Through its membership on the Council, the United States has helped it to take action on some of the world's worst human rights abusers, championed the human rights of the most vulnerable, worked to address the Council's structural bias and highly disproportionate focus on Israel, and reached across traditional blocs and geographic divides to foster widespread support for U.S. priorities.

It is critical that the Council meet the high standards we place on it. The criticism of the Council is well known and not without merit: a persistent, structural anti-Israel bias remains, and some states with poor human rights records still gain membership or avoid Council action.

Despite these shortcomings, U.S. leadership at the Council has demonstrated the importance of engagement and the benefit of working within the system to effect positive outcomes that advance U.S. interests. In the past several years there have been numerous examples of real progress at the Council. For example, shortly after joining the Council, the United States assembled a cross-regional group of sponsors to create a Special Rapporteur on the rights to freedom of peaceful assembly and freedom of association -- the first new mechanism focused on a fundamental freedom at the HRC in 17 years. The United States played a leading role in the effort to create the Special Rapporteur on the human rights situation in Iran. The United States worked with a broad coalition of international partners to create a Commission of Inquiry to investigate the gross, systematic human rights violations of the Qaddafi regime against the people of Libya and more recently another one to focus on the horrific human rights abuses in North Korea.

The United States also worked strenuously to pass resolutions that protect the fundamental freedoms of expression and belief. In addition, the United States was instrumental in helping pass the first UN resolution recognizing the human rights of LGBT persons. The United States has also been the catalyst for efforts to address the deteriorating human rights situation in Syria: the Council has passed 11 resolutions on Syria and has set up a Commission of Inquiry that is providing invaluable reporting about ongoing atrocities. As the range of these issues illustrates, the Human Rights Council is a critical venue for addressing some of the most persistent threats to human rights around the world. Strong U.S. leadership at the Council is vital to its continued success.

In my estimation, there is no greater honor, no greater calling than to have your President ask you to serve your nation. I recognize that I owe much to the opportunities this country has afforded me. If confirmed by the Senate, it would be

an honor and privilege to serve my country in this new capacity. If confirmed, I will work every day to solidify and advance the progress of the past four years and ensure the United States remains a leader at the Council. I will continue to look for new partners who share our values and are willing to work across and outside the traditional voting blocs that have stymied the work of the Council in the past. I will forcefully defend our ally Israel from the unhelpful and disproportionate attention it too often receives and work to ensure our goals and national interests are not derailed by those who seek to deflect attention from their own records by turning attention to others. I look forward to working closely with this Committee to advance our shared priorities and values at the Council, to further our national interest, and to proudly present our sterling human rights record that is core to who we are as a people and as a nation.

I deeply appreciate your consideration of my nomination. Thank you and I will be happy to answer your questions.