

# UN 'will not pay' for Haiti cholera

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The United Nations has said it will not pay hundreds of millions of dollars in compensation claimed by cholera victims in impoverished Haiti, where an epidemic has killed thousands of people and been blamed on UN peacekeepers.

Cholera - an infection causing severe diarrhoea that can lead to dehydration and death - has killed some 7,750 Haitians and sickened almost 620,000 since October 2010. It occurs in places with poor sanitation.

In November 2011, the Boston-based Institute for Justice and Democracy in Haiti filed a petition at UN headquarters in New York seeking a minimum of \$100,000 for the families or next-of-kin of each person killed by cholera and at least \$50,000 for each victim who suffered illness or injury from cholera.

UN secretary general Ban Ki-moon's spokesman Martin Nesirky said the world body advised the representatives of the cholera victims that "the claims are not receivable pursuant to Section 29 of the Convention on the Privileges and Immunities."

Under Section 29 the United Nations is required to make provisions for "appropriate modes of settlement" of private law disputes to which the world body is a party or disputes involving a UN official who enjoys diplomatic immunity.

The Institute for Justice and Democracy in Haiti said it was disappointed by the UN decision and would now pursue the case in court in either Haiti, the United States, or Europe.

"It's also disappointing that it took them 15 months to come up with a basically one line rejection that was probably what they would have done had they responded the day after they received our complaint," said institute director Brian Cocannon.

"The UN is passing up an opportunity to stop cholera's killing," he said. "The UN is passing up an opportunity to provide leadership in advancing the rule of law."

An independent panel appointed by Mr Ban to study the epidemic issued a May 2011 report that did not determine conclusively how the cholera was introduced to Haiti. But the US Centers for Disease Control and Prevention in June 2011 found that evidence strongly suggested UN peacekeepers from Nepal were the source.

Mr Ban phoned Haiti's President Michel Martelly yesterday to tell him of the compensation claim decision, Mr Nesirky said.

Haiti is also still struggling to lift itself from the rubble left by an earthquake in January 2010 that killed about 300,000 people and left more than 1.5 million homeless.

"The United Nations and its partners have worked closely with the people and Government of Haiti to

provide treatment, improve water and sanitation facilities, and strengthen prevention and early warning," Mr Nesirky said in a statement.

"The Secretary-General again expresses his profound sympathy for the terrible suffering caused by the cholera epidemic," he said.

Mr Ban launched a \$2.2 billion initiative in December to stamp out cholera over the next decade in Haiti. He said Haiti needed \$500 million to implement the first two years of the initiative, which will also address the spread of the cholera outbreak to neighbouring Dominican Republic.

Haiti's prime minister Laurent Lamothe told Reuters in September that the epidemic was "regrettable" but had been brought under control.

## **Reuters**

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