

Haiti group demands UN pay for cholera outbreak

November 9 2011, By TRENTON DANIEL , Associated Press

(AP) -- A human rights group said Tuesday it has filed claims with the United Nations seeking damages on behalf of more than 5,000 Haitian cholera victims and their families.

The claims filed by the Boston-based Institute for Justice and Democracy in Haiti argue that the U.N. and its peacekeeping force are liable for hundreds of millions of dollars for failing to adequately screen peacekeeping soldiers.

They cite a range of studies that indicate the infected soldiers caused the outbreak when untreated waste from a U.N. base was dumped into a tributary of Haiti's most important river.

"The sickness, death and ongoing harm from cholera suffered by Haiti's citizens are a product of the U.N.'s multiple failures," the complaint reads. "These failures constitute negligence, gross negligence, recklessness, and deliberate indifference for the lives of Haitians."

Cholera has sickened nearly 500,000 people and killed more than 6,500 others since it surfaced in Haiti in October 2010, according to the Haitian [Health Ministry](#). Evidence suggests that the disease was inadvertently brought to Haiti by a U.N. battalion from Nepal, where cholera is endemic. A local contractor failed to properly sanitize the waste of a U.N. base, and the bacteria leaked into a tributary of one of Haiti's biggest rivers, according to a study by a U.N. appointed panel.

The disease spread throughout Haiti because of [poor sanitation](#), and the country now has the highest cholera infection rate in the world.

There had been no documented cases of the disease prior to its arrival, and medical workers say the disease is likely to become endemic.

Cholera is caused by a [bacteria](#) found in [contaminated water](#) or food, and can kill people within hours through [dehydration](#). It is easily treatable if caught in time.

The Institute filed the petition on Thursday with the Office of the Secretary General in New York and with the claims unit for the mission in Port-au-Prince, said Brian Concannon, an attorney who is director of the Institute.

Concannon said he hoped the U.N. mission would set up a tribunal to evaluate the claims. He also said he hoped the U.N. force would create a lifesaving program that would provide sanitation, potable water and medical treatment. He also said he wants a public apology.

"We're obviously hoping that the U.N. will step up and do the right thing," he said by telephone.

If that doesn't happen, the group plans to file the claims in a Haitian court, he said.

The petitioners include families who saw breadwinners die from cholera, and the Institute said some families spent their life savings and went into debt to pay for funerals.

The Institute is also seeking a minimum of \$100,000 for each bereaved family and \$50,000 for each cholera survivor.

U.N. spokeswoman Sylvie Van Den Wildenberg said she was aware that a group was planning to file the complaint, but couldn't confirm that a claim presented to her was the same one officially received by the United Nations.

"In any case, the petition, when it is received, should be transferred to the legal office and headquarters," Van Den Wildenberg said.

Moving forward on the case could be tricky.

The U.N. has immunity from national courts but "one would hope that the Secretary General would address this with great moral seriousness," Ruth Wedgwood, a professor of international law and diplomacy at Johns Hopkins' School of Advanced International Studies, said after reading the petition. "It's a lot of money but if the facts as alleged as true it's a serious harm."

The U.N. force, known by its French acronym Minustah, arrived in 2004 following the ouster of then-President Jean-Bertrand Aristide. The mission's mandate was renewed last month for another year, though troop numbers are being reduced from almost 13,000 to 11,500.

The renewal coincided with anti-U.N. protests in Haiti. Demonstrators accused the world body of doing more harm than good, citing the [cholera outbreak](#) and an unrelated abuse scandal involving Uruguayan sailors.

The peacekeeping mission has helped keep order in the country and ensured two peaceful transfers of power but some Haitians view the force as an affront to national sovereignty.

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