

US judge tosses lawsuit vs. UN over Haiti cholera outbreak

January 10 2015, by Jennifer Peltz

The United Nations is immune from a lawsuit seeking compensation for victims of a deadly cholera outbreak, a U.S. judge said Friday in dismissing a case that government lawyers said could open the international body to an onslaught of litigation.

The suit stemmed from an outbreak that has killed more than 8,000 people and sickened more than 700,000 since human waste was dumped into Haiti's principal river in October 2010. Scientific studies have shown that cholera was likely introduced in Haiti by U.N. peacekeepers from Nepal, where the disease is endemic.

The lawsuit, filed by [human rights groups](#) and others, argued the U.N. hadn't screened the peacekeepers for the disease and was responsible for poor sanitation and waste disposal practices that spread it. Seeking unspecified damages, the suit said the U.N. sacrificed its immunity by not giving victims any avenue for compensation.

But U.S. District Judge J. Paul Oetken noted that the U.N.'s charter provides broad legal immunity and that the international body hasn't waived it.

"Where such an express waiver is absent, the UN and (its operation in Haiti) are immune from suit," Oetken wrote.

Lawyer Beatrice Lindstrom said the [rights groups](#) plan to appeal. Two other similar federal suits also are ongoing.

"The court's decision implies that the U.N. can operate with impunity," Lindstrom said in a statement. "We don't think that is the law."

U.S. federal prosecutors argued against the suit at a hearing last fall. They said that the U.N. needed immunity to complete its global mission, and letting the case continue would subject the international body to many more lawsuits from around the world.

A spokesman for the U.S. attorney's office in Manhattan declined to comment on the court's decision. The U.S. government wasn't named in the suit, but federal prosecutors said they got involved because the U.S. is the U.N.'s host nation.

The U.N. has repeatedly declined to comment on the lawsuit but has said it is working with Haiti's government to eradicate cholera. In December 2012, Secretary-General Ban Ki-moon announced a \$2.27 billion initiative to help eradicate cholera in the impoverished Caribbean nation.

In November, the head of Doctors Without Borders' Haiti mission said the country's health system still lacks the capacity to treat [cholera](#) patients adequately.

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