

Paige O'Leary
March 25th, 2020

The United Nations brings Cholera into Haiti and Fail to Take Responsibility

In January 2010 an earthquake struck Haiti killing 230,000 people. In response, the United Nations (UN) Security Council passed resolutions increasing the number of MINUSTAH (an existing Stabilization Mission in Haiti) forces to support recovery, reconstruction, and stability efforts (Lantagne, 2014). In early October 2010, Nepalese soldiers working for the UN arrived in Haiti. By mid-November 2010, 900+ people had died from Cholera in Haiti; a new disease there. Since October 2010, 812,586 cases of Cholera in Haiti have been reported, killing 9,606 people (which is likely an underestimate due to rural communities not reporting deaths) (PAHO 2018). The Cholera in Haiti matched the strain of Cholera from Nepal, with only 1 base pair mutation of 4 million; an exact genetic match. Based on the geography of the outbreak, there is undisputable evidence that the UN soldiers brought Cholera into Haiti from Nepal. The sanitation conditions at the MINUSTAH camp were not sufficient to prevent contamination of the Meye Tributary System (Lantagne 2014), with human fecal waste entering the river due to waste flooding. The water, sanitation, and hygiene infrastructure in Haiti facilitated the transmission of Cholera leading to an epidemic. The UN did not apologize until 2016 and has yet to take action in response to their wrongdoing to Haitians (Ivers 2017).

UN legal frameworks did not provide any guidance for how to navigate the humanitarian emergency from the Cholera outbreak in Haiti. The legal framework of the UN was outdated and no longer relevant at the time of this outbreak. As a result, the UN was not mandated to take actions to mitigate the effects of Cholera that they brought to Haiti. There is not a clear legal outcome, and Haitians advocating for themselves are not being heard in court. The Haitian's will not likely be compensated for the devastating impact Cholera had and continues to have on their lives. Nonetheless, they will win in the court of public opinion, to hopefully change the legal frameworks of NGOs and recreate how humanitarian relief is delivered. Since laws failed to support Haitians claims of mistreatment by the UN, ethical frameworks, such as the fundamental humanitarian principles will be used in this essay to demonstrate that the UN failed to respect its international Human Rights obligations (Hunt 2014). By exploring the ways in which the UN violated the fundamental humanitarian principles of humanity, impartiality, independence and neutrality, the legal foundations that mandate the actions of large NGOs in humanitarian emergencies will be shown to be immoral, and evidence will be provided to show that the UN is responsible to pay reparations to the people of Haiti.

Humanity:

The guiding principle of humanity was violated by the UN when they failed to commit to the alleviation of Cholera, to address the suffering of the Haitians, and to prevent the spread of infectious diseases. Bringing Cholera to Haiti was unintended, however was it truly unpredictable? The UN did not do their due diligence in screening soldiers coming in from Nepal and did not maintain UN camps adequately to prevent spread of diseases. A report was published following the Cholera outbreak, with recommendations for the UN to prevent future outbreaks, including that all UN personnel and emergency responders traveling to emergencies should receive prophylactic antibiotics and if available should be immunized against Cholera. Further, the UN worldwide should treat fecal waste using on-site systems that inactivate pathogens before disposal. To monitor these regulations, it was recommended that these systems be operated and maintained by trained, qualified UN staff or by local providers with UN oversight (Lantagne 2014). However, it is unclear if these precautionary measures have been adopted by the UN today. Further, as the magnitude of the epidemic became known key international officials within the UN avoided acknowledging that the outbreak had resulted from UN camps. It was not

until 2016 that the Secretary General Ban Ki-moon acknowledged that the UN played a role in the initial outbreak, and that significant UN actions would need to take place to respond to the crisis (Ivers 2017). The statement failed to take full responsibility for the actions of the UN and has led to little change in the current volatility of Cholera in Haiti, as health care resources for another surge of the disease are not available. Since 2014 Cholera infection rates have begun to increase, while the UN funding for Cholera relief has decreased. The UN has failed to raise the 2.27 billion needed to eradicate the disease from Haiti (Olson 2012, Katz 2016). Further, an internal report by UN auditors noted that in 2014, 25% of sites run by peacekeepers within MINUSTAH still put their waste into public canals (Katz 2016). Thus, the UN continues to violate the principle of humanity as an international NGO.

Impartiality:

The UN failed to remain impartial in their actions when their aid in Haiti was no longer being guided by Haitians unmet needs. For example, the UN disregarded pleas from Haitians asking for compensation due to the Cholera outbreak the UN caused. The UN was able to ignore the needs of Haitians by declaring immunity. In 2011, 5000 Haitian Cholera victims petitioned the UN for redress. These victims demanded that the UN: (1) install a national water and sanitation system; (2) compensate individual victims; and (3) issue a public apology from the UN (Ivers 2017). The Office of Legal Affairs declared the Haitian claims as 'non receivable'. These families then attempted to sue the UN. The UN failed to appear in court claiming diplomatic immunity under the UN's charter. This case is still pending decision from the second circuit court of appeals in New York, almost 10 years after the initial outbreak of Cholera (Katz 2016). The UN has disregarded the need of the Haitian people, despite their claim to be there to help. This violates the principal of impartiality, which indicates that only considerations of need should guide relief efforts, not other external factors. The UNs external ego, power and pride continue to obstruct their ability to provide the aid that Haitians have requested.

Independence:

The UN prioritized their reputation and ignored their ongoing moral obligations of fixing the Cholera outbreak that they brought to Haiti. The UN only engaged in promoting their organization as an aid and disaster relief provider to countries in need. In 2012 the UN stated that their "focus is on today, as it has been since the outbreak, and is on making sure that Haitians stay alive" (Olson 2012). Simultaneously the UN has failing to address the filed claims by Haitians stating the compensation to which they feel entitled due to UN personnel bringing Cholera into Haiti. The UN ignored the impacts of ill or deceased family members that Haitians felt. The UN prioritized their image over Haitian needs, likely to save their reputation in the media and amongst donors that fund UN initiatives. These actions violated the independence principle, as they failed to avoid particular political standpoints because they actively disengaged in legal cases filed by Haitians against the UN to protect their reputation as a widely respected humanitarian relief NGO, and to maintain donor funding.

Neutrality:

In response to accusations, the UN created an independent panel to determine the source of the 2010 outbreak. When the report was finished the immediate response of the UN was to establish a Task Force to evaluate the recommendations (Lantagne 2014). The UN claimed that the initial report "does not present any conclusive scientific evidence linking the outbreak to the

MINUSTAH peacekeepers or the Mirebalais camp” and “anyone carrying the relevant strain of the disease in the area could have introduced the bacteria into the river” (Reuters 2011; UN News Centre 2011). To date, no results from the Task Force have been released. As humanitarian aid actors guided by the principle of neutrality, the UN should not take sides or be participants in conflict. The Cholera outbreak was the result of the UN soldiers, and their lack of responsiveness to the outbreak violated neutrality as they engaged, created and perpetuated conflict – Haitians vs. the UN.

In conclusion, the UN failed to respect its international Human Rights obligation by violating the fundamental humanitarian principles that represent primary sources of moral grounding in humanitarian relief efforts. The way in which the UN violated this moral framework is shown by the lack of humanity, impartiality, independence and neutrality that the UN exhibited throughout the Cholera outbreak in Haiti, and the aftermath of the disease. Opposing views may emphasize that the outbreak was accidental, and that the UN are trying to address their mistake. However, I argue and have supported that preventative measures were not and continue to not be taken by the UN, and that there has been a lack of accepting timely responsibility for the UNs actions in bringing Cholera to Haiti and that the UN must pay reparations for their actions.

References

Katz, Jonathan M. 2016. “U.N. Admits Role in Cholera Epidemic in Haiti.” *The New York Times*. <https://www.nytimes.com/2016/08/18/world/americas/united-nations-haiti-cholera.html> (March 23, 2020).

Olson A (2012) UN launches \$2.27 billion cholera plan for Haiti, Dominican Republic but needs funds. Huffington Post AOL, New York

“PAHO | Cholera.” (2018)

https://www.paho.org/hq/index.php?option=com_topics&view=article&id=13&Itemid=40745&lang=en (March 24, 2020).

Reuters (2011) U.N. Haiti cholera panel avoids blaming peacekeepers. Reuters. Thomas Reuters, London

UN News Centre (2011) UN to set up taskforce in wake of report into source of Haitian cholera outbreak. UN News Centre, United Nations New Service, New York