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By not compensating Haiti's cholera victims, the U.N. is denying their human rights

Opinion

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OP-ED

Ten years ago, on Oct. 12, 2010, the first case of cholera was reported in Haiti, a poverty-stricken country but with no known history of cholera infection for more than a century. Subsequently, scientific evidence conclusively determined that United Nations peacekeepers had imported cholera into the country.

From under the veil of immunity, the U.N. long denied any responsibility for the cholera epidemic, which killed close to 10,000 people and affected more than 820,000.

In 2016, then-Secretary-General Ban Ki-Moon acknowledged for the first time the U.N.'s "moral responsibility" to cholera victims and pledged to provide them a package of "material assistance and support." Symbolically important as it may have been, this acknowledgment carefully avoided acceptance of any legal responsibility for the epidemic, working to shut out any claims for compensation for the harm victims suffered.

Victims and their supporters lamented that the U.N. was dangerously compromising its credibility and legitimacy. But the U.N.'s lack of accountability was nothing new; this latest example only added another stain on its already tainted record. In 2011, the U.N. refused to consider compensation claims by approximately 600 members of Roma, Ashkali and Egyptian families in Kosovo, living in camps constructed on lead-contaminated wasteland by the U.N. Mission in Kosovo. That mission effectively trampled on findings by its own Human Rights Advisory Panel that it violated victims' human rights, should make a public apology and pay adequate compensation to the victims.

In both cases, the U.N. defiantly rejected individual claims for compensation, instead issuing a nebulous expression of regret and announcing community assistance projects financed by voluntary trust funds. Failing to exert any significant pressure on member states to make voluntary contributions, the trust fund for the lead-poisoning victims in Kosovo has only received an initial contribution of \$10,000, made in 2019. The multi-partner trust fund for cholera victims in Haiti has raised \$20.6 million, a woefully inadequate 5 percent of the initial budget of \$400 million.

It should have been obvious from the start, however, that without the U.N.'s acceptance of its legal responsibility, there was little prospect of raising money for anything, let alone compensation to the victims. Earlier this year, former advisors to U.N. Secretary-General, António Guterres, have accused him of bringing "shame" to the organization by refusing to accept its legal responsibility for neither the cholera outbreak nor the lead contamination, bowing to political pressure from powerful member states at the expense of human rights.

The U.N., for its part, points to its significant investments in improving health, water and sanitation infrastructure and services over the past decade as showing its commitment to the victims. In Haiti, cholera is now close to being eradicated, thanks to the concerted joint efforts by the government of Haiti and the U.N. Though this is a remarkable achievement, every Haitian is entitled to hold the government and the international community accountable for fulfilling their human right to health, a healthy environment and an adequate standard of living, including housing, water and sanitation.

By conflating victims' right to compensation with generic development projects aimed at the well-being of the general population, the U.N. has written off its accountability for the epidemic and relegated human rights to charitable endeavors.

In response to a critical letter from U.N. independent experts, Guterres expressed his confidence that with more investment in the U.N.'s efforts to stop the transmission of cholera, "We can seek to close this terrible chapter with dignity."

But human dignity is at the heart of human rights. There will be no closure with dignity for the victims, unless their loss and suffering are properly acknowledged, those responsible for the epidemic are held accountable and victims receive appropriate remedies in accordance with human-rights principles and norms.



Closure without these elements would be tantamount to hushing the voices of the victims and upholding a double standard on human rights. This is a price that the U.N. cannot afford.

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