

## The UN in Haiti: an adulterated vision of accountability



This week, an emergency cholera vaccination campaign was set to begin in one of the world's most beleaguered countries. Its meagre fortunes laid waste by an earthquake of unimaginable destructive force in 2010, Haiti has continued to suffer a barrage of insults no one population should have to bear.

The earthquake killed more than 200 000 people, left 2 million homeless, and devastated infrastructure including roads, schools, government buildings, and what limited improved water and sanitation facilities existed. Intergovernmental and non-governmental organisations rushed to assist, yet poor collaboration with each other and precious little consultation with the Haitian Government and its people hardly led to the sort of coordinated, strategic, and sustainable response that was so desperately needed. Worse still, the evidence points to one organisation's representatives as the origin of a disease previously unrecorded in the country—one whose spread is closely linked to unsanitary conditions and poverty, both of which are all too prevalent in Haiti.

Cholera has affected around 800 000 people in Haiti and killed more than 9000 since the outbreak began in October, 2010, yet the UN has stubbornly maintained its position that it is constitutionally immune from any legal responsibility for the effects of a disease that was almost certainly brought in by its peacekeeping staff from Nepal and unleashed on a prostrate population by careless effluent disposal and lack of screening. Secretary-General Ban Ki-Moon has refused to apologise, consider direct compensation, or institute a specific remedy, preferring—under advice from the UN's Office of Legal Affairs—to talk of having a “moral responsibility to the people of Haiti” and of developing “a package that would provide material assistance and support”.

The need to make good on this promise came to the forefront on Oct 4, when a second devastating natural disaster hit Haiti in the form of a category 4 hurricane. Killing more than 500 people and displacing a further 140 000, the winds and rain caused widespread flooding and mudslides, destroying roads and buildings newly reconstructed after the earthquake, and further damaging water and electricity supplies. An uptick in cholera cases was soon noted, particularly in the southwest of the country, and WHO/PAHO subsequently approved the Haitian Ministry of Health's request for 1 million doses

of oral cholera vaccine. WHO is said to be considering a single-dose regimen, which a case-control study in last month's issue of *The Lancet Global Health* showed to be 87% effective in South Sudan.

The (very) rough contents of the UN's “material assistance and support” package were briefly glimpsed in announcements late last month. On Oct 24, Deputy Secretary-General Jan Eliasson stated that the organisation was looking to commit US\$400 million, to be split equally between intensifying efforts to deal with the cholera outbreak and improving water and sanitation, and providing “material assistance” (not compensation) to affected individuals and communities. The plan is vague, impractical, and still stops short of doing what is right. Vague because there are no specifics other than the money, and impractical because there is not even a hint of how this money might be raised. Will donor countries be willing to contribute to such an adulterated vision of accountability and reparation?

The UN insists that the class action claims brought against it by cholera victims and their families are not of a private nature (it is obliged to provide appropriate modes of settlement for such cases), but that they instead necessitate a “review of political and policy matters” and might thus make the UN vulnerable to challenge in national courts. It is the immunity from such national challenge that is enshrined in the 1946 Convention on the Privileges and Immunities of the United Nations, and is generally seen as essential for protecting the UN from hostile political attacks. Yet how the plight of a group of impoverished civilians can be construed as political is utterly perplexing. Even the UN's Special Rapporteur on extreme poverty and human rights called this position “morally unconscionable, legally indefensible, and politically self-defeating”.

Ban Ki-Moon has less than 2 months left as Secretary-General and it seems too much to hope that he would take the bold step of formally apologising and giving a legal basis to the support package outlined. Which will bequeath the incoming incumbent, António Guterres—who meanwhile has pledged his commitment to “alleviating the suffering of vulnerable people”—with a very unpalatable legacy indeed. ■ *The Lancet Global Health*

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For Ban-Ki Moon's statement on moral responsibility see <https://www.un.org/sg/en/content/sg/statement/2016-08-19/statement-attributable-spokesman-secretary-general-haiti>

For the case-control study on single-dose oral cholera vaccine see [Articles Lancet Glob Health 2016; 4: e856–63](#)

For more on António Guterres see <http://www.un.org/apps/news/story.asp?NewsID=55285#.WBd67i2LTV>

For the report by the UN Special Rapporteur on extreme poverty and human rights see <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N16/27/1/19/PDF/N1627119.pdf?OpenElement>