



HAITI'S UPR: VIOLATIONS OF HUMAN RIGHTS RELATED TO THE ONGOING CHOLERA EPIDEMIC

Cholera was introduced to Haiti in 2010 as a result of reckless waste management by United Nations (UN) peacekeepers deployed with the United Nations Stabilization Mission in Haiti (MINUSTAH). The epidemic has resulted in grave violations of the right to life, the right to water and sanitation and the right to health, killing more than 9,400 Haitians and infecting at least 800,000. Following Hurricane Matthew, cholera is spiking, with more than 3423 cases registered since the hurricane, and humanitarian actors warning of a 'race against time' to prevent significant numbers of further deaths.

Pursuant to their right to an effective remedy, Haitian cholera victims have since 2011 sought relief from the UN for the human rights violations suffered, including a public apology, compensation and the elimination of the disease from Haiti. After years of stonewalling and denial, in August 2016 the UN finally admitted its 'own role' in the initial outbreak and has promised a new approach to the cholera crisis, including a) intensified support for medical treatment and water and sanitation interventions to control and eliminate cholera and b) a package of "material assistance for victims". To date however the response is unfunded, and the UN has not apologized for its role in epidemic.

Over the past six years, the Haitian Government has failed to take action, either diplomatic or legal, to protect and uphold victims' right to an effective remedy from the UN. The Government has taken no steps towards establishing a standing claims commissions for victims' claims, as required by the Status of Forces Agreement (SOFA) between the UN and Haiti, or an alternative claims mechanism. Nor has it publicly called on the UN to apologize and provide victims with remedies. Additionally, the Government has frequently failed to provide cholera victims with medical records from public hospitals – critical documentation to support their claims. The Haitian government and the international community have also failed to make the necessary investments in basic water and sanitation infrastructure and healthcare to effectively combat cholera and uphold Haitians' rights to life, water and sanitation and health.

QUESTIONS

1. What steps has the Government taken to protect cholera victims right to an effective remedy from the UN? Has the Government asked the UN to fully admit responsibility and apologize for its role in the introduction of cholera to Haiti?
2. What steps is the Government taking to gather and make available to victims their medical records and other identifying documentation that support their claims for material assistance from the UN?
3. What measures is the Government taking to strengthen and better finance the medical and water and sanitation structures, particularly the *Direction Nationale de l'Eau Potable et de l'Assainissement* (DINEPA) and *Ministere de la Sante Publique et de la Population* (MSPP), in order to control and eradicate cholera? What additional steps are being taken to respond to the spike in cholera infections and deaths following Hurricane Matthew?



4. What steps is the Government taking to seek and advocate for international donor support for cholera control and elimination, including funding for the *Plan national d'élimination du cholera: Développement du moyen terme (2016-2018)*?

RECOMMENDATIONS

1. Publicly call on the UN to apologize for its role in the cholera epidemic, provide just remedies to victims of cholera and ensure transparency and participation of victims at all stages of the compensation process;
2. Take proactive steps to furnish victims with medical certificates or alternative forms of documentation that will enable them to establish that they were treated for cholera;
3. Raise objections to the renewal of MINUSTAH's mandate until cholera victims are provided with appropriate remedies;
4. Strengthen the water and sanitation sectors through the allocation of increased technical and financial resources, including to the *Direction Nationale de l'Eau Potable et de l'Assainissement (DINEPA)* and *Ministère de la Santé Publique et de la Population (MSPP)*, and increased measures to strengthen governance and coordination in the health care, water and sanitation sectors;
5. Call on the UN and international donors to fund cholera elimination efforts, including fully funding the *Plan national d'élimination du cholera: Développement du moyen terme (2016-2018)*.

For further information see civil society coalition report: *'Violations of human rights related to the ongoing cholera epidemic'*¹

¹ Submitted on behalf of the Institute for the Justice & Democracy in Haiti (IJDH), AIDS-Free World, the Environmental Justice Initiative for Haiti (EJIH), the Haitian-American Leadership Council (HALEC) and the Haitian Diaspora for Democracy and Development (HD3). Approved in solidarity by forty-seven Haitian, Haitian diaspora and international civil society and human rights organizations