

Open Letter from the Haitian Community in the Diaspora to His Excellency Jovenel Moïse, President of Haiti

Your Excellency,

We write to you as leaders in the Haitian diaspora to highlight a critical opportunity for the Haitian Government to ensure that cholera victims finally obtain justice for the harms they have suffered as a result of the United Nations' negligence. The Haitian Government has a time sensitive opportunity to initiate a standing claims commission to hear cholera victims' claims related to injury, illness and death, and determine compensation by **October 14, 2018** (the one year deadline after the expiration of MINUSTAH's mandate, as set forth in the Status of Forces Agreement between the Haitian Government and MINUSTAH). We urge you to take the unprecedented opportunity of **announcing the appointment of a commissioner during your upcoming intervention at the UN General Assembly this September 2018.**

As you know, cholera has claimed at least 9,700 lives and sickened a further 800,000 people in Haiti since UN troops introduced the disease in the country in October 2010. After years of advocacy by government actors, by Haitian victims of cholera, by the Haitian diaspora, and other allies in Haiti and elsewhere in the world, the UN Secretary-General finally recognized the UN's role in the cholera outbreak and launched a New Approach to Cholera in Haiti ("New Approach") on 1 December 2016. While this New Approach promised to "place victims at the center" and provide "material assistance to those Haitians most affected" by cholera, over a year later it is not translating into anything approximating justice. Our fight for cholera victims has led to important progress, with our latest efforts leading to the U.S. congress allocating 10 million dollars to cholera in their 2018 omnibus spending bill, but there exist serious concerns about the UN's ability to mobilize substantial funds to make meaningful progress on implementing the New Approach. There are also increasing concerns that the UN is abandoning compensation despite constant calls from both the Haitian Government and cholera victims that the UN must deliver.

We welcome the Haitian Government's statements on the need for justice and compensation for cholera victims. In particular, we welcome the Haitian Government's Statement to the General Assembly in September 2016: "We trust that the urgent appeal of the Secretary General for the implementation of a substantially strengthened program to combat cholera and provide material assistance to victims and their families will be heeded and will fully meet the expectations of the people of Haiti." We further welcome the more recent statement of President Moïse in September 2017 that: "The money should go to the victims of cholera. That is why I am going to order the Prime Minister to start working on identifying the victims of the cholera epidemic." The UN has, nevertheless, de-prioritized securing material support for victims despite no robust assessment of victims' needs.

We now urge the Government to consider initiating a commission to receive claims for compensation for cholera. Given the UN's broad immunity from lawsuits in national courts and the lack of implementation of the New Approach, a commission may be the only meaningful way to ensure justice for victims. By taking the first step of appointing a commissioner to establish a commission, the Haitian Government can oblige the UN to work with it to create a commission to hear these claims. However, the Government must act fast: the commission must be set up to receive claims within one year after the expiration of MINUSTAH's mandate (14 October 2018). Your upcoming speech at the UN General Assembly on September 27, 2018 is an unprecedented opportunity to announce the appointment of a commissioner, which initiate this important process.

We are attaching a briefing that provides additional information on the UN's legal obligation to create a commission, the reasons why the establishment of a commission at this stage could serve as an important mechanism to deliver compensation to cholera victims, and the time-sensitive steps that the Haitian Government can take to establish one.

Mr. President Moïse, the deadline for the claims commission to be set is near (October 14, 2018) and the unjust unpleasant fate of the cholera victims is looming. It is imperative that you take actions swiftly that will ensure that the cholera victims are not forgotten, ignored, ridiculed, exploited and victimized again by their own government and president as previous governments have done. The Haitian diaspora, surely our brothers and sisters in Haiti and the cholera victims wish to see a president worthy of his duty compelled to defend the interest of his country, armed with courage, determination and conviction to stand up to demand reparations and compensation for the victims of cholera.

Mr. President, you have an unprecedented opportunity to follow the glorious course of history that still immortalizes the statesmen who have listened to their people, have put themselves at their service and have placed their interest above their own.

Hoping that you will give significant attention to this correspondence, please accept, Excellency, Mr. President, the distinguished greetings of the Haitian diaspora.

Sincerely,

Signatures

- Collective Solidarity Towards Cholera Victims
Florida, Jimmy Mertune - President
Florida, Minister Olicier Pieriche
- New York, Dr. Kesler Dalmacy and Yveline Dalmacy
- Sant La, Haitian Neighborhood Center, Inc
Florida, Ms. Gepsie M. Metellus - Executive Director
- SEIU United Healthcare Workers East
Florida, Monica Russo - Executive Vice President
- Lesley University - Division of Creative Arts in Learning
Massachusetts, Danielle Legros Georges - Poet Laureate, Professor
- The Michel Law Firm, LLC
Florida, Soeurette Michel, Esq., LL.M - CEO
- Haitian-American Leadership Council (HALEC)
Philadelphia, Quener Joseph - Board
- Diaspora in Action
New Jersey, Joel Leon - President
- Coffeyville Orthopedics
Kansas, Maxime Coles - President
- TWU Local 100 (NYC transit retired)
New York, Marty Goodman - Former Executive Board member
- Vwa Ayiti
Florida, Sainca Jean – Conseiller
Massachusetts, Tina Lorquet - President
- American For Immigrant Justice
Florida, Adonia Simpson – President
Florida, Smith Lamothe - Board Member
- Greater Haitian American Chamber of Commerce (GHACC)
Florida, Dr. Idler Bonhomme – President
- Ingenieurs, Architectes, Scientifiques et Technologues Haitiens (CIASTH)
Massachusetts, Luckner Bayas – General Secretary

ET BEAUCOUP D'AUTRES