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United Nations Denies Justice to Haiti Cholera Victims
UN announces legal claims “not receivable” after 15 months of silence

February 21, 2013, Boston, New York, Miami, Port-au-Prince, — After fifteen months of sitting on legal claims submitted by 5,000 victims of cholera in Haiti, the United Nations (UN) announced today that the claims are “not receivable” because they concern “a review of political and policy matters.”

“It is disgraceful that the UN will not even consider compensating the thousands of families who have lost their children, mothers, fathers, brothers and sisters due to the UN’s wrongdoing,” said Mario Joseph, Av. of the Bureau des Avocats Internationaux, who is lead counsel for the victims who filed claims against the UN in November 2011.

Overwhelming evidence, including genetic matching, epidemiological tracing, and direct witness accounts have established that the UN introduced cholera to Haiti in October 2010 through negligent medical protocols and reckless waste management on a UN peacekeeping base that poisoned Haiti’s central river system with contaminated human waste. The resulting cholera epidemic has killed over 8,000 Haitians and sickened over 6 percent of Haiti’s population, and continues to take lives.

“The UN says that our claims concern policy. Our case is about the UN dumping contaminated sewage in Haiti’s waters that has caused thousands of deaths. Under this definition, any harm that the UN does to anybody would be a matter of policy,” said Brian Concannon, Jr., Esq. of the Institute for Justice & Democracy in Haiti, who is co-counsel on the case.

“It’s ludicrous for the UN to simultaneously claim immunity from Haitian courts, fail to follow through on its commitment to set up an alternative claims commission, and then also refuse to hear the claims internally. That amounts to a complete denial of justice, and no legitimate justice system would stand for it,” said Joseph.
The UN Spokesperson noted in the announcement of the dismissal that the Secretary-General “expresses his profound sympathy for the terrible suffering caused by the cholera epidemic.”

“While these sympathies are welcome, they will not stop cholera’s killing or ensure that survivors can go on living after losing bread-winners to cholera,” said Joseph.

The UN claims that it has “expended considerable effort in combating cholera,” including the launch of an initiative in December 2012 to eliminate cholera in Haiti. “While the plan is a positive initiative that reflects one of the key remedies sought in our case, it is too little too late. The UN has only pledged 1% of the total funding needed to eliminate the cholera it brought, and the plan hasn’t even begun implementation. Coming over two years after the outbreak, this does not amount to a just response,” said Concannon.

“This is only the beginning. We will continue to fight for justice and the UN can expect to defend itself against a lawsuit,” said Ira Kurzban, Esq. of Kurzban, Kurzban, Weigner, Tetzelli & Pratt, P.A., also co-counsel on the case.

“We will win this case. Regardless of what the UN says, it has already been found guilty in the court of public opinion. This is a missed opportunity for the UN to do the right thing and demonstrate its commitment to justice and human rights, with deadly consequences for the victims,” said Kurzban.

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