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Responses to Information Requests

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3 July 2018

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Haiti: Acts of revenge committed by gangs or by other organized crime entities; ability of gangs or other organized crime entities to track down their targets, including those who return to Haiti after a long absence (2015-June 2018)

Research Directorate, Immigration and Refugee Board of Canada, Ottawa

1. Overview

1.1 Perpetrators of Acts of Revenge

In correspondence sent to the Research Directorate, an assistant professor of social work at the University of North Carolina, who has researched armed groups, security forces and human rights in Haiti, stated that acts of revenge are the work of armed groups (Assistant Professor 1 June 2018). Other sources also stated that gangs commit acts of revenge in Haiti (RNDDH 8 June 2018; Executive Director 5 June 2018). In correspondence sent to the Research Directorate, a project leader for

the Centre for International Studies and Cooperation (Centre d'étude et de coopération internationale, CECI) [1] stated that acts of revenge [translation] "are among the methods of control used by gang leaders" (Project Leader 29 May 2018). Sources state that acts of revenge are also committed by criminals (Assistant Professor 1 June 2018; Project Leader 29 May 2018). In correspondence sent to the Research Directorate, the Chancellor of the Interuniversity Institute for Research and Development (INURED) [2] stated that, while conducting research for the United Nations High Commissioner for Refugees in 2017, he found that the perpetrators of acts of revenge were not necessarily gang members, and that they may be "gun[s] for hire" who work for others (Chancellor 18 June 2018). In a telephone interview with the Research Directorate, an official from the NGO Défenseurs Plus [3] stated that anyone could perpetrate acts of revenge (Défenseurs Plus 7 June 2018). The Project Leader added that [translation] "leaders use revenge to stay in power, but acts of revenge may also occur on an individual level" (Project Leader 29 May 2018).

1.2 Motives

The Assistant Professor stated that the purpose of revenge may be to [translation] "punish" or "dissuade" those who oppose, or who might be tempted to oppose, armed groups (Assistant Professor 1 June 2018).

In correspondence sent to the Research Directorate, an official from the National Human Rights Defense Network (Réseau national de défense des droits humains, RNDDH) [4] stated that acts of revenge are generally motivated by political rivalries, the settling of scores, or romantic relationships (RNDDH 8 June 2018). The Chancellor also mentioned romantic relationships, "mostly" involving gang leaders, as a motivation (Chancellor 18 June 2018). A case study by Collaborative Learning Projects (CDA) [5] states that "gangs...use their weapons to settle personal grievances over pride or women, and are often hostile to other forms of local leadership" (CDA May 2015, 6). Other sources also stated that the motives for revenge may be political (Défenseurs Plus 7 June 2018; Project Leader 29 May 2018). Défenseurs Plus stated that mere disagreements between youths, such as over a game of dominoes, or for sentimental reasons, may sometimes lead to acts of revenge (Défenseurs Plus 7 June 2018). The Chancellor also stated that, in some rare cases, simple "outsiders" could be targeted (Chancellor 18 June 2018).

Sources stated that acts of revenge may be committed by gangs and criminals for collaborating with the police (Executive Director 5 June 2018; Assistant Professor 1 June 2018; INURED Aug. 2017, 32) or testifying against them (Assistant Professor 1 June 2018). Défenseurs Plus stated that those who report criminals to the police are [translation] “particularly targeted” (Défenseurs Plus 7 June 2018). The Chancellor stated that acts of revenge targeting people who had given information to the police were “rare” (Chancellor 18 June 2018). Moreover, The Assistant Professor stated the following:

[translation]

Criminals who tell on other criminals to get a reduced sentence or win favor with the court are rarely targeted for revenge in Haiti. Lack of loyalty by another member of the armed group is expected when someone is being questioned by the police and will rarely be punished by the armed group. (Assistant Professor 1 June 2018)

Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

The Project Leader stated that revenge is a method of control used by gang leaders and criminals to stay in power (Project Leader 29 May 2018).

1.3 Forms

Sources stated that acts of revenge may take a number of forms (Assistant Professor June 1, 2018; Défenseurs Plus 7 June 2018). The professor stated that revenge may be “mild”, such as theft, destruction of property and voodoo curses, or “severe”, such as murder and sexual assault (Assistant Professor 1 June 2018). The same source stated that acts of revenge are often public, in order to have a deterrent effect on the group’s opponents (Assistant Professor 1 June 2018).

Sources stated that threats may precede acts of revenge (Défenseurs Plus 7 June 2018; Project Leader 29 May 2018) or may constitute [translation] “verbal assault” (Défenseurs Plus 7 June 2018). The Assistant Professor stated that they may also take the form of voodoo curses (Assistant Professor 1 June 2018). The official from Défenseurs Plus stated that some acts of revenge consist in [translation] “defamation” and “smear campaigns” to attack peoples’ reputations and dignity (Défenseurs Plus 7 June 2018). The Chancellor stated that [translation] “In Haiti,

'rumor' is an informal institution used... to achieve specific objectives" in Haiti, rumours are an informal institution used ... to achieve specific goals" and that this institution [translation] "is widely used by gangs and gang leaders to spread fear" (Chancellor 18 June 2018).

Sources stated that acts of revenge may take the form of damage to a person's material possessions (Défenseurs Plus 7 June 2018; Assistant Professor 1 June 2018), such as their houses, their cars or their offices (Défenseurs Plus 7 June 2018). The Assistant Professor stated that some people are victims of theft or looting, and others have their pets killed (Assistant Professor 1 June 2018).

Sources stated that physical assaults are among the common acts of revenge (Défenseurs Plus 7 June 2018; Executive Director 5 June 2018; Assistant Professor 1 June 2018).

Among the other acts of revenge, sources mentioned murders (Executive Director 5 June 2018; Assistant Professor 1 June 2018) or assassinations (Défenseurs Plus 7 June 2018; Project Leader 29 May 2018). The Chancellor stated that "revenge usually take [the] form of killing[s]" (Chancellor 18 June 2018). The Assistant Professor stated that, albeit rarely, the murdered body of a child of the target of the act of revenge is sent to them (Assistant Professor 1 June 2018). Some sources also mentioned sexual assault among the acts of revenge (Executive Director 5 June 2018; Assistant Professor 1 June 2018). The Assistant Professor also mentioned kidnappings and acts of torture (Assistant Professor 1 June 2018).

According to The Assistant Professor, the severity and likelihood of an act of revenge diminishes with the passage of time and in function of the geographical distance and the power of the armed group threatening revenge (Assistant Professor 1 June 2018). She illustrated her point this way:

[translation]

For instance, if I testified against leader X today, there is a very high probability that if I don't go into hiding immediately I will be killed. This probably lessens as leader X loses power (for instance, by being incarcerated or getting older and less active in the group), with geographic distance, and with time. In a year, if I am living in another part of Haiti, I will probably be relatively safe, so long as I do not continue to engage in activities against the gang. If Leader X dies, or gets older and is less active, even if the gang continues to operate, the probability that I will be targeted for revenge

decreases substantially. Within a few years, so long as the group that Leader X led is no longer very active, I should be okay to return home but I should keep a low profile and not engage in community organizing against the gang or spend time openly with the police. In another five or ten years, the threat of revenge should be completely gone, even if Leader X gets out of prison. (Assistant Professor 1 June 2018).

Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

In the case of political revenge, Défenseurs Plus stated that [translation] “the threat depends on the political circumstances, an individual’s power, or his links to power”, as well as on his visibility. They stated that [translation] “a person who is very well known will clearly find it more difficult to escape from an assailant than an ordinary member of the public” (Défenseurs Plus 7 June 2018). However, the Project Leader reported that, in cases of political revenge, if those seeking it are serious, if they lose track of someone, they attack the family (Project Leader 29 May 2018).

Défenseurs Plus also stated that the ability to escape revenge varies on the one hand according to a person’s means, an example being that a person with a car can protect themselves more easily than a person who has to move around on foot, and on the other hand according to their circumstances, an example being that a somewhat impoverished single mother of three school-aged children wanting to change cities in order to hide would have more difficulty (Défenseurs Plus 7 June 2018).

1.4 Victims

According to the RNDDH, [translation] “acts of revenge can be targeted or indirect. The idea is to send a message” (RNDDH June 8 2018). Sources stated that those targeted by acts of revenge are either people who have done something wrong in the eyes of the assailant or those close to them (Défenseurs Plus 7 June 2018; Assistant Professor 1 June 2018).

According to the Assistant Professor, when revenge is exacted by an armed group, the victim can be a person who has acted contrary to the interests of the group, for example by testifying against it in a trial or by talking to the police about its activities (Assistant Professor 1 June 2018). In correspondence with the Research Directorate, the Executive Director of the Institute for Justice and Democracy in Haiti

(IJDH) [6], writing on his own behalf, also indicated that victims could be people suspected of having cooperated with the police (Executive Director 5 June 2018). Défenseurs Plus stated that political figures could also be targeted (Défenseurs Plus 7 June 2018). The Chancellor stated that community leaders were among the most vulnerable of those targeted by acts of revenge, and that journalists, those working for NGOs dealing with conflicts, activists and small business owners could also be targeted (Chancellor 18 June 2018).

Among those close to a target who can also be identified for revenge, sources mentioned family members (Executive Director 5 June 2018; Assistant Professor 1 June 2018). Some sources added that vulnerable members of the target's family, specifically women and girls, are at greater risk (Chancellor 18 June 2018; Défenseurs Plus 7 June 2018; Assistant Professor 1 June 2018). According to The Assistant Professor, the wife, girlfriend, mother or daughter of a target "may be sexually assaulted, sometimes in the presence of the person being threatened, as an act of revenge" (Assistant Professor 1 June 2018).

According to The Executive Director, a target's associates can also be a target for revenge (Executive Director 5 June 2018). With regards to political revenge, Défenseurs Plus also stated that supporters and colleagues of a political figure run the risk of being targeted (Défenseurs Plus 7 June 2018).

Sources have reported that police officers can also be targeted by acts of revenge (RNDDH 8 June 2018; Executive Director 5 June 2018; Project Leader 29 May 2018).

2. Ability to Track Down Victims

According to the sources, the principal means assailants use to find their victims is by word of mouth (Défenseurs Plus 7 June 2018; Assistant Professor 1 June 2018). The Project Leader mentioned that assailants generally know their victims, who are members of their entourage, their [translation] "sphere of influence" at work or school, or who are known publicly (Project Leader 29 May 2018). The Executive Director stated that assailants can look to the victim's social networks as a way to find them, including informal networks in their neighbourhood (Executive Director 5 June 2018). The Chancellor stated that the main way of tracking victims down was "individual networks" (Chancellor 18 June 2018).

According to The Assistant Professor, rumours are rife in Haiti and are an effective way of locating people because "Haitians tend to be geographically tied to a small area and so anyone outside of their [usual] circle will be quickly recognized" (Assistant Professor 1 June 2018). She added that Haitians are generally well aware of their neighbours' business (assistant professor, 1 June 2018). The same source indicated that she had experienced this reality when she was trying to find former participants in a study while doing field research, asking neighbours where the former participants were was generally enough to locate them (Assistant Professor 1 June 2018). She also told a story specifically about the gang environment: more than 12 years after working with a child who was linked to a gang, she consulted a gang leader and, in a few minutes, was able to find him and talk to him on the telephone, even though he had moved to the Dominican Republic and had maintained no contact with his previous gang and his former neighbourhood in the interim (Assistant Professor 1 June 2018). According to the source, this is because the gang had kept track of him for all those years (Assistant Professor 1 June 2018).

According to Défenseurs Plus, community radio can sometimes be used to track victims, especially when they are political figures (Défenseurs Plus 7 June 2018). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

Sources stated that social media are not readily used to keep track of people (Assistant Professor 1 June 2018) because very few Haitians have Internet access (Défenseurs Plus 7 June 2018).

The Executive Director indicated that some victims of acts of revenge reported that the police had helped their assailants to find them (Executive Director 5 June 2018). The Chancellor stated that, while it was a rare occurrence, some prominent gang leaders, who work in state institutions, use police files and personal information for their own purposes (Chancellor 18 June 2018).

3. Protection

Some sources state that, in Haiti, no state protection exists for targets of acts of revenge (RNDDH 8 June 2018; Assistant Professor 1 June 2018). Other sources have stated that there is some protection, but that it is inadequate (Défenseurs Plus

7 June 2018; Executive Director 5 June 2018). The Executive Director stated that it is possible for victims to file a complaint with the police and that “in some cases” the police will investigate or at least go to the victim’s house (Executive Director 5 June 2018). Défenseurs Plus provided the example of a fellow human rights activist who, after receiving anonymous threatening telephone calls following his involvement in a trial, filed complaints with the police and the prosecutor’s office with no results before he had to leave the country for his own safety (Défenseurs Plus 7 June 2018).

According to some sources, the Haitian Police lack the resources to provide protection for those targeted by revenge (RNDDH 8 June 2018; Défenseurs Plus 7 June 2018; Assistant Professor 1 June 2018). The Project Leader stated that police officers, themselves targeted by acts of revenge, are afraid of the gangs (Project Leader 29 May 2018). According to the Assistant Professor, “[i]n fact, the police typically encourage the person to hide or to leave the country.” (Assistant Professor 1 June 2018). The Chancellor stated that the Haitian police, a “weak” and “underpa[id]” institution, was easily corrupted and that many police officers were involved in abductions and crimes (chancellor, 18 June 2018).

Sources also reported that the ineffective and corrupt nature of the legal system encourages acts of revenge (Executive Director 5 June 2018; Project Leader 29 May 2018), because “the probability of prosecution is not high enough to provide a substantial deterrent to organized crime revenge” (Executive Director 5 June 2018). According to Défenseurs Plus, people resort to private violence and vigilantism as a means of avenging themselves because the legal system is weak and the police do not always manage to meet the needs of the public in terms of protection (Défenseurs Plus 7 June 2018).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

Notes

[1] CECI is a Quebec-based organization whose mission is to combat poverty and exclusion around the world. It has operated in Haiti since 1971 (CECI n.d.).

[2] INURED is an institute whose mission “is to contribute to the development of high-level research and scientific training in Haiti with the aim of improving the educational, socio-economic and political condition of Haiti’s people” (INURED n.d.)

[3] Défenseurs Plus is a Haitian NGO dedicated to promoting and effectively defending human rights in Haiti (Défenseurs Plus n.d.).

[4] RNDDH is a Haitian NGO that makes systematic and routine visits to key institutions across the country to monitor the observance of human rights (RNDDH n.d.).

[5] CDA is an international not-for-profit organization that uses reliable and varied sources (CDA n.d.a) to produce tools and advice for practitioners and decision-makers working to build peace in conflict-affected countries (CDA n.d.b).

[6] IJDH is an American NGO that supports human rights workers in Haiti in their fight for justice and democracy through the Bureau des avocats internationaux (IJDH n.d.).

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Additional Sources Consulted

Oral Sources: Assistant professor of anthropology with interests in politics and violence in Haiti; Assistant professor of political science who has worked on issues of post-conflict peace-building in Haïti; Associate professor of social sciences working on security, violence and marginalization in Haiti; Associate professor with interests in security and justice in Haiti; Bureau des avocats internationaux; Consultant on matters of post-conflict management in Haiti; Professor of sociology with interests in social, economic and political development in Haiti; Research director and professor of international relations, working on issues of violence and security in the Caribbean; Security Governance Group.

Internet sites, including: Amnesty International; ecoinet.net; Factiva; Fédération internationale des ligues des droits de l'homme; Fondation pour la recherche stratégique; France – Office français pour la protection des réfugiés et apatrides; Freedom House; Haïti – ministère de la Justice et de la Sécurité publique, Primature; Human Rights Watch; International Crisis Group; United Nations – Refworld.

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