



## RESPONSES TO INFORMATION REQUESTS (RIRs)

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28 May 2012

### HTI104083.E

Haiti: Security situation, including criminality, measures taken by the government and other actors to combat crime (2010-2012)

Research Directorate, Immigration and Refugee Board of Canada, Ottawa

#### **1. Impact of Earthquake on Security Situation** **1.1 Law Enforcement Authorities**

In an interview with the Small Arms Survey, an independent research project on small arms and armed violence at the Graduate Institute of International and Development Studies in Geneva (n.d.), a UN official estimated that the Haitian National Police (Police nationale d'Haïti, PNH) lost a quarter of its police capacity as a result of the earthquake of 12 January 2010 (2011a, 236). Another estimate, by the Director of the Administrative Police of the PNH, suggests that the earthquake rendered fifty percent of the police force non-operational (CIGI Mar. 2011, 5). Sources indicate that at least 75 police officers were killed and 253 were injured (Small Arms Survey 2011a, 236; UN 3 May 2010, para. 39). Fifty-five PNH buildings were also reportedly destroyed or damaged by the earthquake (Small Arms Survey July 2011a, 236; International Crisis Group 8 Sept. 2011, 4). Isabelle Fortin, an academic affiliated with the North-South Institute (Fortin and Pierre Mar. 2011, 77), states that the PNH resumed normal operations three months after the earthquake, "under severe structural limitations" (CIGI Mar. 2011, 6). In a report on police reform published in September 2011, the International Crisis Group described the reconstruction process of the police force as "slow" (8 Sept. 2011, 4).

Sources also indicate that the operational capacity of the United Nations Stabilization Mission in Haiti (MINUSTAH) was impacted by the earthquake (International Crisis Group 8 Sept. 2011, 4; Fortin and Pierre Mar. 2011, 70). International Crisis Group reports that MINUSTAH's role in supporting the PNH was interrupted due to the "damages [it] suffered," but that it appeared to have resumed its capacity-building activities by September 2011 (8 Sept. 2011, 4).

Several prisons are reported to have been damaged in the earthquake, facilitating the escape of approximately 5,000 prisoners (UN 3 May 2010, para. 46; Fortin and Pierre Mar. 2011, 72; International Crisis Group 8 Sept. 2011, 2). Sources indicate that at least 3,000 detainees escaped from the national penitentiary and destroyed the prison's records (CIGI Mar. 2011, 3; UN 3 May 2010, para. 47; Reuters 17 Jan. 2010).

## **1.2 Criminal Groups**

According to the UN independent expert on the situation of human rights in Haiti, many of the escapees from the national prison belonged to drugs- and arms-trafficking gangs in the Cité Soleil quarter of Port-au-Prince and may have returned to the area after their escape (UN 3 May 2010, para. 46-47). Several other sources also indicate that escaped prisoners have regrouped and resumed gang activities in Cité Soleil (CIGI Mar. 2011, 6; International Crisis Group 8 Sept. 2011, 2; Reuters 17 Jan. 2010). In addition, International Crisis Group also identifies the districts of Martissant and Bel Air as areas to which some 500 "hardcore criminals" have escaped (8 Sept. 2011, 2). The UN reports that escaped prisoners established bases in camps for internally displaced persons (IDPs) (UN 24 Mar. 2011, para. 15), which has reportedly led to an increase in crime and insecurity in the camps (ibid.; International Crisis Group Feb. 2011).

One source reports that 10 percent of the inmates from the national prison had been re-arrested by May 2010 (CIGI Mar. 2011, 6). However, MINUSTAH estimated in 2011 that eight percent of escaped prisoners had been recaptured (UN 24 Mar. 2011, para. 13).

## **2. Prevalence and Types of Criminality**

### **2.1 Prevalence**

According to the UN Secretary-General's report to the Security Council on MINUSTAH, it is difficult to obtain accurate data on criminality in Haiti, due to logistical challenges and the underreporting of crimes (ibid.). Nevertheless, it noted that a "steady increase in serious crime" between 2009 and 2010 had been observed in statistics compiled by MINUSTAH (ibid.). In December 2011, Platform for Haitian Human Rights Organizations (Plate-forme des organisations haïtiennes des droits humains, POHDH), a Haitian human rights umbrella organization with eight member organizations (n.d.), wrote that, in the preceding months, there had been a rise in insecurity, including theft at gunpoint, assassination attempts, murder, robbery of businesses, rape, kidnapping, and hostage-taking in various parts of the country (28 Dec. 2011). The organization adds that all levels of society had been affected by this criminality (POHDH 28 Dec. 2011). Another human rights organization, the National Network for the Defence of Human Rights (Réseau national de défense des droits humains, RNDDH), wrote in March 2012 that the Haitian population had been [translation] "left to fend for itself" against a renewed outbreak of insecurity and organized violence, and that the authorities were not providing a sufficient response to the criminality (15 Mar. 2012). Numerous other sources also reported on increased levels of criminal violence in 2011 and 2012 (*AlterPresse* 15 Feb. 2012; Igarapé Mar. 2012, 1, 3; RMH 8 Mar. 2012; Radio Kiskeya 6 Mar. 2012).

The 2011 *Small Arms Survey*, which conducted household surveys on crime before and after the earthquake, reported that crime was considered "serious" or "very serious" by 63 percent of respondents before the earthquake and by 20 percent of respondents in the six-week period after the earthquake (2011a, 240). However, the authors of the survey stated in a March 2012 report that a "dramatic escalation" in violent crime had taken place between August 2011 and February 2012, marking the first consistent increase in violent crime and victimization since 2007 (Igarapé Mar. 2012, 1).

### **2.2 Types of Crime and Violence**

The UN and other media sources have documented political violence and civil unrest related to the 2010 presidential elections (UN 24 Mar. 2011, para. 2; RMH 17 Mar. 2011; *The New York Times* 8 Dec. 2010). In August 2011, the UN Secretary-General's report on MINUSTAH noted that there had been a significant decrease in politically motivated violence after the completion of the electoral process (25 Aug. 2011, para. 9). Nevertheless, sources suggested in March 2012 that a recent rise in insecurity and violence was due to increased political instability (Igarapé Mar. 2012, 3; RMH 8 Mar. 2012; see also UN 8 Mar. 2012).

In November 2010, violent demonstrations took place, motivated by the general population's belief that MINUSTAH soldiers were responsible for a widespread outbreak of cholera that had killed at least 900 people at the time (BBC 16 Nov. 2010; Al Jazeera 16 Nov. 2010; Voice of America 16 Nov. 2010).

The UN Office on Drugs and Crime indicates that, according to UN peacekeeping operations, the homicide rate in Haiti was 6.9 per 100,000 people in 2010 (2011, 93). However, sources report that the number of reported homicides increased in 2011 (International Crisis Group 8 Sept. 2011, 1; Igarapé Mar. 2012, 1). According to one report, there was an average of 60.9 murders per 100,000 people between November 2011 and February 2012, one of the highest recorded rates since 2004 (*ibid.*). The same source adds that homicides often occurred in conjunction with armed robbery, and that they were particularly prevalent in the areas of Bel Air, Cité Soleil, and Martissant (*ibid.*, 3). The UN Secretary General's report on MINUSTAH indicated that there was an average of 76 homicides a month between February and August 2011, and an average of 65 homicides a month between September and December 2011 (29 Feb. 2012, para. 10). The RNDDH recorded 147 homicides between January and mid-March 2012, including 130 due to gun violence (15 Mar. 2012), while Haitian online news source *defend.ht* reports 103 homicides in Port-au-Prince in the same time period (9 Mar. 2012).

Sources note that citizens are often targeted for armed robbery after completing monetary transactions (International Crisis Group 8 Sept. 2011, 2; RNDDH 15 Mar. 2012), for example, after leaving banks (*ibid.*). Several sources have also indicated that travellers leaving the airport in Port-au-Prince have been attacked or robbed (US 8 Aug. 2011; France 16 Feb. 2012; *defend.ht* 27 Dec. 2011). Robberies are sometimes committed in conjunction with kidnappings (US Mar. 2012). For information on kidnappings, please see Response to Information Request HTI104082 of 22 May 2012.

Two sources describe gang violence as a "major" security challenge in Haiti (International Crisis Group 8 Sept. 2011, 6; UN 25 Aug. 2011, para. 8). International Crisis Group writes that although this violence is not necessarily politically motivated, gangs will work for any political figure or group if offered enough money (8 Sept. 2011, 2). The UN Secretary-General's MINUSTAH report of 25 August 2011 states that some gangs have ties to political parties and drug traffickers (para. 8). Media reports indicate that children are also members of violent gangs (*AlterPresse* 15 Feb. 2012; RMH 8 Mar. 2012).

In February 2012, large armed groups reportedly formed and began training regularly throughout the country (*The Guardian* 1 May 2012; UN 29 Feb. 2012, para. 8). Sources indicate that the members of these armed groups are former soldiers of the disbanded Haitian armed forces (RNDDH 15 Mar. 2012, 5; *The Guardian* 1 May 2012). According to the *Guardian*, there may be up to 3,000 members, who are attempting to force a reinstatement of the Haitian army (1 May 2012). The RNDDH states that members have been patrolling the streets

and engaging in confrontations with the PNH (15 Mar. 2012). Their activities have reportedly continued despite requests from the government to lay down arms (UN 29 Feb. 2012; *The Guardian* Mar. 2012).

Sexual assault is reported to have increased "dramatically" in the period following the earthquake (Small Arms Survey 2011b). Some human rights reports have documented the heightened vulnerability of women and girls to rape and other sexual assaults in IDP camps (AI 2011; Human Rights Watch 2011; OAS 18 Nov. 2010). For more information on sexual violence, please see Response to Information Request HTI104085 of 8 June 2012.

### **3. Response by Authorities**

The PNH has a force of at least 10,000 (*The Miami Herald* 22 Sept. 2011; UN 29 Feb. 2012, para. 23; Small Arms Survey 2011, 251), which reportedly includes 760 women (UN 29 Feb. 2012, para. 23). However, security analysts have reportedly estimated that a force of 20,000 would be required to effectively serve the population and to maintain peace without outside assistance (Reuters 17 Nov. 2011; International Crisis Group 8 Sept. 2011, 5). Similarly, the UN reports that the PNH is not yet capable of taking full responsibility for internal security, despite improvements made in its performance and capacity (29 Feb. 2012, para. 11). The US Department of State's 2012 *International Narcotics Control Strategy Report* notes that vast majority of police officers are stationed in Port-au-Prince, leaving 2,175 officers in the nine other provinces (Mar. 2012, 247).

The website of INTERPOL indicates that the PNH has separate police bureaus responsible for criminal affairs, drug trafficking, vehicle theft, the protection of minors, research and intervention, and kidnapping (n.d.). A Haitian news source reports that the PNH conducted an operation known as "Operation Dragon" in December 2011, in response to increased reports of "banditry" and kidnapping (defend.ht 27 Dec. 2011). However, the 2011 *Small Arms Survey* finds that the provision of security is unequal and that citizens need to have connections within the police force in order for their complaints to be addressed rapidly (2011b). Similarly, Haitian online news source *AlterPresse* states that police response time is between two to three hours (15 Feb. 2012).

MINUSTAH's mandate has been extended until October 2012, with the number of troops being reduced to its pre-earthquake level (Human Rights Watch 22 Jan. 2012; UN 29 Feb. 2012, para. 1, 9). Various sources assert that its presence in Haiti remains integral to maintaining peace and stability (*The Miami Herald* 22 Sept. 2011; Reuters 17 Nov. 2011; UN 29 Feb. 2012, para. 11). However, it has also been noted that the public's confidence in the mission has declined (ibid. 24 Mar. 2011, para. 10; Small Arms Survey 2011b; Human Rights Watch 22 Jan. 2012). International Crisis Group writes that an IDP unit deployed to the largest camps has "partially filled the camp policing gap but has not curbed violence, including rape" (8 Sept. 2011, 5).

Sources report that MINUSTAH and the PNH conduct joint operations to combat criminal activity (UN 31 Oct. 2011; ibid. 29 Feb. 2012, para. 11, 12; RSF 23 Mar. 2012; Caribbean 360 15 July 2011). For example, Reporters Without Borders reported that two people were arrested in connection with a murder in March 2012 as part of a "major" anti-crime joint operation (23 Mar. 2012). Seven wanted criminals, including prison escapees, were captured in a four-day crime deterrent operation that deployed 2,100 troops and 600 police officers in Bel Air

and Martissant (UN 31 Oct. 2011). The UN reports that 6,811 joint operations were conducted between September and December 2011, resulting in the arrest of five gang members (29 Feb. 2012, para. 12).

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.

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## **Additional Sources Consulted**

**Oral sources:** Attempts to contact the following organizations were unsuccessful: four human rights organizations in Haiti, three Haitian community organizations in Canada, MINUSTAH, PNH. A Haitian journalist could not provide information within the time constraints of this Response.

**Internet sites, including:** Canada.com; European Country of Origin Information Network; Freedom House; *Le Nouvelliste*; rabble.ca; Radio Kiskeya; ReliefWeb; Toronto Haiti Action Committee; United Nations — Integrated Regional Information Networks, Office of the High Commissioner for Human Rights, Refworld, Stabilization Mission in Haiti.

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