

**MASTER EXHIBIT SERIES**

**HAITI**

**PERSONS AT RISK OF HARM BY SECTION CHIEFS**

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## PERSONS AT RISK OF HARM BY SECTION CHIEFS

- | <u>Item</u> | <u>Citation/Description</u>  |
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| I.          | <p>American Immigration Lawyers Association, <u>The AILA Human Rights Delegation Report on Haiti</u>, March, 1993, pp. 1-8, Executive Summary</p> <p>Summarizes repression of local population by military and local chefs de section and their attaches with no recourse to civilian authority.</p>   |
| II.         | <p>John Cummings, Acting Director - INS Office of International Affairs, "Memorandum to INS Asylum and Refugee Divisions, Re: Considerations when Adjudicating Haitian Refugee/Asylee Applications," 9 March 1993.</p> <p>"The purpose of this paper is to provide additional guidance to INS officers to assist them in the adjudication of Haitian refugee and asylum applications...</p> <p><u>B. State violence / Government repression...</u></p> <p>When governmental authorities, in or out of uniform, are committing acts of violence against a largely unarmed civilian population, the situation may be more correctly referred to as state violence or governmental repression. By all accounts, state violence and repression are clearly present in Haiti...Most weapons are controlled by the government, and most of the acts of violence or threats of violence which may form the basis of a meritorious refugee/asylum claim are committed by governmental or quasi-governmental figures. Officials of the de facto government - whether they be section chiefs, members of the military, or members of the police - are most often connected with the ongoing human rights abuses in Haiti..</p> <p><u>Background on the de-facto governmental structure in Haiti...</u></p> <p>Lower ranking officers, including captains, colonels, lieutenants and sub-lieutenants, are placed in command of these divisions through the sub-district level. The communal sections in Haiti represent the lowest division in this structure. They are headed by section chiefs...The section chief lies at the lowest level of the military hierarchy...It appears that as long as the incumbents in each of these levels do not interfere with the prerogatives of the level above, they are at liberty to do as they wish, with no threat of punishment or accountability...</p> <p><u>Leaders and Members of Potential. Targets...</u></p> <p>Although those in leadership or prominent positions are possibly at greater risk due to their greater visibility, lack of prominence does not remove the possibility of being at risk. This is true especially considering the fact that Haitian society is organized into small communities."</p> |
| III.        | <p>Americas Watch/National Coalition of Haitian Refugees, <u>Silencing a People: The Destruction of Civil Society in Haiti</u> (New York: Americas Watch/NCHR, February 1993), pp. 1-5.</p> <p>"Those behind this systematic repression of civil society range from the army commander-in-chief, General Raoul Cedras, who has overseen countless acts of brutality without making any effort to hold murders and torturers accountable, to the rural section chiefs, who wreak havoc in remote hamlets across the country."</p>   |
| IV.         | <p><u>Haiti: Resistance &amp; Democracy Bulletin #174</u>, reprinted by Haiti Communications Project, 14 January 1993, translated by the Haiti Communications Project, Boston, MA.</p>   |

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The term "Persons At Risk" is used rather "persecution" because the latter is a legal conclusion.

In northwestern Haiti, the peasant group "Tet Kole" protested the ambush, arrest and severe beating of one of their members by a local section chief.

- V. Haiti: Resistance & Democracy Bulletin #172, reprinted by Haiti Communications Project, 7 January 1993, translated by the Haiti Communications Project, Boston, MA.

Three organizers of democratic groups were among 21 people arrested by section chief in the North-Eastern town of Mont Organize. Many others from there later fled to the Dominican Republic because the section chief, Jacques Malheur, stated that those arrests were only the beginning. Section chiefs in other rural areas are reported to be continuing extortion and repression, mostly over land disputes.

- VI. Haiti: Resistance & Democracy Bulletin #169, reprinted by Haiti Communications Project, 14 December 1992, translated by the Haiti Communications Project, Boston, MA.

A section chief in Arcahie arrested and beat a teacher.

- VII. Haiti: Resistance & Democracy Bulletin #167, reprinted by Haiti Communications Project, 7 December 1992, translated by the Haiti Communications Project, Boston, MA.

Four young men in St. Marc were arbitrarily arrested. Two were released after paying a bribe, one escaped, and one refused to pay the bribe and was released.

- VIII. Haiti: Resistance & Democracy Bulletin #164, reprinted by Haiti Communications Project, 26 November 1992, translated by the Haiti Communications Project, Boston, MA.

In Baineff/Kalalou the section chief and four soldiers informed area residents that they could not meet in groups of more than three or sell livestock without his permission. Several farmers have been dispossessed of their belongings after being accused of organizing meetings. One farmer had to pay a ransom to get his son released after the son was accused of organizing a meeting. Others arrested were unable to pay the bribe and were beaten and imprisoned.

- IX. Haiti: Resistance & Democracy Bulletin #163, reprinted by Haiti Communications Project, 23 November 1992, translated by the Haiti Communications Project, Boston, MA.

Four members of the Papaye Peasant Movement were arrested and the section chief demanded payment for their release. Many young people are in hiding in Leogane to escape persecution by section chiefs. Another man left the Arbitonite area after the section chief threatened him and accused him of being an Aristide supporter.

- X. Haiti: Resistance & Democracy Bulletin #161, reprinted by Haiti Communications Project, 16 November 1992, translated by the Haiti Communications Project, Boston, MA.

In Desarmes, Leres Sidor was arrested and beaten in the presence of an international aid group for allegedly denouncing extortion by the local section chief.

- XI. Haiti: Resistance & Democracy Bulletin #158, reprinted by Haiti Communications Project, 5 November 1992, translated by the Haiti Communications Project, Boston, MA.

In Bassin, a section chief was arrested by the local military for not extorting the possessions of

area farmers.

- XII. Haiti: Resistance & Democracy Bulletin #154, reprinted by Haiti Communications Project, 22 October 1992, translated by the Haiti Communications Project, Boston, MA.

In Borgne a section chief tried to arrest a local man during a religious ceremony. After others protested, the section chief returned in the afternoon with 450 men and destroyed 40 homes. Three days later another twelve houses were burned and many people left the area to go into hiding. The section chief denounced all who prepare for the return of Aristide as criminals.

- XIII. Haiti: Resistance & Democracy Bulletin #153, reprinted by Haiti Communications Project, 19 October 1992, translated by the Haiti Communications Project, Boston, MA.

In Plaisance a man was arrested by a section chief after protesting actions of bandits. Reports that he is beaten daily and his family is not allowed to see him. A bribe was asked for his release.

- XIV. Haiti: Resistance & Democracy Bulletin #151, reprinted by Haiti Communications Project, 12 October 1992, translated by the Haiti Communications Project, Boston, MA.

A peasant leader in La Montagne is reportedly sought by 500 armed men after denouncing a member of parliament for instructing section chiefs on how to eliminate peasant leaders without a trace.

- XV. Amnesty International, HAITI: Human Rights Held Ransom (New York: Amnesty International, August 1992), "AMR 36/41/92." See Summary and pp. 3, 13-16.

AI delegation which visited Haiti between March 20 and April 3, 1992, reports section chiefs using extortion as an alternative to arrest or ill-treatment.

"Repression in the countryside was compounded by the reinstatement of the infamous chefs de section, or rural police chiefs. Many of these had been dismissed under the Aristide government, and subsequently returned to their villages with a vengeance, each accompanied by dozens of their notorious adjoints (assistants)."

- XVI. William O'Neill, Lawyers Committee for Human Rights, Prepared statement before the Subcommittee on Legislation and National Security of the Committee on Government Operations, 9 April 1992.

Expert on Haiti testifies that in the countryside, section chiefs control private armies. Macoutes [Tontons Macoutes] conduct sweeps through neighborhoods thought to be Aristide strongholds. Arrests and beatings, especially of young men, are common. Summary executions also occur.

- XVII. Lawyers Committee for Human Rights, Haiti: Human Rights Violations in the Month of February 1992 (New York: Lawyers Committee for Human Rights, 18 March, 1992).

Summarizes revival of rural police known as section chiefs. Discusses common tactic of denouncing someone as an Aristide supporter, then demanding money to avoid arrest.

- XVIII. Haiti: Resistance & Democracy Bulletin #66, reprinted by Lawyers ...Committee for Human Rights, 16 February 1992, translated by RIC staff.

Reports that there were approximately 2,000 documented arbitrary arrests (See Item H, Footnote 1 for relevant definition of "arbitrary", "without legal justification [and]...resulting from the unrestrained and often tyrannical exercise of power") between October 1991 and January 1992. Two foreign journalists reported to have narrowly escaped after they were threatened with death by a section chief. Soldiers expelled peasants with no warning from their land.

- XIX. Haiti: Resistance & Democracy Bulletin #65, reprinted by Lawyers Committee for Human Rights, 10 February 1992, translated by RIC staff.

Plainclothesmen reported to be assaulting and robbing particular neighborhoods perceived as pro-Aristide strongholds. One assailant stated, "Our mission is to destroy this neighborhood because only 'Lavalassiens' [supporters of Aristide] live here." Reports also notes trouble in countryside and the harassment of the news media.

- XX. Haiti: Resistance & Democracy Bulletin #64, reprinted by Lawyers Committee for Human Rights, 6 February 1992, translated by RIC staff.

In one rural area, locals who tried to arrest "chef de section" (section chief) for extortion were stopped by military reinforcements who burned several peasant houses.

- XXI. Amnesty International, Haiti: The Human Rights Tragedy, Human Rights Violations Since the Coup, (London, UK: Amnesty International, January 1992), "AMR 36/03/92." See Introduction and pp. 15-17.

Describes violations committed by former Tontons Macoute and section chiefs. Despite difficulties in communications, there have been continuous reports of human rights violations in rural areas.

- XXII. Mike Levy, Amnesty International Haiti Coordinator, "Memorandum to Mr. John D. Evans, Director, RIC," 9 January 1992.

Mr. Levy observes that section chiefs are given, virtually unlimited authority to rule over the local hamlets and rural areas of Haiti. They were military officials, appointed by the military, answerable to the sub-district commander and above. There are some 567 according to one report ... Their decisions are rarely challenged by the local barracks, which will generally provide the backup for the chief as he requests...Although some of them are humane, the vast majority were not only corrupt, but carried out systematic persecution of political opponents and others in an arbitrary way which helped create the climate of fear. Their decisions were enforced by their 'adjoints' who are volunteers who receive benefits from the chief, who are armed and capable of great brutality...The chiefs generally led the campaigns of repression against local peasant organizations and were ferocious in acting against them, even invading a church or riding up on horseback, dismounting, hiding in the grass and stalking then carrying out a massacre of a youth organization."

- XXIII. Americas Watch, National Coalition for Haitian Refugees, Caribbean .....Rights, International Commission of Jurists, Reverting to Despotism: Human Rights in Haiti ....(New York: Human Rights Watch, March 1990).

Excerpted from a longer piece, this essay documents human rights abuses in rural areas of Haiti under the rule of section chiefs.