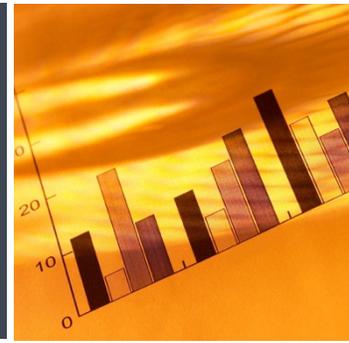


RESEARCH SUMMARY

Deportation, Circular Migration & Organized Crime: Haiti Case Study



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With respect to Haiti, research suggests that the re-importation into Canada of organized crime groups made up of, or led by, deported Haitian Canadians is unlikely.

BACKGROUND

Like all OECD countries, Canada has a policy of deporting immigrants who have committed certain classes of crimes back to their countries of origin. This pattern of circular migration – immigration to Canada followed by deportation – has unique implications for the development of transnational organized crime. Deportation and circular migration played a central role in the development of the *maras* in Central America, whose origins as Los Angeles street gangs facilitated their re-entry into the drug-trafficking market in the United States (U.S.). This research report examines the impacts of forced criminal deportation on crime and community security in Canada and in the case study country, Haiti.

The report focuses on the impact of deportation on the families of deportees, and Haitian-Canadian communities. It explores the implications of criminal deportation on delinquency, youth gangs and crime, focusing on neighbourhoods in Montreal with significant Haitian-Canadian populations. The report also looks at whether the policy of criminal deportation may have the unintended effect of establishing transnational organized crime networks – as appears to be the case with the *maras* in Central America.

METHOD

A literature review was conducted to provide a summary of the academic periodical literature, as well as open source government reports on this topic. Observations and findings from the literature were organized by theme and discussed possible parallels to the Canadian social and policy context. Data on migration between Canada and Haiti were reviewed, and interviews were conducted with senior officials from Canada and Haiti.

Analysis applied insights drawn from the literature on the formation of criminal organizations due to movement between correctional facilities and release, as well as from the literature on internal migration (e.g., region-to-region within a country, from rural to urban areas) or from studies related to general international labour migration.

FINDINGS

The deportation of permanent residents who have committed crime in Canada has, in recent decades, been a political, as well as a policy question. Canada's immigration legislation, the *Immigration and Refugee Protection Act* defines who is identified as inadmissible to Canada. Violations of the *Act* range from very serious crimes such as posing a threat to national security, human rights abuse, terrorism and organized crime to less serious transgressions such as working or studying without a permit. Deportation of immigrants who have committed crimes in Canada has the appeal of removing potentially dangerous elements from Canadian society, some of these criminal deportees have lived in Canada for the majority of their lives and many are unfamiliar with their country of origin.

The *Faster Removal of Foreign Criminals Act of 2015* (FRFCA) redefined the criteria for inadmissibility on the grounds of serious criminality as a conviction (in Canada) of a crime for which you either *could have been given* a sentence of 10 years or more, or *were given* a sentence of 6 months or more; or if there is reason to believe that you have committed a crime outside of Canada, which, were it committed in Canada, could have carried a sentence of 10 years or more. In cases where the crimes are committed in Canada, the offender serves his or her sentence and is subsequently deported.



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Haitian communities have long experience with deportation, both in Canada and the U.S. and have had difficult debates within their own communities and with the social and political institutions of their host countries. The negative impacts of deportations on the families and communities are well known. A recent study on deportation of Haitians from the U.S. to Haiti provides insights on the toll on both deportees and the family members, particularly U.S. citizen children whom they leave behind. Both the deportees and their U.S.-based families experience severe psychological and financial effects due to family separation.

The international presence of soldiers and police, which has helped to stabilize Haiti for the last decade, is winding down. The mandate of the United Nations Stabilization Mission in Haiti was extended to October 15, 2015, but its authorized force levels were reduced to 2370 troops (two mechanized battalions) and 2601 police (UN Security Council, 2014). Their departure leaves Haiti increasingly dependent on the Haitian National Police (HNP), the country's only security force. In 2014, the HNP was forced to call on UN military and Formed Police Units to help restore order in over a third of public demonstrations. UN military forces were required to conduct armed patrols and operate checkpoints to deter gang activity and respond to an increase in homicides due to gang violence.

The stigma and shame criminal deportees face increases their difficulties reintegrating into their country of origin. Finding gainful employment is out of reach for many deportees. Haiti is a country with a high rate of unemployment. Deportees face additional challenges due to discrimination, lack of contacts, and language and cultural barriers. Many deportees do not speak fluent Creole or with an accent that is recognizably 'American'.

IMPLICATIONS

A 2007 International Crisis Group report suggested that some deported Haitian Americans and Haitian Canadians may have played a 'bridging' role for drug trafficking from Haiti to the U.S. and Canada, but that their numbers were difficult to estimate. Haitian officials have stated that deportees from Canada and the U.S. have been involved in criminal activities or have joined gangs in Cité Soleil and other areas and have increased the level of insecurity in the country.

Deporting inadmissible migrants to Haiti impacts the deportees, their families and the communities left behind in Canada as well as the safety and security of their country of origin on return. In the case of Canada and Haiti, the direct threat to Canada from Haiti's gangs appears to be minimal. The risk of deportees returning to Canada and becoming involved in criminal activity on an individual basis is higher, but has less far-reaching implications for Canada's public security.

SOURCE

Burt, Geoff, Sedra, Mark, Baranyi, Stephen, Couton, Philippe, Donais, Timothy & Perito, Robert. (2015). *Deportation, Circular Migration and Organized Crime: Haiti Case Study*, 34 p.

ADDITIONAL RESOURCES

International Crisis Group. (2007). "Haiti: Justice Reform and the Security Crisis," *Latin America/Caribbean Briefing*.

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