



Haitian Congress to Fortify Haiti

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Join the movement to denounce and defeat the long standing inhumane discriminatory practices of the Dominican Republic, its discriminatory constitution of 2010, and the ruling of the Constitutional Tribunal of September 23, 2013, revoking the Dominican citizenship of persons born to Haitian laborers since 1929, rendering them stateless and vulnerable to ethnic cleansing from the only country they have known.

EXECUTIVE SUMMARY OF THE ANALYSIS OF THE DECISION OF THE CONSTITUTIONAL TRIBUNAL OF THE DOMINICAN REPUBLIC DENATIONALIZING DOMINICANS OF HAITIAN DESCENT RETROACTIVE TO 1929

The purpose of this position statement is to bring attention to inhumane conditions under which Dominicans of Haitian descent have been and are currently living as a result of a state-sponsored campaign of ethnic cleansing from the Dominican Republic.

On September 23, 2013, the Constitutional Tribunal of the Dominican Republic issued a decision that is not appealable. In this decision, the Constitutional Tribunal ruled that Ms. Dequis Pierre, who is a 29 year old registered Dominican citizen from birth, did not in fact meet the criteria for the acquisition of Dominican nationality.” In the same ruling, the Constitutional Tribunal also requested Dominican authorities to identify similar cases of such individuals formally registered as Dominicans as far back as 1929 who would not have qualified as citizens under the 2010 Constitution.

These rulings have fueled a witch-hunt to find and render Haitian Dominicans absolutely stateless. Since this ruling there have been increased instances of state sanctioned propaganda and violence against Haitian Dominicans and those perceived to be of Haitian descent.

Under the leadership of then-President Leonel Fernandez, the Dominican Republic enacted a new constitution which re-introduced criteria for acquisition of Dominican nationality that had only previously appeared in a 1929 Dominican Constitution. In Chapter V, Section 1, Article 18, Paragraph 3, the current constitution states:

The following persons are Dominican Nationals.

“Any person born within the territory of the Dominican Republic **except those born to** members of the Diplomatic or consular missions, and **foreigners who are in transit or reside illegally in Dominican territory**. A foreigner ‘in transit’ is any person defined as such by the laws of the Dominican Republic.”

In the past, the Dominican Republic has promulgated and adopted numerous constitutions and none of them repeated the 1929 definition of Nationality. The Dominican Constitution, until the amendments of January 26, 2010, was silent regarding illegal resident aliens for purposes of nationality. As such, the Constitutional Tribunal cannot reach back retroactively to apply such a law and deprive Dominicans of Haitian descent their nationality. There is outrage among many Dominicans who are not directly affected by this ruling. Many have demonstrated in the Dominican Republic, in the United States and elsewhere in opposition to this ruling and its subsequent human rights violations (Please see the more extensive analysis of this decision and an exhaustive list of actions that can be undertaken to help combat this ruling and the discriminatory practices of the Dominican Republic.