

AMNESTY INTERNATIONAL

PUBLIC STATEMENT

21 August 2015
AI Index: AMR 27/2304/2015

Dominican Republic officially resumes deportations amid concerns for Dominicans of Haitian descent

Amnesty International urges the Dominican Republic to ensure that no person born in the Dominican Republic will be deported from the country, after the government authorities announced on 14 August the resumption of operations to detain and deport “foreigners who resides illegally in the country”. The deportations began after a 18-month official moratorium set in place by the government.

Since the end of a regularization plan for migrants on 17 June, the Dominican authorities have been reporting that tens of thousands of Haitians have voluntarily returned to Haiti. Yet, thousands of people claim to have been forcibly deported. On 14 August the International Organization for Migration (IOM) reported that 32% of the 6,311 people interviewed at the Dominican-Haitian border between 17 June and 13 August “claimed to have been deported into Haitian territory” by Dominican officials. Over 27% of all those interviewed by IOM said they were born in the Dominican Republic, and 3,8% of the total declared possessing a Dominican identity document.

The Dominican state, like any other state, has the sovereign power to regulate the entrance and presence of foreign nationals, but it must do so with respect of international law and standards. International law prohibits the expulsion of a country’s own nationals.

At the end of June, government officials told Amnesty International repeatedly that deportations would be carried out with respect for human rights and that none born in the country would be expelled.

While Amnesty International welcomed those statements, it is concerned that the Dominican authorities have not yet disclosed concrete protocols that would guarantee the full respect of human rights during deportation processes, and particularly that Dominicans of Haitian descent will not be expelled from their country.

It is therefore imperative that the Dominican Republic establishes and makes public clear protocols that would ensure that people who are entitled to the Dominican nationality are not deported from the country. Measures should also be set in place to ensure that, if for any reason people entitled to the Dominican nationality are deported, they are allowed immediate and unconditional return to the Dominican Republic.

Dominicans of Haitian descent continue to be one of the most vulnerable groups of the Dominican society. Their situation was aggravated in September 2013 when a

constitutional judgment retroactively deprived them of their Dominican nationality. In May 2014 President Danilo Medina presented Law 169-14 to the Congress which sought to mitigate the effect of the ruling and create mechanisms to eventually restore the Dominican nationality to those affected.

Amnesty International was able to confirm that, while a large number of Dominicans of Haitian descent have obtained their documents or should be able to, many were not able to recover their Dominican nationality despite the efforts promoted by the Dominican government. In cases where they do not hold another nationality, these persons are stateless and remain seriously at risk of arbitrary expulsion to Haiti.