



Dominican Republic Statelessness Fact Sheet

In Sept. 2013, the **Constitutional Tribunal of the Dominican Republic** (DR) issued a decision (TC 168-13) that stripped as many as 200,000 Dominicans of Haitian descent (Dominican-Haitians), born in the DR, of their Dominican citizenship.

The ruling was also **retroactive**, applicable to the descendants of people who have resided in the DR as migrants as far back as 1929.

This ruling violates the DR's own Constitution, which at that time provided that those born in the DR were Dominican citizens by birth. This also **violates the Universal Declaration of Human Rights** which states that nationality is a basic right of all individuals.

Under the Haitian Constitution and Haiti's 1984 law on nationality, people of Haitian descent born outside of Haiti **do not have immediate access to Haitian nationality**. Hundreds of thousands of people are now left in legal limbo.

Those affected by the Court's decision were automatically rendered **stateless and at risk of being forcibly removed** to Haiti, a country where they had never been to, have no family and do not speak the language. Staying in DR they would be socially dead. They would be unable to: attend school past 8th grade, go to college, engage in a profession, travel outside DR, get married, own property, or register their children in school.

In May 2014, in response to domestic and international outcry, the DR government enacted a **Naturalization Law (Law 169-14)** to provide a path to citizenship for those affected by the Court decision.

Under the law, Dominicans of Haitian descent whose birth was already registered, **Group A**, could apply to have their citizenship recognized. There is no deadline for Group A applications. **Group B** was those Dominican-Haitians whose births were not registered. They had 180 days, until **Feb. 1, 2015**, to obtain a residency permit with the possibility of applying for naturalization in 2 years.

The Naturalization Law has been poorly implemented. Many of the people in Group A have yet to receive their citizenship papers because their documents are routinely refused by Dominican authorities under pretext of irregularities.

As for people in Group B, the DR government failed to carry out an effective information campaign about the law, delayed the establishment of offices to process enrollment, and **arbitrarily demanded applicants submit additional documents** not provided for by the law. As a result, less than 10,000 people in this group were able to register by the deadline.

The DR government has also approved a **Regularization Plan** for undocumented migrants who arrived in the DR in 2011. However, the vast majority of the people eligible have been unable to apply due to hurdles in the implementation of the plan.

In Oct. 2014, **the Inter-American Court of Human Rights** found that the Constitutional Tribunal decision and part of Law 169-14 relating to Group B **violated the American Convention on Human Rights**. The Dominican authorities immediately rejected the ruling and refused to comply with it.

On Feb. 11, 2015, **Henry “Tulile” Jean Claude**, a Haitian man, was **lynched** in Santiago, DR. Acts of violence, incidents of burning of the Haitian flag, and calls for deportation of “Haitian immigrants” have been reported.

On Jan. 27, 2015, **30 Dominican-born children were deported** to Haiti. On Feb. 19, 2015, Wilson Sentimo, a young **Dominican of Haitian descent was arrested by the Dominican army and forcibly removed to Haiti**.

The DR government continues to deport undocumented migrants who could not get "regularized" by the June 17, 2015 deadline as well as **expel many Dominicans of Haitian descent with legitimate rights to Dominican nationality** because they lack access to proper documentation.

This is now **the largest case of statelessness in the Western hemisphere**.