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2 April 2024

## OPEN LETTER: DOMINICAN AUTHORITIES MUST RESPECT THE HUMAN RIGHTS OF HAITIANS ON THE MOVE, DOMINICANS OF HAITIAN DESCENT AND ACTIVISTS

To the President of the Republic and the ministers of the Ministry of the Interior and the Police, the Ministry for Women, the National Council for Children and Adolescents, the General Directorate of Migration, the National Police, the Ministry of Defence, the Ministry of Health, Ombudsman and the Prosecutor General of the Republic.

Dear Ladies and Gentlemen,

We, national and international organizations monitoring the human rights situation in the Dominican Republic and the region, are writing to express our deep concern at the collective and discriminatory expulsion of Haitian nationals, including pregnant women, children, adolescents and asylum seekers, and to urge an end to such practices. We also urge the restoration of legal channels of entry and stay for migrants from Haiti. It is essential that human rights violations during migration operations, racial profiling and other forms of racial discrimination are investigated and prevented, and that the human rights of Dominicans of Haitian descent are protected, and their nationality restored. Measures must also be taken to protect human rights defenders from harassment and threats.

Reports received by Amnesty International and civil society organizations in the Dominican Republic reveal worrying human rights violations through measures of racialized exclusion of Haitian nationals and Dominicans of Haitian descent by migration officials, police and members of the armed forces assisting the General Directorate of Migration in migration operations. Amnesty International and civil society organizations stress the urgent need for institutions to act to prevent racial profiling, racism and racial discrimination, to combat racism and respect the dignity and physical integrity of Haitian nationals, and to guarantee full respect for their human rights, as well as those of Dominicans affected by the racist and violent practices of these officials.

In particular, we wish to highlight the following:

### Deportations to Haiti and suspension of legal channels of entry, refuge and residence

International human rights law prohibits collective expulsion or refoulement without an individual assessment of the protection needs of each person concerned and of the risks that people would face if returned to their country of origin.<sup>1</sup> International law also provides that all persons have the right to liberty, that this should be their default status, and that the right to liberty can only be restricted in the most exceptional circumstances.

Moreover, deportations must be individualized, non-discriminatory and fully respect legal safeguards, including the right to a defence, an effective remedy against deportation, and access to consular assistance. Expulsions must never be collective or arbitrary. The General Law on Migration stipulates that detention for the purpose of expulsion must be the exception.<sup>2</sup> States are also obliged not to expel persons to places where their life and integrity would be at risk, an

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<sup>1</sup> Inter-American Court of Human Rights. Case of Nadege Dorzema and others v. Dominican Republic. Paras 171-175

<sup>2</sup> Dominican Republic, Law 285 on Migration, 2004, <https://migracion.gob.do/transparencia/wp-content/uploads/2019/10/Ley-N%C2%B0-285-sobre-Migraci%C3%B3n.pdf>, Article 126.

obligation known as the principle of *non-refoulement*.<sup>3</sup>

The Dominican government is aware that Haiti is experiencing a serious human rights crisis caused by armed violence, political instability and the humanitarian situation.<sup>4,5,6</sup> Despite this, the General Directorate of Migration has reported that at least 251,011 Haitian nationals were expelled from the country in 2023.<sup>7</sup> According to Dominican civil society organizations, many of these expulsions have been carried out collectively, in violation of the Dominican Republic's international obligations, as they do not allow for an individual assessment of the personal circumstances and the risks that people would face if they were returned to Haiti, nor do they guarantee the principle of equality and non-discrimination. The Dominican state must apply the broad definition of refugee in accordance with the standards established by the Inter-American Court and the 1984 Cartagena Declaration on Refugees.

According to figures from the International Organization for Migration (IOM), the Dominican Republic continues to be, since 2022, the country deporting the highest numbers<sup>8</sup> of Haitian nationals on the move of all of the countries of the Americas. This despite a call by the United Nations High Commissioner for Human Rights (UNHCR) in November 2022 for states to end forced returns to the country.<sup>9</sup>

Reports from Dominican civil society organizations include the detention and deportation of Haitian asylum seekers, the failure of the National Office for Refugees (ONR) to renew asylum application certificates since September 2023, and racial profiling and discrimination in the practice of migration operations and mass expulsions to Haiti.<sup>10,11</sup>

A further element of concern is the reporting that the National Office for Refugees has no representation at any of the border points with Haiti, nor at ports or airports. Asylum applications can only be registered in Santo Domingo, and the state has made no effort to inform those arriving in the country about the process to be followed.<sup>12</sup>

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<sup>3</sup> Convention relating to the Status of Refugees, Article 33.

<sup>4</sup> Office of the UN High Commissioner for Human Rights, "Haiti: Türk warns of deepening human rights crisis following most violent month in two years", 9 February 2024 <https://www.ohchr.org/en/press-releases/2024/02/haiti-turk-warns-deepening-human-rights-crisis-following-most-violent-month>

<sup>5</sup> RC Noticias, "Presidente Abinader pidió ante ONU desplegar misión hacia Haití por escalada de violencia" [President Abinader asks UN to deploy mission to Haiti due to escalating violence], 13 February 2024 <https://robertocavada.com/nacionales/2024/02/13/presidente-abinader-pidio-ante-onu-desplegar-mision-hacia-haiti-por-escalada-violencia/>

<sup>6</sup> UN News, "Extremely alarming conditions worsen in Haiti's capital: UN coordinator" 21 March 2024, <https://news.un.org/en/story/2024/03/1147836>

<sup>7</sup> General Directorate of Migration, Dominican Republic, "Memoria Institucional año 2023" [Annual Report 2023] <https://migracion.gob.do/transparencia/wp-content/uploads/2024/01/MEMORIA-INSTITUCIONAL-2023-DGM-VF.pdf> (accessed on 2 March 2024)

<sup>8</sup> International Organization for Migration, "Displacement Tracking Matrix" <https://dtm.iom.int/es/node/23491> (accessed on 2 March 2024)

<sup>9</sup> UN Refugee Agency (UNHCR) "UNHCR calls on States to refrain from forced returns of Haitians" 3 November 2022. Accessed at <https://www.acnur.org/noticias/news-releases/acnur-insta-los-estados-abstenerse-de-realizar-devoluciones-forzadas-de>

<sup>10</sup> Religión Confidencial, "Más de cien instituciones religiosas y civiles denuncia deportaciones ilegales de haitianos en República Dominicana" [More than 100 religious and civil institutions report illegal deportations of Haitians in Dominican Republic], 26 March 2024, <https://religion.elconfidencialdigital.com/articulo/mundo/misionero-dominico-denuncia-deportaciones-ilegales-haitianos-republica-dominicana/20240324031854048895.html>

<sup>11</sup> N Noticias, "Haitianos en RD dicen se han intensificado violaciones de derechos humanos en operativos migratorios" [Haitians in DR claim that human rights violations in migration operations have intensified], 11 October 2023, <https://n.com.do/2023/10/11/haitianos-en-rd-dicen-se-han-intensificado-violaciones-de-derechos-humanos-en-operativos-migratorios/>

<sup>12</sup> UNHCR, "How to request asylum in the Dominican Republic?", <https://help.unhcr.org/dominicanrepublic/en/applying-for-refugee-status/how-to-request-asylum-in-the-dominican-republic/>

All of these factors act as barriers for people in need of international protection to seek asylum in the country.

Furthermore, the lack of public and accessible official data from the National Commission for Refugees (CONARE) means that the current situation of asylum applications by Haitian nationals in the Dominican Republic is not known, the latest figures available being those submitted to the US Department of State. This institution's 2018 report finds that, according to United Nations officials, the rejection rate of applications submitted since 2013 was 96%.<sup>13</sup> It also finds that, according to the UNHCR, of the more than 300 cases of asylum seekers receiving a final decision between 2012 and 2016, the government rejected 99% with the vague justification of "failure of proof", while 99% of asylum seekers were also of Haitian origin. In its 2022 report, the US Department of State notes that the Dominican government recognized and issued identity documents to fewer than 10 refugees in recent years, and that rejection rates for asylum claims were above 90%, while many applications remained pending for several years.<sup>14</sup>

These figures are alarming and, together with the barriers to accessing asylum, raise concerns about the possibility that the cases being effectively processed may be even fewer, and in connection with the Dominican government's application of international standards on asylum and refugee status. Given the current situation in Haiti, with widespread violence and disruption of public order, the Dominican Republic should apply to Haitians the definition of refugee status based on the decisions of the Inter-American Court of Human Rights in application of the Cartagena Declaration on Refugees.<sup>15</sup>

Following the worsening of the situation in October 2023 as a result of the conflict over the canal on the Massacre River, several measures were announced, including the indefinite suspension of visas for Haitian nationals, the militarization of the border and implementation of biometric controls, and the closure of the border to migration. In addition, the Dominican government suspended the legal channels for Haitian nationals to enter and renew their study, residence and work visas in the Dominican Republic.<sup>16</sup> This suspension has left people in an irregular migratory situation and has caused the separation of families.

From statistics published by the General Directorate of Migration,<sup>17</sup> Amnesty International has ascertained that between October 2023 and January 2024, no Haitian nationals have had a definitive residence permit issued or renewed, with only four receiving a permanent residence permit and one a temporary permit. Amnesty International has also confirmed that consular services issuing visas for Haitian nationals to enter the Dominican Republic have been suspended since October 2023, with no date for the reinstatement of such services having been provided.

Amnesty International and the undersigned organizations are extremely concerned about the context of collective deportations and the multiple obstacles faced by Haitian nationals in accessing international protection in the Dominican Republic. Taken together, these measures are evidence of a de facto policy of racialized exclusion through expulsion on the basis of race and nationality. While states have the prerogative to authorize entry into their territory and manage their migration policies, they must respect international human rights obligations, including the prohibition of discrimination and collective expulsion, the principle of non-refoulement, and the protection of persons in need of international

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<sup>13</sup> U.S Department of State, "2018 Country Reports on Human Rights Practices: Dominican Republic", March 2018, <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/dominican-republic/>

<sup>14</sup> U.S Department of State, "2022 Country Reports on Human Rights Practices: Dominican Republic", March 2022, <https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/dominican-republic>

<sup>15</sup> Inter-American Court of Human Rights, Advisory Opinion OC-25/18, 30 May 2018, [https://www.corteidh.or.cr/docs/opiniones/seriea\\_25\\_ing.pdf](https://www.corteidh.or.cr/docs/opiniones/seriea_25_ing.pdf)

<sup>16</sup> Presidency of the Republic, "Consejo Nacional de Seguridad anuncia nuevas medidas para fortalecer el cierre fronterizo y establece Corredores Comerciales Provisionales" [National Security Council announces new measures to strengthen the border closure and established Provisional Trade Corridors], 9 October 2023 <https://presidencia.gob.do/noticias/consejo-nacional-de-seguridad-anuncia-nuevas-medidas-para-fortalecer-el-cierre-fronterizo>

<sup>17</sup> General Directorate of Migration, Dominican Republic, "Estadísticas de residencias otorgadas por nacionalidad 2018-2024" [Statistics of residence permits issued by nationality 2018-2024] <https://migracion.gob.do/transparencia/documentos/estadisticas-de-residencias-otorgadas-por-nacionalidad-2018-2024/> (accessed 2 March 2024)

protection. Migration policies should never be used as a pretext for racial discrimination.

**The authorities of the Dominican Republic must therefore refrain from carrying out rejections at the border and suspend forced deportation of Haitian nationals, whether individual or collective. The state must also respect the principle of non-refoulement which prohibits the return of any person, regardless of their status, to a place where their life and human rights are at risk. The authorities must guarantee access to a fair, effective and non-discriminatory asylum procedure, and restore legal channels for entry into the country and procedures for the renewal of visas and temporary and permanent residence permits for Haitian nationals. Finally, the state must adopt concrete and effective measures to eliminate and prevent racial discrimination in the implementation of its migration policies and asylum system.**

#### Violence and excessive use of force in migration operations

According to information received, between January and December 2023 there have been a number of incidents<sup>18</sup> in which Haitian nationals on the move have been subjected to racist violence during migration operations implemented by state officials in various provinces of the Dominican Republic.<sup>19</sup> In other cases, there have been reports of excessive use of force, including hangings, beatings and blows to the head, as well as reports<sup>20,21</sup> of raids without court orders and violent entry into homes and private property, some at night while people were asleep.<sup>22</sup> Such reports suggest that violations of the right to freedom from torture and cruel, inhuman and/or degrading treatment, as well as other human rights violations, may be taking place in the context of migration operations.

The involvement of the national police and members of the armed forces in migration operations is a cause for concern given the lack of training of these law enforcement agencies in the dignified and non-discriminatory treatment of migrants and the association of these armed forces with abuses and violence in their interaction with the Dominican civil society.

**The seriousness of this situation calls for urgent action, including the investigation and punishment of those responsible for human rights violations in migration operations, human rights training for migration officials, limiting the involvement of the national police and members of the armed forces in migration operations, the development of rights-based protocols for migration operations, and the adoption of concrete measures to eliminate and prevent racist violence and racial discrimination in migration operations, mechanisms for reporting abuses, access to justice and legal assistance for victims, among others.**

#### Detention and deportation of pregnant Haitian women

According to declarations by UN human rights agencies<sup>23</sup> and the media, pregnant Haitian women and those giving birth

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<sup>18</sup> Cañeros Organizados, X (Twitter) Post, 10 October 2023 <https://twitter.com/EsclavizadosRD/status/1711733982071509243>

<sup>19</sup> Cañeros Organizados, X (Twitter) Post, 10 October 2023 <https://twitter.com/EsclavizadosRD/status/1711733982071509243>

<sup>20</sup> Esclavizados RD, X (Twitter) Post, 9 June 2023 <https://twitter.com/EsclavizadosRD/status/1667161457341890561?s=20>

<sup>21</sup> Acento, “119 organizaciones denuncian robos y abusos cometidos por agentes de Migración contra migrantes haitianos en El Seibo” [119 organizations denounce theft and abuses committed by migration officials against Haitian migrants in El Seibo], 20 March 2023, <https://acento.com.do/actualidad/119-organizaciones-denuncian-robos-y-abusos-cometidos-por-agentes-de-migracion-contra-migrantes-haitianos-en-el-seibo-9318116.html>

<sup>22</sup> RECONOCIDO, “Denunciamos allanamientos y detenciones de dominicanos/as de ascendencia haitiana en El Seibo” [We denounce raids and detention of Dominicans of Haitian descent in El Seibo], 18 September 2023, <https://www.reconoci.do/denunciamos-allanamientos-y-detenciones-de-dominicanos-as-de-ascendencia-haitiana-en-el-seibo/>

<sup>23</sup> UN News, “La República Dominicana detiene y deporta a las haitianas embarazadas que buscan cuidados médicos” [Dominican Republic detains and deports pregnant Haitian women seeking medical care], 12 September 2023, <https://news.un.org/es/story/2023/09/1524042>

in the Dominican Republic have been detained and deported since 2021 while attending public hospitals<sup>24</sup> on the basis of racial profiling. At a public hearing<sup>25</sup> held in November 2023 at the Inter-American Commission on Human Rights (IACHR), the Dominican state declared that it had deported over 2,200 pregnant women. These practices are alarming as, in addition to violating the principle of equality and non-discrimination and the principle of non-refoulement, they put the health and physical integrity of women and their children at risk. States must ensure that all persons under their jurisdiction, regardless of their migratory status, can access basic services without fear of detection or deportation.

Amnesty International has received reports from Dominican civil society organizations and human rights defenders that, fearing detention and deportation, pregnant Haitian women are no longer seeking medical care, thereby putting their health, lives and pregnancies at risk.

Article 134(1) of the regulations for the application of Law 285 on Migration in the Dominican Republic states that “Detention shall never be applied to children, pregnant or nursing women, the elderly, or asylum seekers.”

**We call for an end to racial profiling, intimidation, detention and deportation of pregnant women seeking medical care, and for their right to health to be guaranteed when accessing health services. Authorities must separate migration policies from access to essential public services and ensure that people can access such services without fear of detention, deportation or racial discrimination, regardless of their migratory status.**

#### Separation of families and detention and deportation of children and adolescents

Amnesty International has received information and verified videos<sup>26</sup> of the detention of children<sup>27</sup> and adolescents of Haitian nationality during migration operations. In addition, during a hearing before the IACHR,<sup>28</sup> the state reported that, from January to September 2023, the migration authorities detained more than 2,200 unaccompanied children and adolescents, 861 of whom were reunited with their families in the Dominican Republic and more than 1,400 deported to Haiti.<sup>29</sup>

Amnesty International has been informed that children and adolescents have been handed over by the Dominican authorities to the Haitian authorities, despite the fact that there are no protocols in place for such handovers and no

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<sup>24</sup> Integral Orientation and Research Center (COIN), “*Organizaciones condenan entrada de agentes de migración a hospitales de la provincia La Altagracia para detener mujeres embarazadas*” [Organizations condemn entry of migration officials into hospitals in the province of La Altagracia to detain pregnant women], 21 July 2023, <https://coin.org.do/organizaciones-condenan-entrada-de-agentes-de-migracion-a-hospitales-de-la-provincia-la-htagracia-para-detener-mujeres-embarazadas/>

<sup>25</sup> Inter-American Commission on Human Rights, “*República Dominicana: acceso a la salud de mujeres y niñas migrantes haitianas embarazadas*” [Dominican Republic: access to health care for pregnant Haitian migrant women and girls], 8 November 2023, <https://www.youtube.com/watch?v=cXwnoqPu0Dg>

<sup>26</sup> MST\_RD, X (Twitter) Post, 2 June 2023, [https://twitter.com/trabajadores\\_rd/status/1664725527360421892?s=46&t=DtnC5sS6Y494wvo4KS4lyw](https://twitter.com/trabajadores_rd/status/1664725527360421892?s=46&t=DtnC5sS6Y494wvo4KS4lyw)

<sup>27</sup> Diario Libre, “*Trasladan bebé agarrado de las verjas de camión de Migración durante redada en Santo Domingo Este*”, 3 July 2023, <https://www.diariolibre.com/actualidad/nacional/2023/06/03/video--indigna-como-trasladan-bebe-en-camion-de-migracion/2334520>

<sup>28</sup> Inter-American Commission on Human Rights, “*República Dominicana: acceso a la salud de mujeres y niñas migrantes haitianas embarazadas*” [Dominican Republic: access to health care for pregnant Haitian migrant women and girls], 8 November 2023, <https://www.youtube.com/watch?v=cXwnoqPu0Dg>

<sup>29</sup> Cri. L. Peguero @elarte22, TikTok Post, 28 September 2023, <https://www.tiktok.com/@elarte22/video/7283995610452086021?r=1&t=8i18aDPEHsk> “*Niña abandonada por agentes de migración*” [Girl abandoned by migration authorities]

mechanisms to guarantee their rights and safety.<sup>30, 31</sup>

The Dominican Constitution establishes the protection of minors as a priority based on the best interests of children and adolescents, and imposes on families, society and the state the obligation to support and protect them in order to guarantee their harmonious and integral development and the full exercise of their fundamental rights.<sup>32</sup>

International law sets out basic principles that all public and private institutions must adhere to when dealing with children, including the obligation to always act in the best interests of the child. States must refrain from detaining children, as detention is never in their best interests and is a form of violence and a violation of children's rights.<sup>33</sup>

The UN Convention on the Rights of the Child provides that states shall take appropriate measures to ensure that a child who is seeking refugee status or who is considered a refugee in accordance with applicable international or domestic law and procedures shall, whether unaccompanied or accompanied by his or her parents or by any other person, receive appropriate protection and humanitarian assistance in the enjoyment of applicable rights (Article 22.1). Moreover, no child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment (Article 37a).

**The Dominican Republic has an obligation to ensure the best interests of children on the move when enforcing migration laws and must therefore refrain from deporting children to Haiti while the current crisis in that country continues.**

**Similarly, the state must refrain from separating families and detaining children and adolescents on migration grounds. This is essential to protect children's rights, safeguard their best interests, and ensure family unity.**

#### Racial profiling and restitution of nationality

According to national media<sup>34</sup> and Dominican civil society organizations,<sup>35</sup> Black people, both Dominicans and foreigners, including a woman with disabilities, have been arbitrarily detained on the basis of racial profiling.<sup>36</sup> These detentions are carried out with a view to subsequent deportation and are based on racial profiling used in migration operations.

Racial profiling in migration operations also puts Dominicans of Haitian descent at risk of arbitrary detention and

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<sup>30</sup> Interview with Pazzis Paulino, Director of Territorial Management at the National Council for Childhood and Adolescence (CONANI), 8 February 2024.

<sup>31</sup> La República, “Niños y adolescentes haitianos deportados de República Dominicana: ¿qué es lo que se sabe?” [Haitian children and adolescents deported from the Dominican Republic: what do we know?], 6 September 2023, <https://larepublica.pe/mundo/2023/08/29/ninos-y-adolescentes-haitianos-deportados-de-republica-dominicana-que-es-lo-que-se-sabe-lrtmc-2264726>

<sup>32</sup> Dominican Republic, Constitution of the Dominican Republic, [https://www.dgcp.gob.do/transparencia/documentos/base\\_legal\\_institucional/Constituci%C3%B3n](https://www.dgcp.gob.do/transparencia/documentos/base_legal_institucional/Constituci%C3%B3n), 2015, Section II, Article 56.

<sup>33</sup> Office of the United Nations High Commissioner for Human Rights, “UN experts advocate for an end to migrant children detention”, 2 February 2024. Available at <https://www.ohchr.org/es/stories/2024/02/un-experts-advocate-end-migrant-children-detention>

<sup>34</sup> N Digital Multimedia, “Futbolista cubano detenido arbitrariamente por Migración al confundirlo con haitiano; fue trasladado a Haina” [Cuban footballer arbitrarily detained by Immigration after being mistaken for a Haitian; he was transferred to Haina], 31 January 2024, <https://n.com.do/2024/01/31/futbolista-cubano-detenido-arbitrariamente-por-migracion-al-confundirlo-con-haitiano-fue-trasladado-a-haina/>

<sup>35</sup> Listín Diario, “Haitianos en RD denuncian el arrecio de operativos migratorios ilegales” [Haitians in DR denounce an upsurge in illegal migration operations], 11 October 2023, <https://listindiario.com/la-republica/20231011/haitianos-rd-denuncian-arrecio-operativos-migratorios-ilegales-776934.html>

<sup>36</sup> Diario Libre, “Denuncian dominicana confundida con haitiana fue víctima de violación mientras estaba desaparecida” [Dominican woman mistaken for Haitian was victim of rape while missing, report says], 14 October 2023, <https://www.diariolibre.com/actualidad/nacional/2023/10/14/abusaron-de-dominicana-mientras-estaba-desaparecida/2491958>

deportation. Among those affected are the beneficiaries of Law 169-14,<sup>37</sup> in particular those in Group B who were included in special naturalization processes.<sup>38</sup>

The Reconocido movement has documented<sup>39</sup> the detention of Dominicans of Haitian descent for the purposes of deportation.

**Urgent measures must be taken to prevent racial profiling in the detention of persons, whether Dominicans or foreigners. Protocols must be put in place to prevent expatriations and to provide reparations to those affected. At the same time, the state must restore the nationality of people of Haitian descent, issue and renew documentation for beneficiaries of Law 169-14, and address the structural and institutional racism faced by this population group.**

#### Secure environment for civil society organizations and human rights defenders

Amnesty International has received reports that artists, civil society organizations,<sup>40</sup> activists,<sup>41</sup> public officials<sup>42</sup> and members of the diplomatic corps<sup>43</sup> in the Dominican Republic are subjected to digital harassment, threats and the boycotting of their activities by groups operating with impunity on the basis of racist and xenophobic rhetoric. The state has failed to take measures to prevent xenophobia, racism, discrimination and intolerance based on national, racial or ethnic origin. It is imperative that state authorities refrain from stigmatizing Haitians on the move as an economic burden on the state<sup>44</sup> and a threat to sovereignty and national security.<sup>45</sup> Such stereotypes and prejudices based on nationality have discriminatory outcomes and exacerbate the risks of racist violence, xenophobia and racial discrimination against Black people, including Dominicans.

**The Dominican state must take measures to safeguard the right to defend human rights and to protest, free from violence and threats to people's physical and mental integrity. The authorities must also promote in their public statements the rejection of racism and prejudice against Haitians living in the Dominican Republic. Finally, the state must adopt**

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<sup>37</sup> This law establishes a special regime for persons born on national territory and registered before the Dominican Civil Registry and for naturalization. It was enacted to address the massive violation of human rights caused by ruling 168-13 of the Dominican Constitutional Court, which retroactively and collectively revoked the nationality of thousands of persons born in the Dominican Republic since 1929 to parents with an "irregular", "in transit" or "non-resident" migratory status.

<sup>38</sup> According to Law 169-14, **descendants of foreigners with irregular migratory status** who were never registered before the civil registry but who have resided all their lives in the Dominican Republic and have no link to their parents' country of origin fall under Group B.

<sup>39</sup> RECONOCIDO, "Día de los Derechos Humanos: Apatridia y detenciones en RD" [Human Rights Day: Statelessness and detentions in the DR], 12 December 2023, <https://www.reconoci.do/dia-de-los-derechos-humanos-apatridia-y-detenciones-en-rd/>

<sup>40</sup> HOY, "Grupo impidió actividad en parque independencia contra racismo y en solidaridad con George Floyd da su versión" [Group that prevented Independence Park act against racism and in solidarity with George Floyd gives their version of events], 9 June 2020, <https://hoy.com.do/grupo-impidio-actividad-en-parque-independencia-en-solidaridad-con-george-floyd-da-su-version/>

<sup>41</sup> Diario Libre, "Crónicas de la intolerancia" [Chronicles of intolerance], 26 October 2022, [Crónicas de la intolerancia en RD - Diario Libre](https://www.diariolibre.com/actualidad/cronicas-de-la-intolerancia-en-rd/)

<sup>42</sup> El Nuevo Diario, "Movimiento Antigua Orden Dominicana preocupados por el descontrol migratorio de haitianos" [Old Dominican Order concerned about out of control Haitian migration], 21 December 2020, [Movimiento Antigua Orden Dominicana preocupados por el "descontrol" migratorio de haitianos – El Nuevo Diario \(República Dominicana\)](https://www.eldiariolibre.com/actualidad/movimiento-antigua-orden-dominicana-preocupados-por-el-descontrol-migratorio-de-haitianos/)

<sup>43</sup> Acento, "Oficina de la ONU denuncia acoso, insultos y amenaza de dominicanos" [UN office denounces harassment, insults and threats from Dominican nationals], 18 May 2022, <https://acento.com.do/actualidad/oficina-de-la-onu-denuncia-acoso-insultos-y-amenazas-de-dominicanos-9063845.html>

<sup>44</sup> Diario Libre, "Impacto de las parturientas haitianas en la salud pública de la República Dominicana" [Impact of Haitian women giving birth in the Dominican Republic on the country's public health], 25 February 2022, <https://www.diariolibre.com/actualidad/salud/2022/02/25/impacto-de-parturientas-haitianas-en-rd/1680846>

<sup>45</sup> TeleAntillas, "Abinader: RD seguirá deportando haitianos y no autorizará campos de refugiados en su territorio" [Abinader: DR will continue to deport Haitians and will not authorize refugee camps in its territory], 22 March 2024, <https://teleantillas.com.do/nacionales/abinader-rd-seguira-deportando-haitianos-y-no-autorizara-campos-de-refugiados-en-su-territorio/>

**measures to eliminate and prevent racial discrimination and xenophobia.**

We urge state institutions to take immediate measures to address these issues and to ensure that the human rights of all persons are upheld, regardless of their nationality, race, colour, descent or migratory status. We also recommend that you meet with human rights organizations and organizations of migrants and Dominicans of Haitian descent in the country to listen to their demands and to design and implement the above measures.

We trust that this letter will be seen as an effort to enforce this constitutional mandate.

We appreciate your attention to this serious issue and look forward to a prompt response with concrete actions aimed at addressing these concerns and building a Dominican Republic free of racial discrimination.

Yours faithfully,

Amnesty International  
Aquelarre  
National Commission on Human Rights (CNDH)  
Integrated Ethnic Foundation (FEI)  
Haitianos RD  
Reconocido Movement  
MOSCTHA  
Juntas Prietas