

URGENT ACTION

DOMINICAN MAN DEPORTED TO HAITI

A young Dominican of Haitian descent was arrested by the Dominican army and was deported to Haiti, a country where he has never lived.

On 19 February at around 8am, an army truck stopped alongside the entrance of batey Libertad, close to the northern town of Mao in Valverde province, Dominican Republic, and requested to see the identity documents of a group of young bystanders. **Wilson Sentimo**, a Dominican of Haitian descent, was the only one who did not have any identity document with him. Although he told the officers that he was Dominican, the army personnel arrested him and forced him to board the truck telling him that he was "Haitian". He was first sent to the army post in Mao and then to the border town of Dajabon along with around 30 other people. They were subsequently deported to Haiti. Wilson Sentimo spent the night in the Haitian border town of Ounaminthe, where he stayed with a local family. On 20 February he was able to return to the border city of Dajabon but he is still unable to return to his hometown because of his lack of identity documents.

Wilson Sentimo was born in December 1989 in Esperanza, a northern town in the Valverde Province, to Haitian parents. His mother registered his birth in the Dominican civil registry in July 1990 and he was given a Dominican birth certificate. Despite multiple requests, he was never issued a Dominican identity card. He possesses a copy of his birth certificate proving that he was born in the Dominican Republic but the army personnel did not give him the opportunity to show his document. He has lived all his life in the Dominican Republic and has no attachments to Haiti. Wilmon Sentimo is visually impaired and did not have his glasses at the moment of his arrest.

For about a decade, the vast majority of Dominicans of Haitian descent have been systematically denied their identity documents and made stateless by a ruling issued by the Dominican Constitutional Court in September 2013. However, in response to national and international pressure, in May 2014 the Congress passed a law (Law 169-14) that provided for children born in the country to undocumented foreign parents, whose birth had already been registered in the Dominican Civil Registry, to be "accredited as Dominicans" and receive their identity documents. Only a minority of people is known to have benefitted from this law.

Please write immediately in Spanish or your own language:

- Expressing concern to the Dominican authorities for the arbitrary arrest and deportation of a Dominican national;
- Calling on them to ensure that Wilson Sentimo is immediately allowed to return to his home in the Dominican Republic and provided with his identity card, in compliance with provisions of the Law 169-14;
- Urging them to fulfil their obligations under international law, which prohibit arbitrary and collective expulsions, and to ensure that all those facing removal from the Dominican Republic have their cases individually examined in a fair and transparent procedure, where they can challenge the authorities' decisions and have their case reviewed.

PLEASE SEND APPEALS BEFORE 3 MARCH 2015 TO:

Minister of Interior and Police

José Ramón Fadul
Av. México esq. Leopoldo Navarro
Edificio de Oficinas Gubernamentales
Juan Pablo Duarte
Santo Domingo, República Dominicana
Email: info@mip.gob.do

Salutation: Señor Ministro / Dear Minister

Director of Migration

Lic. Jose Ricardo Taveras
Dirección General de Migración
Avenida 30 de Mayo, Esquina Héroes de Luperon
Santo Domingo, República Dominicana
Fax: +1 809 534 7118
Email: info@migracion.gov.do

Salutation: Señor Director / Dear Director

Solidarity letters to:

Dominicanos por Derecho
Email:
dominicanosxderecho@gmail.com

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

In September 2013 the Dominican Constitutional Court established that children of irregular migrants born in the Dominican Republic between 1929 and 2010, previously recognised as Dominican nationals, had never been entitled to Dominican nationality and had to be stripped of it (ruling 168-13). The vast majority of those affected are Dominicans of Haitian descent. The ruling was the last of a number of administrative, legislative and judicial decisions which since the early 2000s have had the effect of denying Dominicans of Haitian descent of their Dominican identity documents and retroactively depriving them of their Dominican nationality.

Following national and international outcry, in May 2014 the Dominican Congress adopted Law 169-14, which created two categories of people: those who at some point were registered in the Dominican civil registry (group A), and those whose birth was never declared (group B). Although the law provides for those in group A to have their Dominican nationality fully returned, eight months after its entry into force many affected people have yet to be issued with their identity documents and remain stateless. As the entire country undergoes a process of renewing their identity and electoral cards, many Dominicans of Haitian descent now face difficulties having their cards renewed. Law 169-14 requires those in group B to register as foreigners in order to be regularized, receive a residency permit and apply for naturalization two years later. Although the legal deadline for them to register expired on 1 February, poor implementation of the law has meant that very few of those in group B were able to register before this deadline.

Arbitrary and mass deportations of Haitian migrants and their descendants are common practice in the Dominican Republic. Most of the expulsions that are regularly carried out are arbitrary and do not comply with international human rights standards. Given the failure to individually examine each case, sometimes Dominicans of Haitian descent are also rounded-up and deported.

On 28 August 2014, the Inter-American Court of Human Rights handed down a ruling calling on the Dominican Republic to provide redress for human rights abuses suffered by a group of Dominicans of Haitian descent and Haitians as a result of illegal deportations, denial of identity documents and arbitrary deprivation of nationality, among others. However, the Dominican authorities promptly rejected the ruling, dismissing it as “out of season, biased and inappropriate.”

On 27 January, 51 people, including 30 Dominican-born children, some of their mothers and 14 other adults were deported without due process to Haiti from the Dominican Republic. They were arrested when they were on their way to register the children under the provisions of Law 169-14 for group B. The group was eventually allowed to go back to their home, following the intervention of the Ministry of the Interior.

At the beginning of 2015, the Dominican authorities launched “Operation Shield” (*Operación escudo*), a mass-scale deployment of security forces in the border areas, with the aim of halting the entry of those without regular status. Since the beginning of the year, the authorities have announced having repatriated more than 22,000 individuals, the vast majority to Haiti. According to Dominican human rights organizations, among those repatriated there are also individuals who had already applied to the ongoing National Plan of Regularization of Foreigners with Irregular Migration Status, despite the fact that the Government had announced the halt of deportations during the implementation of the Plan.

On 14 February, army officers raided batey Libertad, where Wilson Sentimo lives, and arrested three Haitian men, two of which had lived in the Dominican Republic for more than a decade. Those two were eventually released under payment of a bribe, while the third man, who had been in the country since last October, was deported.

Name: Wilson Sentimo

Gender m/f: m