

Dominican Republic – Nationality Issue

Press Lines

- UK aware of the decision by the Dominican Constitutional Court and the potential implications for many people of foreign descent living in the Dominican Republic.
- We continue to follow the situation closely and, along with our EU partners, are engaging with the Dominican government through our Embassy in Santo Domingo, here in the UK and in Brussels.
- UK recognises and respects the sovereignty of the Dominican Republic and the independence of its public authorities and constitutional bodies.
- We are concerned, however, about the potential impact of the ruling on the acquired rights of those affected, most notably those people of Haitian descent living in the Dominican Republic.
- As such, we welcome President Medina's commitment to finding a 'human solution' to the situation faced by those whom this ruling affects.
- We welcome the recent visit to the Dominican Republic, at the invitation of the Dominican Government, by the Inter-American Court of Human Rights.
- We hope that the Dominican Government will take careful note of the recommendations that are being made to it by IACHR, UNHCR and others relevant bodies.
- We encourage the DR to work in collaboration with these organisations and Dominican civil society to find solutions that protect the acquired rights of those affected.
- We are concerned about the friction that this issue has caused between the DR and its neighbours in the Caribbean. As such, we are encouraged that the governments of the DR and Haiti have resolved to address this issue through dialogue.
- **Border Issues/Civil Unrest:** UK following developments in the DR closely.

Background (for Press Office)

- On 23 September a Dominican Republic Constitutional Court decision stripped Dominican nationality from a woman of Haitian descent and ordered a review of all births to foreign nationals since 1929. The verdict effectively denies Dominican nationality to tens of thousands of citizens born in the country to parents whose migration status was irregular at the time of their child's birth, the vast majority being of Haitian descent. Some sources have estimated the numbers affected, as being more than 200,000 people.
- The Court Sentence re-interpreted the Constitution of 1929 in order to close a loophole which had granted Dominican nationality to the children of illegal migrants (until the Constitution was changed in 2010).
- There has been widespread criticism of the verdict, including from UNHCR, the Haitian Government, the OAS and CARICOM. The EU has taken a more measured

approach, delivering a demarche to the President expressing concern about the implications of the ruling.

- The Inter-American Court of Human Rights conducted a visit to the DR on 2-5 December. The mission concluded that there had been “grave violations” of the rights to nationality, identity and equal protection without discrimination. The mission made a series of recommendations to the DR government around guaranteeing the right to nationality of the individuals affected by the ruling.
- President Medina has set out the government’s intention to implement the court verdict. A Decree for the Regularization of Foreigners has now been published for consultation. It promises “a special naturalisation process” for those who have “lost nationality”.
- The Dominican and Haitian governments recently resumed a dialogue (mediated by Venezuela) aimed at resolving the situation. The DR had broken off talks following the decision by CARICOM to defer DR’s application to join the organisation
- There has been some scenes of unrest close to the Haitian-Dominican border. A robbery and murder by two Haitians of an elderly Dominican coffee planter and his wife on 22nd November triggered an angry response and the lynching of one apparently innocent Haitian in the Dominican town of Neiba. The situation remains tense.