

WE ARE DOMINICANS
Dominican by Birth, Haitian in Name Only





“My parents are Haitian
but not me, I am Dominican.

I was born here.

My children need their IDs
and birth certificates to go
to university. If they don't
have those documents, it is
as if they don't exist. Without
studies, what's their life?
Nothing. To the left of zero.”

MARIA

WE ARE DOMINICANS

PHOTOGRAPHS BY JON ANDERSON

Maria, standing in middle, with her family, Dominican Republic



“They told me they wouldn’t register my son. They said I have a Haitian last name. But I am Dominican. If you are born here, you are Dominican, that’s the law. You could be the child of French, Chinese parents, doesn’t matter. But they didn’t want to register the boy.” **JAVIER, HUSBAND OF RUTH**



"I am Dominican. Both of my parents are Dominican. They suggested I register the boy on my own. I said no. This is my country and I am married. He is the father of the boy. I am not going to register him alone." **RUTH, WIFE OF JAVIER**



“When my daughter was born, I went to register her to get health insurance. They said, ‘We don’t give documents to children of immigrants! That was a shock because I don’t know anything about Haiti. That’s my parents’ country, but I am Dominican. This attacks the lives of so many people. It’s like civil genocide. Without identity we are nobody.” **DANILO**









“I am a lawyer, I was born here. I have a wife and children here. I have bank accounts. I have a piece of land and a small business. **I love my country**, and I am going to fight for my nationality. I am selling my grocery shop, selling my land. Why? If they deny my nationality, don't you think they could take away my right to property? To fight, I shouldn't have anything.” **DIONISIO**

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FOR AN UPSTANDING, native-born citizen of the Dominican Republic, renewing a passport should be a simple task. Bring an official copy of a birth certificate, the current passport, photos, and any other required identification documents. Fill out the forms. Stand in line. Pay the fee. Take a receipt. Wait.

As an upstanding, native-born citizen of the Dominican Republic, this is what Dionisio assumed. He wanted to renew his Dominican passport to prepare for an upcoming visit to his wife's parents in the United States. So he went to a government office and stood in line for an official copy of his birth certificate. The young clerk was polite when she told Dionisio that she could not issue the document. She advised Dionisio to take his request to a judge.

Dionisio was standing as he spoke to the judge, because the judge had not offered him a seat. Dionisio thought this was odd. Dionisio is well known in his community, and as much a Dominican and as much an officer of the court as the judge herself.

Dionisio had worked his way through college in a job with a pineapple-canning company. He had become a lawyer, and a Dominican university issued the diploma hanging on a wall in his home. His wife, a Dominican citizen, is also an attorney. They have four children, all native-born

Dominicans. Dionisio owns his home, a small grocery store, and some property. He has a firearms license, credit cards, and bank accounts.

He has known for years that Article 11 of his country's constitution recognizes the Dominican citizenship of anyone born on the country's territory, except infants born to diplomats or foreigners "in transit"—understood for decades to mean those in the country for fewer than 10 days. Dionisio's parents—a sugar cane cutter and a bread seller who immigrated five decades ago from neighboring Haiti—raised their five children in the Dominican Republic, and lived there as legal residents for decades.

Dionisio remained standing as the judge answered: "I can't give it to you because you have a Haitian last name."

"How is this possible?" Dionisio asked. "Look at my parents' papers." Dionisio presented the documents with registry numbers and official stamps. He showed the state residency permit his father had used to travel out of the Dominican Republic in 1976.

The judge replied: "I have orders not to give a birth certificate to anyone who has a Haitian last name, because we are purifying our municipality."

Dionisio was still standing when he absorbed the sting of the word purify.

The Dominican Republic is home to about 9.8 million people, hundreds of thousands of whom are Dominicans of Haitian descent. Their ancestors came from Haiti to find work—often on the sugar plantations. This journey was not uncommon nor was it discouraged; thousands came with the express permission of the Dominican government. Despite welcoming workers from Haiti, the government has never hesitated to use Haitians and their offspring as scapegoats for the country’s economic or political problems.

Dominicans of Haitian descent are just like other Dominican citizens. They are teachers, lawyers, and doctors; they pay taxes and are active in their communities. Born on Dominican soil, they are just as much citizens as Dominicans without Haitian ancestry. But now, the country’s leaders claim that practically every person in the country with a Haitian last name—even Dominicans of Haitian descent who have parents or grandparents born in the Dominican Republic—are no longer citizens, despite previously having been recognized as citizens by the state.

The Open Society Justice Initiative has worked since 2005 to help ensure that all citizens of the Dominican Republic, regardless of their ethnic background, can exercise their right to enjoy the full benefits of citizenship: to access state health care, to obtain public education for their children, to vote and to run for political office, and to obtain basic documents, including birth certificates and passports. To this end, the Justice Initiative supports monitoring and documentation efforts in the Dominican Republic. It is providing advisory assistance for ongoing strategic litigation.

In its decision in *Dilcia Yean and Violeta Bosico v. Dominican Republic*, the Inter-American Court of Human Rights held that no state can deny citizenship to native-born

children based upon the immigration status of their parents. It ordered the Dominican government to stop discriminating against persons of Haitian descent. The Justice Initiative filed an amicus brief in the case.

Instead of complying with the court’s order, the government effectively began denying even more Dominicans of Haitian descent the rights attached to citizenship. Today, government offices refuse to issue lifelong Dominican citizens like Dionisio certified copies of birth certificates and other documents that the government had issued lawfully for decades.

Dionisio has contacted other Dominicans of Haitian descent to stand and resist the government’s actions, which are threatening to push them into the limbo of statelessness. The majority of them, however, are not willing to do anything because of their fear of losing what few benefits they still enjoy. He too is afraid.

“Why?” Dionisio asked. “Because if they can take away my nationality, they can take anything away from me. Without my identity papers, I am nobody.”

But Dionisio is ready to fight for his rights.

“All I’m asking is that we respect the existing laws.”

OSI ONLINE

View videos of Dionisio and other Dominicans of Haitian descent telling their personal stories of discrimination, identity, love, and fear.

www.soros.org/ar08/dominicans