

1 [Denouncing the Dominican Republic for Its Treatment of Dominicans of Haitian Descent]

2
3 **Resolution denouncing the Dominican Republic for retroactively stripping the**
4 **citizenship of hundreds of thousands of Dominicans of Haitian descent, for denying**
5 **former Dominican citizens a fair process to regularize their status, for planning a mass**
6 **deportation of former citizens, and urging the United States to use any and all**
7 **appropriate means to encourage the Dominican Republic to restore the rights of**
8 **Dominicans wrongfully stripped of their citizenship.**

9
10 WHEREAS, The Constitutional Court of the Dominican Republic issued a ruling on
11 September 23, 2013, which retroactively stripped the citizenship of Dominicans born after
12 1929 to parents not of Dominican ancestry; and

13 WHEREAS, The decision's retroactive application is a blatant violation of international
14 human rights and Dominican law and

15 WHEREAS, Although the Dominican Republic has a binding legal obligation to comply
16 with a decision by the Inter-American Court, the Constitutional Court ruling disregards the
17 Inter-American Court of Human Rights decision in *Yean and Bosico v. Dominican Republic*,
18 which upheld the rights of all Dominicans regardless of race, color, or national origin, and the
19 rights of Dominican born citizens of Haitian descent to Dominican citizenship; and

20 WHEREAS, The ruling also conflicts with the Inter-American Court of Human Rights
21 decision in *Case of Expelled Dominican and Haitian People v. Dominican Republic*, which
22 found the detention, treatment, and mass expulsion of Haitians and Dominicans of Haitian
23 descent to be in violation of human rights laws and customs; and

24 WHEREAS, Prior to the ruling, the Dominican Republic amended its constitution's
25 principle of *jus soli*, under which citizenship was the birthright of every person born on

1 Dominican soil, to exclude citizenship for children of non-residents such as undocumented;
2 and

3 WHEREAS, The ruling effectively rendered people who had been born and lived in the
4 country for generations effectively rendered them “stateless,” and impacts well over 200,000
5 Dominican citizens of Haitian descent; and

6 WHEREAS, Stripping these individuals of their citizenship and the ability to obtain a
7 national identity document known as a *cédula de identidad y electoral*, which is required to
8 vote, to register for university education, to open a bank account, to acquire or transfer
9 property, to apply for a passport, to make a sworn statement before the judicial system, to get
10 married or divorced, and even to register the birth of one’s child; and

11 WHEREAS, In response to the international outcry following the 2013 court ruling, the
12 Dominican Republic passed a Naturalization Law 169-14 in May 2014 creating naturalization
13 and regularization processes, which required persons affected by the 2013 ruling to apply to
14 be re-recognized as citizens or to gain residency status; and

15 WHEREAS, The application process was fraught with problems, from under-resourced
16 immigration processing centers, difficulties in obtaining appropriate paperwork and
17 transportation to processing centers, and arbitrary refusal of some processing centers to issue
18 or process documents for individuals who “looked Haitian;” and

19 WHEREAS, Only a few thousand of the hundreds of thousands of Dominicans of
20 Haitian descent were able to have their citizenship restored, and the majority remain stateless
21 and vulnerable; and

22 WHEREAS, Both registration and deportation deadlines have passed; and under the
23 threat of expulsion, thousands of Haitians have self-deported for fear of state-sponsored mass
24 deportation and vigilante violence; and the Dominican Republic has stated its intent to deport
25 any individuals whose citizenship or legal status has not been officially recognized by the

1 government, regardless of whether they were born in the Dominican Republic; and the
2 Dominican Republic has initiated deportations; now, therefore, be it

3 RESOLVED, That the San Francisco Board of Supervisors condemn the Dominican
4 Republic's retroactive denationalization of Dominicans of Haitian descent, the impending
5 mass deportation of Dominicans of Haitian descent and Haitian immigrants given the human
6 rights implications, and the ineffectiveness of the registration process; and, be it

7 FURTHER RESOLVED, That the San Francisco Board of Supervisors urges the United
8 States, and in particular President Obama and Secretary of State John Kerry, to use any and
9 all appropriate means to encourage the Dominican Republic to restore the rights of
10 Dominicans wrongfully stripped of their citizenship and to resolve the temporarily delayed
11 mass deportation of Haitians; and, be it

12 FURTHER RESOLVED, That the San Francisco Board of Supervisors hereby directs
13 the Clerk of the Board to send a copy of this resolution to United States President Barack
14 Obama, Secretary of State John Kerry, Dominican Republic President Danilo Medina, and
15 United States Ambassador to the Dominican Republic James Brewster.



City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 151094

Date Passed: October 27, 2015

Resolution denouncing the Dominican Republic for retroactively stripping the citizenship of hundreds of thousands of Dominicans of Haitian descent, for denying former Dominican citizens a fair process to regularize their status, for planning a mass deportation of former citizens, and urging the United States to use any and all appropriate means to encourage the Dominican Republic to restore the rights of Dominicans wrongfully stripped of their citizenship.


October 27, 2015 Board of Supervisors - ADOPTED

Ayes: 9 - Breed, Campos, Christensen, Cohen, Farrell, Kim, Tang, Wiener and Yee

Excused: 2 - Avalos and Mar

File No. 151094

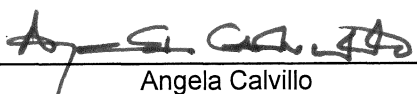
I hereby certify that the foregoing Resolution was ADOPTED on 10/27/2015 by the Board of Supervisors of the City and County of San Francisco.


Angela Calvillo
Clerk of the Board

Unsigned
Mayor

11/6/2015
Date Approved

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.


Angela Calvillo
Clerk of the Board

11/6/15
Date