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Dominican Republic's Disgrace Mass deportation of Haitians must be stopped

Laurel Fletcher Monday, December 6, 1999

THE DOMINICAN REPUBLIC has expelled 5,000 Haitians and Dominicans of Haitian descent since an international organization recently criticized the Dominican



government's human rights record. The international community must send a strong message to the Dominican Republic that it cannot respond to censure of its human rights record by instigating even greater levels of repression. Such behavior causes needless misery for the victims of Dominican human rights abuses and undermines the rule of law.

In October, the Organization of American States released its report on human rights in the Dominican Republic. For years, the intergovernmental body, akin to a regional United Nations, has monitored discrimination against both Haitians and Dominicans of Haitian descent residing in the Dominican Republic. Its recent report criticized the Dominican government for:

- -- Failing to guarantee Haitians adequate working and living conditions.
- -- Denying Dominican-born children of Haitian parents the right to Dominican nationality and access to education.
- -- Violating international law by orchestrating periodic mass expulsions of Haitians.

The Dominican government reacted defiantly to the OAS report, and publicly announced that it would ``vindicate'' its sovereign rights. To prove its point, government officials began to round up and expel anyone it suspected of being Haitian. The government's action was explicitly race-based because most Haitians are of African descent, while the majority of Dominicans are racially mixed and draw their cultural identity from their Spanish roots, largely ignoring their African heritage. Within days,

approximately 5,000 individuals were forced across the border to Haiti before the government slowed down the expulsions to negotiate with Haitian officials.

Dominican expulsion operations were carried out with brutal efficiency. Immigration and army officials swept through neighborhoods and detained those they suspected of being Haitian, among them Dominican citizens, and transported them to the Haitian border, without an opportunity to prove their legal status. Many Dominicans of Haitian descent and Haitians entitled to remain in the Dominican Republic were expelled to Haiti without their belongings. Many expelled reportedly did not receive food and water while in custody, and were subjected to physical mistreatment. In particular, Dominicans caught in the sweeps found themselves forced into the poorest country in the hemisphere, unable to speak Haitian Creole and with no family ties there. In addition, human rights workers reported that scores of children, some only a few months old, were abandoned on the Dominican side of the border after their parents had been expelled to Haiti without them.

These latest expulsions constitute serious breaches of national and international law. Dominican law provides that no for eigner will be deported without being informed of and without having a just opportunity to refute the basis for the deportation. Similarly, arbitrary expulsions violate human rights treaties to which the Dominican Republic is a party.

The efficacy of the OAS with respect to human rights protections derives from the voluntary compliance of its member states. The Dominican Republic must not be permitted to violate its treaty obligations by committing mass human rights violations in the name of state sovereignty. If OAS member states are free to pick and choose which obligations they will honor, the human rights guarantees become meaningless.

Regardless of the fact that the Dominican Republic and Haiti reached a negotiated settlement of this issue last Thursday, the Dominican Republic should answer for its actions before the international community. The Dominican government has a history of ignoring bilateral expulsion agreements and there is no reason to expect it will respect this one.

In response to an emergency request filed by Boalt Hall's International Human Rights Law Clinic and other human rights organizations, the OAS ordered the Dominican Republic to halt mass expulsions and to give individuals a fair hearing before carrying out a deportation order. The Dominican

government has until tomorrow to respond.

The international community must insist that the Dominican Republic permanently end its unlawful campaign against Haitians and Dominicans of Haitian descent both for the sake of the immediate victims of its human rights abuses, and to promote universal respect for international human rights.

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