

HM 321

2016

1 House Memorial

2 A memorial to the Congress of the United States,
3 urging Congress to encourage the Dominican Republic to
4 reinstate citizenship to those Dominicans of Haitian
5 descent adversely affected by the Dominican Republic
6 Constitutional Tribunal's ruling No. 168-13 and
7 Naturalization Law No. 169-14.

8
9 WHEREAS, the United States has a long history of addressing
10 and advocating for the rights of its people, and of all peoples
11 of the world, to enjoy justice, freedom, and equal access to
12 opportunities for all, and

13 WHEREAS, in September 2013, the Constitutional Tribunal of
14 the Dominican Republic issued ruling No. 168-13, which
15 retroactively nullified the Dominican citizenship and
16 nationality of nearly 220,000 people born to Haitian parents in
17 the Dominican Republic after 1929, and

18 WHEREAS, the tribunal's ruling contravenes a ruling of the
19 Inter-American Court of Human Rights, holding that a parent's
20 immigration status may not affect a child's citizenship, and
21 disregards provisions of the Dominican Republic's previous
22 constitution, which had provided that those born on Dominican
23 soil were vested with the rights, privileges, and duties of
24 Dominican citizenship, and

25 WHEREAS, in May 2014, in response to the domestic and
26 international outcry against the retroactive denationalization

HM 321

2016

27 | of so many, the National Congress of the Dominican Republic
28 | enacted Naturalization Law No. 169-14, providing a path to
29 | regain citizenship for those affected by the Constitutional
30 | Tribunal's ruling No. 168-13, and

31 | WHEREAS, under the Naturalization Law, Group "A," those
32 | affected Dominicans whose births were already registered with
33 | the government, could apply to have their citizenship reinstated
34 | at any time, but Group "B," those affected Dominicans with no
35 | birth registry, had 180 days, or until February 1, 2015, to
36 | obtain a residency permit with the possibility of applying for
37 | naturalization in 2 years, and

38 | WHEREAS, Naturalization Law No. 169-14 is poorly drafted
39 | and, since its inception, has been poorly promoted and
40 | implemented, resulting in many persons in Group "A" not
41 | receiving their citizenship papers or being informed about the
42 | law, and

43 | WHEREAS, the majority of Group "B" belong to the most
44 | disadvantaged sector of Dominican society, and, according to the
45 | Dominican Republic's Minister of Interior, only 8,755 of an
46 | eligible 110,000 were registered by the deadline, leaving more
47 | than 100,000 stateless and facing deportation by June 17, 2015,
48 | and

49 | WHEREAS, in October 2014, the Inter-American Court of Human
50 | Rights found that the Constitutional Tribunal's ruling and those
51 | provisions of Naturalization Law No. 169-14 relating to Group
52 | "B" violate the American Convention on Human Rights, and

HM 321

2016

53 WHEREAS, these unjust laws have created a xenophobic
 54 attitude toward Haitians and affected Dominicans, resulting in
 55 acts of violence and even death by torture, mob attacks, and
 56 lynching, and

57 WHEREAS, various groups across the nation, including civil
 58 rights, human rights, academic, legal, political, and other
 59 groups, such as the United States National Bar Association, the
 60 Robert F. Kennedy Center for Justice and Human Rights, Amnesty
 61 International, and the Coalition of Dominicans Against Racism,
 62 as well as cities, including Miami, New York City, and
 63 Philadelphia, call for immediate action in the Dominican
 64 Republic, NOW, THEREFORE,

65
 66 Be It Resolved by the Legislature of the State of Florida:

67
 68 That the Congress of the United States is urged to defend
 69 worldwide human rights by encouraging the Dominican Republic to
 70 comply with international norms and regulations, amend or repeal
 71 Naturalization Law No. 169-14, extend the naturalization
 72 registration deadline, and reinstate the citizenship of those
 73 affected Dominicans.

74 BE IT FURTHER RESOLVED that copies of this memorial be
 75 dispatched to the President of the United States, to the
 76 President of the United States Senate, to the Speaker of the
 77 United States House of Representatives, and to each member of
 78 the Florida delegation to the United States Congress.