Historically Troubled Haiti-Dominican Republic Relations Seem Improving

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After two high-level bilateral meetings this year, the historically troubled Haiti-Dominican Republic relations seem on the way to being fixed—or at least to starting the process.

The improvement follows last year’s controversial Tribunal Constitucional (TC) ruling aimed at stripping Dominican citizenship from persons born in the Dominican Republic after 1929 to undocumented immigrants, a measure affecting mostly Haitians. The TC’s Sept. 25 ruling does not recognize as Dominican citizens persons born, as far back as 1929, of foreign parents "in transit" or with irregular immigration status in the Dominican Republic (NotiCen, Nov. 21, 2013).

The Dominican government initially said its review of birth records dating back to that year indicated that some 24,000 people would be affected by the decision, while human rights organizations warned that the number could be much higher and include a vast majority of Dominican citizens of Haitian descent.

In addition to affecting immigration, trade, and other issues, the ruling hit quite harshly the relations between the two neighbors sharing the island of Hispaniola. Various estimates indicate that there are more than 200,000 Haitian-Dominicans and some 35,000 other citizens of foreign descent. Official Dominican figures place immigrants in that Spanish-speaking country on the western two-thirds of the island of Hispaniola at around 524,000, some 460,000 of whom come from neighboring French-speaking Haiti.

Mistrust, prejudice go back to early history

With some 9.7 million people living in extreme poverty, 78% of whom manage on less than US$2 a day, Haiti saw its impoverished people’s situation dramatically worsened by the magnitude 7.0 earthquake of January 2010 and the ensuing cholera epidemic some nine months later. But Haitian migration to the Dominican Republic has been a historic phenomenon—and, with it, recurring bilateral crises.

During the island’s early colonial history, present-day Dominican Republic, ruled by Spaniards and inhabited mostly by Spanish Europeans, was known as Santo Domingo, while today’s Haiti, the French-ruled portion, with its predominantly African population, was Saint-Domingue, and Santo Domingo’s racist resentment of its dark-skinned neighbor became the anti-Haiti feeling more recently defined as Dominican antihaitianismo.

A landmark in the historic hatred of Haitians was an October 1937 massacre ordered by Dominican military dictator Rafael Leonidas "El Jefe" Trujillo (1930-1961), a grandson of a Haitian woman but, nevertheless, a promoter of antihaitianismo. The five-day ethnic-cleansing action that claimed thousands of lives, and whose victims included Dominicans of Haitian descent, took place mostly in the northeastern Dominican province of Dajabón, next to the border with Haiti.
Now, 77 years later, both sides have begun what is expected to be a series of bilateral talks aimed at solving differences that have kept them at odds. The agenda for the dialogue includes migration issues, and the focus here is the controversial TC ruling.

Despite anti-haitianismo, Haitians have historically crossed into the Dominican Republic as a work force for banana plantations, sugarcane fields, and more recently as construction workers. Within this context, the successive Dominican governments would grant citizenship to all children born in that country, except those whose parents were "in transit," a sector that initially covered the diplomatic core living there.

The situation began to change in 2004, when new immigration legislation came into force extending the "in-transit" category to all nonresidents, including undocumented immigrants—most of whom are Haitians. The 2010 Constitution included the expansion, thus strengthening it.

Then, came last year's TC ruling, which local and international observers say aims at depriving thousands of people of their citizenship, thus turning them into stateless persons.

**TC decision widely criticized**

"This would qualify as one of the largest populations of functionally stateless people in the world, and we're talking about potentially four generations (dating back to 1929) who always believed they were Dominican being now told they're not," warned Liliana Gamboa, a representative in the Dominican Republic of the New York-based Open Society Justice Initiative.

This organization, whose motto is "We use the law to protect and empower people around the world," promotes human rights through litigation, advocacy, research, and technical assistance.

Joseph Cherubin, a politically exiled Haitian physician who in 1985 in the Dominican Republic founded the Movimiento Socio-Cultural para los Trabajadores de Haití (MOSCTHA), said, "This is a violation of human rights of thousands of people, as well as state-sponsored xenophobia coming from a government that says anti-Haitianism doesn't exist in the country."

MOSCTHA, a nonprofit organization initially aimed at promoting the development of Haitian immigrants in the Dominican Republic, has grown to assist underprivileged communities in Haiti as well as the Dominican Republic, focusing on cultural, environmental, and social action.

Last year, in a communiqué issued on Oct. 17, the Caribbean Community (CARICOM) stated that the TC’s ruling "goes against statements by the Inter-American Human Rights Commission, which has repeatedly called on the Dominican Republic to take measures guaranteeing the right to nationality, and to pass laws on immigration and (on) practices in accordance with what is stated in the Inter-American Human Rights Convention."

Both governments decided to seek a solution to bilateral problems, and, so far this year, high-level Dominican and Haitian authorities have held two meetings, in what the two sides have described as the start of a series of talks.

The first encounter was held on Jan. 8 in the northeastern Haitian border town of Ouanaminthe. After more than seven hours of talks, a Joint Declaration was issued, saying that "a good portion
of the meeting was devoted to the migration issue" and that the dialogue had taken place with "serenity and mutual respect."

Haiti acknowledged "the Dominican Republic’s sovereign right to determine its immigration policy and the rules for providing citizenship" and asked the Dominican Republic for "concrete guarantees to safeguard the basic rights of people of Haitian origin," according to the document.

Also, both countries agreed on the need to regulate Haitian temporary-workers’ immigration status, and the Dominican government stated that it would initiate a program for issuing visas to such workers.

As had been agreed, the second meeting took place on Feb. 3 in the southwestern Dominican border province of Independencia. Dominican Minister of the Presidency Gustavo Montalvo then told reporters that agreements were reached in several areas, including that of immigration.

Montalvo said steps were being taken to implement the Plan Nacional de Regularización de Extranjeros en Situación Migratoria Irregular, aimed at "establishing criteria for foreigners ... with an irregular status in the country, to be able to ... obtain formal documents," as well as "verifying their work and socioeconomic situation in the country."

In Haitian Prime Minister Laurent Lamothe’s view, "This moment should be taken by the two countries to achieve long-lasting agreements on the issues being discussed."

The Haitian official also underlined "the good faith and willingness the two countries have shown at the talks, leading them to work together to overcome their differences.

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