

Abstract

In 2013, a constitutional amendment in the Dominican Republic retroactively stripped Dominican citizenship from thousands of people of Haitian descent. Following in a long line of anti-Black and anti-Haitian rhetoric from the Dominican government, this newest event has created the Caribbean region's worst refugee crisis. Many, finding themselves newly stateless and in between Dominican and Haitian societies, have set up in refugee camps along the border Haitian-Dominican border. These camps have little to no access to proper sanitation, health services, immigration services, and education. The Haitian government, lacking the proper infrastructure and funds to adequately support the refugees, has appealed to the international community for support with little success. This paper explores the causes and consequences of Hispaniola's refugee crisis in attempt to explore the extent to which these new policies have affected life in the Dominican Republic and Haiti.

Between Haiti and The Dominican Republic: Hispaniola's Refugee Crisis

By Kit Nicholson

On September 23, 2013, thousands of people were stripped of their legal right to citizenship in the Dominican Republic and one of the most egregious forced migrations in modern history began. Coming on the heels of the adoption of the country's newest constitution in 2010, the Dominican Republic's Constitutional Court decided that the newly-approved citizenship clause could, and should, be applied retroactively to anyone born after 1929. Even though the country had recognized birthright citizenship for over 75 years, the new clause states that anyone born to "illegal immigrants" or "foreigners in transit" is not a Dominican citizen. This new ruling effectively made it so that only those with Dominican parents are considered Dominican citizens.¹ Considering that, as of 2017, around 750,000 people of Haitian descent were registered as living in the Dominican Republic (creating the country's largest immigrant community at 7.4% of the total Dominican population), this new law disproportionately targets them.² With differing reports and chaos at the border, somewhere between 100,000 to 200,000 people have been forced out of Dominican territory and onto Haitian soil since the inception of this law. Many of these deportees, with no place to go and who have lived in the Dominican Republic for generations, have settled along the Haitian-Dominican border in six makeshift refugee camps, thus creating the Caribbean worst modern-day refugee crisis.^{3 4} According to Simone Young, the numbers in camps are in the tens of thousands.⁵ The purpose of this study is to outline the causes and consequences of these deportations to understand the effects that it has had on the human rights of those now considered refugees.

The repeal of Haitian citizenship by the Dominican government is far from surprising. In fact, a contentious history of over 200 years has led to stark tensions between the two countries.

Like anti-immigrant rhetoric in Canada, Haitians in the Dominican Republic are often met with fear, distrust, and sometimes outright hatred. This is due to the phenomenon on Hispaniola (the island hosting the two countries) where Haitian and Dominican identity are perceived as incompatible and as the antithesis of each other.⁶ One is seen as being either Haitian or Dominican; never both. Because of this reason, the targeting of Dominican-born Haitians is not a new phenomenon either. Many experts claim that the deportations are eerily like the precursors to the 1937 Parsley Massacre, in which 20,000 to 30,000 Haitians living just inside the Dominican border were murdered by the Dominican government's forces for speaking Haitian Kreyol. When asked to pronounce the word for parsley in Spanish ("*perejil*"), if the individuals could not trill the letter "R" accurately, they were killed on the spot. Whole families were killed and the river spanning the border between the two countries was said to run red with blood. Direct descendants of the survivors and of the perpetrators are still alive today allowing the cultural memories of pain and anguish to flourish along the border.⁷ These long-standing group norms and dynamics, which include language, religion, social status, and cultural history, are what is driving the deportations.

However, despite this widespread social pressure, Haitians keep flooding into the Dominican Republic due to both political and economic dissatisfaction in their own country.⁸ The Haitian-Dominican border, as porous as it remains, proves the easiest option for transborder migration for Haitians living under the poverty line to find work in an economy that is more stable. As Haiti's economy steadily declined in the 1980s, more and more Haitians began moving across the border in order to send remittances back home.⁹ Where once they were confined to the agricultural sector in areas near the border, many Haitians have now found themselves in more high-profile jobs in the urban centers (i.e., construction and tourism). In a cruel twist of fate, the Haitian economy is now reliant on remittances as primary source of their GDP with around 19%

of the country's population living abroad.¹⁰ Similarly, it was the move of Haitian migrants to more highly-visible public spheres in urban areas that caused the Dominican government to crack down on "illegal" immigration. According to Howard, the following quote exemplifies the Dominican attitude toward Haitian immigrants:

*"Their labor is necessary – Dominicans don't cut cane – but, I'd never want to see any child of mine marry one of them. Each to their own. It's not the color of their skin, but they themselves – they're Haitians and we're Dominicans."*¹¹

This quote shows how Dominicans separate the economic necessity of Haitian labor from cultural belonging. Haitian migrants were only seen as acceptable in society if they were willing to do the dirty, degrading, and dangerous work that supported the economy but stayed out of sight of the urban public in the rural area. The failure of Haitian migrants to "know their place" in Dominican society exacerbated simmer tensions that had remained unground since the Dominican dictator Trujillo was ousted from power.

There are many reasons for Haitian migration into the Dominican Republic which, in turn, Dominicans transform into xenophobic reasons to keep Haitians out. A review of economic statistics shows stark differences between the two countries. For example, the prevalence of malnutrition in Haiti is around 35%, one of the highest rates in the world. The Dominican Republic, in comparison, weighs in with a malnutrition rate of around 10%. Similarly, Haiti is classified as having a "low human development" while the Dominican Republic has a "high human development." According to Arthus-Bertrand, the Human Development Index considers life expectancy at birth, mean level of education, and gross national income inequality.¹² These statistics, among many other factors, put severe strain on the Haitian-Dominican relationship. Haitians view the Dominican Republic as representative of financial and materialistic

opportunities they could not be awarded in their own country. Dominicans, on the other hand, often view Haitians as “backwards and uncivilized” and blame many societal ills on these othered foreigners; they are seen as societal leeches. They are thought to take Dominican jobs, practice forbidden “black magic” (i.e. vodou), and create/be a divisive force in Dominican society.¹³ It is believed, then, that with the expulsion of the Haitian immigrants that Dominican society can finally prosper to its fullest extent: a Dominican Republic for Dominicans. These smear tactics date back to the 1950s when the Dominican dictator Rafael Trujillo was in power, a period marked by intense nationalism and anti-Haitianism. A translated excerpt from one of the textbooks in his era says:

*“Haiti is inhabited by a mob of savage Africans. We Dominicans should be in debt to our blood. The Haitian is an enemy. Haitians should be transferred to French Guyana or to Africa. The Dominican race and civilization are superior to that of Haiti. Haiti has no importance in the world. The poorest sectors of the Haitian population are an ethnic group incapable of evolution and progress.”*¹⁴

It is evident that these tactics of indoctrination are influencing current Dominican politics as the people in power are those originally taught by these textbooks when they were in primary school.

As mentioned above, the reports from the ground often conflict with each other which hints at the chaos along the Haitian-Dominican border. According to *Amnesty International*, the Dominican Republic’s government reports that as many as 66,000 people of Haitian descent have decided to return to Haiti “spontaneously or voluntarily.”¹⁵ Javiera Alarcon from *Foreign Policy on Focus* puts this number as high as 70,000.¹⁶ It is not exactly clear what the Dominican authorities mean by this statement; experts agree, however, that many of the deportees have not been legally deported but have left the Dominican Republic voluntarily due to increasing harassment from the Dominican government and its citizens. For example (and it is but one of many), in February of 2015, a Haitian man was lynched in the Dominican city of Santiago. This

high-profile case caused racial tensions to flare up across the country -- especially as the Dominican police ruled the incident “unmotivated by racial hatred.”¹⁷

In order to determine if an individual is fit for deportation, the Dominican government has been asking for proof of birth in the Dominican Republic. While this is the fear of every undocumented immigrant, it normally would not pose a problem for those born in the country. Dominican officials have been systematically denying those of Haitian descent birth records for years, however, causing many births to go unrecorded for generations. According to Javiera Alarcon at *Foreign Policy in Focus*, nearly 14,000 individuals have been officially deported despite claims by the Dominican government to halt mass deportations.¹⁸ This statistic leads to a whole other conundrum: *Amnesty International* and *Foreign Policy in Focus* cannot seem to agree on the number of deportees. *Amnesty International* claims upwards of 40,000 people have been sent back to Haiti – a huge difference from the number reported by Javiera Alarcon.¹⁹ This phenomenon raises the question, however, as to what exactly is going on at the Haitian-Dominican border. There are already limited sources of information coming out of the region and the international organizations who are there cannot seem to agree. This kind of chaos at the institutional level can only mean more chaos for the refugees and deportees in the camps along the border.

Unfortunately, the brunt of this racially-motivated hatred has befallen afro-Dominicans. Afro-Dominicans are being swept up in the chaos with as many as 1,000 individuals found in the refugee camps along the border. They claim these deportations have been racially motivated because they are perceived by the Dominican people as being Haitian rather than Dominican solely for having black skin.²⁰ Due to differences in colonization patterns by the French in Haiti and the Spanish in the Dominican Republic, most of the Haitian population is descended from African

slaves while the majority of Dominicans highlight their mixed indigenous-Spanish heritage (conveniently ignoring the afro-Dominican population).²¹

Many of the members of the refugee camps, then, are those with little to no ties with Haiti; they have nowhere to return to in Haiti. There is no family farm or extended family that could take them in. They speak fluent Dominican Spanish and have for generations. Yet, they have been othered by their own society simply for having a darker phenotype that resembles much of the Haitian population. No help is coming from either government for them either. The Haitian government, while trying its best to relocate all the deported Haitians citizen, will have nothing to do with the Dominican citizens as they do not see them as falling under their purview. The ex-Dominican citizens have been stripped of their citizenship and deported from their country and are now considered neither Dominican nor Haitian. The Dominican government wants nothing to do with these refugees because they are seen as imposters in Dominican society, and the Haitian government's resources are stretched so thin that they can only worry about their own citizens. These people have been left in limbo. Many NGOs, including the Robert F. Kennedy Center for Justice and Human Rights have condemned the move as illegal under international human rights law.²²

As a result of these actions, statelessness has become a huge problem. According to the United Nations High Commissioner for Refugees (UNHCR), a stateless person is not recognized as a citizen "under the operations of the laws of any country."²³ It means that one has little to no access to education, healthcare, employment, public utilities, and housing (among many other necessary goods and services for survival). In addition, statelessness leaves individuals more vulnerable to arbitrary detention, expulsion, forcible family separation, and arrest.²⁴ This phenomenon, coupled with the fact that many of the stateless people are also now considered

refugees, creates an intersection in which these people are incredibly vulnerable. States have a legal and moral obligation to protect the human rights of their citizens, but as these people are not claimed by any state, no one, besides the largely indifferent and otherwise preoccupied international community, has a legal responsibility to protect them and care for their needs. In fact, the United Nations council passed a resolution in July of 2016 that was motivated, in part, by the human rights crisis unfolding along the Haitian-Dominican border (along with other refugee crises like the Syrian Civil War). This resolution stated that arbitrarily depriving a person of their nationality is repressing a fundamental freedom that has disastrous effects on every element of a person's life from social security to social inclusion.²⁵

It is clear to see that this situation is quickly spiraling out of control and into a humanitarian disaster. According to *Amnesty International*, many of the shelters built along the border for the refugees to live in are hardly resistant to the weather – they are being made from cardboard and tin cans. A few shelters have been made from bricks (for those who can afford it) which goes to show that class hierarchies follow communities even into refugee camps. Many of the occupants of these shantytowns have been relegated to sleeping on beds made from twigs. If that were not enough, there are essentially no job opportunities in the camps or ways to feed the growing communities. According to one resident, people in the camps are constantly hungry and cannot acquire any jobs to feed their families. *Amnesty International* reports that a few bands of refugees have been slipping across the porous border to farm in the more agriculturally-rich land in the Dominican Republic.²⁶ Similarly, these camps have extremely limited access to proper sanitation; the smallest of the camps has, shocking, zero latrines, and the largest has only 12 for a population of more than 2,000 people. Similarly, there is no waste management system. Instead, household waste is burned a bit of ways off from the camps. This lack of overall sanitation has, of course, has

affected the health of the camps, with outbreaks of cholera being reported in 2015 where 7 people died.²⁷ Malaria and Zika virus have also been reported in the camps, although exact numbers as to how many are affected remain a mystery.²⁸

Due to the political geography of Hispaniola, the refugee camps have been set up along unpopulated stretches of the mountainous Haitian-Dominican border. Because settlements have already been erected in the safest and most secure locations, this means that the refugee camps are forced into locations are particularly vulnerable to natural disasters. Due to over-production of cash crops during the colonial era, Haiti has very little top soil, which leads to an increased number of landslides and mudslides.²⁹ Similarly, the island of Hispaniola lies on a fault line where earthquakes are prone to happen, especially in the more mountainous regions along the border. To make matters worse, both Haiti and the Dominican Republic often lie in the direct path of many devastating hurricanes. With limited access to housing and sanitation, these refugees are the most vulnerable when it comes to the ability to combat Mother Nature. Likewise, with no governmental backing or support, there would be virtually no aid available when catastrophic natural events occur.

Yet the world continues to turn a blind eye. Haiti has appealed for international support, but international organizations such as CARICOM (the Caribbean Community), the United Nations, and the OAS (Organization of American States) have only given the Dominican government a warning and a slap on the wrist. According to Alarcon, the OAS sent a representative to Santo Domingo, the capital of the Dominican Republic, for only two days in July of 2015. Since then, no further policy changes have been announced by the Dominican government, essentially rendering the OAS's support for the refugees useless.³⁰ There has been no aid sent for the refugees along the border, no one to help resettle the tens of thousands of deportees, and no one to help

them with their asylum and other legal claims. In fact, according to *Amnesty International*, the Haitian authority's migration office set up in the camps was set on fire due to a mysterious arson attack in early 2016. Since then, the officer has been sitting on the street with limited access to proper equipment in order to go through thousands of families' paperwork. The Haitian government has been of limited use, with the bulk of the task falling on the shoulders of Haitian human rights organizations and other international NGOs.³¹

Where to go from here? The chaos on the ground is seemingly overwhelming with neither government stepping up to the task; the job facing international NGOs and human rights organization seems enormous. While the easiest way to circumvent this brewing humanitarian crisis is to allow all deportees back in the Dominican Republic (both Haitian and Dominican nationals) per the ideology that no one is ever illegal, there is very little chance of that every happening. There are ways of harm reduction that can be taken, according to *Amnesty International*. The Haitian government has the power to facilitate official settlement of deported Haitian nationals, return now ex-Dominican citizens living in the refugee camps to their homes in the Dominican Republic, and increase support capacity for infrastructure in the refugee camps along the border as damage control. Similarly, the Dominican government can individually assess undocumented migrants instead of rounding suspects up in mass deportations and allow all exiled Dominican citizens back in the country. For international human rights organizations and concerned citizens, the need is to keep pressuring both governments to adequately take care of all affected peoples and to be clear and transparent about the whole process, through and through.

In conclusion, the passage of the Dominican Republic's new citizenship law has created a humanitarian disaster whose full effects are yet to be fully felt. This citizenship law comes together with a push by the Dominican Republic to limit the number of undocumented Haitians within its

borders. In addition to hundreds of thousands of individuals of Haitian descent being deported, many Dominican citizens have been stripped of their citizenship under this new law and have been left to squalor in refugee camps along the Haitian-Dominican border. Where the Haitian government is trying to resettle the deported Haitian citizens, it has called for international aid to help the stateless peoples just inside its border. But to no avail. If the international community and human rights organizations are to prevent further human rights abuses from being carried out, they need to act now. Especially in ways that minimize and mitigate the human cost. If the international community can find a way to resolve this refugee crisis along the Haitian-Dominican border, there is hope for other refugees along other borders elsewhere in the world.

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Notes

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²³ Young, “In our Backyard: The Caribbean’s Statelessness and Refugee Crisis, June 20, 2017.

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