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1 House Resolution

2 A resolution urging reinstatement of the citizenship
3 of those Dominicans of Haitian descent adversely
4 affected by the Dominican Republic Constitutional
5 Tribunal's ruling No. 168-13 and Naturalization Law
6 No. 169-14.
7

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

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

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

24 WHEREAS, in May 2014, in response to the domestic and
25 international outcry against the retroactive denationalization
26 of so many, the National Congress of the Dominican Republic

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27 enacted Naturalization Law No. 169-14, providing a path to
28 regain citizenship for those affected by the Constitutional
29 Tribunal's ruling No. 168-13, and

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

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

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

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

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

56 WHEREAS, various groups across Florida, including civil
 57 rights, human rights, academic, legal, political, and other
 58 groups, such as the United States National Bar Association, the
 59 Robert F. Kennedy Center for Justice and Human Rights, Amnesty
 60 International, the Haitian Lawyers Association of Florida, the
 61 Haitian American Professionals Coalition, the Haitian American
 62 Chamber of Commerce of Florida, the Haitian Congress to Fortify
 63 Haiti, and the Coalition of Dominicans Against Racism, among
 64 others, call for immediate action in the Dominican Republic,
 65 NOW, THEREFORE,

66
 67 Be It Resolved by the House of Representatives of the State of
 68 Florida:

69
 70 That the Florida House of Representatives expresses great
 71 concern and outrage over the Dominican Republic Constitutional
 72 Tribunal's ruling No. 168-13, as well as Naturalization Law No.
 73 169-14, and the increasing xenophobia and violence against those
 74 people of Haitian descent in the Dominican Republic; encourages
 75 the judicial and executive branches of the Dominican Republic's
 76 government to comply with international norms and regulations;
 77 and urges that all procedural barriers to implementation of

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78 Naturalization Law No. 169-14 be taken, that the law be amended
79 or repealed, that deadlines be extended, and that those affected
80 Dominicans have their citizenship reinstated.

81 BE IT FURTHER RESOLVED that copies of this resolution be
82 dispatched to the President of the United States, to the
83 President of the United States Senate, to the Speaker of the
84 United States House of Representatives, to each member of the
85 Florida delegation to the United States Congress, and to the
86 Dominican Embassy in Washington, D.C., for transmission to the
87 proper authorities of the Dominican Republic as a tangible token
88 of the sentiments expressed herein.