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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE RESOLUTION

No. 431 Session of  
2015

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INTRODUCED BY J. HARRIS, ROZZI, COHEN, SCHLOSSBERG, V. BROWN,  
DAVIDSON, C. PARKER, THOMAS, KIRKLAND, BOYLE AND MILLARD,  
AUGUST 10, 2015

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REFERRED TO COMMITTEE ON STATE GOVERNMENT, AUGUST 10, 2015

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A RESOLUTION

1 Urging the Congress of the United States to oppose the forced  
2 removal of Haitians and people of Haitian descent from their  
3 homes by the Government of the Dominican Republic.

4 WHEREAS, Pennsylvania has a long proud history of diverse  
5 activism and advocacy regarding issues of equality and civil  
6 rights; and

7 WHEREAS, In September 2013, the Constitutional Court of the  
8 Dominican Republic issued a ruling that affected all persons  
9 born in the Dominican Republic dating back to 1929; and

10 WHEREAS, The ruling stripped the children of undocumented  
11 immigrants of Dominican citizenship, despite their Dominican  
12 birth and registration, effectively denationalizing  
13 approximately 200,000 Dominicans of Haitian descent; and

14 WHEREAS, In May 2014, responding to the Constitutional Court  
15 ruling, the Dominican Republic passed Naturalization Law 169-14,  
16 requiring persons affected by the ruling to be re-recognized as  
17 citizens or to apply to gain state recognition based on their  
18 birth status and year; and

1       WHEREAS, At the same time, the Government of the Dominican  
2 Republic was setting unrealistic timetables and overly-  
3 burdensome registration requirements that had a disproportionate  
4 and discriminatory impact on Dominicans of Haitian descent; and

5       WHEREAS, The Inter-American Court of Human Rights deemed the  
6 2013 and 2014 actions of the Dominican Republic to be a  
7 violation of the Constitution of the Dominican Republic; and

8       WHEREAS, In a clear act of defiance in response to the Inter-  
9 American Court, the Government of the Dominican Republic  
10 declared that it no longer recognizes the authority of the  
11 Inter-American Court, effectively removing one of the few  
12 options that all Dominicans have: the right to appeal to a  
13 higher authority for judicial review on the human rights impact  
14 of the decisions of the Dominican Republic; and

15       WHEREAS, By the time deadlines set by the Naturalization Law  
16 had run their course, tens of thousands of Dominicans of Haitian  
17 descent were rendered unregistered and vulnerable to  
18 deportation, discrimination and loss of livelihood; and

19       WHEREAS, Now, those same individuals are essentially  
20 stateless and subject to the risk of deportation from the  
21 country of their birth, solely based on their heritage; and

22       WHEREAS, On June 23, 2015, Caribbean-American Congresswoman  
23 Yvette D. Clarke, who represents the 9th Legislative District of  
24 New York, warned of an exacerbated humanitarian crisis in Haiti:  
25 "Today, hundreds of thousands of Haitian nationals and  
26 individuals of Haitian descent are threatened with deportation  
27 from the Dominican Republic, a policy that will only exacerbate  
28 the humanitarian crisis in Haiti, which has not yet recovered  
29 from the earthquake in 2010, and displace many families from  
30 their homes. Many of the people scheduled for deportation were

1 born in the Dominican Republic or have been there for almost  
2 their entire lives."; and

3 WHEREAS, In the absence of due process, the recent threats of  
4 deportation faced by Dominicans of Haitian descent, many of whom  
5 have no family or social support network in Haiti, further  
6 underscore the precarious situation to which those Dominicans of  
7 Haitian descent are constantly subjected; and

8 WHEREAS, Article 15 of the Universal Declaration of Human  
9 Rights, of which the United States and the Dominican Republic  
10 are key signatories, provides the following: "No one shall be  
11 arbitrarily deprived of his nationality nor denied the right to  
12 change his nationality"; and

13 WHEREAS, Both the Constitutional Court ruling and the  
14 Naturalization Law continue to separate Dominicans of Haitian  
15 descent from the larger Dominican community, thus allowing them  
16 to be easier targets of discrimination and violence by those  
17 perpetrating those acts, whether or not on behalf of the  
18 Government of the Dominican Republic; and

19 WHEREAS, Civil rights, human rights, academic, legal,  
20 political and dozens of other groups across the United States,  
21 including The National Bar Association, the Robert F. Kennedy  
22 Center for Justice and Human Rights, Amnesty International, The  
23 Coalition of Dominicans Against Racism, The Haitian American  
24 Caucus, The Haitian Roundtable and Friends of Haiti 2010, are  
25 calling for immediate action by the Government of the Dominican  
26 Republic to reverse the Constitutional Court ruling and the  
27 Naturalization Law; therefore be it

28 RESOLVED, That the House of Representatives of the  
29 Commonwealth of Pennsylvania urge the Congress of the United  
30 States to oppose the forced removal of Haitians and people of

1 Haitian descent from their homes by the Government of the  
2 Dominican Republic; and be it further

3       RESOLVED, That the House of Representatives of the  
4 Commonwealth of Pennsylvania pause in its deliberations to  
5 express concern and outrage over the increasing violence against  
6 and forced removal of Haitians and Dominicans of Haitian descent  
7 from their homes by the Government of the Dominican Republic;  
8 and be it further

9       RESOLVED, That the House of Representatives of the  
10 Commonwealth of Pennsylvania urge the Congress of the United  
11 States to support the provisions contained in 2013 H. Res. 443,  
12 introduced by Congressman Gregory W. Meeks, who represents the  
13 5th Legislative District of New York, opposing the  
14 Constitutional Court ruling that effectively places thousands of  
15 Dominican-born persons at risk of statelessness; and be it  
16 further

17       RESOLVED, That copies of this resolution be transmitted to  
18 the presiding officers of each house of Congress, to each member  
19 of Congress from Pennsylvania and the Permanent Representative  
20 to the United Nations from the Dominican Republic.