

File No. 151094

Committee Item No. _____

Board Item No. 30

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: _____

Date: _____

Board of Supervisors Meeting

Date: October 27, 2015

Cmte Board

- | | | |
|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Introduction Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER (Use back side if additional space is needed)

<input type="checkbox"/>	<input type="checkbox"/>	_____
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Completed by: John Carroll

Date: October 22, 2015

Completed by: _____

Date: _____

1 [Denouncing the Dominican Republic for Its Treatment of Dominicans of Haitian Descent]

2
3 **Resolution denouncing the Dominican Republic for retroactively stripping the**
4 **citizenship of hundreds of thousands of Dominicans of Haitian descent, for denying**
5 **former Dominican citizens a fair process to regularize their status, for planning a mass**
6 **deportation of former citizens, and urging the United States to use any and all**
7 **appropriate means to encourage the Dominican Republic to restore the rights of**
8 **Dominicans wrongfully stripped of their citizenship.**

9
10 WHEREAS, The Constitutional Court of the Dominican Republic issued a ruling on
11 September 23, 2013, which retroactively stripped the citizenship of Dominicans born after
12 1929 to parents not of Dominican ancestry; and

13 WHEREAS, The decision's retroactive application is a blatant violation of international
14 human rights and Dominican law and

15 WHEREAS, Although the Dominican Republic has a binding legal obligation to comply
16 with a decision by the Inter-American Court, the Constitutional Court ruling disregards the
17 Inter-American Court of Human Rights decision in *Yean and Bosico v. Dominican Republic*,
18 which upheld the rights of all Dominicans regardless of race, color, or national origin, and the
19 rights of Dominican born citizens of Haitian descent to Dominican citizenship; and

20 WHEREAS, The ruling also conflicts with the Inter-American Court of Human Rights
21 decision in *Case of Expelled Dominican and Haitian People v. Dominican Republic*, which
22 found the detention, treatment, and mass expulsion of Haitians and Dominicans of Haitian
23 descent to be in violation of human rights laws and customs; and

24 WHEREAS, Prior to the ruling, the Dominican Republic amended its constitution's
25 principle of *jus soli*, under which citizenship was the birthright of every person born on

1 Dominican soil, to exclude citizenship for children of non-residents such as undocumented;
2 and

3 WHEREAS, The ruling effectively rendered people who had been born and lived in the
4 country for generations effectively rendered them "stateless," and impacts well over 200,000
5 Dominican citizens of Haitian descent; and

6 WHEREAS, Stripping these individuals of their citizenship and the ability to obtain a
7 national identity document known as a *cédula de identidad y electoral*, which is required to
8 vote, to register for university education, to open a bank account, to acquire or transfer
9 property, to apply for a passport, to make a sworn statement before the judicial system, to get
10 married or divorced, and even to register the birth of one's child; and

11 WHEREAS, In response to the international outcry following the 2013 court ruling, the
12 Dominican Republic passed a Naturalization Law 169-14 in May 2014 creating naturalization
13 and regularization processes, which required persons affected by the 2013 ruling to apply to
14 be re-recognized as citizens or to gain residency status; and

15 WHEREAS, The application process was fraught with problems, from under-resourced
16 immigration processing centers, difficulties in obtaining appropriate paperwork and
17 transportation to processing centers, and arbitrary refusal of some processing centers to issue
18 or process documents for individuals who "looked Haitian;" and

19 WHEREAS, Only a few thousand of the hundreds of thousands of Dominicans of
20 Haitian descent were able to have their citizenship restored, and the majority remain stateless
21 and vulnerable; and

22 WHEREAS, Both registration and deportation deadlines have passed; and under the
23 threat of expulsion, thousands of Haitians have self-deported for fear of state-sponsored mass
24 deportation and vigilante violence; and the Dominican Republic has stated its intent to deport
25 any individuals whose citizenship or legal status has not been officially recognized by the

1 government, regardless of whether they were born in the Dominican Republic; and the
2 Dominican Republic has initiated deportations; now, therefore, be it

3 RESOLVED, That the San Francisco Board of Supervisors condemn the Dominican
4 Republic's retroactive denationalization of Dominicans of Haitian descent, the impending
5 mass deportation of Dominicans of Haitian descent and Haitian immigrants given the human
6 rights implications, and the ineffectiveness of the registration process; and, be it

7 FURTHER RESOLVED, That the San Francisco Board of Supervisors urges the United
8 States, and in particular President Obama and Secretary of State John Kerry, to use any and
9 all appropriate means to encourage the Dominican Republic to restore the rights of
10 Dominicans wrongfully stripped of their citizenship and to resolve the temporarily delayed
11 mass deportation of Haitians; and, be it

12 FURTHER RESOLVED, That the San Francisco Board of Supervisors hereby directs
13 the Clerk of the Board to send a copy of this resolution to United States President Barack
14 Obama, Secretary of State John Kerry, Dominican Republic President Danilo Medina, and
15 United States Ambassador to the Dominican Republic James Brewster.

Print Form

Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp
or meeting date _____

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion, or Charter Amendment)
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning "Supervisor [] inquires"
- 5. City Attorney request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. []
- 9. Reactivate File No. []
- 10. Question(s) submitted for Mayoral Appearance before the BOS on []

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative Form.

Sponsor(s):

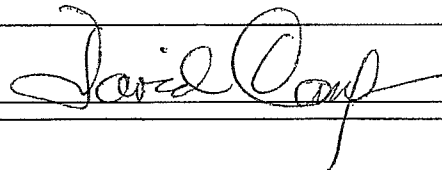
Campos

Subject:

Resolution Denouncing the Dominican Republic for Its Treatment of Dominicans of Haitian Descent

The text is listed below or attached:

[]

Signature of Sponsoring Supervisor: 

For Clerk's Use Only:

