

Migrants in the Dominican Republic

No place like home

The travails of the children of Haitian migrants in the Dominican Republic

A NIGHTMARE is about to end for some 24,000 people in the Dominican Republic (DR). For months a court ruling has in effect rendered them stateless, in the process straining the country's tense relations with Haiti, its poorer neighbour on the Caribbean island of Hispaniola. But for many others, the ordeal is continuing.

Until a decade ago the children of Haitian migrants who were born in the DR were recognised as Dominican nationals, even if their parents had immigrated illegally. The rules began to change in 2004, and in 2010 a new constitution made a legally resident parent a requirement for citizenship at birth. Then, last September, a ruling of the Constitutional Court denied citizenship to the offspring of illegal immigrants who had arrived before that change.

The government maintains that these revisions justly removed an anomaly and conform with practice elsewhere. Yet the children concerned—many well into middle age—were at a stroke reclassified as foreigners, and have since been refused new identity documents. Instead they were told to request new papers from their purported country of origin, even though the vast majority have never been to Haiti, speak only Spanish and cannot prove they are eligible for Haitian citizenship.

Relations on Hispaniola have been tense ever since Haiti occupied the DR in 1821-44, but this time the world took notice. Pressure groups and the Inter-American Commission on Human Rights condemned the ruling. Caricom, a group of Caribbean countries, suspended the DR's membership application. Meanwhile Michel Martelly, Haiti's president, caused a stir by quoting a Dominican journalist who called the decision "civil genocide".

All that left Danilo Medina, who was inaugurated as the DR's president just a month before the ruling, in a fix. His nation can ill afford to be ostracised, yet capitulating would make him look weak. He would risk seeming too friendly to Haiti, which Dominican politicians have long used as a rhetorical punchbag. Joaquín Balaguer, a strongman who ruled the DR intermittently for 30 years, once warned of a "peaceful invasion" of Haitian immigrants. Leonel Fernández, who was Mr Medina's predecessor and is married to his vice-president, won a close election in 1996 after accusing his darker-skinned, Haitian-descended rival of wanting to reunite the two countries.

In the end, Mr Medina and his legisla- ▶▶

▶ tive allies chose a cautious middle path. For the group most starkly disadvantaged—the 24,000 people with previously valid Dominican identity papers—help is on the way. On May 23rd the president signed a law reinstating their citizenship. Although Dominican bureaucracy can be arbitrary and arduous, they are now formally eligible to renew their birth certificates, driving licences and passports. People without such documents who can still prove to the authorities' satisfaction that they were born in the DR—a group that includes 21,000 children born from 2007-10—will also get a reprieve. After a two-year waiting

period they will be eligible to apply for naturalised citizenship, which carries all the rights of the native-born except the ability to hold high office.

However, the law offers no solution for the biggest group involved: those who were born in the DR to parents without legal residence, but cannot demonstrate it. They will in effect remain stateless and officially eligible for deportation, though they have nowhere else to go. A UN survey of 2013 found there were 244,000 people in the DR whose parents were undocumented foreigners, meaning around 200,000 may be in this predicament.

Human-rights groups angrily point out that the new law thus leaves most of the people affected by the ruling in limbo. All the same, Mr Medina's meticulous segmentation of the problem will probably relieve much of the political pressure. People who already had identity papers tend to be richer and more influential than those who did not; many of the most outspoken victims of the court decision were educated professionals who could use the media and lobby effectively. The new system placates this high-profile group, while leaving those on the fringes of Dominican society to fend for themselves. ■