

URGENT ACTION

DEFENDER COMBATTING STATELESSNESS ATTACKED

Around 8.30pm on 25 September, Dominican human rights defender Genaro Rincon was verbally and physically assaulted in Santo Domingo, the capital of the Dominican Republic. Various other defenders working against statelessness in the country have recently reported receiving threats, intimidations and insults related to their work.

On 25 September **Genaro Rincon** left his office in the Colonial Zone of Santo Domingo and went to a bus station nearby on his way home to Santo Domingo Este. Genaro Rincon told Amnesty International that while he waited for the bus he noticed a man looking at him suspiciously. Around 8.15pm Genaro Rincon boarded the bus. The man he saw earlier sat in front of him and after a few minutes began to verbally assault Genaro, shouting at him repeatedly "the Haitian race is the worst in the world." The man later picked up his phone saying "yes I'm with him". He then told Genaro: "You're one of those defenders" and tried to punch Genaro in the face.

The bus driver asked both men to get off the bus. Genaro Rincon tried to resist but a second man suddenly came from behind and pushed him onto the street. While on the ground, one of the two men threw a cement block at him, hitting his head and chest. Genaro Rincon was able to grab a pen and defend himself by striking one of the two assailants in the eye. At this point a passerby shouted "he is armed!" to distract the two attackers. This gave Genaro Rincon the opportunity to run and seek assistance in a gas station nearby. The staff called emergency services, who brought Genaro to a hospital. Doctors told him he had a severe wound to the head, and other wounds to the lips, chest, legs and feet.

This attack happened a few days after public commemorations of the 2013 Constitutional Court judgement that rendered tens of thousands of Dominicans of Haitian descent stateless (Genaro Rincon being the lawyer of that emblematic case), which were widely reported in national media. Since then, reports of threats, intimidations and insults on social media against human rights defenders working on this issue have increased. At least two defenders, including Genaro Rincon, reported having been followed by unknown cars in the last two weeks.

Please write immediately in Spanish or your own language:

- Urging the Dominican authorities to initiate a prompt, impartial and thorough investigation into the attack against Genaro Rincon, make the results public and bring those materially and intellectually responsible to justice;
- Urging them to adopt measures to provide effective protection to Genaro Rincon and all other Dominican human rights defenders working against statelessness, in accordance with their wishes:
- Reminding them to fulfil their obligation to protect human rights defenders, as set out in the 1998 UN Declaration on Human Rights Defenders;
- Calling on them to publicly condemn racism, anti-Haitian rhetoric and all forms of discrimination, and refrain from using stigmatizing language against human rights defenders working on the right to nationality.

PLEASE SEND APPEALS BEFORE 8 NOVEMBER 2016 TO:

Public Prosecutor

Jean A. Rodríguez
Procurador General
Palacio de Justicia, Av. Jiménez Moya
esq. Juan Ventura Simón
Santo Domingo, República Dominicana
Email: info@pgr.gob.do

**Salutation: Dear Public
Prosecutor/Señor Procurador**

Minister of Interior and Police

Carlos Amarante Baret
Av. México esq. Leopoldo Navarro
Edificio de Oficinas Gubernamentales
Juan Pablo Duarte
Santo Domingo, República Dominicana
Email: info@mip.gob.do

**Salutation: Dear Minister/Señor
Ministro**

Also send copies to diplomatic representatives accredited to your country. HIS EXCELLENCY DR FEDERICO ALBERTO CUELLO CAMILO, Embassy of the Dominican Republic, 139 Inverness Terrace W2 6JF, 020 7727 7091, Fax 020 7727 3693, info@dominicanembassy.org.uk, www.dominicanembassy.org.uk
Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

On 23 September 2013 the Dominican Republic's Constitutional Court issued judgement 168-13 that arbitrarily and retroactively deprived tens of thousands of people of their Dominican nationality, disproportionately affecting those of Haitian descent, born in the country since 1929. Many of them were rendered stateless. To address the human rights crisis born from this judgement the Dominican government passed law 169-14 in May 2014. However, Amnesty International has found that the law fell short of solving the whole situation, and in particular failed to automatically restore Dominican nationality to all those stripped of it in 2013 (see report, *"Without paper, I am no one": Stateless people in the Dominican Republic*, <https://www.amnesty.org/en/documents/amr36/2755/2015/en/>). Today, tens of thousands of people remain stateless in the Dominican Republic, home of the largest stateless population in the Americas according to the UN High Commissioner for Refugees (UNHCR).

In the weeks and months following judgement 168-13 violent rhetoric against Dominican human rights defenders, journalists and those perceived to defend the rights of Dominicans of Haitian descent emerged from ultra-nationalistic groups. People denouncing the Constitutional Court's judgement were regularly called "traitors to the homeland" and public demonstrations were held in different parts of the country where portraits of some prominent journalists were burned down. The Dominican authorities almost never condemned public discourses advocating for hatred, racism and xenophobia.

In September 2016, the week of the third anniversary of the Constitutional Court's judgement, different public activities were held in Santo Domingo. Amnesty International delivered an international petition to the Dominican government calling for the restoration of all Dominicans' nationality. On 23 September human rights organizations organized a demonstration in front of the Constitutional Court. Some confrontations occurred when a group of ultra-nationalists gathered in front of the demonstration.

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