Deconstructing Border Walls: Tackling the Dominican Republic's anti-Haitian racism

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Abstract: Haitian migration to the Dominican Republic has been marked by a long history of inequalities and human rights violations. Construction of a 160km wall dividing the two countries is the latest physical manifestation of the barriers this immigrant population faces.

The waters of the Massacre River flow through the city of Dajabón, dividing the northwest of the Caribbean Island of Hispaniola into two countries: Haiti and the Dominican Republic. There, in 1937, Dominican dictator Leónidas Trujillo initiated a process of ethnic cleansing known as the 'Dominicanisation of the border'. In what became known as the Parsley Massacre, he authorised the murder of between 9,000 and 20,000 Haitian peasants accused of invading the country.
In that same place, 85 years later, in February 2022, President Luis Abinader began to build a giant structure of beams and concrete that government jargon calls a 'perimeter fence'. In June, he reaffirmed and justified its construction, insisting Haitian migration was a 'national security problem' and that his government was going to 'control the border'. Abinader

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euphemistically refers to the construction as a 'perimeter fence' but everyone has been saying for months that what is being built is a border wall.

The first part of this four-metre-high, 20cm-wide barrier stretches 54km along the northern part of the island and will have 19 watchtowers, which are due for completion in May 2023. The second phase of construction will cover another 110km of the border, which is 390km in total and divides the island in two from north to south. President Abinader has said that it will serve to 'control bilateral trade and deal with drug trafficking'. However, the truth is that the construction of this wall is merely the latest move in a history marked by inequalities and violation of the rights of those who have migrated for generations from different parts of Haiti to the Dominican Republic.

The reality of everyday life in the two countries could not be more different. According to World Bank data, six out of 10 people in Haiti are poor and one in four lives in extreme poverty. These figures have been compounded by years of political and economic crises, most recently the assassination of President Jovenel Moise in 2021. On the other hand, the Dominican Republic is one of the region's fastest-growing economies in recent times. There, one in four people are poor and three in every 100 are indigent. In 2022, ECLAC projected 5.3 per cent growth for the country, in sharp contrast to the 1.8 per cent estimated average increase for the Latin American and Caribbean region.

Today, the Dominican Republic has 10.5m inhabitants, of whom 500,000 are Haitian, 87 per cent of the country's foreign population. Government policies have forced this migrant population into document irregularity and casual labour. Far from being separate aspects, the criminalisation of these immigrants goes hand in hand with a market reliant on cheap labour without rights in areas such as construction and the agricultural sector—where three in 10 workers are Haitians.

The 'dangerous other'

One of the ideological legacies of the Trujillo dictatorship (1930-1961) was the whitening of Dominican society and the portrayal of Haiti as the antithesis of the nation. The former was elevated as white and Catholic; the latter demonised as black, African and pagan. Thus, the spectres of the 'dangerous other' and the neighbouring 'invasion' sustained growing anti-Haitian racism throughout the years.

In the last two decades, several milestones demonstrated the institutionalisation of this structural racism. The 2004 Migratory Law, which was amended in 2011 to establish more restrictive nationality criteria, was the first. In 2005, the Supreme Court underlined this approach, ruling that Haitians who did not have Dominican citizenship should be considered

'transit passengers', regardless of how many years they had been in the country. Their children were also barred from accessing citizenship, despite being born in the Dominican Republic.
In 2010, the new Constitution again restricted the *ius solis* (birthright citizenship) principle by not considering children of foreigners or the 'undocumented' as Dominicans. In 2013, tensions caused by Dominican policies reached boiling point. Through judgment 168/13, the Constitutional Court denationalised more than 200,000 people born in the Dominican Republic of Haitian ancestry, who could not prove the regularity of their parents' immigration status.
Such affronts and vexations raised numerous alarms, including a report by the Inter-American Commission on Human Rights (IACHR), which visited the island in December 2013. Despite various attempts at political reaction, this veritable criminalisation of migrants continues unabated. In its 2019 annual report, the IACHR noted that six years after the Constitutional Court judgement, 'the obstacles faced by the affected population persist'. Finally, deportations intensified in 2022. According to the UN High Commissioner for Human Rights Volker Türk, 176,777 Haitian migrants were repatriated in 2022, and the vast majority were deported from the Dominican Republic.
Regarding the migration policy regime, it is worth noting that the Dominican Republic has not ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICMW), the Convention relating to the Status of Stateless Persons, nor the Convention on the Reduction of Statelessness, nor has it endorsed the Global Compact for Safe, Orderly and Regular Migration (2018) or the Global Compact on Refugees (2018). Furthermore, in the last five years, 2017-2022, the Dominican Republic has deported almost 250,000 people of Haitian nationality.
The concept of global apartheid was coined to describe unequal distribution of resources and welfare and its relationship to race and nationality. Control over the mobility of impoverished residents and the non-white labour force to which this notion refers well illustrates what has been happening in the Island of Hispaniola for decades. Construction of the border wall is just the latest manifestation.

Urgent human rights measures needed to counteract discrimination
The question has been floating around for the years: how to deal with human rights violations related to nationality and repatriation—the labour conditions of Haitian nationals and Dominicans of Haitian descent, discrimination, forced disappearances and torture? In 2015, an International Human Rights Commission report on the Dominican Republic warned of intersectional and structural discrimination against persons of Haitian

descent. In particular, the report mentioned the claims of different civil society organisations which argue that:

> Haitian migrants, Dominicans of Haitian descent and Afro descendants in general, are not only victims of structural discrimination…they are the poorest and more excluded part of the population, but they are also affected by open expressions of hostility and particular aggressions.

The COVID-19 pandemic exacerbated the persecution and criminalisation of irregular migrants, adding drastic economic deprivation and the threat of contagion to lack of social protection.
Of course, a vital part of the discussion would be acceptance and ratification of the aforementioned international human rights instruments to which the Dominican Republic has not yet signed up. As noted in the 2019 Universal Periodic Review, its government must:

> Adopt the necessary legislative and administrative measures to combat all forms of discrimination with respect to the acquisition of nationality for children of Haitian immigrants born in the country, as well as with respect to the status of Haitian migrants.

Recognising the historical and social impact of structural racism in the Dominican Republic could prove an important first step in deconstructing the wall, literally and metaphorically. For this objective to succeed, more than just a legal battle is needed: civil society, non-governmental organisations, human rights activists and the entire political spectrum must play a key role.