

PUBLIC

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Fear for safety/death threats

DOMINICAN REPUBLIC

Gysselle Baret Reyes (f)
Minoscal de Olis Oguiza (m), her husband
Emildo Bueno Oguis (m), his cousin
Their families

People who appear to be linked to the authorities have abducted and assaulted a woman whose husband is of Haitian descent, and so faces official discrimination. The woman, Gysselle Baret Reyes, had appeared on TV on 2 July condemning the way her family had been treated. On 14 July she was forced into a car at gunpoint and assaulted over several hours. Her husband, Minoscal de Olis Oguiza, and his cousin, Emildo Bueno Oguis, have received death threats, and all are in grave danger.

The Central Electoral Board (*Junta Central Electoral*) issued a directive to government officials in March 2007, instructing them to be especially careful when issuing or renewing identity documents, on the grounds that documents had mistakenly been issued to people who could not prove they were legally resident. This directive, Circular 017, appears to have been used systematically to deny official documentation to Dominicans of Haitian descent. This bars them from education, voting, employment and state pensions. According to local NGOs, hundreds of people have been unable to register their children's birth or renew their identity documents; in total, tens of thousands may be affected. Gyselle Baret Reyes and Minoscal de Olis Oguiza have been unable to obtain a birth certificate for their baby son as the authorities have claimed that Minoscal's documents are irregular. She complained about this in a discussion programme on Dominican television on 2 July. Emildo Bueno Oguis has been unable to get a copy of his birth certificate, which he needs so that he can get a passport and travel to the United States to be with his wife, who is a US citizen. He appealed, unsuccessfully, to the Central Electoral Board earlier this year, and has now appealed to the Supreme Court. His story has been widely covered by the Dominican media.

On 3 July, a relative from their birthplace, in the northern province of Valverde, telephoned Minoscal de Olis Oguiza and Emildo Bueno Oguis, to say that three men claiming to be inspectors from the Central Electoral Board had visited and had left a number for the cousins to call to discuss the issue of their identity documents. They called immediately, gave their contact details in Villa Altagracia and were told they would be contacted shortly. They heard nothing more.

A white Toyota Camry with blacked-out windows was seen parked outside Emildo Bueno Oguis's house three times on 9 July. Gysselle Baret Reyes noticed it following her on 10 and 11 July. On 12 July, it knocked her off her moped and drove off. She went to the local police station, in the town of Villa Altagracia, but the assistant public prosecutor on duty refused to take her complaint, saying there was not enough information.

As she walked to her sister's house on the morning of 14 July, Gysselle Baret Reyes was forced at gunpoint into a black Toyota Camry, with blacked-out windows, in which were two hooded men and a woman. They forced her into a foetal position and questioned her about her family, including where her husband's parents lived, how many brothers he had, where Emildo Bueno Oguis was and who was paying his legal fees. When she said she did not know, one of the group poured some kind of acid on her left arm, burning her, and told her they would throw the liquid in her face. They told her to warn Emildo that he had "meddled too deeply in this case" (*se metio muy hondo con ese caso*) and that he, Gysselle and Minoscal would "suffocate before Wednesday" (*se van a ahogar*

antes de miercoles). When she went back to the police station with Minoscal de Olis Oguiza, the same public prosecutor refused to take her statement, despite the injury to her arm and her obvious distress.

BACKGROUND INFORMATION

The UN Special Rapporteur on racism, racial discrimination, xenophobia and related intolerance, and the UN Independent Expert on minority issues, who visited the country in October 2007, found "a profound and entrenched problem of racism and discrimination in Dominican society, generally affecting blacks and particularly such groups as black Dominicans, Dominicans of Haitian descent and Haitians" and said that Circular 017 "should be withdrawn and replaced with one which encourages an official attitude of facilitation and trust." In February 2008 the UN Committee on the Elimination of All Forms of Racial Discrimination expressed concern that since the introduction of Circular 017, Dominicans of Haitian descent had had their identification documents "confiscated and destroyed, or have been denied copies of these documents on grounds of their ethnic origin." Dominican lawyers and legal experts have spoken out about Circular 017 being unconstitutional, and have called for it to be withdrawn.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Spanish or your own language:

- expressing concern that Gysselle Baret Reyes was abducted and assaulted on 14 July, and that she, Minoscal de Olis Oguiza and Emildo Bueno Oguis have been threatened with death;
- calling on the authorities to order an immediate, thorough and independent investigation, publish the results and bring those responsible to justice;
- urging the authorities to take urgent measures to ensure the safety of Gysselle Baret Reyes, Minoscal de Olis Oguiza and Emildo Bueno Oguis, in accordance with their wishes;
- calling on the authorities to investigate allegations that state officials in Villa Altagracia twice refused to take statements from Gysselle Baret Reyes, and take the appropriate disciplinary action;
- calling on the authorities to take immediate and effective measures to stop discriminatory practices in granting citizenship and civil status registration, including identity documents.

APPEALS TO:

Attorney General

Sr. Radhamés Jiménez Peña

Procurador General de la República, Palacio de Justicia, Ave. Jiménez Moya esq. Juan Ventura Simón, Centro de los Heroes, Constanza, Maimón y Estero Hondo, Santo Domingo, Dominican Republic

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Salutation: Estimado Señor Jiménez/Dear Sir

Minister of the Interior

Sr. Franklin Almeyda Rancier

Secretario de Estado del Interior y la Policía, Ave. México, Esq.

Leopoldo Navarro, Edif. Oficinas Gubernamentales, Santo Domingo, Dominican Republic

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Salutation: Señor Secretario/Dear Sir

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and diplomatic representatives of the Dominican Republic accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 3 September 2008.