

Please bring this urgent action to the attention of the refugee coordinator in your section.

EXTERNAL (for general distribution)

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Fear of Refoulement

14 November 1991

DOMINICAN REPUBLIC

Bien Amné Ebel	Vernius Metellus
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Máxime Carole	Jean Enold
Joseph René	Francis Raymond
Joseph Feronet	Chérelus Adrien
Toussaint Olès	Raphael Jose Mitón (child)
Peronvil Larose	Belizaire Anet
Peronvil Perette	One child

Amnesty International is concerned about the possible *refoulement* (**forcible return**) of 23 Haitians and one unnamed child, all of whom were detained by the Dominican armed forces in early November 1991.

According to reports, the above-named Haitians arrived in the Dominican Republic on 3 November and were staying in the Iglesia Nuestra Señora, the Church of Our Lady, in Dajabón, a town situated on the Haitian border. The church was reportedly surrounded by the military and members of the Servicio Secreto, Secret Service, and the occupants have been prevented from leaving the building.

The detainees, all of whom are members of popular and peasant grassroots organizations, reportedly left Haiti in order to escape persecution by the military. Amnesty International believes that the 23 Haitians being held in Dajabón could be at risk of serious human rights violations in Haiti under the present circumstances, and that as a result they should not be forcibly returned.

BACKGROUND INFORMATION

The democratically-elected Haitian government of President Jean-Bertrand Aristide, who took office on 7 February 1991, was overthrown by troops in a coup on Monday 30 September. Since then Amnesty International has learned of widespread human rights violations committed by the security forces, including a large number of extrajudicial executions, beatings and mass arrests without warrant. Many of the victims have included leaders of grassroots organizations or supporters of President Aristide.

The United Nations Commission on Human Rights said they are concerned that Dominican Republic may close the borders. In addition, there have been reports that, since the coup in Haiti, Haitian asylum-seekers have entered the Dominican Republic and, given the widespread human rights violations taking place in Haiti in the aftermath of the coup, it seems likely that more may do so.

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Since June 1991 thousands of Haitians have been deported from the Dominican Republic, following a presidential decree ordering the deportation of all foreigners in the Dominican Republic under the age of 16 or over 60 who worked in the sugar cane industry.

RECOMMENDED ACTION: Telegrams/telexes/express and airmail letters:

- urging that the 24 Haitians not be forcibly returned to Haiti;
- urging that they be treated in accordance with international human rights standards, particularly those dealing with the protection of refugees and asylum-seekers;
- reminding the Dominican Republic authorities that the internationally recognized principle of *non-refoulement*, set out in the 1951 Convention relating to the Status of Refugees and to which the Dominican Republic is a party, obliges states not to forcibly return any person to a country where they risk serious human rights violations;
- urging that all Haitian asylum-seekers who may at present be in the Dominican Republic, or who may cross into the Dominican Republic in the future, be treated in accordance with international human rights standards, including being given access to a fair and impartial procedure for examining their asylum claims and that, in any event, no person at risk of serious human rights violations should be returned to Haiti.

APPEALS TO

1) President

Dr. Joaquín Balaguer

Su Excelencia

Presidente de la República

Your Excellency

Palacio Nacional

Santo Domingo

DOMINICAN REPUBLIC

Telegrams: Presidente Balaguer, Santo Domingo, Dominican Republic

Telexes: 202 0011 secpres

2) Army Chief of Staff

Jefe de Estado Mayor del Ejército

Señor Teniente General

Avda. 27 de Febrero

Dear Lieutenant General

Plaza Independencia

Santo Domingo

DOMINICAN REPUBLIC

Telegrams: Jefe del Ejercito, Santo Domingo, Dominican Republic

COPIES TO:

Señores
Pastoral Haitiana
Calle Rodríguez Objío, 13
Santo Domingo
DOMINICAN REPUBLIC

Director
El Nacional
Avda San Martín 236
Santo Domingo
DOMINICAN REPUBLIC

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

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 26 December 1991.