

**MEMORANDUM**

Agenda Item No. 14(A)(5)

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**TO:** Honorable Chairwoman Rebeca Sosa  
and Members, Board of County Commissioners

**DATE:** December 17, 2013

**FROM:** R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Resolution condemning and opposing the decision of the Constitutional Court of the Dominican Republic to retroactively rescind the citizenship of persons of Haitian lineage born in the Dominican Republic; urging the government of the Dominican Republic to restore the rights of Dominican citizens of Haitian descent

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The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Jean Monestime.

  
\_\_\_\_\_  
R. A. Cuevas, Jr.  
County Attorney

RAC/jls



**MEMORANDUM**  
(Revised)

**TO:** Honorable Chairwoman Rebeca Sosa  
and Members, Board of County Commissioners

**DATE:** December 17, 2013

**FROM:** R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Agenda Item No. 14(A)(5).

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_ ) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved \_\_\_\_\_ Mayor

Agenda Item No. 14(A) (5)

Veto \_\_\_\_\_

12-17-13

Override \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_

RESOLUTION CONDEMNING AND OPPOSING THE DECISION OF THE CONSTITUTIONAL COURT OF THE DOMINICAN REPUBLIC TO RETROACTIVELY RESCIND THE CITIZENSHIP OF PERSONS OF HAITIAN LINEAGE BORN IN THE DOMINICAN REPUBLIC; URGING THE GOVERNMENT OF THE DOMINICAN REPUBLIC TO RESTORE THE RIGHTS OF DOMINICAN CITIZENS OF HAITIAN DESCENT

**WHEREAS**, on September 23, 2013, the Constitutional Court of the Dominican Republic retroactively rescinded the Dominican citizenship of persons of Haitian lineage born in the Dominican Republic; and

**WHEREAS**, the Constitutional Court's ruling relinquishes the Dominican citizenship of any person born in the Dominican Republic to Haitian parents from 1929 to the present, effectively denying hundreds of thousands of people their citizenship and leaving them stateless; and

**WHEREAS**, the ruling discriminates against and oppresses a group based upon their family lineage, national origin and race, violating international human rights norms; and

**WHEREAS**, in particular, the Court's ruling violates the International Covenant on Civil and Political Rights, International Covenant on Social, Economic, and Cultural Rights and the International Convention of Elimination of Racial Discrimination, all of which the Dominican Republic has ratified; and

**WHEREAS**, the Dominican Republic has a long history of xenophobic behavior targeting persons of Haitian descent and denying their basic civil and human rights; and

**WHEREAS**, in 1937, for example, Dominican dictator President Trujillo ordered the Parsley Massacre, which resulted in the death of between 20,000 and 30,000 Haitians in a single day; and

**WHEREAS**, this most recent ruling will leave approximately 500,000 individuals of Haitian descent and former citizens of the Dominican Republic stateless; and

**WHEREAS**, this Board condemns and opposes the recent action of the Constitutional Court of the Dominican Republic that denies persons of Haitian descent living in the Dominican Republic their rightful citizenship,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board:

**Section 1.** Condemns and opposes the decision of the Constitutional Court of the Dominican Republic to retroactively rescind the citizenship of persons of Haitian lineage born in the Dominican Republic.

**Section 2.** Urges the government of the Dominican Republic to restore the rights of Dominican citizens of Haitian descent.

**Section 3.** Directs the Clerk of this Board to send a certified copy of this resolution to the President of the Dominican Republic and the Florida Congressional Delegation.

The Prime Sponsor of the foregoing resolution is Commissioner Jean Monestime. It was offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

Rebeca Sosa, Chairwoman  
Lynda Bell, Vice Chair

Bruno A. Barreiro  
Jose "Pepe" Diaz  
Sally A. Heyman  
Jean Monestime  
Sen. Javier D. Souto  
Juan C. Zapata

Esteban L. Bovo, Jr.  
Audrey M. Edmonson  
Barbara J. Jordan  
Dennis C. Moss  
Xavier L. Suarez

The Chairperson thereupon declared the resolution duly passed and adopted this 17<sup>th</sup> day of December, 2013. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.



Jess M. McCarty