



A
PROJECT
OF



January 31, 2024

Ambassador Linda Thomas-Greenfield
United States Mission to the United Nations
799 United Nations Plaza
New York, NY 10017

Dear Ambassador Thomas-Greenfield:

I write today about the recent and deeply concerning [opinion](#) from the United Nations Human Rights Council Working Group on Arbitrary Detention (WGAD) that details a litany of human rights violations by the government of the Dominican Republic. It is the first of possibly many such legal condemnations of arbitrary detention and gross violations of internationally recognized human rights by the Dominican Republic that the United States government must take very seriously and respond to forcefully.

The WGAD condemned prolonged preventive detention without legal justification, the denial of the right to legally challenge detention, deprivation of the presumption of innocence and the right to a fair and impartial trial.

Also, the WGAD decision points to serious violations of international law by Yeni Berenice Reynoso, the Head of the Prosecution Directorate of the Public Ministry of the Dominican Republic. In one high-profile case, WGAD found that she and others violated the due process rights of former Attorney General Jean Rodríguez Sánchez.

According to the decision, Ms. Berenice Reynoso and her colleagues in the justice system violated Articles 3, 8, 9, 10 and 11 of the Universal Declaration of Human Rights and Articles 2, 9, 10 and 14 of the International Covenant on Civil and Human Rights.

Even a cursory review of the use of preventive detention in the Dominican Republic, as [reported by](#) the U.S. State Department, demonstrates that human rights violations of this kind go well beyond the case of the former attorney general. In fact, according to public records and reports in the Dominican Republic's media, Ms. Berenice Reynoso has carried out identical or similar actions detailed in the WGAD decision against in dozens of other individuals in other cases.

According to the WGAD's report, this pattern of behavior includes the "*orchestration*" of a "*public discredit campaign*" and "*systemically interrupted*" the right to a defense. In paragraphs

98 to 110 of the WGAD opinion, the legal experts of the working group determined that many of Ms. Berenice Reynoso's deliberate actions repeatedly violated the presumption of innocence and prolonged arbitrary detention without legal justification. Such human rights violations against one individual are unacceptable; systematic use of such practices cannot be tolerated by the United States government given its international legal commitments.

Prolonged detention without any legal basis is a flagrant violation of the rule of law. The Dominican Justice Initiative was launched last year by the Hispanic Leadership Fund to call attention to the Dominican Republic's [preventive detention crisis](#), where over 70 percent of prisoners are held without any formal charges or indictment, often for months or even years.

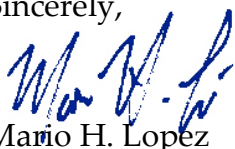
This crisis has and has attracted the attention of U.S. policymakers, including House Foreign Affairs Committee Chairman Michael McCaul. The WGAD's decision and condemnation of preventive detention in the Dominican Republic confirms the assertions in Chairman McCaul's [letter](#) to Secretary of State Antony Blinken, which raised the question of how many U.S. nationals have been caught in the Dominican web of injustice.

The WGAD notes that Ms. Berenice Reynoso is the "*protagonist*" of arbitrary detention in the Dominican Republic. Throughout the UN's investigation, she and the Dominican government failed to participate or respond cooperatively. After the decision went public, she co-signed a politically charged [statement](#) and held a press conference where she attacked the legitimacy of the entire UN system. According to Ms. Berenice Reynoso, the WGAD [decision](#) "*constitutes a serious interference that threatens the independence of the judiciary of the Dominican Republic*" and any claims of human rights violations are "*blackmail*." These tactics are typical of authoritarian states when their illegal behavior is brought to light.

The WGAD urged the Dominican government to "*carry out a thorough and independent investigation*" into the circumstances surrounding Mr. Rodríguez Sánchez's arbitrary detention and "*take appropriate measures against those responsible for the violation of his rights.*" From Ms. Berenice Reynoso's response, the government is not taking this matter seriously.

The Dominican Republic's preventive detention crisis has endured for over 25 years without resolution. I urge you and the U.S. Mission to the U.N. to publicly reinforce the mandate of the WGAD and the Human Rights Council. It is clear the necessary measure is for the WGAD to conduct a country visit to the Dominican Republic, ensure that the government implements its recommendations, and ends the preventive detention crisis.

Sincerely,



Mario H. Lopez

Hispanic Leadership Fund / Dominican Justice Initiative