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**SUMMARY PREPARED BY THE OFFICE OF THE HIGH COMMISSIONER FOR
HUMAN RIGHTS, IN ACCORDANCE WITH PARAGRAPH 15 (C) OF THE
ANNEX TO HUMAN RIGHTS COUNCIL RESOLUTION 5/1**

Dominican Republic*

The present report is a summary of 11 stakeholders' submissions¹ to the universal periodic review. It follows the structure of the general guidelines adopted by the Human Rights Council. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), nor any judgement or determination in relation to specific claims. The information included herein has been systematically referenced in endnotes and, to the extent possible, the original texts have not been altered. Lack of information or focus on specific issues may be due to the absence of submissions by stakeholders regarding these particular issues. The full texts of all submissions received are available on the OHCHR website. The report has been prepared taking into consideration the four-year periodicity of the first cycle of the review.

* The present document was not edited before being sent to the United Nations translation services.

I. BACKGROUND AND FRAMEWORK

A. Scope of international obligations

1. The Open Society Institute Justice Initiative (OSI) noted that the Dominican Republic has signed but not ratified the Convention on the Reduction of Statelessness (1961) and it is not a party to the Convention relating to the status of Stateless Persons (1954).² The Jacques Viau Dominico-Haitian Network (REDH-JV)³ recommended the ratification of both Conventions, as well as the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.⁴ Amnesty International (AI) recommended the ratification and implementation of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.⁵
2. The Dominican Republic Network of People living with HIV (REDOVIH+) reported that the Dominican Republic is a signatory to the Declaration of Commitment on HIV/AIDS, which highlights the responsibility of safeguarding the human rights and fundamental freedoms of people living with HIV.⁶

B. Constitutional and legislative framework

3. AI reported that a proposed reform of the Constitution put forward by the Executive in 2008 includes a reference to the inviolability of the right to life “from conception to death”, and that the Draft Criminal Code, currently being discussed in Parliament, contains a provision specifically providing for the imprisonment of women pregnant as a result of rape, incest or involuntary assisted fertilization, who seek or cause their own termination of pregnancy.⁷ The Women and Health Collective and the Sexual Rights Initiative (CMS-SRI)⁸ explained that the proposed reform of the Constitution would prohibit any future adoption of legislation or amendment to the Criminal Code to legalize abortion on health grounds if the mother’s life is at risk or there are foetal abnormalities that might prevent a child leading a normal life, among other things.⁹ The Latin American and Caribbean Committee for the Defence of Women’s Rights (CLADEM) suggested the legalization of abortion on health grounds and in cases of rape or incest.¹⁰
4. CMS-SRI also reported that since 2002 Congress has been empowered by a proposed reform of the Criminal Code which provides for non-criminal charges or a suspended sentence for a rapist who undertakes to marry the child victim of a rape and who becomes pregnant as a result. The proposed reform also provides for less serious criminal charges and a lighter sentence for anyone not using violence, constraint or threat whilst committing a sexual attack against a child or adolescent.¹¹

C. Institutional and human rights infrastructure

5. The Foundation for Community Hope and International Justice (FUNCEJI) reported that the Dominican Republic is one of the few Latin American nations not to have a national institution for human rights, as foreseen in the Paris Principles. Despite the provision for and later creation of the post of Ombudsman, the position remains unfilled.¹²

D. Policy measures

6. FUNCEJI said that so far no Ministry has drawn up policies on human rights since no plan of action exists in this area.¹³

II. PROMOTION AND PROTECTION OF HUMAN RIGHTS ON THE GROUND

A. Cooperation with human rights mechanisms

7. REDH-JV reported that Congress had sent a letter expressing its displeasure at the visit of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance and the Independent Expert on minority issues.¹⁴

B. Implementation of international human rights obligations

1. Equality and non-discrimination

8. FUNCEJI said that Dominican women had been increasing their participation in economic, social and political areas, achieving a significant presence in the judiciary and education. Despite these advances, the cultural order continues to reinforce and keep the traditional male and female roles alive. It added that factors such as the high rate of maternal mortality, transmission of HIV/AIDS and low female participation in politics make it unlikely that the country will meet the Millennium Development Goals.¹⁵

9. CLADEM reported that a higher proportion of women than men are subjected to compulsory HIV tests, especially in the free trade and export processing zones and in the tourist industry. Women workers whose results come back positive generally lose their jobs or simply cannot find employment.¹⁶ AI noted reports of discrimination in the workplace against people living with HIV/AIDS. It added that in 2006 employees were reportedly being tested for HIV without their consent or as a condition of their employment.¹⁷

10. REDH-JV said that successive Dominican governments have used various arguments to promote the idea of rejection of African culture and there is a lack of State policies and affirmative actions on the recognition of African origins as a fundamental part of Dominican society. Furthermore, there has been a desire to create a sense of identity, or “Dominicansim” which only acknowledges a distinctly hispanic or indigenous past.¹⁸ The REDH-JV reported that the practice of using skin colour on identity documents continues and that the State prevents Dominicans from being recognized as negros, obliging them to be categorized as “indians”, even when they request to be recognized as negros.¹⁹

11. REDH-JV mentioned that, although national legislation promotes equality and prohibits racial discrimination, effective measures to achieve those aims have not been adopted and that discrimination against persons on grounds of race or ethnicity, in public and in private, continues to go unpunished.²⁰ It adds that after many years of denial of Afro-descendants, there is a need for State recognition and a regulatory and legislative framework and administrative measures at national level to guard against discrimination on grounds of race, ethnicity and origin.²¹

12. According to the REDH-JV, Haitian migrants and Dominicans of Haitian descent are subjected to the most serious forms of racial prejudice and discrimination in the country.²² World Vision International (WVI) said that between 20,000 to 30,000 immigrants are expelled every year with no chance to appeal as a result of systematic discrimination because of their race, skin colour, language and nationality, despite the fact that many have valid work permits and visas and some are in fact Dominicans with no family ties in Haiti.²³ The REDH-JV reports that most of these expulsions are based on criteria as superficial as skin colour, with Dominican citizens often being expelled arbitrarily on an a priori understanding that they are Haitians because of their colour.²⁴

13. WVI stressed that unregistered children of Haitian descent cannot attend public school beyond sixth grade, are denied public health insurance and cannot get a work permit.²⁵ REDH-JV reported that children without birth certificates are not entitled to any kind of State protection.²⁶

14. CMS-SRI reported that there is widespread discrimination against homosexuals, gays, lesbians, transgender and transsexual individuals. This discrimination takes the form of street insults, refusals to allow enrolment at State schools, arrests of transvestites and their dismissal from private and public bodies such as the National Police. CMS-SRI added that a proposed reform of the Constitution would only recognize the legal or common-law marriages between persons of different sexes.²⁷

2. Right to life, liberty and security of the person

15. FUNCEJI expressed concern that reports of cases of National Police officers illegally killing civilians and criminal suspects are on the increase.²⁸ AI also expressed concern with regard to continued reports of fatal shootings by members of the security forces, some of which may amount to unlawful killings. It stressed that, according to the *Comision Nacional de Derechos Humanos*, more than 3,000 people have been killed by police in the last 10 years. The official explanation frequently given for killings by the police is “exchange of fire” with armed criminal suspects. However, in many cases eyewitness testimony contradicts this version of events.²⁹

16. AI said that the military, in particular the Special Border Security Force (CESFRONT), has been questioned by local and international human rights groups for excessive or unlawful use of force.³⁰ It noted reports of Haitian migrants suffering ill-treatment, both physical and psychological, at the hands of migration officials and members of the security forces, including the CESFRONT, or being victims of extortion in order to be allowed to cross the border.³¹

17. The Inter-American Commission on Human Rights (IACHR) reported that in 2008, it considered admissible a petition alleging the death of six Haitian nationals and one Dominican, and the injury of several more, as a result of agents from the Border Intelligence Operations Department of the Armed Forces (DOIF) opening fire over a truck crossing a checkpoint in the Dominican Republic. The petitioners alleged that some survivors had been held arbitrarily and later expelled from the country, without any attempt to determine their legal status. They also alleged that the official investigation opened by military courts prevents the victims from seeking legal action in regular courts, causing proceedings brought by the family members of the victims to be suspended because of the existence of a proceeding in a military court.³²

18. IACHR also reported that in 2006, it considered admissible a petition alleging various types of torture committed by national police officers, including hanging by wrists in a cell, beatings and starvation, as well as the seizure of various belongings during searches. Regarding the case, the State asserted that two members of the national police would be subject to disciplinary investigation and that the police was willing to deliver the seized property to the petitioner.³³

19. FUNCEJI reported that it was normal for citizens to attack lawbreakers, taking the law into their own hands, due to an increase in poverty and a lack of trust in the police and judiciary.³⁴ AI also expressed concern at reports of lynching of Haitian migrants and Dominicans of Haitian descent in apparent reprisal for killings of Dominican citizens attributed to Haitians. AI cited indiscriminate mob attacks against Haitians which left at least two dead, several injured and numerous houses destroyed in November 2008.³⁵

20. WVI said that the Dominican Republic experiences an increasingly high level of social violence, estimating that approximately 50 per cent of teachers and parents physically punished children. Very few cases are taken to court due to a lack of economic resources, lack of knowledge about accessing legal assistance, and social norms.³⁶ The Global Initiative to End All Corporal Punishment of Children (GIEACPC) indicated that corporal punishment is lawful in the home, and that provisions against violence and abuse in the Code for the System of Protection of the Fundamental Rights of Children and Adolescents, the Law Against Domestic Violence, the Criminal Code and the Code of Criminal Procedure are not interpreted as prohibiting all corporal punishment in childrearing. Furthermore, there is no explicit prohibition of corporal punishment in all alternative care settings.³⁷

21. CLADEM reported that femicide/feminicide is on the increase. The murder or violent death rate among women at the beginning of the Millennium was around 2.30 per 100,000 and in 2006 it was 3.91 per 100,000. The Committee stated that this rate places the Dominican Republic at a high level compared to other Central American countries.³⁸

22. AI expressed concern at the high incidence of violence against women in the Dominican Republic, including domestic violence and sexual assault. AI noted that, according to a survey, 20% of all Dominican women and girls over 15 had suffered physical violence at some time in their life and one woman in ten had been raped. It also noted that victims have inadequate access to State institutions, and referenced a report that found that the great majority of survivors of gender-based violence face discrimination by members of the judiciary and that 60% of victims abandon the legal process they have initiated.³⁹ The IACHR stressed that the Dominican Republic had taken several measures in favour of women victims of violence,⁴⁰ including launching a nationwide campaign on the radio and in the press for the prevention of violence against and trafficking of women.⁴¹ AI recommended, inter-alia, the establishment of Units for the Integrated Assistance for Victims of Violence against Women in each of the country's 32 provinces, as well as the immediate establishment of a minimum of one shelter for each of the country's nine regions.⁴²

23. WVI indicated that men, women and children are trafficked to, from, and within the country. Reports estimate that between 17,000 and 33,000 Dominican women abroad have been victims of trafficking, including women or adolescent children brought to urban or tourist areas for sexual exploitation.⁴³ AI said that according to human rights organizations working on both sides of the border, 1,353 Haitian children were trafficked into the Dominican Republic during the first six months of 2008, and exploited for agricultural and domestic work, begging, street-vending and prostitution.⁴⁴

24. WVI noted the establishment of the National Commission against Trafficking in Persons in 2007, charged with developing a national strategy to combat trafficking and improve victim protection. However, it was concerned that this Commission has not yet been allocated funding.⁴⁵ CLADEM recognized State efforts to combat trafficking in persons, such as legislation to combat trafficking and smuggling of persons enacted in 2003. Despite this, it reported that only around ten prison sentences had been passed and that protection and assistance work for victims is being carried out haphazardly, mostly by civil society bodies.⁴⁶

3. Administration of justice, including impunity and the rule of law

25. AI recognized recent advances with regard to ending impunity for human rights violations committed by the security forces and welcomed the new Code of Criminal Procedure, which places all human rights violations committed by members of the security forces under civilian jurisdiction.⁴⁷ However, it recommended, inter-alia, that the State strengthen the coordination

between the National Police and the Public Prosecutor's Offices to ensure that investigations into human rights violations are conducted promptly, independently and impartially; and establish a fully independent oversight body to receive and investigate complaints of police misconduct and reports of human rights violations.⁴⁸

26. FUNCEJI expressed concern that the Dominican population believes that equality in the implementation of legislation does not exist and that it depends on an individual's social class. It added that of particular concern were the cases of guilty parties not being penalized because of their high economic status or their political, military or police influence. FUNCEJI also expressed alarm at the growth in impunity with regard to sentences that are not completed despite having been passed by a court and in the number of pardons granted in certain cases by the Dominican Government.⁴⁹

4. Right to privacy, marriage and family life

27. According to WVI, an estimated 1 in 5 of children born in the country are not registered for a variety of reasons, including the unlawful status of their parents in the country, fear of expulsion, lack of parental documents, special requirements for certain groups of parents, high costs and bureaucratic inefficiency. Certain groups are particularly affected, including the extremely poor, Haitian migrants and teen mothers.⁵⁰ WVI recommended that all children be guaranteed the right to be registered at birth, through a simplified procedure, which is both free and available without discrimination.⁵¹ AI recommended that any denial of a request to issue identity-related documents is recorded and accompanied by a full written explanation.⁵²

5. Freedom of expression and right to participate in public and political life

28. AI noted periodic reports of intimidation and harassment of media workers by authorities and private individuals, often related to investigations of corruption. According to AI, the Dominican National Union of Press Workers found that between January and September 2008, 32 journalists had been physically attacked or threatened and 21 others had been subjected to spurious judicial proceedings related to their reporting.⁵³

29. REDH-JV reported that there is hostility towards human rights defenders by the authorities, particularly those who work in the areas of migration and human rights. The Jesuit Refugee and Migrant Service, the Dominico-Haitian Women's Movement and various Dominico-Haitian community leaders are said to have been accused by the Chancellor and high-ranking State officials of carrying out an international campaign to discredit the country.⁵⁴

6. Right to work and to just and favourable conditions of work

30. WVI said that at least half a million immigrants live in the Dominican Republic and work principally in agriculture and construction, carrying out low-paid and often hazardous work.⁵⁵ WVI added that child labour remains a serious concern, with estimations that 9.7 % of children between 10 and 17 work illegally in the informal sector. It also noted reports that school-aged children of Haitian descent are employed to work in the households or family businesses in conditions of indentured servitude.⁵⁶

7. Right to social security and to an adequate standard of living

31. CLADEM reported that, following the financial crisis of 2002-2004, 1.5 million Dominicans fell into poverty, 670,000 of whom were forced to reduce their food consumption to below the minimum subsistence level. Towards the end of 2004, 42 in every 100 Dominicans were classed as

poor, 16 of whom were living in conditions of extreme poverty. Despite the Dominican Republic remaining a country with excellent economic growth, there was no element of redistribution of wealth.⁵⁷ FUNCEJI indicated that the fact that the head of a household may be a woman increases vulnerability to poverty.⁵⁸

32. REDH-JV said that the *bateyes* (communities for sugar plantation workers) are still excluded communities and are living in conditions of extreme poverty. Most *bateyes* are made up of populations from Afro-descendants, Dominicans of Haitian-descent and Haitian migrants, who suffer from the worst deprivation and deficiencies amid the indifference of the Dominican State.⁵⁹ A diagnostic study on the situation in 13 *bateyes* carried out in 2007 found, among other things, that in 64.4% of dwellings with between one and four rooms, 59.2% have no kitchen, 54.9% have no bathroom, 48.9% have no toilet and 67.6% share a toilet with other families.⁶⁰

33. CLADEM reported that the State does not have a comprehensive and effective policy to reduce hunger, malnutrition and food shortages but instead only offers assistance. Moreover, monetary support for the purchase of food and other basic goods has been reduced (just under US\$ 20 per month per household), despite the cost of the “basic food basket” at February 2009 being just over US\$ 39 per person per month.⁶¹ CLADEM recommended the development of industrial farming policies, with an emphasis on human rights and gender, to promote the modernization of production units and to ensure access to factors of production for small production companies and also to bring increased productivity to generate income for poor rural households.⁶²

34. WVI noted that access to basic health services remains difficult for many poor and rural people due to the location and costs involved. It added that maternal and child mortality rates are high.⁶³

35. WVI indicated that the adult prevalence of HIV in the Dominican Republic is 1.1% and that it is estimated that 62,000 Dominicans are HIV+, 2,700 of them children under 14. It stressed that the level of knowledge that young people have as to how to protect themselves from HIV/AIDS remains low.⁶⁴ AI noted that although the HIV/AIDS epidemic has stabilized, it remains concerned by the Government’s over-dependence on external funding for its response to the disease. It added that the HIV incidence among residents of *bateyes* remains high and there are concerns that the Haitian migrant population and Dominico-Haitians face obstacles in gaining access to treatment. CMS-SRI noted the recent increased feminization of HIV/AIDS.⁶⁵

36. REDOVIIH+ cited the results of a study where, in 23% of cases, a health professional had recommended that a patient should not have children after being diagnosed as HIV-positive, 11% had been coerced into undergoing sterilization after finding out they were HIV-positive, and there were instances of women who had been sterilized without their informed consent.⁶⁶

37. AI was alarmed by the high number of forced evictions and noted 2008 reports from a network of local NGOs that claimed that more than 50,000 families in the country face this threat, either from the State or from individuals claiming the property of the lands. AI stressed that most evictions are executed without due process or consultation with the communities affected to make lands available for the construction of infrastructure, tourist estates or industrial complexes. It also noted that the lack of deeds and security of tenure, which is estimated to affect more than 50% of the population (75% in Santo Domingo Province), are among the main arguments used by the authorities to justify forced evictions.⁶⁷ A joint submission presented by five organizations (JS1)⁶⁸ provided information on evictions and threats of evictions carried out in La Zurza, Municipio de Santo Domingo Este, Villa Venecia de Pantoja, La Caleta y Valiente, and Boca Chica, affecting hundreds of families each.⁶⁹ JS1 reports that during housing demolitions people’s lives are being put

at risk and that there is no guarantee that evicted families will be relocated or receive compensation for their property. It adds that the evictions are carried out both by private claimants and by the State, and that armed and masked civilians acting as a back-up force to the police and military have been a constant presence.⁷⁰ JS1 proposed that the State comply with agreements on community relocations and that when there is a valid reason for carrying out an eviction, it must be with the agreement of the communities involved.⁷¹ AI recommended ensuring that evictions are carried out in accordance with guidelines, drawn up by the UN Special Rapporteur on Adequate Housing, on development-based evictions and displacements.⁷²

38. JS1 reported that the State has not collaborated with any of the community organizations that have been promoting a Bill on Housing, Habitat and Human Settlements since 2004. Moreover, the Government had removed article 8-15 on the Right to Housing from the proposed reform of the Constitution.⁷³ JS1 proposed the creation of a Land Bank and a Housing and Land Fund to finance social housing and land access and to plan future urban growth.⁷⁴

8. Right to education and to participate in the cultural life of the community

39. WVI noted that although education is free for all minors up to the eighth grade, in practice, free education is only provided for primary schooling up to the fourth grade.⁷⁵ Despite a recent decline in the dropout rate, it is still high, and referred to the Ten-Year Education Plan for the period 2007 to 2017, which indicates that only 68% of children are expected to complete eighth grade and less than half will complete secondary school.⁷⁶ WVI recommended that the Government establish administrative units responsible for monitoring and analysing the actual situation with respect to school attendance and the quality of education provided.⁷⁷

40. CMS-SRI recommended that sexual and reproductive rights be included in the curricula of State and private education, from the human rights and gender perspective.⁷⁸

9. Migrants, refugees and asylum-seekers

41. AI noted that Article 22 of the General Migration Law (No. 285-04) approved in 2004, provides for the recognition of the civil rights of non-nationals living in the country only where their country of nationality accords similar recognition to Dominican nationals living there.⁷⁹

42. AI also indicated that the constitutionality of the General Migration Law has been questioned by Dominican human rights organizations. According to AI, the basis for their concerns are articles in the law which seek to limit the scope of the Constitution by defining all “non-residents” as persons “in transit”, and to impose limitations on their right to Dominican nationality.⁸⁰ WVI said the Government regularly uses the “in transit” exception to deny registration as nationals to children born in the country to parents of Haitian descent, even when their parents and grandparents have resided in the country for long periods of time.⁸¹ Similar concerns were raised by the Jacques Viau Dominico-Haitian Network⁸² and OSI, which added that persons “in transit” for purposes of citizenship exclusion were until recently understood to be those who spent no more than ten days in the Dominican Republic at the time of their children’s births. However, OSI recalled that the General Migration Law, adopted in 2004, broadened the “in transit” exception, to include all children of “non-residents”. It added that “non-resident” is broadly defined to also include tourists, businesspeople, labourers with temporary visas allowing them to work in the Dominican Republic, residents of the Dominico-Haitian border, persons who entered the country legally but have overstayed their visas, undocumented migrant workers and persons who cannot otherwise prove their residence in the Dominican Republic.⁸³ OSI recommended developing, applying and publicizing due process guarantees with respect to nationality procedures, including written

notifications and records of investigations, explanations for actions taken and opportunities for appeal, and adequately train all civil registry staff in these procedures. It also recommended ensuring that any changes to the law, particularly those related to nationality, not be applied retroactively.⁸⁴

43. AI indicated that a proposed reform of the Constitution was put before Congress in 2008 by the Executive. The proposal has alarmed civil society organizations working on behalf of Haitian migrants and Dominicans of Haitian descent because of the clause stating that Dominican nationality cannot be acquired by children born to parents residing “illegally” on Dominican soil. If adopted, this clause could be used to extend the parents’ irregular status and subsequent lack of documentation to children born on Dominican soil.⁸⁵

44. IACHR reported that in 2005, the Inter-American Court of Human Rights ordered the Dominican Republic to, inter-alia, adopt within its domestic law, within a reasonable time, the legislative, administrative and any other measures needed to regulate the procedure and requirements for acquiring Dominican nationality based on the late declaration of birth.⁸⁶ In 2007, the Court declared it would continue monitoring compliance with the obligations it found pending fulfillment, including the above order. It called on the State to promptly, effectively, and fully comply with the measures of reparation pending compliance ordered by the Court.⁸⁷

45. WVI noted reports that since April 2007, pink declarations confirming births had been issued and sent to the embassy of the country from which the mother or other members of the family might have come, even though the mother might have no ties to that country, which was often Haiti. WVI stressed that this measure results in a child being deprived of the right to a nationality, provided under article 7 of the Convention on the Rights of the Child.⁸⁸

46. WVI also said that in March 2007 the Government issued an administrative instruction ordering officials to refrain from issuing, signing, and providing official copies of birth documents for individuals whose parents were foreigners and had not legally proven their residency.⁸⁹ AI indicated that the “Junta Central Electoral (JCE)” issued Circular 17, which instructs Government officials to examine whether identity documents presented for renewal or registration had been wrongly issued in the past. AI was concerned that this provision could be used to deny Dominicans of Haitian descent access to official documentation and consequently deny them access to education, the right to vote, the formal job market and a state pension.⁹⁰

47. REDH-JV reports that the JCE authorities reject requests for identity documents by Dominicans of Haitian descent, arguing that the parents were “non-residents” when their births were registered and that therefore their Dominican nationality was granted to them in error.⁹¹ Similar concerns were expressed by OSI which added that in many cases the affected individuals were born 10 and 20 years prior to the creation of the category of “non-resident” by the 2004 General Migration Law.⁹² Moreover, REDH-JV reported that in some official documents of particular cases JCE officials have replaced the phrase “foreign parents” with “Haitian parents”.⁹³ OSI indicated that JCE officials have admitted to using impermissible criteria such as skin colour and “Haitian-sounding” surnames to decide which individuals are likely to be carrying “suspect” identity documents.⁹⁴ OSI added that according to Dominican law, the JCE is not empowered to cancel or to prohibit the issuance of identity documents to Dominican nationals, a function reserved only for a judge.⁹⁵

48. OSI also noted that the JCE recently ordered that all identity cards currently held by Dominican citizens be replaced by a new version that will contain biometric information; a process also intended to “clean” the civil registry system. Given the Government’s recent policy of refusing

to grant Dominicans of Haitian descent copies of their birth certifications on the presumption of fraud or “irregularity”, this process threatens to disproportionately affect Dominicans of Haitian descent, as many will need to obtain certified copies of their birth certificates in order to be approved for a new identification card.⁹⁶

49. AI noted that Dominican NGOs have continuously denounced mass expulsions of Haitian migrants because those expelled have no recourse to appeal. Thousands of Haitians are deported arbitrarily every year. In May 2005, more than 3,000 Haitians and black Dominicans would have been forcibly expelled in three days, reportedly rounded up in the early hours of the morning, forced onto buses and left at the Haitian border, with many unable to collect their belongings and some allegedly separated from family members.⁹⁷ REDH-JV reported that the persons expelled are often victims of blackmail and extortion by migration officials, that mothers are separated from their children, with no kind of mechanism in place to deal with children, and that it is commonplace for people to be thrown into the river. REDH-JV adds that people expelled are also not allowed to collect outstanding wages or advise family members that they are being deported.⁹⁸

III. ACHIEVEMENTS, BEST PRACTICES, CHALLENGES AND CONSTRAINTS

50. REDOVIIH+ considered it a success that the Technical Unit for Comprehensive HIV/AIDS Care at Work, under the State Secretariat for Employment, has managed to secure conciliation agreements between employers and employees and the signing of policy agreements on HIV in the workplace between companies and the State Secretariat for Employment.⁹⁹

IV. KEY NATIONAL PRIORITIES, INITIATIVES AND COMMITMENTS

N/A

V. CAPACITY-BUILDING AND TECHNICAL ASSISTANCE

N/A

Notes

¹ The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org. (One asterisk denotes a non-governmental organization in consultative status with the Economic and Social Council.)

Civil society

AI	Amnesty International, London, United Kingdom*;
CLADEM	The Latin American and Caribbean Committee for the Defence of Women’s Rights (Comité de América Latina y el Caribe para los Derechos de la Mujer), Bogotá, Colombia;
CMS-SRI	The Women and Health Collective and the Sexual Rights Initiative (Colectiva Mujer y Salud y la Iniciativa por los Derechos Sexuales), Santo Domingo, Dominican Republic (joint submission);
JS1	Joint submission presented by five organisations, Santo Domingo, Dominican Republic (joint submission);
FUNCEJI	The Foundation for Community Hope and International Justice (Fundación Comunidad Esperanza y Justicia Internacional), Santo Domingo, Dominican Republic;
GIEACPC	Global Initiative to End All Corporal Punishment of Children;
OSI	Open Society Institute - Justice Initiative, New York, United States*;
REDH-JV	The Jacques Viau Dominico-Haitian Network (Red de Encuentro Dominicano Haitiano Jacques Viau), Santo Domingo, Dominican Republic (joint submission);
REDOVIH+	The Dominican Republic Network of People living with HIV (Red Dominicana de Personas que Viven con VIH+), Santo Domingo, Dominican Republic;

WVI World Vision International, Monrovia, United States*.

Regional intergovernmental organization

IACHR Inter-American Commission on Human Rights, Washington, United States.

² OSI, p. 2.

³ REDH-JV is composed of the following organizations: Wings of Equality (Alas de Igualdad, Inc.), Association for the Development of Women and the Environment (Asociación Pro Desarrollo Mujer y Medio Ambiente, APRODEMA), Association of Pastors and Christian Leaders (Asociación de Pastores y Líderes Cristianos, ASOPALC), Dominico-Haitian Cultural Centre (Centro Cultural Dominicano Haitiano, CCDH), Dominican Centre for Legal Advice and Investigations (Centro Dominicano de Asesoría e Investigaciones Legales, CEDAIL), Commission for Dominican Ecumenical Work (Comisión de Trabajo Ecuménico Dominicano (COTEDO), Christian Group for the Community Development of 'Romana' (Grupo Cristiano para el Desarrollo Comunitario de la Romana, GCDC), Institute for Community Action (Instituto de Acción Comunitaria, IDAC), Institute for Community Social Development (Instituto para el Desarrollo Social Comunitario, INDESOC), Socio-cultural Movement for Haitian Workers (Movimiento Socio Cultural para los Trabajadores Haitianos, MOSCTHA), Dominico-Haitian Women's Movement (Movimiento de Mujeres Dominicano Haitianas, MUDHA), Centre for Solidarity (Centro por la Solidaridad), Oné Respe, Barahona Haitian Pastoral Group (Pastoral Haitiana de Barahona), Archdiocese of Santo Domingo Haitian Pastoral Group (Pastoral Haitiana Arquidiócesis Santo Domingo, PHSD), Integrated Ethnic Foundation (Fundación Étnica Integral, FEI) and the Interdenominational Pastors' Group (Grupo de Pastores Interdenominacional, GPI).

⁴ REDH-JV, p. 9.

⁵ AI, p. 9.

⁶ REDOVH+, p. 1.

⁷ AI, p. 3-4.

⁸ CMS-SRI includes: The Women and Health Collective and the Sexual Rights Initiative (Colectiva Mujer y Salud y la Iniciativa por los Derechos Sexuales) (a coalition that includes Action Canada for Population and Development; Creating Resources for Empowerment and Action - CREA- India; Polish Federation for Women and Family Planning; Mulabi - Latin American Space for Sexuality and Rights (Mulabi - Espacio Latinoamericano de Sexualidades y Derechos) and others).

⁹ CMS-SRI, p. 2.

¹⁰ CLADEM, p. 4.

¹¹ CMS-SRI, p. 4.

¹² FUNCEJI, p. 2.

¹³ FUNCEJI, p. 2.

¹⁴ REDH-JV, p. 3.

¹⁵ FUNCEJI, p. 3.

¹⁶ CLADEM, p. 2.

¹⁷ AI, p. 7.

¹⁸ REDH-JV, p. 2.

¹⁹ REDH-JV, p. 2.

²⁰ REDH-JV, p. 2.

²¹ REDH-JV, p. 3.

²² REDH-JV, p. 3.

²³ WVI, p. 3.

²⁴ REDH-JV, p. 9.

²⁵ WVI, p. 4.

- 26 REDH-JV, p. 8.
- 27 CMS-SRI, p. 5.
- 28 FUNCEJI, p. 3.
- 29 AI, p. 4.
- 30 AI, p. 4.
- 31 AI, p. 6.
- 32 IACHR, Annex 2, p. 309-318.
- 33 IACHR, Annex 1, p. 326-331.
- 34 FUNCEJI, p. 4.
- 35 AI, p. 6.
- 36 WVI, p. 3.
- 37 GIEACPC, p. 2.
- 38 CLADEM, p. 4.
- 39 AI, p. 5.
- 40 IACHR, Annex 6, p. 99, 106, 107.
- 41 IACHR, Annex 6, p. 113.
- 42 IA, p. 9.
- 43 WVI, p. 2.
- 44 AI, p. 6.
- 45 WVI, p. 2, 3.
- 46 CLADEM, p. 5.
- 47 AI, p. 4-5.
- 48 AI, p. 8-9.
- 49 FUNCEJI, p. 2.
- 50 WVI, p. 3.
- 51 WVI, p. 4.
- 52 AI, p. 10.
- 53 AI, p. 6.
- 54 REDH-JV, p. 3.
- 55 WVI, p. 3.
- 56 WVI, p. 2.
- 57 CLADEM, p. 1.
- 58 FUNCEJI, p. 3.
- 59 REDH-JV, p. 4.
- 60 REDH-JV, p. 5.
- 61 CLADEM, p. 2.
- 62 CLADEM, p. 2.
- 63 WVI, p. 1.

- ⁶⁴ WVI, p. 1.
- ⁶⁵ CMS-SRI, p. 2.
- ⁶⁶ REDOVIIH+, p. 3.
- ⁶⁷ AI, p. 7.
- ⁶⁸ Cooperative for Social Production, Housing and Habitat (Cooperativa De Producción Social De La Vivienda y El Habitat, COOPHABITAT), Council for the Community Development of la Caleta (Consejo De Desarrollo Comunitario De La Caleta, CODECOC), Union for the Development of Brisas del Este (Unión Pro Desarrollo De Brisas Del Este, UPROBRISA), Neighbourhood Group of Los Angeles and Villa Esfuerzo (Junta De Vecinos Los Ángeles De Villa Esfuerzo), Club Habitat of Ensanche Isabelita (Club Hábitat Del Ensanche Isabelita).
- ⁶⁹ JS1, p. 4-8.
- ⁷⁰ JS1, p. 8.
- ⁷¹ JS1, p. 9.
- ⁷² AI, p. 10.
- ⁷³ JS1, p. 8.
- ⁷⁴ JS1, p. 9.
- ⁷⁵ WVI, p. 1.
- ⁷⁶ WVI, p. 1.
- ⁷⁷ WVI, p. 5.
- ⁷⁸ CMS-SRI, p. 2.
- ⁷⁹ AI, p. 3.
- ⁸⁰ AI, p. 3.
- ⁸¹ WVI, p. 3.
- ⁸² REDH-JV, p. 7.
- ⁸³ OSI, p. 2, 3.
- ⁸⁴ OSI, p. 5.
- ⁸⁵ AI, p. 3.
- ⁸⁶ IACHR, Annex 4, p. 84.
- ⁸⁷ IACHR, Annex 5, p. 6, 7.
- ⁸⁸ WVI, p. 4.
- ⁸⁹ WVI, p. 3, 4.
- ⁹⁰ AI, p. 3.
- ⁹¹ REDH-JV, p. 8.
- ⁹² OSI, p. 3, 4.
- ⁹³ REDH-JV, p. 8.
- ⁹⁴ OSI, p. 4.
- ⁹⁵ OSI, p. 4.
- ⁹⁶ OSI, p. 5.
- ⁹⁷ AI, p. 6.
- ⁹⁸ REDH-JV, p. 9.
- ⁹⁹ REDOVIIH+, p. 4.