

# **DOMINICAN REPUBLIC 2020 HUMAN RIGHTS REPORT**

## **EXECUTIVE SUMMARY**

The Dominican Republic is a representative constitutional democracy. In July, Luis Abinader of the Modern Revolutionary Party was elected president for a four-year term. Impartial outside observers assessed the election as generally free, fair, and orderly.

The National Police are under the minister of interior and police and in practice report to the president. The Airport Security Authority, Port Security Authority, Tourist Security Corps, and Border Security Corps have some domestic security responsibilities and report to the Ministry of Armed Forces and through that ministry to the president. The National Drug Control Directorate, which has personnel from both police and armed forces, reports directly to the president, as does the National Department of Intelligence. Both the National Drug Control Directorate and the National Department of Intelligence have significant domestic security responsibilities. Civilian authorities generally maintained effective control over the security forces. Members of the security forces committed some abuses.

Significant human rights issues included: reports of unlawful or arbitrary killings by government security forces; torture by police and other government agents; harsh and life-threatening prison conditions; arbitrary detention; serious problems with the independence of the judiciary; arbitrary interference with privacy; criminal libel for individual journalists; serious government corruption; trafficking in persons; and police violence against lesbian, gay, bisexual, transgender, and intersex persons.

The government took some steps to punish officials who committed human rights abuses, but there were widespread reports of official impunity and corruption, especially among senior officials.

## **Section 1. Respect for the Integrity of the Person, Including**

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### **Freedom from**

#### **a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings**

Extrajudicial killings of civilians by officers of the National Police were a problem. According to government data, more than 3,000 individuals died during confrontations with police or security forces between 2007 and March 2019. The exact number of extrajudicial killings was unknown. The Internal Affairs Unit investigates charges of gross misconduct by members of the National Police, including killings. Separately, the district attorney has authority to investigate and prosecute criminal misconduct by members of the National Police. The government stated it was unaware of any extrajudicial killings during the year and added that any such cases would be investigated for possible prosecution. Media and civil society acknowledged that many cases went unreported due to a lack of faith in the justice system to pursue charges.

The National Human Rights Commission (NHRC), a nongovernmental organization (NGO), reported on extrajudicial killings by police, with several tied to the nightly curfew imposed by the government in response to the COVID-19 pandemic. Unlike in previous years, the NHRC did not report detailed statistics on extrajudicial killings by the national police. The NHRC did, however, highlight several troubling incidents of individuals killed or injured by police for apparent curfew violations. In September a motorcycle police officer shot two persons riding a motorcycle after curfew in Santo Domingo. In April an 11-year-old bystander was killed in her home during a shootout between police and individuals out in violation of the curfew.

#### **b. Disappearance**

There were no reports of disappearances by or on behalf of government authorities.

#### **c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment**

Although the law prohibits torture, beating, and physical abuse, there were reports

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that security force members, primarily police, carried out such practices.

In May sex workers in Santo Domingo reported to news outlets that police officers routinely beat them as the sex workers attempted to work in violation of COVID-19 prohibitions.

Impunity was a problem within certain units of the security forces, particularly the national police. The government largely failed to respond to questions regarding internal controls and investigations among the security forces. Through September 1, the government reported a single instance of excessive force by a police officer. It further claimed that all arrests complied with constitutional protections. The government used training to combat official impunity. The national police offered specialized training on human rights as part of their continuing education courses.

### **Prison and Detention Center Conditions**

Prison conditions ranged from general compliance with international standards in “new-model” prisons (correctional rehabilitation centers, or CRCs) to harsh and life threatening in “old-model” prisons.

**Physical Conditions:** Gross overcrowding was a problem in old-model prisons. The Directorate of Prisons reported that as of September there were 16,614 prisoners in old-model prisons and 9,986 in CRCs. This ratio remained constant for the past several years because old-model prisons were not phased out. La Victoria, the oldest prison, held 7,236 inmates, although it was designed for a maximum capacity of 2,011. The inmate population at every old-model prison exceeded capacity, while only one of the 22 CRCs was over capacity.

Police and military inmates received preferential treatment and were held in their own separate facilities, as were prisoners with the financial means to rent preferential bed space and purchase other necessities in old-model prisons.

According to the Directorate of Prisons, military and police personnel guarded old-model prisons, while a trained civilian corps guarded CRCs. Reports of mistreatment and violence in old-model prisons were common, as were reports of harassment, extortion, and inappropriate searches of prison visitors. Some old-model prisons remained effectively outside the control of authorities, and there

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were reports of drug trafficking, arms trafficking, prostitution, and sexual abuse in those prisons. Wardens at old-model prisons often controlled only the perimeter, while inmates controlled the inside with their own rules and system of justice. Although the law mandates separation of prisoners according to severity of offense, authorities did not do so.

In August a journalist released an investigative report showing overt corruption and drug trafficking in La Victoria Prison. Posing as an inmate, he used a hidden camera to record police and prison leadership collecting bribes weekly from inmates. His recordings also showed how guards allowed drugs to be trafficked through the prison. In response to the report, the government dismissed 18 officials, including the warden, certain administrative personnel, and the police officers in charge.

In old-model prisons, health and sanitary conditions were generally inadequate. Prisoners often slept on the floor because no beds were available. Prison officials did not separate sick inmates. After a series of complaints, authorities transferred prisoners with COVID-19 symptoms to separate facilities for treatment. Delays in receiving medical attention were common in both the old-model prisons and CRCs.

All prisons had infirmaries, but most infirmaries did not meet the needs of the prison population. In most cases inmates had to purchase their own medications or rely on family members or outside associates to provide medications. Illness was the primary cause of deaths reported in the prison system. According to the Directorate of Prisons, all prisons provided treatment for HIV and AIDS, but the NHRC stated that none of the old-model prisons was properly equipped to provide such treatment. As of September more than 900 prisoners had contracted COVID-19, resulting in 17 deaths.

In CRCs and certain old-model prisons, a subset of the prison population with mental disabilities received treatment, including therapy, for their conditions. In most old-model prisons, however, the government did not provide services to prisoners with mental disabilities. In general the mental-health services provided to prisoners were inadequate or inconsistent with prisoners' needs.

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The government reported it had installed wheelchair ramps in some prisons for prisoners with physical disabilities. NGOs claimed the majority of prisons still did not provide access for inmates with disabilities.

**Administration:** Authorities investigated credible allegations of mistreatment.

**Independent Monitoring:** The government permitted visits to and monitoring of prisons by independently funded and operated nongovernmental observers, international organizations, and media. The NHRC, National Office of Public Defense (NOPD), Attorney General's Office, and CRC prison administration together created human rights committees in each CRC that were authorized to conduct surprise visits. In October the NHRC opened a permanent office in the country's largest prison. Access to migrant detention centers for monitoring, however, was not systematically granted to human rights organizations.

**Improvements:** In August the government inaugurated the New Victoria prison, a large CRC scheduled to replace the overcrowded Victoria prison. As of September the transfer of prisoners from the old Victoria prison to the New Victoria prison had not begun.

### **d. Arbitrary Arrest or Detention**

The constitution prohibits detention without a warrant unless authorities apprehend a suspect during the commission of a crime or in other special circumstances. The law permits detention without a charge for up to 48 hours. The constitution provides for the right of any person to challenge the lawfulness of his or her detention in court, and the government generally observed this requirement. Arbitrary arrest and detention were problems. There were reports of individuals held and later released with little or no explanation for the detention. NGOs reported detainees were often taken into custody at the scene of a crime or during drug raids. In many instances authorities fingerprinted, questioned, and then released those detainees.

### **Arrest Procedures and Treatment of Detainees**

The law provides that an accused person may be detained for up to 48 hours

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without a warrant before being presented to judicial authorities. Nonetheless, there were reports of detainees who remained in police stations for long periods of time, even weeks, before being transferred to a prison. Police stations did not have adequate physical conditions or the resources, including food, to provide for detainees for an extended period.

The law permits police to apprehend without an arrest warrant any person caught in the act of committing a crime or reasonably linked to a crime, such as cases involving hot pursuit or escaped prisoners. Police sometimes detained suspects for investigation or interrogation longer than 48 hours. Police often detained all suspects and witnesses to a crime. Successful habeas corpus hearings reduced abuses of the law significantly. There was a functioning bail system and a system of house arrest.

The law requires provision of counsel to indigent defendants, but staffing levels were inadequate to meet demand. In theory the NOPD provided free legal aid to those who could not afford counsel, but many detainees and prisoners who could not afford private counsel did not have prompt access to a lawyer due to inadequate staffing. Prosecutors and judges handled interrogations of juveniles, since the law prohibits interrogation of juveniles by or in the presence of police.

**Arbitrary Arrest:** Police made sporadic sweeps or roundups in low-income, high-crime communities during which they arrested and detained individuals without warrants. During these operations police detained large numbers of residents and seized personal property allegedly used in criminal activity.

The International Organization for Migration (IOM) reported cases of Haitian migrants and their children, as well as Dominicans of Haitian descent, being detained and deported because authorities did not permit them to retrieve immigration or citizenship documents from their residences. There were also reports of deportations of unaccompanied children and of women who left children behind. The IOM reported that due to training they provided to migration officials, the number of erroneous deportations of documented and vulnerable persons fell by 58 percent over the past four years.

Civil society organization representatives said the government informally deported

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individuals by taking them across the border without documentation. The IOM reported that the General Directorate of Migration referred to these cases as “devolutions” or “not admitted” and that there was no due process in these operations. The IOM worked with the government to establish a system for nonadmitted persons.

**Pretrial Detention:** Many suspects endured long pretrial detention. A judge may order detention between three and 18 months. According to the Directorate of Prisons, as of September, 62 percent of inmates in old-model prisons were in pretrial custody, compared with 53 percent of prisoners in CRCs. The average pretrial detention time was three months, but there were reports of pretrial detention lasting more than three years, including cases involving foreign citizens. Time served in pretrial detention counted toward completing a sentence.

The failure of prison authorities to produce detainees for court hearings caused some trial postponements. Many inmates had their court dates postponed due to a lack of transportation from prison to court. In other cases their lawyer, codefendants, interpreters, or witnesses did not appear or were not officially called by the court to appear. Despite protections for defendants in the law, in some cases authorities held inmates beyond the legally mandated deadlines, even when there were no formal charges against them.

### **e. Denial of Fair Public Trial**

The law provides for an independent judiciary; however, the government did not respect judicial independence and impartiality. Improper influence on judicial decisions was widespread. Interference ranged from selective prosecution to dismissal of cases amid allegations of bribery or undue political pressure. The judiciary routinely dismissed high-level corruption cases. The NOPD reported the most frequent form of interference with judicial orders occurred when authorities refused to accept writs of habeas corpus to release detainees. Corruption of the judiciary was a serious problem.

### **Trial Procedures**

The law provides for the right to a defense in a fair and public trial; however, the

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judiciary did not always enforce this right. The courts sometimes exceeded the maximum period of time established by the law for setting hearing dates.

The law provides for a presumption of innocence. The District Attorney's Office is required to notify defendants and their attorneys of criminal charges.

Defendants have the right to be present at their trial and to consult with an attorney in a timely manner. The indigent have the right to a public defender, but the director of the NOPD stated the number of public defenders was insufficient.

Defendants have the right to adequate time and facilities to prepare a defense. The law provides for free interpretation as necessary. The law provides for the right to confront or question witnesses and the right against self-incrimination. Defendants have the right to present their own witnesses and evidence. The constitution provides for the right to appeal and prohibits higher courts from increasing the sentences of lower courts.

Military and police tribunals share jurisdiction over disciplinary cases involving members of the security forces. Military tribunals have jurisdiction over cases involving violations of military rules and regulations. Civilian criminal courts handle cases of killings and other serious crimes allegedly committed by members of the security forces.

### **Political Prisoners and Detainees**

There were no reports of political prisoners or detainees.

### **Civil Judicial Procedures and Remedies**

There are separate court systems for criminal law, commercial law, civil law, labor law, real estate law, and administrative law. Commercial and civil courts reportedly had lengthy delays in adjudicating cases, although their ultimate decisions were generally enforced. As in criminal courts, undue political and economic influence in civil court decisions was a problem.

Citizens have recourse to file an *amparo*, an action to seek redress of any violation of a constitutional right, including violations of fundamental rights.

### **f. Arbitrary or Unlawful Interference with Privacy, Family, Home,**



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### **or Correspondence**

The law prohibits arbitrary entry into a private residence, except when police are in hot pursuit of a suspect, a suspect is caught in the act of committing a crime, or police suspect a life is in danger. The law provides that all other entries into a private residence require an arrest or search warrant issued by a judge. Despite these limits on government authority, police conducted illegal searches and seizures, including many raids without warrants on private residences in poor neighborhoods.

During the months leading up to the national elections in July, human rights groups, opposition politicians, and journalists critical of the government alleged that the Medina administration used unauthorized wiretaps, monitored private email, and used other surreptitious methods to interfere with the private lives of individuals and families. The Medina administration denied this. Opposition political parties alleged that Medina administration officials at times threatened subordinates with loss of employment or offered benefits to compel them to support Dominican Liberation Party candidates.

## **Section 2. Respect for Civil Liberties, Including**

### **a. Freedom of Expression, Including for the Press**

The constitution provides for freedom of expression, including for the press, and the government generally respected this right. Media expressed a wide variety of views, but the government frequently influenced the press, in part through its large advertising budgets. The concentration of media ownership, weaknesses in the judiciary, and political influence also limited media's independence.

**Freedom of Speech:** Individuals and groups were generally able to criticize the government publicly and privately without reprisal, although there were several incidents in which authorities intimidated members of the press. In September the new administration allegedly violated freedom of expression when it dismissed a government whistleblower within the Ministry of Culture after she informed media of the allegedly arbitrary dismissal of several civil service staff within the ministry. The Ministry of Culture never directly addressed or explained these dismissals.

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In another instance several media outlets reported that press was granted only limited access to public government events. Media outlets with reporters assigned to the national palace stated they were not informed on time nor given access to public meetings held by the president or his cabinet members. When press representatives requested an explanation for these actions, they were told the events were private. Media also highlighted a lack of coordination by the palace communication team in providing the president's public schedule and convening media to cover meetings. The Abinader administration's communication team met journalists to hear their complaints and find a solution.

**Freedom of Press and Media, Including Online Media:** The Dominican Association of Journalists reported at the start of the national COVID-19 lockdown that several journalists from the provinces of Santiago, Bahoruco, Mao, and Santo Domingo were stopped or prevented from transiting freely to report on the pandemic. The association requested the government to instruct police and military officers that journalists were essential workers who could transit after curfew and to avoid any aggression towards them. The government did not make any statement in response to this complaint, but it provided curfew passes for various kinds of workers, including media members, and cases decreased of security forces restricting the movement of journalists. The International Federation of Journalists reported an alleged beating by police officers of a radio journalist who protested for the freedom of a colleague who had allegedly violated the curfew in the province of San Pedro de Macoris. In November the Dominican Association of Journalists announced it would provide stickers and license plates from the organization to identify their members and facilitate identification of journalists by law enforcement.

**Violence and Harassment:** Journalists and other persons who worked in media were occasionally harassed or physically attacked. Some media outlets reported that journalists, specifically in rural areas, received threats for investigating or denouncing criminal groups and official corruption. Some media outlets omitted the bylines of journalists reporting on drug trafficking and other security matters to protect the individual journalists.

**Censorship or Content Restrictions:** The constitution provides for protection of

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the confidentiality of journalists' sources and includes a "conscience clause" allowing journalists to refuse reporting assignments. Journalists practiced self-censorship, particularly when coverage could adversely affect the economic or political interests of media owners. Observers suggested the government influenced the press through advertising contracts. In July during the presidential transition period, the government's communications directorate published expense reports for the outgoing administration. Journalists and observers criticized government spending on advertisements, which according to official figures reached approximately \$18.5 million over eight years, describing it as a strategy to influence journalists' speech.

**Libel/Slander Laws:** The law criminalizes defamation and insult, with harsher punishment for offenses committed against public or state figures than for offenses against private individuals. The Dominican Association of Journalists reported that journalists were sued by politicians, government officials, and the private sector to pressure them to stop reporting. The law penalizes libel for statements concerning the private lives of certain public figures, including government officials and foreign heads of state.

In December 2019 the former attorney general's sister sued a well known journalist for slander after his investigative report alleged that she received no-bid government contracts worth 750 million pesos (\$13 million), positioning the company she represented as the sole supplier of asphalt products to the government. The journalist demonstrated that at the time the contracts were signed, the sister was a paid employee of the Ministry of Public Works and Communications. Several preliminary hearings took place during the following months with limited press access, but the trial did not formally start due to COVID-19 restrictions. The lawsuit was withdrawn on August 13, three days before the new administration took office.

In February the Supreme Court upheld a guilty verdict for libel and defamation against a television and online journalist in a case brought by the former president of the lower house of congress. Although it affirmed the verdict, the Supreme Court reduced the damage award from approximately \$120,000 to \$85,000. The plaintiff, who was the sister of former president Danilo Medina, filed the lawsuit in

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2017 alleging the defendant had impugned her honor by insinuating she was involved in a romantic relationship with the former head of the national police.

### **Internet Freedom**

The government did not restrict or disrupt access to the internet or censor online content without appropriate legal authority; however, there were allegations the government monitored private online communications without appropriate legal authority.

### **Academic Freedom and Cultural Events**

There were no government restrictions on academic freedom or cultural events.

### **b. Freedoms of Peaceful Assembly and Association**

The law provides for the freedoms of peaceful assembly and association, and the government generally respected these rights.

In June, Afro-Dominican and nationalist groups clashed at a Santo Domingo vigil organized in solidarity with worldwide Black Lives Matter protests. Police dispersed the crowd and arrested organizers of both groups for violating government restrictions on public events during the coronavirus pandemic. Civil society observers denounced perceived unequal treatment during the arrests, stating police treated the Afro-Dominican leaders more roughly. The head of the attorney general's Human Rights Office intervened to ensure the quick release of leaders from both groups and no charges were filed.

### **c. Freedom of Religion**

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

### **d. Freedom of Movement**

The law provides for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights, with some

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exceptions.

**In-country Movement:** Civil society representatives reported that citizens of Haitian descent, those perceived to be Haitian, and Haitian migrants faced obstacles while traveling within the country. NGO representatives reported that security forces at times asked travelers to show immigration and citizenship documents at road checkpoints throughout the country. Citizens of Haitian descent and migrants without valid identity documents reported fear of swift deportation when traveling within the country, especially near the border with Haiti (see also section 1.d.).

### **e. Status and Treatment of Internally Displaced Persons**

Not applicable.

### **f. Protection of Refugees**

The government cooperated in a limited manner with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees, asylum seekers, stateless persons, and other persons of concern.

Government officials reported 14,050 Venezuelans migrants, of whom 60 percent had expired documentation, registered under a temporary status with the government. The government and NGOs estimated an additional 100,000 Venezuelans lived in the country in an irregular migration status. In December 2019 the government instituted a regulation requiring Venezuelans to apply for a tourist visa before entering the country. Previously, Venezuelans needed only a valid passport and could receive a tourist visa at the point of entry. Many Venezuelans resident in the country entered legally before the new regulation and stayed longer than the three-month allowance.

The government did not issue guidelines to facilitate the regularization of status for Venezuelans living in the country. The inability to apply for in-country adjustment of status hindered Venezuelans' access to basic services and increased their vulnerability to labor exploitation and trafficking. Venezuelan refugee and

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immigrant associations, with the support of the IOM, UNHCR, and Coordination Platform for Refugees and Migrants from Venezuela (R4V Platform), coordinated with the government and civil society organizations to provide public-health and legal services for Venezuelan refugees and migrants. The R4V Platform is a regional interagency platform, led by IOM and UNHCR, for coordinating the humanitarian response for refugees and migrants from Venezuela.

**Refoulement:** There were reports of persons potentially in need of international protection being denied admission at the point of entry and subsequently being deported to their countries of origin without being granted access to the asylum process (see also section 1.d.).

**Access to Asylum:** Presidential decrees from the 1980s established a system for granting asylum or refugee status; however, the system was not implemented through legislation and regulations. The constitution prohibits administrative detention for asylum seekers, and the law establishes that asylum seekers should not be detained under any circumstance. The system for providing protection to refugees was not effectively implemented. The government recognized and issued identity documents to very few refugees during the past few years. Rejection rates for asylum claims were close to 100 percent, and asylum applications often remained pending for several years.

The National Commission for Refugees (CONARE), an interministerial body led by the Ministry of Foreign Affairs, is responsible for adjudicating asylum claims. The adjudication process requires individuals to apply for asylum within 15 days of arrival in the country. If an asylum seeker is in the country for more than 15 days without applying for asylum, the individual permanently loses the right to apply for asylum. The law also rejects any asylum application from an individual who was in, or who proceeds from, a foreign country where the individual could have sought asylum. Thus the government makes inadmissibility determinations administratively before an asylum interview or evaluation by CONARE.

NGOs working with refugees and asylum seekers reported there was no information posted at ports of entry to provide notice of the right to seek asylum, or of the timeline and process for doing so. Furthermore, NGO representatives reported that immigration officials did not appear to understand how to handle

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asylum cases consistent with the country's international commitments. By law the government must provide due process to asylum seekers. Persons expressing a fear of return to their country of nationality or habitual residence should be allowed to apply for asylum under the proper procedures. Nonetheless, there was generally neither judicial review of deportation orders nor any third-party review of "credible fear" determinations.

UN officials reported asylum seekers were not properly notified of inadmissibility decisions. CONARE did not provide rejected asylum seekers with details of the grounds for the rejection of their asylum application or with information on the appeal process. Rejected applicants received a letter saying they had 30 days to leave the country voluntarily. According to government policy, from the time they receive the notice of denial, rejected asylum seekers have seven days to file an appeal. The notice-of-denial letter does not mention this right of appeal.

UN officials stated a lack of due process in migration procedures resulted in arbitrary detention of persons of concern with no administrative or judicial review (see also section 1.d.). As a result, asylum seekers and refugees in the country were at risk of refoulement and prolonged detention.

UNHCR sponsored training for government authorities designed to ensure that asylum procedures were fair, efficient, and gender sensitive. Nevertheless, no significant improvements were observed in the system. According to refugee NGOs, CONARE does not acknowledge that the 1951 Refugee Convention definition of refugee applies to persons who express a well founded fear of persecution perpetrated by nonstate agents. This lack of acknowledgement had a detrimental effect on persons fleeing sexual and gender-based violence, trafficking, sexual exploitation, and discrimination due to their sexual orientation or gender identity.

**Freedom of Movement:** Persons claiming asylum often waited months to receive a certificate as an asylum seeker and to be registered in the government database. The certificate had to be renewed every 30 days in the national office in Santo Domingo, forcing asylum seekers who lived outside Santo Domingo to return

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monthly to the capital, accompanied by all their family members, or lose their claim to asylum. Asylum seekers with pending cases only had this certificate, or sometimes nothing at all, to present to avoid deportation. This restricted their freedom of movement. In cases where asylum seekers were detained for lack of documentation, refugee and human rights organizations were able to advocate for their release.

Some refugees recognized by CONARE were either issued travel documents that were not accepted in visa application processes, or they were not issued travel documents at all.

**Employment:** The government prohibited asylum seekers with pending cases from working. This situation was complicated by the long, sometimes indefinite waiting periods for pending asylum cases to be resolved. Lack of documentation also made it difficult for refugees to find employment. Employment was, nonetheless, a requirement by the government for renewing refugees' temporary residency cards.

**Access to Basic Services:** Approved refugees have the same rights and responsibilities as legal migrants with temporary residence permits. Approved refugees have the right to education, employment, health care, and other social services. Nonetheless, refugee organizations reported that problems remained. Only those refugees able to afford health insurance were able to access adequate health care. Refugees reported their government-issued identification numbers were sometimes not recognized, and thus they could not open a bank account or enter service contracts for basic utilities. Refugees sometimes had to rely on friends or family for such services.

**Temporary Protection:** A plan adopted in 2013, and which remained in force until 2014, enabled undocumented migrants in the country to apply for temporary legal residency. Although the exact number of undocumented migrants was unknown, the law granted temporary residency status to more than 260,000 applicants, 97 percent of whom were Haitian. As of August 2018, 196,000 persons had renewed temporary status, which was due to expire in 2020. Civil society organizations expressed concern that many plan participants lacked passports, which could hinder their ability to renew their status. Government and business



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closures to mitigate the spread of COVID-19 made it more difficult for recipients of this temporary protection to renew their status.

No temporary residence documents were granted to asylum seekers; those found to be admissible to the process were issued a certificate that provided them with protection from deportation but did not confer other rights. This certificate often took months to be delivered to asylum seekers. Due in part to this delay, both refugees and asylum seekers lived on the margins of the migration system.

Foreigners often were asked to present legal migration documents to obtain legal assistance or to access the judicial system; therefore, the many refugees and asylum seekers who lacked these documents were unable to access legal help for situations they faced under criminal, labor, family, or civil law.

Refugees recognized by CONARE must undergo annual re-evaluation of their need for international protection, a procedure counter to international standards. Refugees were issued one-year temporary residence permits that could not be converted to a permanent residence permit.

### **g. Stateless Persons**

A constitutional change in 2010 and a 2013 Constitutional Tribunal ruling revised the country's citizenship laws. One effect was to strip retroactively Dominican citizenship from approximately 135,000 persons, mostly the children of undocumented Haitian migrants, who previously had Dominican citizenship by virtue of the *jus soli* (citizenship by birth within the country) policy in place since 1929.

The Inter-American Commission on Human Rights found that these legal revisions led to statelessness for the persons who lost their Dominican citizenship. UN officials and NGOs stated the legal changes had a disproportionate and negative impact on women and their children. They reported that mothers, especially unmarried mothers of Haitian origin, were unable to register their children on an equal basis with the fathers. The law requires a different birth certificate for foreign women who do not have documentation of legal residency. This led to discrimination in the ability of children born to foreign women and Dominican citizen fathers to obtain Dominican nationality, especially if they were of Haitian

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descent. This was not true in the reverse situation when children were born to a Dominican citizen mother and a foreign-born father.

These obstacles to timely birth registration, which is necessary to determine citizenship, put at risk children's access to a wide range of rights, including the right to nationality, to a name and identity, and to equality before the law.

A 2014 law creates a mechanism to provide citizenship papers or a naturalization process to stateless persons. The exact mechanism depends on the documentary status of the individual prior to the 2010 change in the constitution. In practice the new documentation mechanism was only partially successful. Many stateless persons did not register for the mechanism before its deadline.

In July the outgoing government approved the naturalization of 750 individuals, the majority of whom were minors who were stripped of their citizenship by the 2013 Constitutional Tribunal ruling and who were known as Group B. These 750 persons from Group B were the first to be approved for naturalization since the 2014 law was passed.

Through a mechanism outlined in the law for individuals with other circumstances (commonly known as Group A), the government identified and then issued birth certificates and national identity documents to approximately 26,000 individuals. The government identified an additional 34,900 individuals as potentially being part of Group A. As of December these individuals had not received an identity document confirming their Dominican nationality due to apparent concerns regarding the nature of the underlying documentation establishing citizenship. This placed them at a high risk of statelessness. The pool of individuals identified as potentially part of Group A extended back to individuals born as early as 1929. Because a number of those individuals had died or moved out of the country in the ensuing decades, the remaining number of eligible Group A individuals was likely substantially smaller than the 35,000 persons identified by the Central Electoral Board (JCE).

According to observers, many stateless individuals falling under the Group B profile were unable or unwilling to register for the naturalization process during the 180-day application window. As of October there was no way for this group to

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secure Dominican nationality. In addition there were other individuals born in the country at specific times and in specific circumstances connected to their parents who were in legal limbo related to their citizenship.

Dominican-born persons without citizenship or identity documents faced obstacles traveling both within and outside the country. Beginning in 2015, authorities attempted to deport some of these persons but were prevented by UN agency intervention. Stateless persons do not have access to electoral participation, formal-sector jobs, marriage registration, birth registration, formal loans, judicial procedures, state social protection programs, and property ownership. Their access to primary public education and health care was limited. In addition those able to receive an education do not receive official recognition, such as a diploma, for completed schooling.

### **Section 3. Freedom to Participate in the Political Process**

The constitution provides citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on nearly universal, direct, and equal suffrage. Active-duty police and military personnel are prohibited from voting or participating in partisan political activities.

#### **Elections and Political Participation**

**Recent Elections:** Municipal elections were scheduled to take place in February. On the day of the election, however, the JCE suspended the election due to the failure of the electronic voting system. According to subsequent reports by the Organization of American States (OAS) and the Inter-American Union of Electoral Organizations, the failure was due to the JCE's poor management of the electronic system, including the failure to audit and gradually implement it. The OAS report led to the dismissal of the JCE's national computing director. In March voters participated in rescheduled municipal elections. International and domestic observers described the rescheduled elections as largely free and fair.

Presidential and congressional elections were originally scheduled for May 15, but the JCE postponed these elections to July 5 due to the COVID-19 pandemic national state of emergency. In the July 5 election, Luis Abinader of the Modern

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Revolutionary Party was elected as president for a four-year term. This was the first time since 2000 that a member of the opposition party won a presidential election. The JCE did not announce final, official results for the presidential election until two days after the election. Results for the congressional races were announced 12 days after the election. Some congressional and municipal races remained contested for weeks, leading to sporadic protests and violence, mainly in the National District regarding seats in the lower chamber of congress. Overall, however, civil society and international observers praised the citizens and electoral authorities for a voting process that was orderly and largely peaceful, in spite of COVID-19 challenges.

During both the municipal and presidential elections, the OAS and domestic observers noted widespread illegal political campaigning immediately outside of voting stations, indications of vote buying, lack of financial transparency by political parties and candidates, and illegal use of public funds during the campaign. Most electoral crimes were not prosecuted.

**Political Parties and Political Participation:** A 2018 law regulates political parties and formalizes party primaries, party financing, and the establishment of new political parties. The electoral institutions and courts interpreted and implemented the 2018 law during the 2019-20 national electoral cycle, and the Constitutional Court struck down several parts. Civil society representatives commented that the law aided the organization of the 2020 electoral process. Principal political actors, however, largely ignored important sections of the law, particularly those related to campaign financing.

By law major parties, defined as those that received 5 percent of the vote or more in the previous election, receive 80 percent of public campaign finances, while minor parties share the remaining 20 percent. The OAS, domestic NGOs, and minor parties criticized this allocation of funding as unequal and unfair. Civil society groups criticized the government and the then ruling Dominican Liberation Party for using public funds to pay for advertising shortly before the elections, although the law prohibits the use of public funds for campaigns. According to civil society groups, revenue from government advertising influenced media owners to censor voices that disagreed with the Dominican Liberation Party.

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**Participation of Women and Members of Minority Groups:** No laws limit the participation of women or members of minority groups in the political process, and they did participate. The law stipulates that at least 40 percent, and no more than 60 percent, of a political party's nominees should be of a particular gender, but in practice women were underrepresented. Despite the gender balance provision in the political parties law, the July 5 elections resulted in approximately the same number of elected women as in 2016.

Even with the high profile of women during the July 5 political contest, including female vice presidential candidates on every party ticket, more than half of elected women were selected for secondary or substitute positions (vice presidency, vice mayor, etc.) Men won two-thirds of the direct leadership positions (presidency, mayor, senator, etc.). For example, in the municipal elections, 724 of the candidates for mayoral positions were men while only 122 were women. Those numbers were effectively reversed for vice-mayoral positions, where 674 candidates were women and 122 were men.

### **Section 4. Corruption and Lack of Transparency in Government**

The law provides criminal penalties for corruption by officials. The government did not implement the law effectively, and officials frequently engaged in corrupt practices with impunity. The attorney general investigated allegedly corrupt officials.

NGO representatives said the greatest hindrance to effective investigations was a lack of political will to prosecute individuals accused of corruption, particularly well connected individuals or high-level politicians. Government corruption remained a serious problem and a public grievance.

In compliance with his campaign promise to appoint an independent prosecutor, President Luis Abinader named Miriam German as the new attorney general in August. Following her appointment, German added 19 new members to the Specialized Prosecutor's Office on Administrative Corruption. On November 29, the specialized anticorruption unit arrested 10 individuals closely associated with

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former president Danilo Medina's administration on public corruption charges. The prosecution continued at year's end.

**Corruption:** The trial against six of the 14 defendants indicted in 2017 for alleged links to \$92 million in bribes paid by the Brazilian construction company Odebrecht to obtain public works contracts resumed in September. It was previously scheduled to take place in April but was postponed due to the COVID-19 pandemic. The six defendants included two former senators, a former lower-house representative, and a former minister of public works. Civil society organizations welcomed the trial as a step forward in the fight against corruption, but activists highlighted what they perceived as a lack of political will thoroughly to investigate the case, which involved the country's political and economic elites.

NGO representatives criticized the widespread practice of awarding government positions as political patronage. They alleged many civil servants received a government salary without performing any work. In September the Foreign Ministry dismissed 781 officials and stated the majority of them did not fulfill their job duties or did not have the qualifications for the position.

NGOs and individual citizens regularly reported acts of corruption by various law enforcement officials, including police officers, immigration officials, and prison officials. The government on occasion used nonjudicial punishments for corruption, including dismissal or transfer of military personnel, police officers, judges, and minor officials. Widespread acceptance and tolerance of petty corruption, however, hampered anticorruption efforts.

**Financial Disclosure:** The law requires the president, vice president, members of Congress, some agency heads, and some other officials, including tax and customs duty collectors, to declare their personal property within 30 days of being hired, elected, re-elected, or ending their official responsibilities. These declarations are made public. The constitution further requires public officials to declare the provenance of their property. The Chamber of Accounts is responsible for receiving and reviewing these declarations. On November 27, the government announced the suspension without pay of 36 public officials for failing to submit their sworn declaration of assets on time.

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### **Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses of Human Rights**

A number of domestic and international organizations generally operated without government restriction, investigating and publishing their findings on human rights cases. While government officials often were cooperative and responsive to their views, human rights groups that advocated for the rights of Haitians and persons of Haitian descent faced occasional government obstruction.

**Government Human Rights Bodies:** The constitution establishes the position of human rights ombudsman. The ombudsman's functions are to safeguard human rights and protect collective interests. There is also a human rights commission, cochaired by the minister of foreign affairs and the attorney general. The Attorney General's Office has its own human rights division.

### **Section 6. Discrimination, Societal Abuses, and Trafficking in Persons**

#### **Women**

**Rape and Domestic Violence:** The law criminalizes rape of men or women, spousal rape, domestic violence, incest, and sexual aggression. Sentences for rape range from 10 to 15 years in prison and a modest fine. The Attorney General's Office oversees the specialized Violence Prevention and Attention Unit, which had 19 offices in the country's 32 provinces. The Attorney General's Office instructed its officers not to settle cases of violence against women and to continue judicial processes even when victims withdrew charges. District attorneys provided assistance and protection to victims of violence by referring them to appropriate institutions for legal, medical, and psychological counseling.

The Ministry of Women promoted equality and the prevention of violence against women and members of the lesbian, gay, bisexual, transgender, and intersex (LGBTI) community by implementing education and awareness programs, as well as training other ministries and offices. The ministry operated shelters and

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provided counseling services, although NGO representatives argued these efforts were inadequate.

In September a woman was attacked with a mix of sulfuric, hydrochloric, and muriatic acid, a concoction commonly referred to as devil's acid. She suffered chemical burns on 40 percent of her body and lost some of her vision. Her former boyfriend and two other men were arrested in connection with the attack and charged with conspiracy, torture, and gender-based violence. In leaked audio conversations, friends advised the defendant to attack the woman with acid to avoid trouble, instead of killing her. Although outlawed, the acid concoction was easily accessible.

**Sexual Harassment:** The law defines sexual harassment by an authority figure as a misdemeanor, and conviction carries a sentence of one year in prison and a large fine. Union leaders reported the law was not enforced and that sexual harassment remained a problem.

**Reproductive Rights:** Couples and individuals have the right to decide the number, spacing, and timing of their children, and generally had access to the means and information to do so, free from discrimination, coercion, and violence. Low income was a barrier to accessing information.

Family-planning NGOs provided contraceptives without charge. Many low-income women, however, used them inconsistently due to lack of information, irregular availability, societal influences, and cultural male dominance. Religious beliefs and social customs reduced the use of modern methods of family planning.

The government provided some access to sexual and reproductive health services for survivors of sexual violence through the Ministry of Women, but most of the burden for providing these services fell on women's rights NGOs, and abortion is illegal even in the case of rape or incest.

**Coercion in Population Control:** There were no reports of coerced abortion or involuntary sterilization on the part of the government authorities.

**Discrimination:** Although the law provides women and men the same legal rights, women did not enjoy social and economic status or opportunity equal to that of



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men. In addition no law requires equal pay for equal work.

### Children

**Birth Registration:** Citizenship comes with birth in the country, except to children born to diplomats, to those who are “in transit,” or to parents who are illegally in the country (see also section 2.g.). A child born abroad to a Dominican mother or father may also acquire citizenship. Children not registered at birth remain undocumented until the parents file a late declaration of birth.

**Child Abuse:** Abuse of children younger than age 18, including physical, sexual, and psychological abuse, was a serious problem. The law contains provisions concerning child abuse, including physical and emotional mistreatment, sexual exploitation, and child labor. The law provides for sentences of two to five years’ incarceration and a large fine for persons convicted of physical and psychological abuse of a minor. Despite this legal framework for combatting child abuse, local NGOs reported that few cases were reported to authorities and fewer still were prosecuted.

**Child, Early, and Forced Marriage:** The legal minimum age for marriage with parental consent is 16 for boys and 15 for girls. Marriage, particularly of female minors, at younger than age 18 was common. According to a 2019 UNICEF-supported government survey, 12 percent of girls were married by age 15 and 36 percent by age 18. In addition, 22 percent of girls ages 15 to 19 had been pregnant, an issue directly related to early marriage. Girls often married much older men. Child marriage occurred more frequently among girls who were uneducated, poor, and living in rural areas. More than one-half of the women in the country’s poorest quintile were married by age 17. In late December, Congress passed a bill prohibiting marriage of persons younger than 18. The bill had the support of the Abinader administration and was expected to take effect in January 2021.

**Sexual Exploitation of Children:** The law defines statutory rape as sexual relations with anyone younger than 18. NGO representatives noted that due to the law allowing marriage with parental consent for girls as young as 15, some men arranged to marry girls to avoid prosecution for statutory rape. Penalties for conviction of statutory rape are 10 to 20 years in prison and a significant fine.

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Children were exploited for commercial sex, particularly in tourist locations and major urban areas. The government conducted programs to combat the sexual exploitation of minors.

**Displaced Children:** Large populations of children, primarily Haitians or Dominicans of Haitian descent, lived on the streets and were vulnerable to trafficking.

**International Child Abductions:** The country is a party to the 1980 Hague Convention on International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data/reported-cases.html>.

### Anti-Semitism

The Jewish community comprised approximately 350 persons. There were no reports of anti-Semitic acts.

### Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

### Persons with Disabilities

Although the law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities, persons with disabilities encountered discrimination in employment, education, the judicial system, health care, and transportation. The law provides for access to basic services, such as access to the labor market, as well as recreational and cultural activities. It also provides for physical access to all new public and private buildings. It specifies that each ministry should collaborate with the National Disability Council to implement these provisions. Authorities worked to enforce these provisions, but a gap in implementation persisted. Very few public buildings were fully accessible.

The Dominican Association for Rehabilitation received support from the

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Secretariat of Public Health and from the Office of the Presidency to provide rehabilitation assistance to persons with physical and learning disabilities and to operate specialized schools for children with physical and mental disabilities. Lack of accessible public transportation was a major impediment.

The law states the government should provide access to the labor market and to cultural, recreational, and religious activities for persons with disabilities, but the law was not consistently enforced. There were three government centers for care of children with disabilities, one each in Santo Domingo, Santiago de los Caballeros, and San Juan de la Maguana. These centers served a small percentage of the population with disabilities, offering their services to children with cerebral palsy, Down syndrome, and autism spectrum disorder. They had lengthy waiting lists for children seeking to receive care. The most recent information, from a 2016 Ministry of Education report, found that 80 percent of registered students with disabilities attended some form of school.

### **Members of National/Racial/Ethnic Minority Groups**

The law prohibits discrimination on the basis of skin color and nationality. There was evidence of racial prejudice and discrimination against persons of dark complexion, Haitians, or those perceived to be Haitian. Civil society and international organizations reported that officials denied health care and documentation services to persons of Haitian descent and Haitian migrants (see also sections 1.d., 2.d., and 2.g.).

In October residents of a neighborhood in Santiago were filmed throwing stones and hitting Haitian residents with sticks in an effort to drive them out of their homes. The group also burned the belongings of the Haitians and threatened to burn down their dwellings if they did not move out of the area immediately. The group claimed the Haitian families were undocumented and posed a health and security risk to the neighborhood.

A mayor posted a video on the city's official social media accounts where he reprimanded a group of children who appeared to be gambling in a park. Social media commentators said that his video, in which he referred to the youth as "a group of Haitians," unnecessarily made their nationality a factor in the situation

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and stoked anti-Haitian sentiment.

### **Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation and Gender Identity**

The constitution upholds the principles of nondiscrimination and equality before the law, but it does not specifically include sexual orientation or gender identity as protected categories. It prohibits discrimination on the grounds of “social or personal condition” and mandates that the state “prevent and combat discrimination, marginalization, vulnerability, and exclusion.” The law prohibits discrimination based on sexual orientation and gender identity only for policies related to youth and youth development.

Discrimination limited the ability of LGBTI persons to access education, employment, health care, and other services. NGO representatives reported widespread discrimination against LGBTI persons, particularly transgender individuals and lesbians, in health care, education, justice, and employment. LGBTI individuals often faced intimidation and harassment.

### **HIV and AIDS Social Stigma**

Although the law prohibits the use of HIV testing to screen employees, the government, Human Rights Watch, Amnesty International, and the International Labor Organization reported that workers in various industries may have faced obligatory HIV testing. Workers were sometimes tested without their knowledge or consent. Many job applicants found to have HIV were not hired, and some of those already employed were either fired from their jobs or denied adequate health care.

### **Other Societal Violence or Discrimination**

On a number of occasions, citizens attacked and sometimes killed suspected criminals in vigilante reprisals for theft, robbery, or burglary. The government acknowledged only a single instance of this type of attack and did not provide information on any subsequent investigation or conviction.

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### **Section 7. Worker Rights**

#### **a. Freedom of Association and the Right to Collective Bargaining**

The law provides for the right of workers, with the exception of the military and police, to form and join independent unions, conduct legal strikes, and bargain collectively; however, it places several restrictions on these rights. For example, the law restricts collective bargaining rights to those unions that represent a minimum of 51 percent of the workers in an enterprise. In addition the law prohibits strikes until mandatory mediation requirements have been met.

Formal requirements for a strike to be legal also include the support of an absolute majority of all company workers for the strike, written notification to the Ministry of Labor, and a 10-day waiting period following notification before the strike can proceed. Government workers and essential public service personnel may not strike. The government considers the following as essential workers: teachers and public service workers in communications, water supply, energy supply, hospitals, and pharmacies.

The law prohibits antiunion discrimination and forbids employers from dismissing an employee for participating in union activities, including being on a committee seeking to form a union. Although the Ministry of Labor must register unions for the unions to be legal, the law provides for automatic recognition of a union if the ministry does not act on an application within 30 days. The law allows unions to conduct their activities without government interference. Public-sector workers may form associations registered through the Office of Public Administration. The law requires that 40 percent of employees of a government entity agree to join for the association to be formed. According to the Ministry of Labor, the law applies to all workers, including foreign workers, those working as domestic workers, workers without legal documentation, and workers in the free-trade zones.

The government did not effectively enforce laws related to freedom of association and collective bargaining, and penalties were not commensurate with other laws involving denials of civil rights. The process for addressing labor violations through criminal courts can take years, leaving workers with limited protection in the meantime. In recent years there were reports of intimidation, threats, and

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blackmail by employers to prevent union activity. Some unions required members to provide identity documents to participate in the union despite the fact that the labor code protects all workers regardless of their legal status.

Labor NGO representatives reported companies resisted collective negotiating practices and union activities. In recent years companies reportedly fired workers for union activity and blacklisted trade unionists, among other antiunion practices. Workers reported they believed they had to sign documents pledging to abstain from participating in union activities. Companies also created and supported “yellow” or company-backed unions to counter free and democratic unions. Formal strikes occurred but were not common.

Few companies had collective bargaining pacts, partly because companies created obstacles to union formation and could afford to go through lengthy judicial processes that independent unions could not afford.

### **b. Prohibition of Forced or Compulsory Labor**

The law prohibits all forms of forced or compulsory labor. The law prescribes imprisonment and fines for persons convicted of engaging in forced labor. Such penalties were not commensurate with penalties for analogous crimes.

Forced labor of adults occurred in construction, agriculture, and services. Forced labor of children also occurred (see section 7.c.).

The law applies equally to all workers regardless of nationality, but Haitian workers’ lack of documentation and uncertain legal status in the country made them more vulnerable to forced labor. NGO representatives reported many irregular Haitian laborers and citizens of Haitian descent did not exercise their rights due to fear of being fired or deported.

Also see the Department of State’s *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report>.

### **c. Prohibition of Child Labor and Minimum Age for Employment**

The law does not prohibit all of the worst forms of child labor in a manner

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consistent with international standards. The law prohibits employment of children younger than 14 and places restrictions on the employment of children younger than 16, limiting them to six working hours per day. For persons younger than 18, the law limits night work and prohibits employment in dangerous work such as work involving hazardous substances, heavy or dangerous machinery, and carrying heavy loads. The law provides penalties for child labor violations, including fines and prison sentences. Penalties were not commensurate with penalties for analogous crimes.

The Ministry of Labor, in coordination with the National Council for Children and Adolescents, the National Police, the Attorney General's Office, and the Specialized Corps for Tourist Safety Local Vigilance Committees, is responsible for enforcing child labor laws. The government did not effectively enforce the law. There were insufficient inspections, and inspectors lacked authority to initiate sanctions. Incomplete or incorrect labor inspection reports and insufficient prosecutorial resources led to few prosecutions on criminal matters involving child labor issues.

The porous border with Haiti allowed some Haitian children to be trafficked into the country, where they were forced into commercial sexual exploitation or forced to work in agriculture, often alongside their parents, or in domestic work, street vending, or begging (see also section 6). Children were also used in illicit activities including drug trafficking.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings>.

### **d. Discrimination with Respect to Employment and Occupation**

The constitution creates a right of equality and nondiscrimination, regardless of sex, skin color, age, disability, nationality, family ties, language, religion, political opinion or philosophy, and social or personal condition. The law prohibits discrimination, exclusion, or preference in employment, but there is no law against discrimination in employment based on sexual orientation, gender identity, or stateless status. No law mandates equal pay for equal work.

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The government did not effectively enforce the law against discrimination in employment, and penalties were not commensurate with penalties for other civil rights violations. Discrimination in employment and occupation occurred with respect to persons with HIV or AIDS, and against persons with disabilities, persons of darker skin color, those of Haitian nationality, and women (see section 6).

In September 2019 the Ministry of the Economy released a report showing the per-hour labor wage gap between men and women continued to increase.

### **e. Acceptable Conditions of Work**

The law provides for a minimum wage that varies depending on the size of the enterprise and the type of labor. As of October 2019, the minimum wage for all sectors within the formal economy, except sugar cane harvesters, was above the official poverty line; however, a study by the Juan Bosch Foundation found that only one-half of the minimum wage rates were high enough for a worker to afford the minimum family budget.

The law establishes a standard workweek of 44 hours, not to exceed eight hours per day on weekdays, and four hours on Saturdays before noon. Agricultural workers are exempt from this limit, however, and may be required to work up to 10 hours each workday without premium compensation.

The law covers different labor sectors individually. For example, the laws covering domestic workers establish lower standards for hours of work, rest, annual leave, sick leave, and remuneration than for other sectors and do not provide for notice or severance payments. The labor code also covers workers in the free-trade zones, but those workers are not entitled to bonus payments, which represent a significant part of the income of most workers in the country.

The law applies to both the formal and informal sectors, but it was seldom enforced in the informal sector, which comprised approximately one-half of all workers. Workers in the informal economy faced more precarious working conditions than formal workers.

The Ministry of Labor sets occupational safety and health (OSH) regulations that are appropriate for the main industries. By regulation employers are obligated to



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provide for the safety and health of employees in all aspects related to the job. By law employees may remove themselves from situations that endanger health or safety without jeopardy to their employment, but they may face other punishments for their action.

Authorities conducted inspections but did not effectively enforce minimum wage, hours of work, and OSH standards. Penalties for violations were not commensurate with those for similar crimes. The number of labor inspectors was not sufficient to enforce compliance. Inspectors had the authority to conduct unannounced inspections and to recommend sanctions. The Public Ministry, the independent prosecutors' ministry, is responsible for pursuing and applying penalties for labor violations uncovered by labor inspectors; in practice it infrequently applied penalties.

Mandatory overtime was a common practice in factories, enforced through loss of pay or employment for those who refused. The Federation of Free Trade Zone Workers reported that some companies in the textile industry set up "four-by-four" work schedules under which employees worked 12-hour shifts for four days. In a few cases employees working the four-by-four schedules were not paid overtime for hours worked in excess of the maximum allowable work hours.

Conditions for agricultural workers were poor. Many workers worked long hours, often 12 hours per day and seven days per week, and suffered from hazardous working conditions, including exposure to pesticides, long periods in the sun, limited access to potable water, and sharp and heavy tools. Some workers reported they were not paid the legally mandated minimum wage.

Industrial accidents caused injury and death to workers. During the year a court ordered a fuel supplier to pay two million Dominican pesos (\$34,000) to the family members of three workers killed in a 2018 explosion at a plastics factory that left six persons dead and many others wounded.