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Dominican Republic

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I. Methodology and consultation process

1. The methodology used in the preparation of the universal periodic review follow-up report was based on consultations with the various State institutions that are duty bound to implement public policies aimed at strengthening the fundamental rights of people living on Dominican territory and building consensus with key civil society organizations.
2. The report was drafted by the Inter-Agency Human Rights Commission, which is coordinated by the Ministry of Foreign Affairs.¹ The guidance received by the members of the Commission at the workshop organized by the Office of the Resident Coordinator of the United Nations system in the country and the Office of the United Nations High Commissioner for Human Rights helped with the preparation of the document.²
3. The report describes the progress made in the country from 2010 to 2013. To that end various government institutions provided information on their respective areas of competence resulting in a final draft document that was submitted to the Central Government, for consideration and approval, through the Ministry of Foreign Affairs.
4. The Dominican Republic, on the basis of the commitments made to the international community through its acceptance of 74 of the total of 79 recommendations issued during the interactive dialogue within the different countries participating in its universal periodic review in 2009 and the subsequent review in March 2010³ for the adoption of the outcome report by the Human Rights Council, is pleased to submit the follow-up report on those recommendations, for the second cycle of the universal periodic review, in accordance with General Assembly resolution 60/251 and Human Rights Council resolutions 5/1 and 16/21 and decision 17/119.

II. Institutional and legislative developments

A. Legal framework

Act No. 1-12 on the National Development Strategy until 2030⁴ (Recommendations 87.1 and 87.4)

5. Given the different needs that have arisen in the social sector and in terms of human rights in the Dominican Republic, on 25 January 2012, Act No. 1-12 on the National Development Strategy entered into force. It focuses mainly on human rights, such as education, children and adolescents, women,⁵ social development, a decent living, disabled persons, the ageing population, etc.
6. The Act is the country's basic tool for devising a national plan to take affirmative action to improve the current situation of persons whose fundamental rights are undermined. It enables the identification of possible solutions to problems affecting the full enjoyment of human rights.

Criminal Code (Recommendations 87.13, 88.25 and 88.26)

7. In June 2013, the Chamber of Deputies approved the reform of the Criminal Code addressing legislative issues such as minor and serious violations of human rights, including crimes against humanity, domestic violence, femicide, enforced disappearance, racial segregation, slavery, etc. At the same time, the definitions and scope of the classifications of offences contained in the current Criminal Code are being expanded, such as torture and its use against individuals based on their gender or sexual orientation,⁶

discrimination on the grounds of race, gender or sexual orientation,⁷ unlawful detention, abduction, abuse of authority, cruel and inhuman treatment. It also decriminalizes abortion in cases where the life and physical integrity of women and adolescents is placed in danger.⁸

8. It is planned to classify as serious offences committed during wartime: homicide; torture or cruel or inhuman and degrading treatment; biological and medical experiments; pillage; military slavery; denial of the right to a fair trial; illegal confinement; taking of hostages; attacks against civilian population and objects; attacks against peace missions or humanitarian assistance; improper use of the truce flag or insignia of international organizations, among others.

Organic Act No. 5-13 on Equal Rights for Persons with Disabilities

9. The comprehensive review of Act No. 42-00 of 30 June 2000 on disability stemmed in principle from the inclusion of article 58 entitled “Protection of persons with disabilities” in the 2010 Constitution,⁹ aside from the special attention that the State is required to accord to disabled persons to ensure the promotion and protection of their human rights and fundamental freedoms on an equal footing.

10. The Act establishes the principles of respect for dignity, as an essential and non-negotiable condition of any person, non-discrimination, equality and equity, among others. It strengthens the lead agency for public policies on disability, by creating regional and provincial offices to decentralize and expand the work of the National Council for the Disabled (CONADIS).

11. Key provisions include:

(a) Establishment of the National Register for the Assessment and Certification of persons with disabilities, to account accurately for the number of disabled people and to help devise policies to facilitate their overall development; establishment of the National Health Department, through which public and private centres must provide care in a timely and quality manner, with effective and equal access to diagnosis, treatment, rehabilitation, provision of drugs and assistive devices;¹⁰

(b) Establishment of the Department of Labour Integration and Training to ensure the inclusion of disabled persons in regular or protected employment systems;¹¹

(c) Establishment of the Special Fund for the Disabled (FONADIS) to facilitate, inter alia, loans, scholarships, assistive devices and the provision of technological equipment that enhances the productivity of such persons;¹²

(d) Under the Act, the construction of buildings, car parks and public telephone facilities must meet disabled access requirements. The Act establishes the Legal Assistance Department, which will assign legal representatives and court interpreters for disabled persons.

Decree No. 631-2011 approving the Regulations governing the General Migration Act No. 284-04¹³

12. Decree No. 631-2011 of 19 October 2011, describes the procedures to be undertaken when making any type of immigration application, and stipulates that administrative detention is prohibited for pregnant women, infants, the elderly or ageing population.

B. Institutional progress (Recommendations 88.16, 87.2 and 88.18)

13. With a view to improving citizens' access to institutions that ensure better protection of human rights, on the initiative of the Attorney General's Office, by a resolution of the Supreme Council of the Public Prosecution Service dated 1 March 2011, filed as Decision No. 0000002, the "Human Rights Unit" was established, which operates in the Attorney General's Office.¹⁴

14. The Unit has been the driving force behind the implementation of resolutions and guidelines for the protection of human rights and the organization of campaigns to raise awareness of human rights in the field of justice. It provides a framework for handling complaints of human rights violations, implementing projects with civil society, tabling legislative proposals, and monitoring and enforcing decisions by international organizations.

15. Furthermore, the Dominican Constitutional Court was set up, by Act No. 137-11 and constitutional procedures G.O. No. 10622 of 15 June 2011. Its main functions are to administer constitutional justice so as to uphold the supremacy and protection of constitutional norms and principles and those of international law in force in the Republic and their uniform interpretation and application, as well as the rights and fundamental freedoms enshrined in the Constitution.¹⁵

16. Another step forward was the election, on 15 May 2013,¹⁶ of Mrs. Zoila Martínez as Ombudsman, who was sworn in on 29 May 2013, after an intensive selection process by the Senate given the importance of such a figure, following the submission of candidatures for the post. She has already taken up her duties, and has received requests to defend human rights. In September 2013, she ensured that prisoners held in pretrial detention in the Ciudad Nueva courthouse in Santo Domingo, in the National District, would be provided with food by the State catering services.¹⁷

17. In the health sector, infrastructures and equipment that were inadequate have been upgraded so as to guarantee the public a better service, and the number of beneficiaries of conditional cash transfer programmes has also increased, with coverage for 700,000 families nationwide.

18. Provision has also been made in the education sector for the construction of 28,000 new classrooms nationwide within a period of four years. The classrooms will be equipped with all the facilities to allow for longer schooldays with eight hours of classes. Around 569 centres are already included in the project, and it is planned to cover 85 per cent of the 11,000 centres in the system by 2016. Similarly, the programme for early childhood care "*Quisqueya empieza contigo*" (Quisqueya starts with you),¹⁸ will have an impact on more than 90,000 children aged 0 to 5 years and their families, with the construction of 200 new centres in 2013 and 2014 and will represent the start of a national plan covering the entire territory of the Republic.¹⁹

19. Regarding law enforcement forces and strengthening institutions, with the changes introduced to the new Organic Act on the National Police which is currently before Congress, it is intended to make the police force independent from the Central Directorate of Internal Affairs, which will oversee the Higher Police Council and not the Chief of the National Police. The Council will be responsible for monitoring and investigating allegations of abuse and violations by police officers against citizens.

20. As for migration issues, the above-mentioned Decree No. 631-2011 established the National Council for Migration, which advises the State on migration issues and whose

main function is to devise strategies and policies on migration, and to plan programmes to be implemented by relevant institutions.

III. Achievements in the protection of human rights in compliance with the recommendations

A. Children and adolescents (Recommendations 87.14, 87.23, 88.27, 88.29 and 88.30)

21. Progress made in helping children and adolescents includes work under way on drafting a provision to combat child abuse that covers corporal or physical punishment based on the Guide on Comprehensive Health Care for Children and Adolescent Victims of Violence and Abuse.²⁰

22. At the same time, a strategic framework is being implemented which proposes a road map that will make the Dominican Republic “free from child labour by 2020 and from its worst forms by 2015”. In this connection, the National Council for Children and Adolescents (CONANI), the NGO Coalition for Children and the United Nations Children’s Fund (UNICEF) coordinated a nationwide participatory process so that, in April 2013, the country will have a national road map.²¹ It will serve as a basis for the implementation of Recommendations 1, 2 and 11 of the United Nations Study on Violence against Children, conducted at the request of the Secretary-General of the United Nations, which is known as the UNVAC Study. At the moment, the road map is in the final stages of preparation and the institutions participating have already sent their comments, which will be taken into account to complete the process.

23. In addition, CONANI continues to receive technical assistance from international organizations such as UNICEF in matters relating to combating violence against children and adolescents.

24. Given the concern expressed about ensuring all children access to basic services like education and health without having to show an identity document, such as a birth certificate, proof of identity is not required for such services in the Dominican Republic, as will be shown in this report.

25. However, the work of the inter-agency platform called the Inter-Agency Law Commission on Name and Nationality (Commission on Name and Nationality), created in 2005 and chaired by CONANI, is ongoing. With technical support from UNICEF activities have been implemented to promote the timely declaration of children. The Central Electoral Board and the United Nations Development Programme have worked together on the Project to Strengthen Civil Registration and Identity (October 2007 to December 2012; extended to 2013), with funding of US\$ 57,938, so that children and adolescents without identity documents can obtain them.²² Furthermore, in October 2013, the Central Electoral Board and the Ministry of Health adopted a series of measures to ensure that children born in national hospitals are issued with birth certificates before their mothers leave the facilities. The process begins with a prenatal questionnaire to verify whether the mother has the necessary documentation for registration; in that way, the mother can be given a birth certificate or identity card and voting card so that the baby’s birth can be registered.²³

26. Furthermore, and in order to implement the provisions of the Children and Adolescents Code (Act No. 136-03) in the field of education, prevention and rehabilitation, it should be noted that, in 2011, the process of establishing Local Boards for the Protection and Restoration of Rights and Foster Family Programmes began.²⁴

27. Similarly, in accordance with the provisions of articles 48 and 49 of Act No. 136-03, in November 2011, the Policy Guidelines for Early Childhood were issued together with a System of Statistical Indicators for Children and Adolescents in the Dominican Republic to record, store and process quantitative and qualitative disaggregated and consolidated data in conformity with article 434, paragraphs (f) and (g), of the Act. In compliance with article 20, paragraph, (e), of the Act, in October 2011, the Coordination Board on International Cooperation on Children and Adolescents was established.

28. In February 2012, the second edition of the Dominican Education System's Standards of Conduct and School Discipline in Public and Private Schools was issued. It is an important tool for establishing a code of conduct to be followed by both teachers and students, and in helping students to understand their rights and duties.²⁵

29. On the other hand, a problem that is currently affecting Dominican families, especially ones with lower incomes, is the high percentage of teenage pregnancies; it has placed the Dominican Republic among the countries in the region with the highest rate of early pregnancy. As a result, many programmes aimed at preventing teenage pregnancies have been implemented by the National Commission for the Prevention of Domestic Violence (CONAPLUVI), with the support of departments in the Ministry of Health, Ministry of Education and Ministry for Youth, the Office of the First Lady and the Office of the Vice President, and for which the Government is allocating RD\$ 388 million by 2014.²⁶

B. Rights of persons with disabilities

30. Persons with disabilities are one of the State's priorities and their human rights are protected, *inter alia*, by: the Constitution, Convention on the Rights of Persons with Disabilities, which was ratified on 30 October 2008, and entered into force in 2009; Organic Act No. 5-13 on the Equal Rights of Persons with Disabilities; Disability Act No. 42-2000; and Social Security Act No. 87-01.²⁷

31. In 2006, the Dominican Republic adopted the Declaration on the Decade of the Americas for the Rights and Dignity of Persons with Disabilities (2006–2016) with the theme "Equality, Dignity, and Participation"; and the Programme of Action for the Decade of the Americas for the Rights and Dignity of Persons with Disabilities (2006–2016), adopted in Panama.

32. In this connection, the Decade Plan was implemented and is still in force. Essentially it is designed: to ensure that persons with disabilities fully exercise their rights to equal opportunities; to guarantee their economic independence; to eliminate all forms of discrimination that hinder their development and inclusion in society; and to guarantee that disabled people, their organizations and institutions working can influence decisions affecting the formulation and implementation of public policies.

33. In accordance with international obligations and an assessment of the percentage of people with disabilities living in the country — a total of 1,160,847 persons, according to the 2010 census, which represents 12.3 per cent of the population — the Government has undertaken a series of programmes, plans and actions to achieve the inclusion and full participation of people with such conditions in society, the most recent being:

- Signature in June 2013 of the Inter-Agency Agreement between the Public Procurement Directorate and the National Council for the Disabled (CONADIS), committing the two institutions to take steps to ensure that the procurement of goods, services or works with public funds meets national and international standards of universal accessibility for persons with disabilities;

- Signature on 7 March 2013, between CONADIS and the Latin American Network of a cooperation agreement to help persons with disabilities;
- Walks in different municipalities, organized by CONADIS in 2013, as part of the celebrations for the bicentenary of the birth of Juan Pablo Duarte, founding father of the Dominican Republic, to promote the social inclusion of disabled people, and to raise public awareness about that sector of the population.²⁸

34. Given the special conditions of many children affected by disability, the Office of the First Lady of the Republic founded the Centre for the Comprehensive Care of Persons with Disabilities to provide a facility for their care and rehabilitation.

35. Furthermore, at the beginning of 2013, through the Office of the Deputy Minister of Small and Medium-Sized Enterprises (SMEs), the Ministry of Trade and Industry and the National Council on Competitiveness and the National Council for the Disabled, under the SMEs programme more than 30 workshops on entrepreneurship for the disabled were run, with the objective of developing skills for their integration into the national labour market. The workshops are given in different provinces throughout the country, each with the participation of 35 persons with disabilities.

36. Despite such efforts, a matter of concern is the fact that disabled people are not yet considered as a vulnerable group in connection with HIV/AIDS at the United Nations; they should be included with a view to greater international cooperation to combat the disease on behalf of the people affected.²⁹

C. Women's rights

(Recommendations 87.6, 87.15, 87.16, 87.17, 87.18, 87.19, 87.20, 87.21, 87.34 and 88.28)

37. The Constitution of 2010 establishes gender equality and equity as one of the fundamental principles underpinning the instrument, as reflected in the following provisions:

(a) Principle of equality between men and women and the condemnation of all forms of discrimination;³⁰

(b) Commitment of the State to promote the legal and administrative conditions for real and effective equality and to take necessary steps to prevent and combat discrimination, marginalization, vulnerability and exclusion;³¹

(c) Women's right to a life free of violence;³²

(d) Article 39, paragraph 5, of the Constitution stipulates that the State has the responsibility to promote and ensure the equal participation of women and men in nominations for elected office to executive and decision-making bodies in the public sphere, in the administration justice and State oversight agencies; and

(e) Recognition of the economic value of domestic labour, de facto unions, equal pay for equal work, popular legislative initiatives and of gender-sensitive language throughout the Constitution.³³

38. In the light of the above-mentioned articles, it can be considered that there are three categories of articles that benefit women, which constitute significant progress for Dominican women and, undoubtedly, represent the most substantial gains in terms of constitutional rights and guarantees:

- First, those that directly allude to their rights;

- Second, those of a general nature which under the principle of equality implicitly also have an impact on women; and
- Third, those which represent mechanisms or instruments for claiming or protecting rights and which give women other particular opportunities to exercise, claim, or protect their rights.

39. As an example of women exercising their right to equality in political participation and in influential and decision-making positions in the Dominican Republic, there are currently 38 female members of parliament, representing 20.8 per cent in the lower house, and 3 senators, representing 9.4 per cent in the Senate. In the 2010 elections, 12 female mayors were elected, representing 7.7 per cent of all persons elected to this position, which is two points above the current world average. As for councillors, for first time ever, the legal minimum quota of 33 per cent was reached in 2010–2016.³⁴

40. Also worthy of note is the election of a woman for the second time as Vice President of the Republic, in May 2012, for the 2012–2016 presidential term of office. The first time a woman held such a position was during the 2000–2004 presidency.

41. To tackle the problem of violence against women, with the support of various institutions responsible for the prosecution and investigation of crimes and offences, such as the Attorney General's Office, the Ministry of the Interior and Police and the National Police, the Ministry of Women has set up a number of mechanisms to ensure the protection of and access to justice for victims of physical and psychological abuse, in particular:

- Office of the Procurator-General for Women created in 2007, which is still operational and whose mandate is to lead and monitor procedures relating to criminal investigations and hearings in cases of violence against women, and any other factors affecting their rights and access to justice;
- Gender Equity Offices in institutions, including the Ministry of the Interior and Police and National Police;³⁵
- National Directorate for Victims Services in the Attorney General's Office;
- Specialized comprehensive care units to deal with gender-based, sexual and domestic violence, established in each provincial prosecutor's office on national territory. By the end of 2013, there will be 32 of them which will entail an increase in staff assigned to those departments;
- Inter-Agency Committee for the Protection of Migrant Women (CIPROM), whose objective is to implement measures for migrant women in vulnerable situations;
- Information and guidance offices for the prevention of trafficking in persons at the provincial and municipal offices of the Ministry of Women;
- Free helplines for persons in situations of violence (*Linea VIDA* and *Linea de Auxilio*), have been providing a 24-hour service since 2012, 365 days a year, along with 9 regional brigades performing rescue work for victims of domestic violence and abuse, resulting in a 26 per cent reduction in femicide between the early months of 2012 and 2013;
- Office for the Legal Representation of Rights of Victims;
- Ongoing operation since 2003 of reception and refuge centres for women, children and adolescents who are victims of domestic violence.³⁶ The establishment of two new reception centres is planned for 2013, due to increased violence and the need for more accommodation capacity. From 2008 to 2012, 1,193 were provided with shelter. In 2012 alone, 147 women who were in imminent danger of violent death were cared for by the centres;

- Inter-Agency Agreement in August 2013 between the State Catering Services and Public Prosecution Office of the Province of Santo Domingo and the Public Prosecution Service to provide food rations to women victims of violence.³⁷

42. With regard to the effective investigation and prosecution of acts of gender-based and domestic violence, through the various care options available to women, it is important to mention that, in 2009, a total of 52,403 complaints were filed, while in 2010, 58,534 were filed, with a total of 9,706 proceedings instituted over the two years. By 2011, 66,177 complaints had been received, and 20,942 brought to court – a significant increase, which was the result of the new approach to combating this serious offence.

43. With the aim of strengthening methods of preventing violence against women and of implementing campaigns, plans, programmes and strategies to guarantee that women have access to the necessary information about their rights and the protection mechanisms available through due access to justice and health centres, work has started on:

- Adoption of a nationwide campaign suggested by the Secretary-General of the United Nations entitled “**UNiTE to end violence against women**”, prepared by the Ministry of Women on 15 September 2011, and supported by more than 700 institutions in the public and private sectors.³⁸ They are jointly organizing training sessions, lectures, conferences, and the promotion and distribution of campaign materials³⁹ that are widely disseminated through various activities and the national media,⁴⁰ and through an educational process consisting of three manuals for teachers, young people and women, which is also part of the campaign entitled “**Mobilize Society to a Life without Violence for Women in the Dominican Republic**”;⁴¹
- Launch by the Attorney General’s Office in 2012 of the campaign entitled “**A Man’s Promise**”, aimed at raising awareness of and promoting a culture of peace and respect for women, primarily to prevent femicide, also disseminated nationwide through the national media;
- **National Gender Equity Plan (PLANEG) 2007–2017**⁴² based on three strategic aspects: (a) gender equality from the perspective of human rights; (b) mainstreaming and targeting and high-impact pilot testing; (c) institutional mechanisms for coordinating and preparing the implementation of the Plan. Another strategic aspect is the establishment of the system of indicators for following up and monitoring the implementation of PLANEG II;
- **National Strategic Plan on Gender Mainstreaming in the Health Sector 2012–2017**: This gives effect to the Sixth Priority in the 10-year Health Plan 2006–2015 to provide guidance on the set of actions to be implemented for mainstreaming gender in the health system;
- **Strategic Plan on Teenage Pregnancy Prevention 2011–2016**: It has a gender perspective and human rights approach, and its mission is to create and strengthen mechanisms at the local and national levels for policies aimed at reducing teenage pregnancy, including through budgetary allocations and accountability for development;
- **Ministry of Labour Strategic Gender Plan (PEG-MT) 2009–2013**: Its purpose is to incorporate the gender approach in the objectives and functions of the Ministry of Labour implementing measures to promote gender equality and equity starting from the bottom up;
- **Inter-Agency Agreement** between CONAPLUVI and the Strategic Plan for the Protection of Women and the Detection, Care and Punishment of Violence Against them and Domestic Violence 2011–2016 chaired by the Ministry of Women;⁴³

- **Publications and Research** on the access of the Dominican population at large to information, inter alia, on gender, children, adolescents and the family;⁴⁴
- **Process of Review** and harmonization of the material entitled “Manual Labour Rights of Women” issued in early 2013 by the Ministry of Labour;⁴⁵ and
- **Training and awareness-raising programme** of the Central Electoral Board on gender equality and violence against women, such as mainstreaming the gender focus in public institutions.

44. As part of its training for prosecutors and coordinators of care units for victims of gender-based violence, the Attorney General’s Office established a protocol to be followed for the prevention of femicide. It instructs staff not to attempt to reconcile couples when the life of the complainant is at risk and where the alleged aggressor is in possession of firearms, and at the same time, to seize the arms. In such situations, priority is accorded to ensuring the safety of the woman who has been the victim of violence or subject to any threat of violence and the perpetrator is dealt with afterwards. Reconciliation is only acceptable after an in-depth assessment of the case and when it is concluded from the different interviews and expert evidence that the couple have simply had a disagreement.

45. As a result of the aforementioned measures, the Dominican Republic is pleased to announce that from January to June 2013, there was a decrease of 42.31 per cent, compared with the same period in 2012, of fatalities from domestic violence. The fatalities for 2013 were: 8 in January, 1 in February, 8 in March, 6 in April, 5 in May and 2. While in 2012: there were 8 femicides in January, 10 in February, 11 in March, 9 in April, 6 in May, and 8 in June.⁴⁶

D. Racial discrimination (Recommendations 87.8, 87.10, 87.7, 87.9, 87.12, and 87.41)

46. The Dominican Republic, as a multi-ethnic and multicultural State, as declared previously before the international community, is duty bound to continue its efforts to enhance the protection and safeguards required for all victims of racial discrimination, and, in accordance with the statement made in paragraph 35 of the first national report under the universal periodic review, has taken a number of steps to prevent or penalize any that causes discriminatory harm.

47. In accordance with the above, the Attorney General’s Office issued:

(a) Resolution No. 0000019, dated 4 March 2013, aimed at preventing all forms of discrimination against the access of persons to judicial facilities based on their dress, physique, footwear or general appearance;⁴⁷

(b) Resolution No. 0000051, dated 15 May 2013, instructing the staff of the Public Prosecution Service to prosecute all forms of discrimination by the local social services in the Dominican Republic that hinder the access of persons based on their physique, skin colour, social status, etc.

48. In addition and by virtue of the numerous comments made about discrimination against Haitian nationals, in April 2013, the National Statistics Bureau released the First National Survey on Immigrants in the Dominican Republic (ENI-2012),⁴⁸ with the support of the European Union and the United Nations Population Fund. The Survey is being submitted to the different government institutions so that they can devise public policies targeted at the more than 524,632 immigrants living in the country, mostly Haitian, in the areas of education, health, migration, immigration, labour and foreign affairs. The Survey

will also be a useful tool for applying such affirmative action effectively to the National Development Strategy and National Multi-Year Plan in the public sector.

49. The main criterion used the survey in question was a person's descent, along with the country of origin of the parents, with three questionnaires to collect information: (i) a basic questionnaire concerning the home or domicile; (ii) an individual questionnaire for immigrants or indigenous people living in conventional homes and dwellings, and; (iii) an individual questionnaire for immigrants or indigenous people living in other places.⁴⁹

50. Also, since the majority of immigrants in the country are Haitian nationals, with a view to stepping up Dominican support for the Haitian nation, chiefly because of the most recent earthquake, in 2010, the Bilateral Dominican-Haitian Commission was reinstated.

51. The Ministry of Foreign Affairs together with the National Council for Children and Adolescents and the Bilateral Dominican-Haitian Commission has organized various conferences, visits, meetings, workshops and bilateral coordination projects between the two countries so as to define a tool to care and provide protection for the children and adolescents who were affected by this terrible disaster. This has resulted in the preparation by CONANI, in coordination with the United Nations agencies (UNICEF, the Office of the United Nations High Commissioner for Refugees (UNHCR), International Organization for Migration (IOM)) and NGOs, of a Protection Protocol for Haitian children and adolescents who were affected by the situation described above.

52. The Protection Protocol in question is intended to provide guidance to governmental and non-governmental institutions in the country on the humanitarian response to be taken to protect the rights of Haitian children and adolescents and their families affected by the natural disaster.

53. In order to implement the Protocol, six categories of vulnerable persons were defined as follows: children and adolescents in hospital; children and adolescents in temporary reception centres; street children; the disabled; children and adolescents in vulnerable families; children and adolescents in vulnerable conditions (abandonment, smuggling, trafficking, sexual exploitation, international adoption, in transit etc.). According to statistics relating to the Protection Protocol, 407 children and adolescents were provided with care, 261 of them were accompanied, 40 were separated from their families and 106 were unaccompanied.

54. Reverting to the work of the Dominican-Haitian Bilateral Commission, it is still in operation and carries out various activities aimed at strengthening bilateral cooperation between the Dominican Republic and Haiti.

E. Cultural rights (Recommendation 87.11)

55. Concerning cultural integration and the contributions of various ethnic groups to Dominican culture, particularly worthy of note are the programmes and actions developed to highlight the contribution of Afro-descendants, including: the publication of books and holding of scholarly lectures; organization of festivals and carnivals; building of symbolic monuments to leaders; awarding of prizes for contributions of Afro-descendants and participation in all events held to commemorate the International Year for People of African Descent, in 2011. The Ministry of Culture is currently inviting bids for cultural projects in all regions throughout the country, where each community and cultural group has the opportunity to submit its proposals for projects whose costs will be covered by the national budget.

F. Trafficking and smuggling in persons (Recommendation 87.22)

56. Among the most recent achievements in combating trafficking and smuggling in persons is the report on the subject for 2012, published in 2013 by the Department of State of the United States. According to the report the Dominican Republic is still in category 2, but a major effort is being made to deal with the offence.⁵⁰

57. From 2009 to 2010, judicial proceedings were brought in 25 cases, while in 2011, 63 cases were referred to court. In 2012, three persons were sentenced for the offence: two Haitian nationals were sentenced to 15 years' imprisonment for trafficking 12 minors aged between 8 and 14, of Haitian nationality for the purpose of labour exploitation; the other sentence was 20 years' imprisonment for a Dominican woman who had been sexually exploiting her 8 year-old son. As at December 2012, restraint measures were being applied to another 18 people for the offence. Also, 61 persons were rescued and assisted by State bodies.

58. Also worthy of note is the creation of the Special Prosecutor's Office to Combat Trafficking and Smuggling in Persons, by Resolution No. 003-2013, issued by the Higher Council of the Public Prosecution Service. On 25 February 2013, by letter No. 00788, the Attorney General's Office instructed all members of the Public Prosecution Service to take immediate and forceful action against pimping and human trafficking, in accordance with the law.⁵¹

59. During the first months of 2013 numerous inter-agency operations took place involving the Attorney General's Office, the Directorate General of Migration, the National Police, the National Council for Children and Adolescents, IOM and ICE, among others, in coordination with the new Special Prosecutor's Office to Combat Trafficking and Smuggling in Persons. The most notable operation was that of 15 May 2013, where 58 minors of Haitian nationality were rescued, and 58 adults both Dominicans and Haitians were apprehended, accused of the offence.

G. Prison system (Recommendations 87.24, 87.25, 87.26 and 87.27)

60. On the subject of the Dominican prison system, we wish to emphasize the fact that it is continually evolving and that its ultimate goal is the reintegration of persons deprived of their liberty. At present there are 17 correctional centres for more than 10,000 inmates. At the same time, efforts are under way on integrating prisons operating under the old system into the new system.

61. Under the new system the way things work in cases of complaints against prison staff or so-called guards, is that all prisoners and their families have access to the prison officers, who take cognizance of the allegations and refer them to the Prison System's Department of Intelligence and Research. If the misconduct of the staff member or guard concerned is corroborated, he or she is punished and/or brought to justice.⁵²

62. Besides, the Human Rights Unit of the Attorney General's Office has also taken on the dissemination and promotion of human rights as one of its main tasks in order to encourage the type of conduct required by staff working in Dominican prisons. Several sessions and basic courses on such matters were run in the Public Prosecution Service in 2012, in coordination with the National School of Public Prosecutions and with a view to extending the scope of the courses so that they can be coordinated with the National Police, the Armed Forces and the National Prison Academy.

H. Right to social security and adequate standard of living (Recommendations 87.30 and 87.31)

63. Concerning the elimination of poverty and food insecurity among the most vulnerable people living in the country, starting in 2012, the Central Government launched the implementation of various affirmative action measures. They include the issuance of Decrees Nos. 488-12 and 489-12, dated 21 August 2012, providing for the merger of the Progress Programme and the Community Technology centres, directed by the Solidarity Programme and managed by the Office for the Coordination of Social Policies. The project resulting from the merger is entitled “Progress with Solidarity” and its basic purpose is to take more than 400,000 households out of extreme poverty, to raise 1,500,000 people from poor to middle class and to ensure 200,000 more families coverage with the Solidarity card.

64. The Progress with Solidarity Programme has successfully engaged poor families in a process of comprehensive development through the performance of shared tasks involving cash transfers that contribute to the food and nutrition security of family members. It also encourages the implementation of educational measures facilitating their access to better employment opportunities and the exercise of their civil rights.⁵³

65. Derivative strategies implemented from August 2012 to May 2013 show that 623,902 families benefited from direct financial assistance to purchase food staples, with a State contribution of RD\$ 4,297,141,800.00; 774,250 families received subsidies for liquefied petroleum gas for domestic use (Bonagas), with State funding of RD\$ 1,744,364,616.00; 526,325 families received subsidies for energy consumption (Bonoluz), at a cost of RD\$ 1,959,780,027.12; 285,897 families received incentives for school attendance, with a contribution of RD\$ 650,004,300; and a total of 25,891 families under the Progress Programme who do not belong to the integrated Solidarity Programme for conditional transfers.

66. As a result of those measures, the country was recently recognized by the United Nations Food and Agriculture Organization as one of the 20 countries in 2012 that had significant success in fighting hunger and in complying with Millennium Development Goal 1.⁵⁴

67. To date, despite the achievements of the Social Assistance Plan of the Presidency, the overall objective notwithstanding the current economic constraints on the State is to continue to roll out programmes and projects that help to reduce the poverty that still exists in Dominican society.

I. Right to health and social security (Recommendations 87.32 and 87.33)

68. The Dominican health sector is currently undergoing a process of reform and modernization, which resulted in the implementation of the 2012 Plan, based on the lines of action set out in the National Development Strategy, Millennium Development Goals, 10-Year Health Plan, the National Multi-Year Plan for the Public Sector 2011–2014, the Strategic Health Agenda, international obligations, the strategic agenda of the National Health Council and the operational plans formulated by each branch of the institution.

69. The Plan’s strategies and actions were aimed at meeting public health needs and focused mainly on the following problems: maternal mortality, infant mortality, vaccine preventable diseases, dengue, malaria, tuberculosis, HIV, and zoonoses. The Plan was based on strengthening primary health care, both at the primary care level and the level of specialized care, by ensuring effective immunization coverage levels, access to medicines for the population, as well as on improving the infrastructure of the network of care

services with an increase in the annual budget of a total RD\$ 53,325,148,054.37 for 2012,⁵⁵ in comparison with 2011, when it totalled RD\$ 41,751,228,343.00,⁵⁶ and RD\$ 36,033,000 for 2010.⁵⁷

70. From the 2012 budget, 10 per cent of the above-mentioned sum was earmarked for Haitians, regardless of their immigration status and the services they required in Dominican health centres, but not including other types of care provided in the health sector.

71. On the basis of progress made in increasing the supply and concerning the management of services, the regional health services succeeded in maintaining the trend of increased service delivery to the general public through first-level and specialized health centres. By the end of 2012, the health sector had 1,714 primary health-care units, of which a total of 1,338 operated in first-level centres nationwide; it represents over 90 per cent for the care of the priority population, especially families subsidized by the Dominican Social Security System and those with limited means without membership. There are 154 institutions nationwide at the specialized level to ensure horizontal management of all services.⁵⁸

72. By way of statistical data on the health services at primary care level: 4,146,451 persons received care in 2010, a total of 4,994,948 in 2011; and 6,708,496 in 2012. At the specialized care level: in 2010, services were provided to 19,109,566 persons; in 2011 to 21,974,858 persons; and in 2012 to 21,549,955 persons. The total population using the public network of services was 23,256,017 in 2010; 26,969,806 in 2011; and 28,258,451 in 2012.

73. Building health service networks has resulted in a better organization of health care, with the elimination of gaps and overlaps in the supply of services and following the model network established in compliance with the obligations under the management agreements in force for the past three years. In addition, on 5 August 2013, the fees charged by public health centres were lifted, encouraging Dominican people's free access to services, and with the State subsidizing the amounts that the fees generated to cover the internal costs of health facilities, such as expendable materials used for various tests on patients, etc.⁵⁹

Social Security System

74. Twelve years since the creation of the Dominican Social Security System, through the enactment of Act No. 87-01,⁶⁰ public institutions and a number of private and mixed health-service providers, health risk and pension fund administrators, among others, are being set up and are operational. The Social Security System operations began with the Subsidized Family Health Insurance Scheme with the delivery of Basic Health Plan services for the most vulnerable in Health Region IV (provinces of Barahona and Bahoruco), then gradually other provinces were included, until there was nationwide coverage. As at 28 February 2013, 2,357,089 persons were affiliated nationwide.

75. The number of persons affiliated to the Old Age, Disability and Survivors Contributory Insurance Scheme has now risen to 2,714,449, of whom 47.6 per cent are actively contributing. As at 28 February 2013, the assets of the pension funds of members amounted to RD\$ 206,080.92 million representing 8.9 per cent of the national Gross Domestic Product.

76. Regarding the Health Services Plan of the Family Health Contributory Insurance Scheme, at the end of February 2013, it had 2,708,415 members, of whom 1,249,039 are members and 1,459,376 dependants, with a dependency ratio of 1:17, i.e. 117 dependants for every 100 members.

77. Based on the above, one can see the considerable growth of the Dominican Social Security System in 2013 compared to previous years. The number of members as at 31

December 2012 was 2,335,292, corresponding to 1,112,659 members and 1,22,633 dependants.

78. Membership of the Old Age, Disability and Survivors Contributory Insurance Scheme, and the inclusion of workers from the formal sector in the Social Security System has risen significantly since it started as a provisional system until February 2013. Contributing members have increased by 122.7 per cent, i.e., an additional 707,666 over the 576,869 initially registered, thus covering 76.5 per cent of the formally employed population. The average annual growth has been 9.7 per cent.

J. Right to education (Recommendations 87.35, 87.38, 87.39, 87.36, 87.37, 88.19, 88.20 and 88.21)

79. Concerning the right to education and its vitally important role in the development of nations, for several years now various measures have been implemented to guarantee access for all children and adolescents to the different schools in the public sector of the Dominican Republic, as reported to the various international organizations for the protection of human rights. This can be seen in the continued implementation of Ministry of Education Circular No. 18 of 27 July 2011, instructing “all directors of public schools in the country, to enrol all boys/girls and adolescents whether or not they are properly registered”.⁶¹

80. In the same year, 2011, the Ministry contracted an institutional agreement with the Directorate-General of Migration, under which the incumbents of both institutions would guarantee places in public schools for foreign children regardless of their immigration status, by strengthening policies to provide the necessary documents for the 24,000 children enrolled, mainly from Haiti, of a total of 54,808 foreigners.⁶²

81. The Ministry of Education, with a view to providing quality education for all children and adolescents studying in national schools, sharing the same classroom, teacher and teaching materials, regardless of their origin or immigration status, also issued Resolution No. 420-2011 of 17 June 2011.⁶³ It establishes a range of educational strategies to improve the tuition system in the last year of preschool and basic education, whose policies are based on the following:

- Policy 1: Mobilize public and private support in order to ensure that children aged 5, receive one year of preschool education and eight years of inclusive and quality basic education;
- Policy 2: Strengthen, expand and diversify the level of media education and quality adult education, with the aim of building citizenship and as a stepping stone towards the labour market or higher education;
- Policy 3: Periodically review, disseminate and implement the curriculum, guaranteeing reading comprehension and logical-mathematical development in basic education, and promote a culture of compliance establishing values that guide comprehensive human development, consolidating all other aspects of science in the different levels of education, as well as incorporating information and communication technology in the educational process;
- Policy 4: Establish clear quality standards and an evaluation system to monitor the performance of the education system that mobilizes schools, families and the community to provide better education in the country and guarantees that national certificates and degrees awarded are backed up by the requisite training.⁶⁴

82. Moreover, the Dominican Education System has improved the content of the curriculum on the bases of the curricular review and update (Santo Domingo, 2013) and the courses to be taught at all educational levels, in conformity with Ordinance No. 1.95, amended by Ordinance No. 2.2011 (in process of approval) have intercultural aims. The main themes covered are: Dominican culture, identity and diversity; cultural syncretism, its different aspects and relationship with other cultures; human rights education, through social sciences, such as history, and moral and civic education, etc; cross-cutting issues, such as democracy and citizens participation, gender education, etc., and core competencies.⁶⁵

83. A major step forward has been the provision granting 4 per cent of GDP to the annual budget of the Ministry of Education, at the request of Dominican society in 2012 and in line with Education Act No. 66-97 and amendments thereto (Act No. 451-08) and in compliance with the 10-year plan for education mentioned in paragraph 90 of the 2009 universal periodic review;⁶⁶ similarly, 0.5 per cent of GDP has been allocated to higher education.

84. With its focus on improving the policy of access to education for those who lack resources and are unaware of their rights, in September 2012, through publicity campaigns in various outlets of the national press, the Central Government launched the National Literacy Plan “*Quisqueya Aprende Contigo*” (Quisqueya learns with you), set forth in Decree No. 546-12.⁶⁷ Its goal is to teach people over the age of 15 to read and write in conditions of equality and to bring down to zero the current national illiteracy rate among young people within two years. The Plan has the support of all sectors of government and society. As at 11 October 2013, 379,639 young people and adults had benefited nationwide, 29,203 learning centres had been established, and 28,047 people had been trained as literacy teachers.⁶⁸ The Plan has also been extended to people who are held in Dominican prisons, thus in August 2013 more than 3,000 inmates benefited from it.⁶⁹

85. Outside of the school environment, in parallel, human rights training and courses for different sectors of society have continued to be held, including for the civilian population and law enforcement officials, through the Armed Forces’ Graduate School of Human Rights and International Humanitarian Law and the National Police Institute for Human Dignity.

86. From 2010 to April 2013,⁷⁰ the Armed Forces’ Graduate School trained 5,527 people, with a total of 106 courses available and under development. Particularly worthy of note was the Workshop for the Preparation of a Manual on the Use of Force for the Dominican Armed Forces, held from 22 to 25 April 2013.⁷¹

87. Meanwhile, from 2011 to 2012, the National Police Institute for Human Dignity (IDIH), conducted 16 courses on human rights and the application of the law: 41 on human dignity and the police; 6 community workshops; 20 lectures on human rights, violence and prevention; and 1 diploma in human rights and public safety, with a total of 4,004 participants, including members of the National Police, Armed Forces and general public. Similarly, each year IDIH designs and runs a programme on human rights education, and the promotion and recognition of human rights.

K. Protection of the rights of migrants (Recommendations 87.5, 87.40, 87.42 and 88.31)

88. The most notable achievements of the Dominican Republic in protecting the rights of migrants in the last four years have been:

- Establishment of procedures for deportations, non-admission and administrative detentions, pursuant to Decree No. 631-11;⁷²
- Reinstatement as of the 19 February 2012 of the National Council for Refugees (CONARE) after five years of inactivity. As a result, in 2013, the Technical Subcommittee of the National Commission for Refugees held seven meetings⁷³ to assess refugee applications, and issued appropriate recommendations, contained in records Nos. 1/13, 2/13, 3/13, 4/13, 5/13 and 6/13. In 2013, 229 cases were considered, and 194 are pending;⁷⁴ and
- The launch of the Assisted Voluntary Return Programme in 2010 led by the Directorate-General of Migration, in cooperation with IOM. Its aim is to assist vulnerable migrants who wish to return to their country of origin and reintegrate into society. It has a fund that helps them resettle in their country of origin, taking with them their household goods and furniture from the Dominican Republic. Since the programme's inception until 22 October 2013, 4,297 applications were received, 4,019 people were returned to their country of origin, and 183 requests are pending.⁷⁵

89. Since the approval of the Immigration Act Regulations, the Temporary Workers Programme has been implemented. It has received more than 20,000 applications from temporary workers to regularize their status. To that end it has processed more than 1,000 applications and shortly the FRoneir Workers Regulations will enter into force. Currently they apply to students, and a total of 500 applications have been received. In this way more migrants will be able to regularize their legal status in the country.

90. Meanwhile, the Ministry of Labour through the Labour Migration Unit, established by Resolution No. 14/2012, which operates under the supervision of the Ministry's Directorate-General of Employment,⁷⁶ is intended to provide protection and eliminate all violations of the labour rights of migrants, especially Haitian nationals. The Unit has a designated person to liaise between employers and workers, and has undertaken various activities during 2012⁷⁷ with a view to updating and improving sustained long-term policies and measures in the administration of labour migration.

91. One of the significant achievements of the Labour Migration Unit, through IOM, has been the recruitment of one consultant and two technology assistants assigned to the Directorate-General of Labour. Their task is to update the System of Labour Relations database for statistics on the number of foreigners working in different companies in the Dominican Republic.

L. Civil registration (Recommendation 87.43)

92. As part of the overhaul of infrastructures that provide civil registration services to the public, the Central Electoral Board ordered the construction of new buildings as follows: 165 Civil Registry Offices, 162 of which are automated; 62 Civil Registry branch offices, located in public health centres, of which 57 are automated; 10 automated mobile units and 7 service centres, thus facilitating the access of parents to the civil registry offices to register the birth of their children.

93. Concerned about the recurring problems of access to civil registration faced by Haitian nationals, the Dominican Republic offered its support by providing premises on Dominican territory, so that the Haitian Government can start the process of issuing identity documents to Haitian nationals throughout the country, all this with the support of the Organization of American States (OAS). The question of the agreement arose during a

bilateral meeting held by the leaders of both countries in the framework of the Fifth Summit of Heads of State and Government of the Association of Caribbean States, held in Port-au-Prince from 23 to 26 April 2013.

94. In accordance with the above proposal, once the Haitian Government has provided its citizens with identity documents, the Dominican State should be able to grant temporary work visas and regularize employment contracts. That would benefit the more than 200,000 Haitian migrant workers living in the country, and constitute a step forward in protecting their rights and their stable contribution towards socioeconomic development.⁷⁸

M. Scope of international obligations (Conventions and treaties) and (Cooperation with treaty bodies and special procedures) (Recommendations 88.1, 88.3, 88.7, 88.12, 88.13 and 88.14)

95. With the aim of ensuring citizens more effective protection of their human rights, the treaties and conventions to which the Dominican Republic is not yet party are currently being considered, in compliance with the new procedure before the Dominican Constitutional Court, which started its work in 2012.

96. However, on 28 December 2011, the State ratified the Convention against Torture and other Cruel, Inhuman or Degrading Treatment, but has not yet started signature or ratification procedures before the competent bodies for the Protocol to the Convention. Furthermore, at the regional level as part of the OAS system, on 19 December 2011, the Dominican Republic acceded to the Protocol to the American Convention on Human Rights to Abolish the Death Penalty.

97. Regarding the strengthening of democracy, we reiterate that the Dominican Republic is party both under the OAS and the United Nations system to conventions to combat corruption,⁷⁹ and it is by virtue of these obligations that, on 21 August 2012, by Decree No. 486-12, the Directorate-General of Governmental Ethics and Integrity was established, under the Ministry of the Office of the President. It serves as the governing body on ethics, transparency, open government, the fight against corruption, conflict of interests and free access to information in government administration.⁸⁰

98. Another positive aspect is the status of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, which is at the approval stage in the Dominican Senate, for subsequent publication by the Executive branch.

99. The Dominican Republic has also shown that it is always willing to comply with the standards set by United Nations human rights treaty bodies, and to date has had no reports pending before such bodies. In addition, it has cooperated as part of GRULAC in consultations held on the strengthening of the United Nations treaty body system.

100. As for the special procedures, we reaffirm our commitment and willingness to consider any request for a country visit by any United Nations rapporteur.

N. Administration of justice and law enforcement (Recommendations 87.28, 87.29, 88.17, 88.23 and 88.24)

101. As a result of the constant complaints from the public of abuse by members of the military and prosecution authorities against citizens who had allegedly violated the law, the Dominican Government has been implementing a clean-up policy in national institutions.

102. As a result of this policy, in 2012, the National Police dismissed or suspended and subsequently referred to the ordinary courts a total of 154 officers; over the same period, 119 officers were dismissed or suspended and subject to police administrative procedures. From January to October 2013, more than 100 officers were forcibly suspended, dismissed and brought to justice for having been involved in various incidents contrary to the law enforcement regulations.⁸¹

103. Similarly, on 20 March 2013, the National Public Safety Plan was released, which has two main pillars: the prosecution and prevention of crime. The plan involves an increase in the number of police officers, greater financial resources, preparation and training of police, cooperation between the Prosecution Service and prosecuting agencies, among other measures.⁸²

104. The Plan will step up the prosecution of organized crime and human rights violations, including those that restrict the freedom of expression of journalists and ordinary citizens, as well as threats against human rights defenders. The Plan is monitored by the National Council for Public Safety and the Public Safety Observatory, which are headed by the President of the Republic, and composed of all national actors concerned.

105. Concerning the needs of victims of human rights violations in general, there is the National Department for the Legal Representation of Rights of Victims, in operation since 2007, which since its establishment has continued to cater for the needs of around 1,000 victims. By 2012, it had secured nearly 300 convictions for victims who did not have the means to hire their own defence lawyer, but were assigned a State lawyer to defend their interests in court.

IV. Final conclusions and pledge

106. Looking back to the time of the adoption of the first universal periodic review of the Dominican Republic by the Human Rights Council, it is well known that the Dominican Republic has the will to continue to step up the protection of human rights, as reflected in the summary of achievements of the past three years, and in accordance with the recommendations that were made to the State party.

107. We also acknowledge the importance of the international community's cooperation in the execution of certain projects and plans that contributed to the implementation of actions and public policies intended to ensure the human rights of the Dominican population; despite the financial constraints facing the country, due to past situations that created a deficit resulting in the austerity measures that are still in force.

108. However, the Dominican Republic aware of the urgent need to eliminate the social inequalities that still exist, as in most underdeveloped nations, pledges to continue implementing and planning projects, both legislative and institutional, and to take affirmative action in favour of: children, adolescents, women, the elderly, the disabled, migrants, justice, workers, the elimination of poverty, health, education, intercultural integration, social and human development, and trafficking in persons.

Notes

¹ La Comisión Interinstitucional de Derechos Humanos fue creada por el Decreto 408-04, del 5 de mayo 2004, en cumplimiento del Programa y Plan de Acción de Viena de 1992. La Comisión agrupa a las Secretarías de Estado de Relaciones Exteriores, de Interior y Policía, de Trabajo, de Salud, de Educación, de las Fuerzas Armadas, de la Mujer, de Cultura, Procuraduría General de la República; también, la Suprema Corte de Justicia, el Congreso Nacional, la Junta Central Electoral, la Comisión

- de los Derechos Humanos, el Consejo Nacional para la Niñez y la Adolescencia, la Dirección General de Prisiones, la Dirección General de Bienes Nacionales, el Instituto Nacional del Azúcar y el Consejo Nacional de Lucha contra la Pobreza. Adjunto Ver Decreto.
- ² El Taller se celebró el día 11 de abril de 2007, en el Salón Mirabal del Palacio Presidencial Dominicano, y al mismo asistieron los miembros de la Comisión Interinstitucional de Derechos Humanos y representantes de diversas ONGs del país ligadas al sector.
- ³ Adjunto documento de Seguimiento Marzo 2010, durante la adopción del informe de la RD por el Consejo de Derechos Humanos.
- ⁴ Ver: <http://www.consultoria.gov.do/spaw2/uploads/files/Ley%20No.%201-12.pdf>.
- ⁵ Ejes Transversales de la Ley 1-12, relativos a Mujer: -Un Estado con instituciones eficientes y transparentes, al servicio de una ciudadanía responsable y participativa, que garantiza la seguridad y promueve el desarrollo y la convivencia pacífica/ -Una sociedad cohesionada, con igualdad de oportunidades y bajos niveles de pobreza y desigualdad/-Una economía articulada, innovadora y sostenible, con una estructura productiva que genera crecimiento alto y sostenido con empleo decente, y que se inserta de forma competitiva en la economía global. Y -Un manejo sustentable del medio ambiente y una adecuada adaptación al cambio climático.
- ⁶ Ver: <http://www.elcaribe.com.do/2013/07/23/ldquodespenalizar-aborto-loablerdquo>.
- ⁷ El artículo 149 de dicho Proyecto define la discriminación como “*el hecho de incurrir en cualquier trato desigual o vejatorio contra una persona física en razón de su origen, edad, género, preferencia u orientación sexual, color, situación de familia, estado de salud, discapacidad, costumbre, opinión pública, actividad sindical, oficio, pertenencia o no a una etnia, nación o religión determinada.*” La discriminación es sancionada con penas de un día a un año de prisión menor y multa de tres a seis salarios cuando resultare de hechos previstos en el artículo 150, que abarcan la negación de servicios o bienes, obstaculización del ejercicio normal de actividades económicas de la persona, imposición de sanciones, despidos y negativa de contratación y la subordinación del suministro de un bien o servicio a una condición fundada en cualquiera de los elementos descritos en el artículo 149. Estas acciones son de persecución pública a instancia privada y las personas jurídicas podrán ser perseguidas y declaradas penalmente responsables por ellas.
- ⁸ El Proyecto del Código Penal Dominicano, en su artículo 81, párrafo 9, establece como agravante del homicidio el que este se haya cometido en razón del género, preferencia u orientación sexual de la víctima, sancionándolo con pena de treinta a cuarenta años de prisión mayor. Con igual pena el artículo 98, párrafo 9 castiga la tortura, tratos crueles, inhumanos o degradantes cometidos contra las personas en razón de su género, preferencia u orientación sexual.
- ⁹ Se tomaron en cuenta para la elaboración de la Ley, los Instrumentos Internacionales aprobados y de los cuales el país es signatario, a saber: la Declaración Universal de los Derechos Humanos de 1948; la Declaración de los Derechos del Retrasado Mental de 1971; la Declaración de los Derechos de las Personas Incapacitadas de 1975; la Declaración de las Personas Sordas y Ciegas de 1979; las Normas Uniformes sobre la Igualdad de Oportunidades para las Personas con Discapacidad de 1993; la Convención sobre los Derechos del Niño en su artículo 23 sobre los niños mental y físicamente impedidos de 1989 y, finalmente, la Convención sobre los Derechos de las Personas con Discapacidad, aprobada el 13 de diciembre de 2006, ratificada por la República Dominicana el 18 de agosto de 2009.
- ¹⁰ Para esto es indispensable que todos los discapacitados cuenten con el Seguro Nacional de Salud (SENASA), en sus distintas modalidades de inserción.
- ¹¹ Lo mismo expresado, con los departamentos de Accesibilidad, Señalización Universal y Transporte Adaptado.
- ¹² Se financiará con fondos de subsidios sociales, aportes de la cooperación internacional y partidas consignadas en el Proyecto General del Estado.
- ¹³ <http://consuladord.com/pdfs/Migracion.pdf>.
- ¹⁴ La Unidad de Derechos Humanos de la Procuraduría, ha venido participando en la elaboración de informes institucionales e internacionales, en la Comisión Nacional Interinstitucional de Derechos Humanos donde actualmente ocupa su Vicepresidencia, en la representación ante los organismos del Sistema Interamericano de Derechos Humanos y celebrando cursos y seminarios relativos a la materia.
- ¹⁵ Ver: http://tribunalconstitucional.gob.do/sites/default/files/documentos/Ley_137-11.pdf.

- ¹⁶ Ver: <http://www.listin.com.do/la-republica/2013/5/16/277111/Zoila-Martinez-es-la-defensora-del-pueblo>.
- ¹⁷ Ver: <http://elnuevodiario.com.do/app/article.aspx?id=343018>.
- ¹⁸ Ver: <http://www.minerd.gob.do/Lists/Noticias%20MINERD/Item/displayifs.aspx?.List=a1135268%2Da2c8%2D44cb%2Da6b9%2Db28bbb0c764b&ID=920&Source=http%3A%2F%2Fwww%2Eminerd%2Egob%2Edo%2FLists%2FNoticias%2520MINERD%2FVer%2520mas%2Easpx%3FPaged%3DTRUE%26p%5FModified%3D20130501%252016%253a02%253a34%26p%5FID%3D934%26PageFirstRow%3D151%26%26View%3D%7B903BFFA8%2D769B%2D4490%2D937F%2D6ACBB14FD334%7D&ContentTypeId=0x010009A37057EC58174ABFF792B0EDD50960>.
- ¹⁹ Otras acciones institucionales a citar es que se han conformado a la fecha en todo el territorio nacional 44 Comités Directivos locales, municipales y provinciales de prevención y erradicación del trabajo infantil (CDLs) y 2 redes de vigilancia y prevención del trabajo infantil en dos vertederos de basura.
- ²⁰ Ver: Documento Adjunto: 2da Versión de la Guía de Atención.
- ²¹ Tanto el Gobierno, la Sociedad Civil, la Cooperación Internacional, el Sector privado y los propios Niños Niñas y Adolescentes fueron los que aportaron en la construcción de esta Hoja de Ruta Nacional contra la violencia a nuestros NNA. Este proceso tuvo como apoyo 2 talleres, el primero (TALLER ANALISIS DE PROBLEMAS ASOCIADOS CON LA VIOLENCIA CONTRA NNA EN EL CONTEXTO NACIONAL: SABE PARA EL DISEÑO DE LA HOJA DE RUTA), en el cual estuvieron participando un total de 55 técnicos de diferentes instituciones; un segundo taller: TALLER NACIONAL HOJA DE RUTA.
- ²² Proyecto de dotación de documentos con apoyo de UNICEF en la Regional Educativa 05, comprende las provincias de San Pedro de Macorís, Hato Mayor, La Romana, Monte Plata se han documentado más de 2,116 niños y niñas. Se ha recibido una extensión del proyecto hasta el 2013 y se pretende su expansión a otras regiones. Como parte de este proyecto, en Mayo de 2013 el Presidente de la JCE hizo entrega de sus documentos a 380 personas adultas, adolescentes y niños y niñas del Distrito Municipal de Mamá Tingó, de Yamasá. Ver: <http://www.pnud.org.do/proyectos/gobernabilidad/56561>.
- ²³ Ver: [http://www.jce.gob.do/Portada/Noticias/tabid/114/sni\[435\]/551/Default.aspx](http://www.jce.gob.do/Portada/Noticias/tabid/114/sni[435]/551/Default.aspx).
- ²⁴ En cuanto al Programa de Familia Sustituta se está desarrollando al 2013 en tres (3) Municipios, contando en la actualidad con once (11) familias evaluadas para el acogimiento niños, niñas y adolescentes en situación de vulnerabilidad.
Info: <http://www.conani.gov.do/conani/pdf/estadisticas/Boletin%20estadistico%20mayo-2013.pdf>.
- ²⁵ Ver: <http://www.conani.gov.do/conani/pdf/publicaciones/revistas/R21.pdf>. (Págs 30–32).
- ²⁶ Ver: <http://www.hoy.com.do/el-pais/2013/9/30/500672/SP-haraplan-para-disminuir-elembrazo-precoz>.
- ²⁷ Ver: http://www.conadis.gov.do/index.php?option=com_phocadownload&view=category&id=12&Itemid=96.
- ²⁸ Mediante el acuerdo las partes se comprometieron a unir esfuerzos para lograr el fortalecimiento de las instituciones que trabajan a favor de las personas con discapacidad, así mismo trabajarán para trazar las estrategias y objetivos comunes, en beneficio de la inclusión social y laboral de este segmento de la población, en el marco de la Planificación Estratégica del CONADIS 2013-2016 y del Proyecto de La Red “Por el Derecho de una Vida Plena de las Personas con Discapacidad en República Dominicana: IGUALES OPORTUNIDADES, DIFERENTES CAPACIDADES”.
- ²⁹ Palabras dadas por el Sr. Magino Corporán, Director del CONADIS, ante la 51ava Comisión de Desarrollo Social que se realizó del 6 al 15 de febrero 2013, en la Sede de las Naciones Unidas en Nueva York.
- ³⁰ Ver: Art. 39 Constitución RD. Específicamente se expone el Derecho a la igualdad como: “Todas las personas nacen libres e iguales ante la ley, reciben la misma protección y trato de las instituciones, autoridades y demás personas y gozan de los mismos derechos, libertades y oportunidades, sin ninguna discriminación por razones de género, color, edad, discapacidad, nacionalidad, vínculos familiares, lengua, religión, opinión política o filosófica, condición social o personal”.
- Ver: http://www.suprema.gov.do/PDF_2/constitucion/Constitucion.pdf.

- ³¹ Entre los compromisos del actual Gobierno de la República Dominicana, por medio del Discurso de Toma de Posesión del Presidente Danilo Medina, el pasado 16 de agosto del 2012, con respecto a los derechos de las mujeres dominicanas, se destacan:
- Dar curso a la reestructuración y al desarrollo de un Sistema Nacional de Formación Técnico Profesional, para fortalecer la empleabilidad con especial énfasis en los jóvenes y las mujeres.
 - Convertir el sistema educativo, en un nivelador social, eliminando las desigualdades.
 - Aplicar la equidad de género como un eje transversal en todas las políticas públicas.
 - Eliminación de la violencia intrafamiliar y de género.
 - La instalación del programa “Vive mujer”, por medio del cual se instalarán unidades de atención a las víctimas incluyendo guarderías para niños/as y adolescentes.
 - Reforzamiento de las acciones de represión y sanción de los delitos de agresión, así como los sistemas de información que permitan monitorear y evaluar las intervenciones, además de reforzar las políticas y estrategias.
 - Ampliación de los hogares, los centros de acogida y los programas de consejería para hombres agresores.
 - Promoción de la vida solidaria y la hombría responsable en el sistema educativo y el involucramiento comunitario en la prevención de la violencia familiar.
- ³² Ver: Acápite 2 del artículo 42 Constitución RD: “Se condena la violencia intrafamiliar y de género en cualquiera de sus formas. El Estado garantizará mediante ley la adopción de las medidas necesarias para prevenir, sancionar y erradicar la violencia contra la mujer”.
- ³³ Relativo a la conquista de la autonomía económica e igualdad en la esfera laboral, es necesario hacer la observación de que la República Dominicana se encuentra analizando la posibilidad de ratificar el Convenio 189 de la OIT, sobre trabajo decente para las trabajadoras y trabajadores domésticos y que establece los derechos y principios básicos, y exige a los Estados tomar una serie de medidas con el fin de proteger a los mismos. A tal fin en fecha 2 de julio 2013, la Cámara de Diputados de la República conoció dicho Convenio, pasando al Senado de la República para su ponderación.
- ³⁴ Ley 12-2000 contempla una cuota mínima del 33% de los cargos a diputaciones, regidurías y el cargo de vocales en los distritos municipales, todas las cuales deben ser colocadas en posiciones alternas con respecto a los hombres. Sobre las alcaldías, se establece un 50%, aunque no se establece una rigurosidad de garantizar un valor igual de demarcaciones sino que deja en manos de las agrupaciones políticas la postulación de hombres y mujeres como alcaldes o alcaldesas, y su suplente tendrá que ser del sexo contrario. Para las Elecciones Congresionales y Municipales celebradas el 16 de mayo de 2010, el Pleno de la JCE emitió la Resolución No. 4/2010-Bis sobre Cuota Femenina, a través de la cual se estableció la obligatoriedad para los partidos, alianzas de partidos y agrupaciones políticas de incluir un porcentaje de al menos 33% a favor del sexo femenino, asignado de forma alterna, del total de cargos propuestos en cada nivel de elección al momento de presentar sus propuestas de candidaturas a cargos para diputados, regidores y suplentes, vocales de distritos municipales. Ver: http://pdba.georgetown.edu/Electoral/DomRep/cuota_fem.pdf.
- ³⁵ Como iniciativa de protección a la Mujer, fueron creadas dos Direcciones Especializadas de la Policía Nacional para la prevención de la violencia intrafamiliar y niños, niñas y adolescentes, que busca promover, proteger y dar tratamiento a las víctimas de la violencia de grupos vulnerables.
- ³⁶ Conforme expresamos en el 2010 ante el Consejo (Véase documento de Respuesta del Estado Dominicano entregado al Consejo de Derechos Humanos en Marzo 2010), durante la adopción del informe EPU RD 2009, página 6, donde expresamos que: “Se ejecuta la ley 88-03 que crea en todo el territorio nacional de las Casas de Acogida o refugios que servirán de albergue seguro, de manera temporal a los niños, niñas y adolescentes de violencia intrafamiliar o doméstica. Siendo su objetivo principal la protección en los casos de peligros de muerte”.
- ³⁷ Ver: <http://elnuevodiario.com.do/app/article.aspx?id=340539>.
- ³⁸ Entre los sectores están los centros educativos, universidades, ONG’s, Organismos Internacionales, iglesias, etc.
- ³⁹ Los fondos necesarios para la realización de esta campaña “Únete para poner Fin a la Violencia Contra las Mujeres” han sido concedidos tanto del presupuesto asignado al Ministerio de la Mujer como de los auspicios de la Embajada de Taiwán, la Agencia Española de Cooperación Internacional (AECID), la Dirección General de Cooperación Multilateral (DIGECOOM) y el Fondo de Población

de las Naciones Unidas y de las empresas privadas: Wind Telecom, Multimedia El Caribe, Grupo Ramos, Mercacid y Supermercados Bravo.

⁴⁰ Detalles de actividades desarrolladas para promover la “Campaña Únete para poner fin a la violencia contra las mujeres”: -Jornadas de Sensibilización y Educación dirigidas a multiplicadoras y multiplicadores, medios de comunicación, maestras y maestros, publicitarias, artistas, dirigentes comunitarios y juveniles, facilitadores informales de género/ -Participación de las autoridades locales en el lanzamiento de la campaña en las 32 provincias del país. /-Participación de la Ministra de la Mujer, Viceministras, Directoras, Encargadas Departamentales y Encargadas de las Oficinas Provinciales y Municipales del Ministerio de la Mujer en más de 200 programas de radio y televisión y en entrevistas especiales para los periódicos de circulación nacional./-Realización de las caminatas Tolerancia Cero hacia la Violencia contra las Mujeres y Únete Para poner fin a la Violencia contra las Mujeres, simultáneamente en todas las provincias del país./-Colocación de vallas, afiches, bajantes, y distribución de stickers adhesivos para colocarse en los cristales de los vehículos./-Distribución de materiales de la Campaña fueron enviados a todas las instituciones del Estado y a los directores de los principales medios de comunicación, con la solicitud de unirse a dicha campaña y su apoyo para la difusión de la misma./-Producción de spot de radio y televisión./-Envíos de emails masivos, envíos masivos de minimensajes, y colocación de anuncios en medios digitales./-Reportajes sobre el Ministerio y la campaña en periódicos nacionales y revistas, y publicación de entrevistas a actores involucrados en la campaña./- Difusión del afiche de la campaña con los teléfonos del Ministerio de la Mujer en las principales revistas sociales del país y de mensajes en los periódicos de circulación nacional./-Foro ÚNETE por Internet a través del periódico El Caribe.

⁴¹ Estaba enfocada a la sensibilización y reflexión individual de los diferentes sectores con los que se trabaja, siendo una herramienta práctica para el desarrollo de actividades que contribuyan a identificar actitudes, roles y comportamientos discriminatorios, prevenir la violencia contra las mujeres e intrafamiliar, y definir respuestas pertinentes ante el problema de la violencia contra las mujeres e intrafamiliar.

⁴² Este Plan Nacional involucró a toda la sociedad Dominicana, tanto en su elaboración, como en su ejecución. EL PLANEG.

⁴³ El objetivo del Plan es avanzar en la erradicación de las causas sociales, culturales, educativas y económicas que generan violencia contra las mujeres e intrafamiliar, por medio de programas especializados que permitan detectar y atender con eficacia y eficiencia los casos de violencia contra la mujer e intrafamiliar.

⁴⁴ **Publicaciones en material de género:**

- Plan de Transversalización de Género en el Sistema Nacional de Salud, bajo la coordinación de la Oficina de Género.
- y Desarrollo del Ministerio de Salud.
- Reglamento para el Funcionamiento de la Mesa de Diálogo sobre Género y Medio Ambiente.
- Guía Práctica de Aplicación de políticas de género en los Municipios de la República Dominicana, instrumento metodológico para el fortalecimiento de los mecanismos para aplicación de políticas de género en los ayuntamientos.
- Propuestas de modificación Código para el Sistema de Protección y los Derechos Fundamentales de NNA.
- Propuesta de modificación Anteproyecto de Código de Familia y Ley de Deportes.
- Propuesta a la Comisión de Justicia de la Cámara de Diputados, para la inclusión de la figura Jurídica del Femicidio en el Código Penal.
- Diseño de las herramientas educativas: Movilización Social para Una Vida Sin Violencia para las Mujeres en la República Dominicana: 1- Cartilla para Mujeres, 2- Cartilla para Maestras/os y 3- Cartilla para Jóvenes.
- Propuesta metodológica y de contenidos para la implementación del eje transversal de género en la Educación Inicial, Básica y Media.
- Formulación y puesta en circulación del Plan Estratégico para la Prevención, Detección, Atención y Sanción a la Violencia Intrafamiliar 2011-2016 (CONAPLUVI).

- Diagnóstico de Brechas del Modelo Nacional de Prevención y Atención Integral a Víctimas de Violencia.
 - Diagnóstico de necesidades sobre la situación y condición de las mujeres vinculadas a las asociaciones productoras de banano.
 - Plan nacional de prevención de embarazos en adolescentes.
 - Diagnóstico Situacional de la Dimensión de Género en los Programas que ejecuta el Banco Agrícola, en las provincias de Azua, Valverde y Montecristi.
 - Estudio “Voces de las mujeres: Vulnerabilidad e impacto del VIH en las vidas de las mujeres”.
 - Folleto educativo “Mujer conoce tus derechos”.
 - Investigación “Ambos a dos: Proveer y cuidar, el desafío pendiente en una sociedad en evolución”.
 - Investigación Mujeres Dominicanas en Cifras II (2000–2010).
- ⁴⁵ Tiene como Objetivo Principal: analizar y apropiar el material denominado “Manual de Derechos Laborales de las Mujeres” a los nuevos tiempos y darle un enfoque de género, igualdad de oportunidades y no discriminación, el cual se denominará “Guía de los Derechos Laborales para la Igualdad de Oportunidades y No Discriminación” El proceso de análisis y revisión está a la fecha en sesión.
- De igual forma el Ministerio de Trabajo ha estado realizando Talleres de sensibilización a representantes locales de trabajo, con la finalidad de sensibilizar el tema de Género, Igualdad de Oportunidades y No Discriminación, resaltando la creación de la Comisión Técnica Institucional en materia de Igualdad de Oportunidades y No Discriminación Laboral, mediante la Res. 39/12.
- ⁴⁶ Ver: <http://www.listin.com.do/la-republica/2013/7/10/283972/Procurador-dice-que-feminicidios-se-han-reducido-en-un-4231>.
- ⁴⁷ Ver Resolución Adjunta al Informe.
- ⁴⁸ Ver: <http://www.one.gob.do/#panel-4>.
- ⁴⁹ El cuestionario 1 básico de hogar o lugar habitado incluyó: Identificación muestral, ubicación geográfica, visitas y tipo de vivienda o lugar habitado/Nombres de las personas, relación de parentesco, sexo y edad/País de nacimiento de la madre, el padre y del entrevistado. Los cuestionarios 2 y 3 individuales de inmigrantes y nativos descendientes de inmigrantes, incluyeron las siguientes secciones: Identificación muestral del inmigrante o descendiente de inmigrante.–Características de la vivienda.–Características del hogar.–Características sociodemográficas.–Actividad económica.–Estado conyugal e hijos.–Historia migratoria.–Vínculos con el país de origen.–Procedencia y ocupación antes de migrar.
- ⁵⁰ Ver: documento adjunto sobre los avances de la RD en sus esfuerzos para combatir el Tráfico y Trata de Personas.
- ⁵¹ La República Dominicana cuenta con un marco jurídico claro y vasto para la persecución del tráfico y trata de personas, fundamentado en la ley 187-03, con penas de 15 a 20 años a los culpables de este delito.
- ⁵² Cabe aclarar que las cárceles que operan bajo el sistema antiguo son supervisadas una parte por la Policía Nacional y otra parte por las Fuerzas Armadas, y las medidas tomadas en contra de las personas que fungen como agente de prisiones es igual que el nuevo modelo penitenciario, relativo a que los mismos son sancionados desde una amonestación verbal, escrita, suspensiones temporales y definitivas, hasta el sometimiento a la justicia, en aquellos casos que lo ameriten.
- ⁵³ En el interés de cumplir con los objetivos planteados, el referido programa determina su composición en la siguiente:
1. **Identidad:** promueve que cada uno de los miembros de las familias beneficiarias se encuentren debidamente inscritos en los registros del Estado Civil o cuenten con una Cédula de Identidad y Electoral, a los fines de que tengan acceso a los servicios de educación, salud, vinculación socio-familiar y el ejercicio pleno de su derecho universal.
 2. **Salud Integral:** Informa sobre la importancia del acceso a los sistemas de salud de cada miembro de las familias beneficiarias, de acuerdo a su ciclo de vida.

3. Educación: apoya la formación educativa inicial, formal y técnico vocacional, reduce la deserción escolar, incide en la promoción de grado y disminuye la sobre edad escolar a través de la transferencia condicionada del “incentivo de asistencia escolar”.

4. Formación Humana y Conciencia Social: Fomenta la información de en valores Humanos, conciencia de sus derechos y deberes ciudadanos para la construcción de una cultura de paz.

5. Seguridad Alimentaria, Nutrición y Generación de Ingresos: Crea oportunidades de generación de ingresos para el sostenimiento de la familia (por cuenta propia o por empleo); desarrolla proyectos agropecuarios para autoconsumo y venta, promueve la crianza de aves y/o animales domésticos para autoconsumo o venta al mercado, así como la siembra en los espacios disponibles en el hogar con huertos orgánicos; Implementa, a través del Fondo Especial para el Desarrollo Agropecuario (FEDA) la iniciativa de apoyo a la instalación de unidades pecurias familiares tanto de gallinas ponedoras como de crianza de cabras; además se apoya la instalación de unidades de lombricultivos colectivos para la producción de abonos orgánicos.

Conjuntamente se promueve la capacitación Técnico Vocacional a personas adultas, con la finalidad de que logren acceso a oportunidades de empleo o de emprender un negocio propio, con las habilidades y destrezas adquiridas.

De igual forma, las familias beneficiarias, con capacidad emprendedora son apoyadas con créditos que les permitan crear su propio negocio.

6. Habitabilidad y protección al Medio Ambiente: Promueve que las familias beneficiarias residan en viviendas dignas con más de una habitación, pisos de cemento, sistema sanitario y acceso a agua potable.

7. Acceso A Las TIC’S y Reducción De La Brecha Digital: Enfatiza las formación, capacitación y acceso a las tecnologías de la información de cada miembro de las familias beneficiarias.

⁵⁴ Ver: <http://www.elnacional.com.do/economia/2013/6/15/162958/Vicepresidenta-recibe-reconocimiento-otorgado-al-pais-por-la-FAO>.

⁵⁵ Ver: http://www.salud.gob.do/documentos/informes/INFO_LogrosAño2012_20130625.pdf.

⁵⁶ Ver: http://www.salud.gob.do/Documentos/Presupuestos/PRES_AprobadoMSP2011_20130212.pdf.

⁵⁷ Ver: <http://salud.gob.do/download/docs/Presupuesto/PresupuestoAprobado2010.pdf>.

⁵⁸ Se introdujeron elementos de coordinación interna que promuevan la integración a la red, contribuyendo con el alcance de metas regionales, avanzando con la definición de la cartera de servicios con base en las necesidades de la población, la mejora de la infraestructura y el equipamiento, la gestión de la calidad de los servicios y la atención a los usuarios, la vigilancia epidemiológica, y la gestión del recurso humano.

⁵⁹ Ver: <http://www.hoy.com.do/el-pais/2013/8/5/492798/Pacientes-no-tendran-que-pagar-cuota-de-recuperacion-en-hospitales-publicos>.

⁶⁰ Ver: http://proconsumidor.gob.do/pro/documentos/leyes/de_interes/Ley_Seguridad_Social%2087-01.pdf.

⁶¹ Ver: Copia de Circular adjunta al Informe.

⁶² La decisión fue tomada por los titulares del MINERD y la DGM, licenciada Josefina Pimentel y licenciado José Ricardo Taveras Blanco, tras una reunión en la que aclararon los términos de la circular 7475 emitida por la segunda institución.

⁶³ Ver: <http://www.minerd.gob.do/documentosminerd/Memoria-Miner-2011.pdf>.

⁶⁴ También en el 2011, entre las estrategias implementadas a favor de la educación está el apoyo psicopedagógico orientado a ofrecer ayuda especializada a la comunidad educativa, con énfasis en el estudiante, donde fue realizada una evaluación psicopedagógica y apoyo contra turno a 38 niños y niñas con Necesidades Educativas Especiales (NEE) y sus familias. A la vez se implementaron estrategias de atención temprana en 45 niños y niñas menores de 5 años; inclusión de 250 estudiantes con discapacidad visual en centros regulares; 100 estudiantes con discapacidad recibiendo educación artística; asistencia a 480 jóvenes con discapacidad en los centros de educación especial, y orientación a 250 familias de estudiantes con discapacidad, para acompañar el proceso de enseñanza aprendizaje de sus hijos e hijas.

⁶⁵ Ver: documento adjunto ampliatorio sobre curriculum en Educación Intercultural y Derechos Humanos impartidos a niveles escolares de la República Dominicana.

⁶⁶ “De ahí que el Gobierno se haya comprometido — luego de haber propiciado en el transcurso de los años 2006–2007 la Consulta Nacional para la Excelencia de la Educación en República Dominicana y de haber elaborado el Plan Decenal para todos los niveles educativos del país — a ponerlo en ejecución para el período 2008–2018 para la educación preescolar, primaria, secundaria, técnica y universitaria”.

⁶⁷ Ver: http://alfabetizacionnacional.org/images/Decreto_546-12_DECLARA_ALTO_INTERES_NACIONAL_ALFABETIZACION_TODO_TERRITORIO_NACIONAL.pdf.

⁶⁸ Ver: documento adjunto ampliatorio del Plan “Quisqueya Aprende Contigo”.

⁶⁹ Ver: <http://pgr.gob.do/Portal/Contents/Articulos/Noticias/20130828-Quisqueya-Aprende-Contigo-brinda-esperanza-mas-3-mil-privados-libertad.ashx>.

⁷⁰ Ver, documento contentivo de estadísticas de los Cursos impartidos por la Escuela de Graduados en Derechos Humanos y Derecho Internacional Humanitario de las Fuerzas Armadas.

⁷¹ En el Taller participaron las Direcciones de Operaciones, Directores de Personal, las Consultorías Jurídicas de las Fuerzas Armadas y de cada una de las Fuerzas que componen las Fuerzas Armadas de la República Dominicana, además, la Escuela de Operaciones de Mantenimiento de la Paz, la Dirección General de Asuntos Internos, Director General de Organización y Doctrina, Dirección de Informática de las FFAA y el Instituto de Dignidad Humana de la PN.

⁷² Ver, Supra párrafo 12.

⁷³ Esta cantidad de expedientes de solicitudes hasta ahora decididos, representan algo más que más de la mitad (56.6%) del total de solicitudes de reconocimiento de la condición de refugio recibidas por el Gobierno dominicano a partir del año 2000, hasta el mes de septiembre 2013. Igualmente CONARE ha conocido 10 recursos de revisión interpuestos por solicitantes de refugio a quienes se les ha negado dicha condición, de un total de 17 casos presentados hasta el momento, lo que representa un 58%.

Al año 2012, se conocieron 19 casos.

Asimismo, el Pleno del CONARE ha decidido que en los casos de rechazo de un Recurso de Revisión se solicite la cooperación del ACNUR y la OIM respecto de los solicitantes de refugio que califiquen para los programas de retorno voluntario o reasentamiento, con preferencia a que la Dirección General de Migración ejerza sus facultades de control migratorio.

⁷⁴ Ver Documento Adjunto de Datos estadísticos del Programa de Retornos Voluntarios dirigido por la Dirección General de Migración.

⁷⁵ Ver Documento Adjunto de Datos estadísticos del Programa de Retornos Voluntarios dirigido por la Dirección General de Migración.

⁷⁶ Del 20-25 de febrero 2012, se realizó una mesa de trabajo con los diferentes departamentos del Ministerio de Trabajo, con los Consultores Natalia Álvarez y José Joaquín Ocampo de la Organización de los Estados Americanos (OEA), con relación al estudio sobre la creación de la Unidad de Migración Laboral, y El 15 de marzo 2012, se emitió la **Resolución No.14/2012, que crea la Unidad de Migración Laboral**, la cual funciona bajo la dependencia de la Dirección General de Empleo. Esta unidad es creada con el objetivo de organizar, coordinar acciones y actividades que le permitan al Estado Dominicano formular una política adecuada hacia la relaciones con los trabajadores migrantes.

⁷⁷ Los días 2 y 3 del mes de febrero 2012, se realizó el “**Taller Sensibilización sobre el Manejo de las Migraciones Laborales Basado en los Derechos**”.

Otra actividad lo constituyó la presentación del Estudio a la Unidad de Migración Laboral, a través del proyecto “**Promoción de una Cultura de Cumplimiento de los Derechos Laborales de los Migrantes: Concientización, Desarrollo de Capacidades y Asistencia Técnica**”, por The Trust For Americas, Organización de los Estados Americanos.

Y los Talleres sobre Proyecto de Políticas de Migración Laboral Sensibles al Género, de la OIT para la capacitación de los Inspectores de Trabajo, sobre la Migración Laboral. Estos fueron impartidos los días 22 de junio en la ciudad de Santiago y 29 de junio en la ciudad de Santo Domingo.

Durante el periodo noviembre- diciembre de 2012, la Unidad de Migración Laboral organizó cuatro (4) talleres para Representantes Locales e Inspectores de Trabajo sobre “**Migración Laboral y la Trata de Personas**”, los cuales se enmarcan en el apoyo técnico y económico de la Organización Internacional para las Migraciones (OIM) al Ministerio de Trabajo de la República Dominicana a través de su proyecto “Mejorando la administración de la migración laboral en Centroamérica y

República Dominicana” financiado por el Ministerio de Trabajo de Canadá. Además, contribuirá a la consecución de los objetivos trazados en el Plan Nacional de Lucha contra la Trata de personas.

⁷⁸ Presidencia de la República Dominicana. “*Presidentes Medina y Martelly dialogan sobre comercio, medioambiente y migración*”. 26 de abril 2013. Ver: <http://www.presidencia.gob.do/comunicados/presidentes-medina-y-martelly-dialogan-sobre-comercio-medioambiente-y-migracion> y Ministerio de Relaciones Exteriores de la República Dominicana. “*RD obtiene apoyo de la OEA para documentación inmigrantes haitianos.*” 1 de mayo de 2013. Ver: http://www.mirex.gov.do/index.php?option=com_content&view=article&id=3982:rd-obtiene-apoyo-de-la-oea-para-documentacion-inmigrantes-haitianos&catid=51:mas-noticias. Organización de los Estados Americanos (OEA). “*La OEA apoyará proceso de registro de ciudadanos haitianos en República Dominicana*” 1 de mayo de 2013.

⁷⁹ Ver: documento de Respuesta del Estado Dominicano entregado al Consejo de Derechos Humanos en Marzo 2010, durante la adopción del informe EPU RD 2009, donde expresamos que: “En cuanto a la Convención el país la firmó el 10 de diciembre 2003 y la ratificó el 26 octubre 2006”.

⁸⁰ Ver: <http://digeig.gob.do/web/file/DecretoDIGEIG.pdf>.

⁸¹ Ver Artículos de Periódicos Adjuntos al informe.

⁸² Las medidas de prevención y persecución de delitos que llevará a cabo el Ministerio Público implican el enfrentar los casos de reincidencias, una eficiente formulación de cargos y fortalecimiento de la investigación, ejecutar una política de reeducación y reinserción social de los adultos y adolescentes infractores de la ley penal, asimismo fortalecer y ampliar el número de Centros de Resolución Alternativa de Conflictos para promover la solución pacífica de conflictos entre vecinos o de barrios para que no alcancen trascendencia penal.

Otras medidas serán la capacitación continua y especializada a fiscales e investigadores policiales, y se desarrollará una política especial en materia de delincuencia juvenil poniéndose especial atención a los niños, niñas y adolescentes en situación de riesgo con programas claros de prevención rescate e integración social.
