



**Shadow Report presented to the United Nations
Committee for the Elimination of Racial
Discrimination (CERD)**

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SHADOW REPORT PRESENTED TO THE UNITED NATIONS COMMITTEE ON THE IMPLEMENTATION OF THE CONVENTION FOR THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION (CERD)

Contents

Introduction

This report on the implementation of the Convention on the Elimination of All Forms of Racial Discrimination, CERD, ratified by the Dominican Republic (ad) on 25th May 1983¹, was elaborated by the National Members of the Latin America and the Caribbean Committee for the Defense of Women's Rights (CLADEM-Dominican Republic.). CLADEM was created on July 3rd, 1987 in San Jose, Costa Rica in order to articulate the efforts of feminist organizations and individuals in Latin America and the Caribbean. From a political and legal point of view, CLADEM aims to contribute to social transformation and radical democracy building, from the perspective of an intersectionality which recognizes cultural, ethnic, racial, sexual and social diversities for a full exercise and fulfillment of women human rights. CLADEM focuses in the defense, promotion and enforcement of women human rights in the region through a feminist and critical view of the Law through international litigation, monitoring the obligations of the States and strengthening the capacity of its members in relation to the analysis and the elaboration of legal and political arguments, negotiating agendas and designing strategies for local and regional political actions².

1. This paper will address the key elements of concern about the situation, in terms of expressions of racism and racial discrimination, in the Dominican Republic and the denial of the existence of a racist culture by the State.
2. The issue of racism and racial discrimination, that is being hidden, has been fueled by an exacerbated nationalism based on the historical confrontation between the two republics that make up the island of Santo Domingo. This situation has allowed the visualization of the issue of racism beyond the Dominican-Haitian migration conflict.
3. The absence of recent studies that can provide relevant data to know the profile or the situation of discrimination and violence against women from a perspective of gender, race and ethnicity, has hindered the process of advocacy and has made visible the particular marginality of Afro descendant women in the country.

¹ http://www.acnur.org/new_pages/tables/table3.htm

² <http://www.cladem.org/>, CLADEM is a feminist network that works to contribute to the fulfillment of the rights of women in Latin America and the Caribbean, using the law as a tool for change. CLADEM has UN Consultative Status Category II since 1995 and have been given recognition to participate in the activities of OAS since 2002.

4. Some research done on the issue of violence against migrant women relate to the existence of violence against certain black women, Haitian migrants, such as the 2011 report “*Women on the Road, Fanmnanfwontyé , Fanmtoupatouque*”³. One of the authors, researcher Allison J. Petrozziello, also stated that “in the Dominican newspapers there is a tendency to refer to the female Haitian immigrants only taking into consideration their reproductive role as “paridoras and pregnant”, thus projecting them as a burden to the Dominican State⁴ and creating a particular vulnerability to potential acts of discrimination and violence.
5. The structure of the report contextualizes synthetically the invisibility of the discrimination based on race and gender as it has been assumed in the Dominican Republic. The report also analyzes the articles of the Convention where we find relevant concerns and includes a list of suggestions and recommendations to the State.
6. It also highlights elements related to the interaction between racism and sexism as expressions of the discrimination experienced by women and girls given their status of being considered black or afro descendants.

The Dominican Population: Racial Composition

7. According to the IX National Population and Housing Census conducted in 2010⁵, the Dominican Republic has a population of 9,445,281; the consideration of belonging to a particular race or ethnic or racial identity was not included, so there is no official data on racial and ethnic composition in the country⁶.
8. The census questionnaire that was applied did not refer to the race of the persons enumerated in each household⁷. The existing data taken from approaches to ethnic studies conducted by concerned authorities and independent scholars, mention a hybrid population of 73% out of which 16% is white and 11% unmixed blacks. Such investigations lack of data by sex. The plans for education, culture, gender equality and equity do not explicitly address the problem of racial discrimination⁸.

³ Mirta Rodríguez Calderón, 2011, Dominican Republic: Studies reveal cruelty and violence towards Haitian female migrants, in <http://amecopress.net/spip.php?article8505>

⁴ Periódico/Newspaper El Nacional, 2012 “Experta dice medios de comunicación invisibilizan mujeres migrantes haitianas” in <http://www.elnacional.com.do/nacional/2012/11/20/141935/Experta-dice-medios-de-comunicacion-invisibilizan-mujeres-migrantes>

⁵ IX Censo Nacional De Población Y Vivienda, 2010, Informe General http://censo2010.one.gob.do/volumenes_censo_2010/vol1.pdf

⁶ Vistazo a la cultura, Ministerio de Cultura, 2012 http://www.godominicanrepublic.com/rd/index.php?option=com_content&view=article&id=1&Itemid=8&lang=es

⁷ Boleta del Censo Nacional, <http://censo2010.one.gob.do/boletacensal/PAG1.jpg>

⁸ Plan Estratégico Institucional Del Ministerio De Cultura De La República Dominicana 2010 / 2015 <http://cultura.gob.do/portals/0/docs/PLAN%20ESTRATEGICO2010-%202015.pdf>

MAIN CONCERNS

Article 1: RIGHT TO NON-DISCRIMINATION

Racism as a problem of the Dominican State: between invisibility and denial.

9. In the Dominican Republic, there is a deep-rooted racism⁹ manifested in the denial of blackness as part of the identity of the population, linking it to the nearby relationship with Haiti, a country with which we share the Island of Santo Domingo¹⁰ (rosario)¹¹.
10. This situation precludes the adoption of the necessary measures for its eradication; the main difficulty is the lack of recognition and the denial of this culture of discrimination by the government authorities and representatives. The UN Special Rapporteur on Racism, Gay Mc Dougal, who visited the Dominican Republic in 2007, was able to collect evidence of this.
11. Expressions of racism and exclusions based on ideas of white supremacy over a black one have been documented in the country through various studies, one of them presented in 2007¹² to the Commission of Human Rights "on the racial attitude existing in the Dominican Republic" done by the Jesuit Refugee Service. This document expressed as a matter of concern that it is not assumed that common behaviors and specific attitudes about beauty, social status and other expressions are manifestations of racism; the population and the State ignore them and attribute them to the occurrence of isolated and individual expressions¹³.
12. The 2010 Report on Human Rights practices elaborated by the U.S. Embassy in the Dominican Republic, argues that despite the existence of a constitutional framework that formally recognizes the right to equality, discrimination on grounds of race, color, sex, discrimination exists in practice, but the State continues to deny it¹⁴.

⁹ Periódico/Newspaper Hoy, 2012, "Mayoría de dominicanos practica la discriminación, según encuesta de Telesistema", in <http://www.hoy.com.do/el-pais/2012/9/17/446776/Mayoria-de-dominicanos-practica-la-discriminacion-segun-encuesta-de>

¹⁰ The decline of the Dominican nation; regarding the recognition of blackness and African contributions in Dominican culture, for Manuel Nunez they are synonymous with Haitianism or pro Haitianism that constitute a danger to the nation, which implies some hidden racism in the his formulations, racism which in turn is reproduced in the formula where "black equals Haiti".

¹¹ Ramiro Estrella, Periódico El Nuevo Diario, 2007, "Senado aprueba resolución que rechaza país promueva racismo", visto en <http://elnuevodiario.com.do/app/article.aspx?id=76658>

¹² Centro de Información de las Naciones Unidas/ UN Information Center, 2010, "Relator pide a República Dominicana que reconozca existencia de racismo", in <http://www.cinu.mx/noticias/dominicana/relator-pide-a-republica-domin/>

¹³ Naseff Perdomo Cordero, octubre 2006, "La Discriminación Racial En El Ordenamiento Jurídico Dominicano" in http://www.sjndom.org.do/spip/IMG/pdf/DISCRIMINACION_RACIAL_EN_ORDENAMIENTO_JURIDICO_DO MINICANO-PDF--2.pdf

¹⁴ Embajada de los Estados Unidos, 2010, "Informe de Derechos Humanos en la República Dominicana - 2010", visto en <http://spanish.santodomingo.usembassy.gov/hr2010-repdom-s.html>

13. The report submitted by the Dominican State CERD/d/Dom/13-14 about the incorporation into the national law of the spirit of Article 1 of the International Convention on Elimination of All Forms of Racial Discrimination (CERD), refers to its acceptance as evidence of the existence of laws that have incorporated it. However, in practice this recognition has no mechanisms for the fulfillment of rights or for prosecution in cases where citizens feel they are discriminated on the grounds of race.
14. While the laws in the Dominican Republic are not an instrument for the dissemination of a racist culture, it is clear that there is tolerance towards racist practices as there are no mechanisms to ensure the right to non-discrimination.
15. There is a de jure recognition of equality and non-discrimination defined in the Constitution and in the Law 24-97¹⁵ which defines and establishes penalties for discrimination, but the fundamental problem is the lack of an effective mechanism to protect against discriminatory actions such as the denial of services or work, an indifference which promotes impunity for acts of dissemination of a racist culture most notably against the Haitian migrants and Haitian descendants. That is the case of the denial of educational services that were refused to 30,000 Dominicans of Haitian parents, according to a decision of the Director of Migration¹⁶.
16. The main laws and the affirmative action measures designed to ensure the fulfillment of women human rights in the country are not sensitive to the realities of Dominican women and particularly they disregard the discrimination and the marginalization experienced by women of African descent due to the subtle and sometimes obvious racism in the labor market, education and judicial systems, done by public servants. Another example is the lack of recognition of this special marginality within the National Plan for Gender Equity (PLANEG).

Recommendations:

- The Dominican State must make significant efforts to eliminate racism and racial discrimination and recognize that the Dominican Republic is a multicultural country.
- To include, in the national census and health surveys, variables and questions in order to generate disaggregated data by racial or ethnic identity, national origin and gender on the socioeconomic status of the population to know the full extent of our social problems, particularly those of persons belonging to minority

¹⁵ The Dominican Law 24-97 on violence provides in Article 336. – It is considered discrimination any distinction made between individuals on the basis of origin, age, sex, family situation, health status of disabilities, habits, political opinions, union activities, occupation, belonging or not belonging to, real or assumed, any ethnic, racial or religious group.

. Article 336-1. - Discrimination defined in the preceding article committed on of an individual or corporation is punishable by two years' imprisonment and fifty thousand pesos fine, when it comprehendis:

1. - Refusal to supply a good or service.
2. – Create obstacles to the normal exercise of any economic activity.
3. - Refusal to hire, discipline or dismiss a person.
4. - Make the supply of a good or service subjected to a condition founded on one of 10 elements provided in the preceding article

¹⁶ The Government refuses to confer rights to the children of Haitian migrants/Gobierno se niega a conceder derechos a los hijos de inmigrantes haitianos- Online newspaper- Periódico en línea, repor in [Le Monde/Jean Michel Caroit/Versión al español Iván Pérez Carrión](#) in <http://www.acento.com.do/index.php/news/19962/56/Gobierno-se-niega-a-conceder-derechos-a-los-hijos-de-inmigrantes-haitianos.html>

groups. This information will help to develop appropriate policies and effective practices to fight the effects of discrimination.

- To suggest to the legislators, the adoption of a general law of equality including a specific mechanism to combat racism, racial discrimination and xenophobia and to promote and protect minority rights. The State should rigorously implement these laws and take firm measures to prevent discriminatory practices.
- To suggest to the legislators, the incorporation of specific measures like monetary penalties and/ or restriction of freedom in the Criminal Code to criminalize acts of racism and promotion of ideas and behaviors based on ethnicity, race sexual orientation and identity.
- To revisit the recommendations 9 and 10 of the Universal Periodic Review of Human Rights-EPU-done in the country in 2009 ¹⁷on the State's commitment to further study the roots of racism and the anti-Haitian culture that exists in the Dominican Republic.
- To promote the elaboration of research and studies to help to create a framework on afro-descendants, and the historical value of customs, habits and religion with African roots through the Ministry of Culture and Education.

Article 02: State responsibility to promulgate laws to combat discrimination

17. Article 39 of the 2010 Constitution of the Dominican Republic recognizes equality and prohibits discrimination based on sex, color. It's necessary to mention that in this definition the element of race does not appear; it was replaced by the term color that is only one of the defining characteristics of race¹⁸.
18. The main policies and strategies for human development in the country are not sensitive to the issue of racial discrimination and racism; the fact that the state planning instruments do not provide specific steps to abolish racism gives the impression that there are no manifestations of this problem in the society. There are no efforts for the prevention and the elimination of racist and discriminatory ideas, attitudes and actions; these issues are not considered a national problem.
19. Revised Instruments: the National Plan for Gender Equity -Plange, the Dominican education Strategic Plan, the Ten-Year Education Plan, Atali- the Report on the strategic development of the Dominican Republic and the National Development Strategy which later became the main framework of the current administration. In all of them it is only included the element of skin color, despite the Dominican Republic incorporated the CERD.

¹⁷ Informe del Grupo de Trabajo sobre el Examen Periódico Universal* República Dominicana, 2010, en <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G10/100/66/PDF/G1010066.pdf?OpenElement>

¹⁸ Article 39. - Right to equality. All people are born free and equal before the law, receive the same treatment and protection from institutions, authorities and others and enjoy the same rights, freedoms and opportunities without discrimination on grounds of gender, color, age, disability, nationality, family ties, language, religion, political or philosophical opinion, social or personal condition.

Recommendations

- The Dominican State must conduct urgent campaigns on racial and gender discrimination, combating the existing stereotypes.
- To develop a national plan to eradicate racial discrimination and assign a budget that can guarantee results. This plan must be mainstreamed from a gender and generational perspectives considering the specific manifestations of racial discrimination experienced by women.
- To establish a training and education plan for state officials including the Central Electoral Board, the National Army and border police-CESFRONT-, to educate and train government officials on the issue of racial discrimination, gender issues and respect about diversity.
- To recommend the Dominican State to include a racial and ethnic perspective of gender in all plans and programs aimed to develop the country such as the National Plan for Gender Equality (PLANEG) 01-12 Law Act approving the National Development Strategy 2010 -2030 and other important legal reforms currently underway to adapt the legal framework to the constitutional reform of 2010.
- The State should create a national mechanism to be responsible for the mainstreaming promotion and monitoring of all the state initiatives against racism, racial discrimination and gender, in coordination with civil society organizations.

Article 3: Right to freedom from segregation and APARTHEID.

Existence and tolerance of spaces that stimulate policies of segregation.

20. As a consequence of the failure of the State to ensure the provision of welfare services for the entire population without discrimination, various spaces have been generated under certain conditions of segregation. There are urban spaces, sub urban and in rural areas where the population is predominantly foreign and black African, where services are nonexistent or precarious and circulation is not always free of constraints. The population feels that these are places are set up for specific groups classified by color or ancestry and treated like criminals, like dirty people or able to transmit certain diseases.
21. This perception can be verified by reading the story of a Dominican author Manuel Matos Moquete, in a book entitled "Avalanche or little Haiti "I, which portrays all the prejudice about this place called *Petit Haiti*¹⁹. This place near the model market in the Dominican capital is a ghetto, like other places for the black population such

¹⁹ Ángela Peña, December 2006, "Media Naranja, Pequeño Haití", in <http://www.hoy.com.do/opiniones/2006/12/6/236272/print>

as Bateyes, Mandinga²⁰, San Luis, El Capotillo, Villa Mella, Guaricamos²¹. Denying the existence of these spaces is to deny a history of tolerated exclusion.

22. The fact that these spaces do not arise as a result of a policy or a decision of the State, does not exclude the responsibility for their existence, as spaces born as a consequence of the inability of the state to eliminate inequalities and discrimination. Most of these settlements or neighborhoods are constantly stigmatized and discriminated in practice, undermining the human rights of women and men, and this situation does not relieve the State of its obligation to ensure human rights, to combat racism through multiple strategies, its international responsibility is compromised by not taking the necessary measures to prevent the violations of recognized individual rights²².
23. A well-studied and well-known example is that of Bateyes, spaces created by the Dominican State for temporary workers involved in cutting sugar cane, called braceros²³. The bateyes emerged as a policy of the Dominican state and the main feature of the villages is that its inhabitants are predominantly Afro-Haitians and Dominicans of Haitian descent living in alarming poverty and exclusion^{24,25}.
24. On the other hand, it is important to consider that segregation is not only geographical, but an immigration bill was adopted to record the birth of children whose parents are undocumented, presumed to be foreign and pink certificates were given. "Pink" birth certificates oppose those holding white certificates and are able to show their identity documents or proof of residence in the country and are legal or regularized. This is a way to create a ghetto, grading citizenship types where some individuals have more rights than others. This decision was claimed by the Dominican State as an act of sovereignty but constitutes a practice of discrimination that effectively leaves unprotected thousands of children born in the Dominican territory.
25. A recent study claims that 1.584 people have been affected by the resolution No.12 of the Central Electoral Board^{26,27}. It denied the issuance of birth certificates, a

²⁰ Ángel García, September 2012, "Mandinga reclama más oportunidades"

<http://listindiario.com.do/ventana/2012/9/7/246440/Mandinga-reclama-mas-opportunidades>

²¹ José Alfaro Román, mentioned in his blog of the book *Dominicana Manual de Geografía Turística*, "ORIGEN DE LA POBLACION DOMINICANA" in <http://laespanoladominicana.blogspot.com/2008/05/origen-de-la-poblacion-dominicana.html>

²² Teresa Cañedo-Argüelles, Universidad de Alcalá "des-precio y re-valoración de la negritud Dominicana en el siglo xxi" visto en <http://www.americanistas.es/biblo/textos/c12/c12-092.pdf>. The African Presence in the Dominican Republic has two specific scenarios, the "black towns" and the "bateyes". The first are formed by the descendants of former slaves who arrived during the colonial period to Santo Domingo directly from Africa or from the French side of the island (Saint Domingue) and were recruited to work on the Spanish side. These people of African descent were embedded in the Dominican rural society with an active cultural and biological miscegenation.

²³ Bridget Wooding y Richard Moseley-Williams CHAPTER 4 "Trabajadores Cayeros y Bateyes, Inmigrantes haitianos y dominicanos de ascendencia haitiana en la República Dominicana", 2004, r in http://espacinsular.org/IMG/_Inmigrantes_haitianos.pdf

²⁴ Periódico Hoy, written by: Arismendy Calderón, Abril 2012, "Miseria y desaliento, Sobrevivir en los bateyes entre, tantas precariedades es una odisea", in <http://hoy.com.do/investigacion/2012/4/30/425504/Miseria-y-desalientoSobrevivir-en-los-bateyes-entre-tantas>

²⁵ Luijo, abril 2009, "La Vida en un Batey" in <http://ahiequeprende.com/2009/04/19/la-vida-en-un-batey/>

²⁶ Servicio Jesuita a Refugiados Migrantes –Bonó, October 2011, "Resumen preliminar de la investigación sobre personas afectadas por la Resolución 12/ para la campaña RECONOCI.DO" <http://www.reconoci.do/images/stories/documentos/resumen-preliminar.pdf> personas afectadas por resolución que niega la expedición de actas de nacimiento a personas y declaradas

document that is essential to access to services such as education, social security, get documents like the identity card and voter card, passport, thus generating a precarious citizenship status for people who are left living in a limbo without rights such as having a job, open a bank account, living on the margins.

26. It is undeniable that racist practices are exercised in everyday life. A person of African descent can be arrested on the street for appearing suspicious or as undocumented migrant or because of the color of their skin, as well as because of having hair-afro curl or “bad hair” as they refer to, in the Dominican culture, about afro hair. We can link this reality to the types of arrests that have been outlined in the chapter on “Mass arrests by the Police” (question 18)” Amnesty International report done in 2012 presented to the Human Rights Committee²⁸

Recommendations:

- To promote awareness campaigns for public servants to give due attention, free of prejudice and racial discrimination, to black people-of African descent, including the awareness by the community police and agents of the Drug Enforcement - DNCD-not to base their delinquency criteria just because a person is or looks black avoiding the increase in the number of arrests and arbitrary and illegal arrests.
- To link local authorities and municipalities through a perspective of integration and to create multicultural international community participatory policies for the renovation and improvement of the present living standards and looking for the development of sectors that have remained marginalized and have precarious services or no services at all.
- To promote public safety policies that are not based in the persecution and harassment of the residents of marginalized sectors.
- To promote research and activities to collect data about the historical value of cultural and artistic sectors and neighborhoods which are historically recognized as Afro settlements in country.
- That the birth certificates obtained by undocumented parents are not differentiated and do not imply any limitation in obtaining another document or public services, access to employment, education and power to obtain national and international scholarships.
- To study and improve the living conditions of the inhabitants of the villages.

²⁷ This resolution was suspended until an investigation before the IACHR is completed on the claim of 540 people in relation to the issuance of identity documents by the Central Electoral Board

²⁸ Amnistía Internacional, REPÚBLICA DOMINICANA: INFORMACIÓN PARA EL COMITÉ DE DERECHOS HUMANOS. in <http://www.amnesty.org/es/library/asset/AMR27/001/2012/es/bed2d2af-7073-4661-899a-95072c54bbb3/amr270012012es.html>

Article 4: To punish the incitement to racist and discriminatory actions

27. Despite the denial of the State's racism and racial discrimination in the country, the media and art industry promote beauty paradigms of denial of an Afro black identity which is associated with indecency, delinquency and ugliness.
28. Despite the denial of the state regarding the existence of racism and racial discrimination, stigma and prejudice against people based on their color, there have to be cases of impunity in various scenarios such as the media. An example of this is the experience of demonstration against the film "Ugly by Day and Pretty by Night" which based its story on a man who is black and ugly during the day and by night under a spell he manages to be nice and cute and thus succeeds in love and his social life improved, it was produced by Dominicans. For the premiere of the film many people, artists, intellectuals, historians lawyers, filmmakers and students protested the high and obviously racist connotation and insult to the meaning of being black or of African descent, and a boycott was organized calling not to go to the theaters to watch the film, delivering a manifesto calling the Dominican government and relevant agencies to fight against all expressions and manifestations of racism and racial discrimination in the media and the arts. There was no reaction from the State²⁹.
29. This reality has motivated the creation of blogs by Dominican men and women and of Dominican descent where they reinvigorate black beauty and afro hair. An example of these blogs are the following: www.gonaturalcaribe.com, www.missrisos.com created to fight the promotion of racial prejudices and messages that devalue everything connected to being black or Afro descendant.
30. The production of this film showed the enormous contradictions in the Dominican society and generated discussions on the subject of the boycott that was generated gave space to the expression of excuses about freedom to access to messages even when they are related to ideas that encourage behaviors such as racism.

Recommendations:

- Ensure that the mechanisms responsible for media management policies to avoid the promotion of ideologies and racial prejudices that devalue and promote hatred and rejection of the black population, including gender.
- Promote forums and research on the impact of films and performing arts on the Dominican identity and the promotion of racism and gender and racial discrimination.

²⁹ <http://www.acento.com.do/index.php/news/21167/56/Artistas-e-intelectuales-rechazan-Feo-de-dia-lindo-de-noche-por-racista.html>

Article 5: RIGHT TO EQUAL PROTECTION

Badly paid and segregated jobs.

31. Women in the Dominican Republic work in jobs related to their reproductive roles where gender subordination is considered vital, although there is a lack of data to affirm that denied opportunities regarding their careers are based on race. It is also not difficult to conclude that the women of African descent are located in the lower levels³⁰. A recent study on domestic services, conducted by the Council of Ministers of Central America-COMCA, showed that domestic service/housework is one of the fundamental sources of female employment and this activity is devoid of guarantees which are essential for the protection of rights as social security, maternity protection and licenses paid by the patrons³¹.

"In qualitative interviews it was found that the Ministry of Labour had no statistics available on the number of cases of housemaids who had accessed the system of labor protection and social security. They recognized that domestic workers seek guidance about their rights in dismissals and resignations, but didn't know which aspects of the laws were in their favour".

32. It could be also concluded from the study "AFRODESCENDENCIA, Contemporary approaches in Latin America and the Caribbean", conducted during the United Nations International Year of Afro-descendent in the Caribbean³² in 2011³³ that the segregation of women to stereotyped jobs has to do with the processes of colonialism: "The marks of colonialism is still seen in the employment of brown women in certain occupations in the workplace, as an expression of colonial heritage offers and the racial division of the labor market (Quijano, 2000: "The domestic service and colonial behavior of sexuality and pleasure").

33. In 2010, the employed population in the Dominican Republic was reaching three million eight hundred thousand people, out of which 35.6% were women. The Dominican Republic is highlighted among Latin American countries due to its low employment rate (47.1%), the indicator that measures the ratio of the working population and the working age population. The employment rate of women is really low, reaching a modest 33.3% in 2010.

³⁰ Ariza, Marina, obreras, sirvientas y prostitutas, globalización y mercados de trabajo en la República Dominicana in <http://redalyc.uaemex.mx/src/inicio/ArtPdfRed.jsp?iCve=59806405>

³¹ Isis Duarte, Ramón Vargas, Julia Hasbún ; ed. Consejo de Ministras de la Mujer de Centroamérica del Sistema de Integración Centroamericana (COMMCA/SICA), 2010, "Entre su casa y la mía: el Trabajo Domestico Remunerado, República Dominicana", visto in http://geneconomia.ciem.ucr.ac.cr/sites/default/files/trabajo_domestico_remunerado_republica_dominicana.pdf

³² Centro de Información de para México, Cuba y República Dominicana, Naciones Unidas, "AFRODESCENDENCIA, Aproximaciones contemporáneas de América Latina y el Caribe", 2011, in <http://www.cinu.mx/AFRODESCENDENCIA.pdf>

³³ In the Caribbean the Year of Afro descendants was celebrated in 2012, a year after being declared by the United Nations

34. The low labor rates of the Dominican population is more acute in the case of women. The female participation rate was only 42% in 2010, 26 percentage points below the male rate. For all 17 countries that the ILO's "Labor Panorama of Latin America 2010" analyzed, the Dominican Republic appears with a male participation rate of three percentage points below the regional ones and eight points lower in relation to the female labor force.

About the employment of migrant women

35. The IOM survey / FLACSO (2004) on Haitian immigrants, done at the request of the Dominican Foreign Ministry, found that 16.1% of migrant Haitian workers provide domestic services. The survey estimated that there is a percentage of 22.4% Haitian migrant women in the country located in the following regions: National District / Santo Domingo, Santiago and North³⁴.
36. The idea which persists is that housework is not a real job, so there is a value in relation to time-wages, considered as "women's work", exemplifying this situation by the fact that its figures don't even appear with the same range of rights as in the case of other workers (Chaney and Garcia Castro 1991: 3), therefore it is no coincidence that this undervalued work is assumed by those women living in conditions of discrimination and marginality to survive and support their families. Unfortunately this has not really changed, in a recent study prepared for the ILO in order to propose a methodology for the inclusion of women domestic workers in the social security system suggests that the labor force survey of the country does not include as formal work paid domestic work that is essentially a service provided by women, with low participation of men³⁵.

Ethnicity and racial political structure

37. The approval, for more than eleven years ago. of the Laws 12-2000 and 13-2000, the representation of women in the Chamber of Deputies only reaches 20.8%, while in the Senate is around 9.4%. Of 155 municipalities, only 12 are led by female mayors. While there are regulations that have set quotas for specific positions, they do not include affirmative actions to fight other restrictions that are in fact faced by women Afro descendants. The culture of racism that exists in the Dominican republic includes beauty stereotypes which are used by electoral campaigns, using the images of female candidates, big photos more than their platforms and proposals, dealing more with their faces, bodies and expressions.
38. Among other racist, classist and structural androcentric elements, the curly afro hair or the visibly black color of the female candidates have not prevailed; they have not articulated themselves as parliamentarians of African descent, and so the culture of recognition of the value of blackness, is underrepresented among those of African descent.

³⁴ Ministerio de Economía Planificación y Desarrollo, 2011, "Movimientos Migratorios Desde y Hacia La República Dominicana in http://www.stp.gov.do/eWeb%5CArchivos%5CLibros%5CMigraciones_tomo_I.pdf

³⁵ Duarte Isis, 2009 "La institucionalización sociocultural y jurídica de la desigualdad, el trabajo doméstico remunerado", COMCA, SICA. Alina Ramírez Jeffrey Lizardo 2012, El servicio domestico remunerado, metodología para la inclusión en el régimen de seguridad social

39. The campaigns of female candidates who want to be elected for office are somehow marked and based on the exploitation of the image of women; beauty and whitening is one of the strategies used to attract the attention of the voters, along with political patronage³⁶. In a way, showing the country's physical features as Afro is another barrier for women candidates with the persistence of a white beauty.
40. Among the obstacles that were identified by women participating in party politics, a study conducted by the UNDP in 2009 established that there were stereotypes to which they must respond³⁷, such as being married, being female, being heterosexual, be pretty from an Eurocentric concept of beauty, acting moderately, not prone to answer, among other characteristics.
41. The election law has not established mechanisms to make it possible to consider the representation of historically marginalized groups in the Dominican Republic. Racism was long used against the PRD candidate José Francisco Peña Gómez,, however, it was never proposed any legislation to sanction that conduct in the media, in any political propaganda and in any reference to the candidates.

Recommendations:

- To urge the Ministry of Women and Labour to create plans and policies that promote and guarantee employment to women with salaries according to their responsibilities, asserting domestic work and making visible the problem of double working periods in order to encourage men to assume reproductive, care and domestic work in the family.
- The National Bureau of Statistics, the Ministry of Labour and the Women Ministry to promote research on the relationship of women, race and access to employment.
- To create and incorporate affirmative action policies that benefit labor quotas and facilitate access to good jobs and wages for black women generally those with the triple discrimination of being foreign, rural and phenotypically African in the private sector and the State.
- Encourage studies and research on the Dominican population of African descent through the creation of a space or specialized office within the Ministry of Culture and Education to coordinate and perform such research and promote debate on the issue.

³⁶ See LAPOD 2010

³⁷ Carmen Gómez, January, 2008" informe de resultados república dominicana encuesta a actoras y actores políticos sobre factores que limitan o incentivan la participación de las mujeres en los partidos y puestos de poder político en república dominicana", in http://www.pnud.org.do/sites/pnud.onu.org.do/files/Encuesta_Factores_que_limitan_o_incentivan_la_participacion_de_las_mujeres_en_los_partidos_y_puestos_de_poder_politico_en_Republica_Dominicana.pdf

Article 7 Right to education without discrimination and free of racial prejudices.

42. The campaign for the fulfillment of the 4% of the PID to be assigned to education gave visibility to the expectations of the Dominican society regarding the budget and the need for education in the context of a campaign that has mobilized thousands of Dominicans requesting to assign 4% of the national budget to the Ministry of Education as approved in the general education law for more than 14 years and the design of education policies free of prejudices and discrimination.
43. Even though the campaign of 4% for education and its ability to mobilize thousands of Dominican made an impact on the Dominican government which in the last budget approved it, no strategies have been defined not only regarding its implementation but the commitment for schools based on equality and non-discrimination.
44. The school is one of the fundamental sources of transmission of racist ideas in the Dominican Republic. As is well known in the Dominican society is in classrooms and academic spaces where there exist racism and discrimination, where ideas and attitudes to deny African identity are reproduced and where students and teachers create dynamics and arguments to reject all what is of African descent and related to African aesthetics, including the ban to go to classrooms with Afro hairstyles in some schools and university classrooms³⁸³⁹.

Recommendations:

- To recommend to the State party to enhance its educational campaigns, understanding and tolerance among the various racial groups in the country, including the adoption of a code of ethics for the media, which compromises the media to respect the identity, culture and race of the people of African descent.
- To review the curricula and textbooks, particularly those related to history, to appropriately reflect the human, cultural and social aspects issues of multiculturalism and the contributions of different ethnic groups in the construction of a national identity of the Dominican Republic.
- To urge the Ministry of Education and Culture to make awareness and research looking at an anti-discriminatory education for all social groups, especially migrants, people of African origin , of non- heterosexual sexual orientation and identity.

³⁸Periódico/ Newspaper Hoy, 2010, Estudio: hay maestros violentos con alumnos, artículo de Carmen Matos in <http://www.hoy.com.do/el-pais/2010/4/29/323621/Estudio-hay-maestros-violentos-con-alumnos>

³⁹Periódico Digital Acento, 2011, Violencia convierte a las escuelas en centros de represión, según estudio”, in <http://www.acento.com.do/index.php/news/3648/56/Violencia-convierte-a-las-escuelas-en-centros-de-represion-segun-estudio.html>

**TRACKING THE FINAL OBSERVATIONS
OF THE COMMITTEE**

Follow up of Paragraph 10: A National Human Rights Institution

45. The Dominican government has not yet appointed a person in charge of the Office of the Ombudsman, in compliance with the Law 19-01 that creates the figure of the Ombudsman, promulgated in 2001. We see this as essential that the ombudsman can be included an expert (s) attached to the Ombudsman to look into the affairs of racial discrimination and racism in the country.