



## Alternative Report submitted by Organizations of Civil Society Dominican Republic

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ORGANIZATIONS
Comité de América Latina y el Caribe para la Defensa de los Derechos de las Mujeres (CLADEM-RD)
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Foro Feminista
Centro de Orientación e Investigación Integral (COIN)
Núcleo de Apoyo a la Mujer (NAM)
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## **Country Context:**

1. The Dominican Republic has had one of fastest growing economies in recent years in Latin America and Caribbean region. During forty years the Dominican economy managed to grow at relatively high rates in comparison to other countries in the hemisphere. In the period 1961 – 2007, the economy expanded at an average annual rate of 5.3%, while the whole of Latin America and Caribbean grew at an average of 3.8%<sup>1</sup>
2. Despite such grow, the effects have not contributed to improve the quality of life of the population in the same rhythm. According to different analysis, some of the causes are that the growth has not been continuous and systematic. In periods of economic growth, the reduction of poverty has been very low, more than periods of very high crisis.<sup>2</sup>
3. According to National Bureau of statistics, the incidence of poverty in the Dominican Republic (moderate) descendent from 49.4% in 2004 to 39.9% in the 2010-2011 period, although the CEPAL appoints for the same period 41.4%. 9% of the population would suffer destitution, compared with the 15.4% in 2004.<sup>3</sup> The CEPAL indicates that the urban population without own incomes represents to 29.1% of women and 14.4% men in 2010.
4. The interference of the Catholic Church in decision-making of autonomous bodies and powers of the State as the National Congress, as well as their impediment to sexual education is provided in public and private educational establishments constitutes an attack on democratic and social State laws emanating from the Constitution, and an obstacle to the free enjoyment of human rights as legal abortion for women and sexual education in schools.
5. The state institutionally is generally weak, marked by bureaucratic traits, handout patronage and centralists.<sup>4</sup>
6. The corruption and impunity are the main obstacles toward further development of the country. In the Global of Competitiveness Index it occupies number 142 in waste of public funds, 141 in public's officer favoritism and 141 in public funds misuse<sup>5</sup>.
7. In this context, the transversal public politics of gender have been not a priority for the Government, to which they have not allocated sufficient funds for implementation, either.
8. Given this outlook presented below is the report on the human rights situation of women in the country, prepared by various civil society organizations.

## **Article 1. Violence against Women**

9. Violence against women (VCM) constituted one of the principal manifestations of violation of human rights in the country. According to the Dominican Attorney General, since January 2005 to December 2012, 1,580 women have been victims of femicide<sup>6</sup>. In 2011 the number was 233 and the past 2012, 194.

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<sup>1</sup> Economy, Planning & Development Ministry. National Council for State Reforms. Basis of the proposal for National Development Strategy 2010-2030. Page 34.

<sup>2</sup> Idem. Page 38.

<sup>3</sup> Economy, Planning & Development Ministry. National Statistics Office. “*Metodología Oficial de la Pobreza Monetaria en la República Dominicana*” (Official Methodology of Monetary Poverty in Dominican Republic), 2012. On <http://www.one.gob.do/var/uploads/File/METODOLOGIA%20POBREZA-JULIO%202012/Metodologia%20Oficial%20de%20la%20Pobreza%20Monetaria%20RD.pdf>.

<sup>4</sup> MEPyD and National Council of State Reforms (2010). “*Un viaje de transformación hacia un país mejor*” (A travel to a better country). National Development Strategic Proposal 2010-2030 Santo Domingo. March; page 48.

<sup>5</sup> International Transparency. 2012 Corruption Perception Index.

[http://www.transparency.org/news/pressrelease/20121205\\_comunicado\\_de\\_prensa\\_indice\\_de\\_percepcion\\_de\\_la\\_corrupcion\\_2012](http://www.transparency.org/news/pressrelease/20121205_comunicado_de_prensa_indice_de_percepcion_de_la_corrupcion_2012)

<sup>6</sup> Statistic Department of the Dominican Attorney General. <http://mujer.gob.do/Estad%C3%ADsticas.aspx>

10. Such situation represents a development and democracy problem, as there are no adequate means to ensure the right to live of women, especially those living in poverty.

11. The Dominican General Attorney reports in 2011 a total of 72,199 complaints presented to the Units of Attention to Violence against Women in the country, of which 66,177 were on gender and domestic violence, and 6,022 relating to sexual offenses<sup>7</sup>. The cities with the largest numbers of complaints, according to the report are: Santiago (13.530), Santo Domingo Province (9.354), Puerto Plata (7.094), and last the National District (7.020).

12. Although paragraphs 86 and 87 of the list on critical issues submitted by the State points to progress with the opening and operation of certain services<sup>8</sup> that are implemented exclusively in the Capital City of Santo Domingo. The information shows a disproportion of resources, because three cities exceed the National District with the highest number of complaints about gender and domestic violence. Demonstrating an unbalanced centralization that does not take into account care needs. The lack of resources in the other cities is reflected in the over-exploitation of staff and therefore lower quality of care for victims.

13. On a different matter, the number of complaints does not resemble the number of cases decided in Courts. There is a dynamic in the prosecutors to summon and hear the parties, but the decision to send the cases to Court or decide upon measures of coercion involves legal bureaucratic steps that can lead to impunity<sup>9</sup>. The judicial system does not have the necessary structure to provide fast and efficient attention to the high number of complaints.

14. Between 1997 and 2012, in the Supreme Court of Justice were known 8 feminicides in cassation, of which three judgments were reversal, two accepted the drunk aggressor excuse according with the article 64 of the Criminal Code. As for sexual offenses, 64 reported judgments on rape<sup>10</sup>, (20 committed against women), 111 rapes (9 against girls and 43 against women), 36 of incest, 9 of sexual assaults, for a total of 220 judgments<sup>11</sup>.

15. As noted, the number is also little compared to the high number of complaints; a situation that could be explained by high legal costs involved in maintaining a legal charge for the victims and their families, especially when they live in provinces. Also evidence the slants of the justice system in approaching decisions from an argumentative approach of human rights with a gender perspective, to accept as an excuse for no criminal imputation the perpetrator's drunken condition.

16. On a different matter, Women Shelters, created as measures to prevent femicide and provide security in emergency situations where the victim does not have a place to stay, work with scarcity resources, resulting in the re-victimization of women by the attention system.

17. The data compilation constitutes another system's failure, although mayor advances are recognized, lack of uniformity and consistency rules the data systematization. Example of the

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<sup>7</sup> Report on Violence Against Women from the Attorneys General Office <http://estadisticas.pgr.gob.do/documentos/avvg/20110510-informe-violencia-genero-intrafamiliar-delitos-sexuales-ene-dic-2011.ash>

<sup>8</sup> Integral Attention Center for Children, Adolescents and Family. Attention Center to battered women. Gessel Chamber to evaluate victims & witness. Men Conduct Center.

<sup>9</sup> See Femicide Victims statements before her deaths. [https://www.youtube.com/watch?v=Pug\\_gLoxAh0https://www.youtube.com/watch?feature=player\\_embedded&v=rGbtDzArkYg#](https://www.youtube.com/watch?v=Pug_gLoxAh0https://www.youtube.com/watch?feature=player_embedded&v=rGbtDzArkYg#)

<sup>10</sup> According to the former denomination of sexual violence before Law 24-97 came into effect.

<sup>11</sup> Moscoso Segarra, Alejandro (2012). "15 años de jurisprudencia sobre violencia hacia la mujer 1997-2012" ( 15 Years of Jurisprudence about violence against women 1997-2012). Editora Corripio. September, pages 276 and 283.

above is the categorization that performs the Attorney General's Office to feminicides, dividing the register on one hand in women murders and femicide, and on the other in feminicides. A vague division, that makes invisible female deaths outside of situations of violence against women and those femicides related for different reasons to the primary victim<sup>12</sup>, criteria that were agreed by the records systems of Central America and of the Caribbean<sup>13</sup>. According to research, we occupy the fourth place in the femicide rate in this region, so that their suitability is of utmost importance.

18. On another order, according to a study by UNFPA and ONU-SIDA-RD, women victims of violence are twice as likely to become infected with HIV. The lack of balanced power relations with men hinders negotiation of condom use, which is a factor that puts these women at increased risk of infection<sup>14</sup>

19. According to the study, there is a higher proportion of women with VIH in rural zones, compared with urban zones (2.1% vs. 1.0%), HIV-positive women with lower education levels have tendency to experience more violence (2.1% vs. 1.0% of educative level of 9 or more years); there is a higher proportion of women HIV-positive who have experienced violence in lower levels of poverty.<sup>15</sup>

20. The State's report focuses on giving a list of actions based in agreement signing, staff training, writing of protocols, data collecting, campaigns with few resources and other. However, do not show an integral statewide approach for the implementation of equality public policies that contemplate elimination or reduction of violence against girls and women. The State System has focused in supplying services but not in coordinated actions either aimed at the preventing or connected with other State branches such as Ministries of Education, Public Health or Culture, as well as the media. It is necessary to demonstrate political will reflected in the cohesion of the interventions.

21. As for legislative reforms, in the latest report of the Justice Commission of the House of Representatives which study the Criminal Code Modification, the criminalization of abortion remains in all circumstances, only sanctions intimate feminicides, domestic violence is typified from a "Conduct Pattern"<sup>16</sup>; the protection orders are only provided in the context of family or intimate relationships, the aggravating sexual violence is conditional to the victim's vulnerability by old age, illness, disability, physical or mental disability or pregnancy is apparent or known by the author; incest to an adult person can be punished with just four years<sup>17</sup>, sexual harassment is conditioned on the quality of authority, does not foresee the case where the victim and the harassing person have the same hierarchical level; only foresees discrimination on a gender condition, but not sexual, gender identity or sexual orientation discrimination.

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<sup>12</sup> Invienda tragedy-<http://www.listin.com.do/la-republica/2012/12/31/260525/La-tragedia-de-Invienda-enlutece-el-final-del-2012>

<sup>13</sup> Pola, Susi, - Femicide in the Dominican Republic (*Femicidio en la República Dominicana 2000-2006*). COMMCA, AECI, CEFEMINA, SICA. Page. 24

<http://www.observatoriojusticiaygenero.gob.do/documentos/libros/FemicidioRepDom.pdf>

<sup>14</sup> ONU/SIDA and UNFPA "*Nuevas evidencias del vínculo entre violencia contra la mujer y VIH*" (New Evidences on link between violence against women and HIV). Dominican Republic. Page 28.

<sup>15</sup> Idem

<sup>16</sup> Is provided by 24-97 applicable Law. Civil Society Organizations have called for the elimination of this condition

<sup>17</sup> With scale of 4 to 10 years in Imprisonment.

22. Also, at the Congress there is a draft of an “Organic Law for Prevention, Treatment, Punishment and Eradication of Violence against Women” which seeks a comprehensive attention to victims and preventive policies definition. This proposal was made under an inter-sectoral consensus of a wide group of public and private sectors, however part of the agreements were violated when the proposal was introduced without the sanction to obstetric violence and recognition of reproductive rights.

### **Recommendations**

23. Decentralizing the resource’s allocation in the Capital City and distribute it more equitably nationwide, taking into consideration those cities that register the most numbers of complaints about gender and domestic violence.

24. Dispense more funds to implement programs for prevention and attention of violence against women and girls.

25. Urgently, initiate the operation of Women Shelters nationwide; allocating more resources so it will not re-victimize women, and their children.

26. Designated special chambers in the justice administration to take care of in exclusive, fast, opportune and efficient way the violence against women and girls complaints.

27. Unify the systematization criteria of violence against women information and femicide in accordance with regional agreements and criteria that illustrate the different forms of the phenomenon. Through specialized instances keep evidence of case numbers, absolute judgments, condemnatory or those that showing qualification variation of violence against women are taken care of in the different Courts, according to its grade and jurisdiction.

28. Dedicate a greater approach to the violence against women and girls phenomenon in the National Judicial School and National School of Public Ministry’s curriculums.

29. Define prevention public policies including equality education at all levels of the education system, in public and private sectors.

30. Approve the proposal law on violence against women, recognizing women’s reproductive freedom as a human right and sanctions to obstetric violence.

### **Article 2: Political Measures to Eliminate Discrimination.** **Gender Mechanism**

31. The country has the privilege of being among those of Latin America that have a gender mechanism with autonomous ministerial rank. However, the transversal public policies which it’s called to execute according to the law, have not achieved the desired impact.

32. The gender transversal public policies towards egalitarian social transformations are not a State priority. The few resources allocated to implement them in different areas and levels, as well as the assigned to the Ministry of Women, express the government disdain<sup>18</sup>.

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<sup>18</sup> In the 2013 Budget, is third with less income, follow by the Ministry of Youth and Public Administration. [http://www.creditopublico.gov.do/marco\\_legal/2013/LEY%20NO%20%20311-12%20PRESUPUESTO%202013.pdf](http://www.creditopublico.gov.do/marco_legal/2013/LEY%20NO%20%20311-12%20PRESUPUESTO%202013.pdf) Page 6 In previous years it has remained within the same range.

33. In the midst of these difficulty, the national gender mechanism is facing the threat of being eliminated to be merged with the Ministry of Youth and created the Ministry of Development and Family<sup>19</sup>, which would go against the provisions of the Beijing Platform for Action (1995) an its reviews (2000, 2005 and 2010), that encourage an efficient operation and strengthen the institutionalization and funding processes for the mechanism for the advancement of women

### **Recommendations**

34. Allocate greater funds progressively for the implementation of transversal gender policies in all levels and state areas.

35. Keep the gender mechanism with ministerial status with appropriate funds for its operation.

### **Article 5. Modification of Socio-Cultural Patterns**

36. Different investigations about the population's perceptions on gender relations demonstrate that there have been significant changes in the country that indicate a higher value to respectful and equal relationships.

37. 2010 Latin- barometer reveals that 76.7% of men and 87.9% of women agree on women working when the man's income is not enough<sup>20</sup>. The same survey<sup>21</sup> indicated that 95.1% of men and 97.9% of women agree that under no circumstances should the man beat his wife. The data shows changes in social attitudes and other ethics senses of violence against women. When compared with ENDESA 2007<sup>22</sup> in which the same questions were formulated, differences in the results are broad.

38. Despite perceptions, the Dominican society preserves within its distinctive cultural practices, customs that discriminate against women, promoted from different social instances, within these the state institutions<sup>23</sup>, which impose rules that directly affect women. The Media reinforces discriminatory messages promoting female sexual objectification and a supposed virile male superiority through images and radio messages<sup>24</sup>. Although the Constitution guarantees freedom of speech, the State has not taken sufficient measures to prevent actions that violated the Non-discrimination right. Data and analyses in this report as well as the higher quantity of violence against women and feminicides thus reveal.

### **Recommendations**

39. Reinforce in an effective way the transversal public policies in areas such as education, employment, health and media, so they can be monitored and measure.

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<sup>19</sup> El Caribe Newspaper, May 26, 2012. <http://www.elcaribe.com.do/2012/05/26/german-dice-seria-retocesio-uitar-ministerio-mujer>

<sup>20</sup> Espinal, Rosario and Morgan Jana (2012) "*Cultura Política de la Democracia en República Dominicana y las Américas: Hacia la Igualdad de Oportunidades*" (Culture policy of democracy in Dominican Republic and the Americas: towards equal opportunities). USAID. Temple University, University of Tennessee and Vanderbilt University. Page 236. Complete Report Available: <http://www.vanderbilt.edu/lapop/dr/DomRepublic-2012-Report.pdf>

<sup>21</sup> Democracy's Political Culture in Dominican Republic. Opt. Cit.

<sup>22</sup> Idem.

<sup>23</sup> Listin Diario Newspaper, February 4, 2009. <http://listindiario.com.do/la-republica/2009/2/4/89976/Secretaria-de-Educacion-limita-la-ropa-que-puede-usar-su-personal>

<sup>24</sup> Pills Propaganda "La Pela". [http://www.youtube.com/watch?v=-Vv-EDTnM\\_g](http://www.youtube.com/watch?v=-Vv-EDTnM_g)

## **Article 6. Traffic and Sexual Exploitation**

40. The Dominican Republic is a country of origin, transit and destination for human trafficking and smuggling which give it a tri-dimensional character<sup>25</sup>. The irregular migration and trafficking are closely linked to female migration.

41. The country is among the ten with the largest number of women overseas, ranking fourth after Thailand, Philippines and Brazil. *“Women’s trafficking for sexual exploitation is one of the most common problems of Human Rights Violation in Dominican Republic”*<sup>26</sup>, according to an investigation sponsored by the International Organization for Migration (OIM)<sup>27</sup>. This problem’s magnitude is not visible, due to lack of reliable data and statistics, however, trafficking and smuggling women, adolescents, girls and young people with sexual exploitation purposes and other forms of exploitation under semi-slavery conditions, are being recognized among the crimes that are worldwide growing faster, as well as the most serious human right’ violations.<sup>28</sup>

42. Dominicans see destination places like European and Caribbean countries<sup>29</sup>, data have been found of presence of Dominicans in: Curacao, Aruba, San Martin, French Guyana, Surinam, Trinidad, Guadalupe, Martinique, Antigua and Dominica<sup>30</sup>. In the two latter islands, a large number of young Dominicans was found which came through trafficking networks with employment offers and then were sold to exploitation sexual businesses, and others came through irregular migration with hope to use these countries as a transit to reach Europe.

43. In Surinam many women who are engaging in sexual work have been previously trafficked *“they went to Surinam with the offer to come to Holland and Spain and then they were abandoned to their own fate or sold to sexual businesses in this country”*<sup>31</sup>.

44. Italy is the country where the largest numbers of illegal Dominicans are registered, victims of traffic and smuggling. In Switzerland, the Netherlands, Belgium and Austria there was an increase of Dominican immigration with promises of marriage and better quality of life through networks of traffickers, many of them are currently sex workers<sup>32</sup>.

45. In the country *“there are few agreements between govern officers and civil society to the extent that human’s trafficking is a problem in Dominican Republic due to both data sources are*

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<sup>25</sup> Dominican Republic is a country of origin and transit to the United States and Europe; also it is a destination and transit country for people of Haiti, Cuba, Venezuela, Colombia and Ecuador. According to investigation reports of the OIM, COIN, GAATW and The United States’ Report about Traffic and Smuggling’s Persons.

<sup>26</sup> Alter press (2003). Dominican Republic: “Detach the sexual exploitation’s Magnitude” See: <http://www.alterpresse.org/spip.php?article479>

<sup>27</sup> International Organization for Migrations, South Cone Regional Office (2003). “Dominican Women Migration, Prostitution and Traffic in Argentine”. Buenos Aires City.

<sup>28</sup> Insular Space (2012). “Demanding State Intervention. The OIM complaint increased Children trafficking and labor exploitation including Haiti and Dominican Republic”. Seen in: <http://espacinsular.org/spip.php?article14383> and OIM declarations in 2002.

<sup>29</sup> Fulfilling an important intra-regional migration mainly to Puerto Rico, formed in 2000 56.1% of immigrating in that island. Idem.

<sup>30</sup> Idem.

<sup>31</sup> Tri-partite Investigation about Women’s Traffic and Smuggling. Brazil, Dominican Republic and Surinam “a network intervention”. May, 2008.

<sup>32</sup> Analysis Exploratory Study taken on: “Sexual Work, Persons Traffic and HIV/AIDS”. “Qualitative Study about of the migrant women’s situation in Caribbean Countries”. Realized by the COIN, April, 2008 and the Tri-partite Investigation about Women’s Traffic and Smuggling. Brazil, Dominican Republic and Surinam, a network intervention, May, 2008.

*incomplete and differences in the application of definitions*”<sup>33</sup>, and that victims are reluctant to file complaints against their traffickers and smugglers and are limit themselves to get the assistance of some NGO’s which creates lack of knowledge on the states agencies.

46. The OIM’s report on Haiti elaborated in 2011, estimated a flow of 600 women per year that go to Haiti for sexual work, they come and go for fourth months periods and an estimated of 40-60 of these women could be in trafficking situation<sup>34</sup>.

47. In relation to children’s traffic and smuggling, the civil society organizations (CSO) both Dominicans and Haitians expressed great concern, especially after Haiti’s earthquake in 2010, as confirmed cases of children as “*restavéks*” (child domestic service), walking vendors and beggars for agricultural labors and sexual exploitation<sup>35</sup>.

48. The destination countries for Dominican women trafficking, such as Argentine, are basing its prevention strategies on increasing the restrictions to the regular migration of poor sectors, creating visa requirements. There is a risk that this action will facilitate the emergence of more brokers or recruiters who will benefit from this situation to defraud, and expose people who want to travel to this country to traffickers and smugglers networks and create new more dangerous routes to reach this destination. There are several cases noted and reviewed in the media of scams to travel to Europe, South America and North America<sup>36</sup>.

49. On another order, regarding the victim services, the country has limited programs that work with extreme shortage of humans and materials resources. There are no programs to protect victims and witnesses of the smuggling and trafficking crime. The State still has no policies or specialized services to identify and treat victims in the destination main countries, and in some cases there is no representation or consular protection, and where it exists the consuls are not familiar with the phenomenon’s magnitude and dynamics.

50. There is a shortage of official data on the number of victims. At the moment we can only verify the existence of cases seen by the Reception Center for Victims of Trafficking, which the non-governmental organization *Centro de Orientación y Investigación Integral (COIN)* - with support from the Ministry of the Women- from 2003 to 2013 has been able to attend. There are 320 cases of trafficking reported of which 117 were women trafficked for sexual exploitation<sup>37</sup>. But these data represents just a sample of the existing problem, so the processes of registration, collection of cases and the reference centers and adequate services has to be improved.

51. The State took a big step ensuring the rights of victims with the approval of the law 137-03 on the smuggling of migrants and trafficking of people. This legislation recognizes trafficking as criminal activity, gives it high penalties and it has a mandate for policies of assistance to victims.

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<sup>33</sup> United States Agency for International Development (USAID) (2011). Evaluation work’s Report against the Smuggling Persons in the Dominican Republic. Redaction Chemonics International, Inc. Dominican Republic, February.

<sup>34</sup> Spraos, Helen. “Castles in the Sky: Trafficking of Dominican women to Haiti for sexual exploitation”. Investigation Report International Organization for Haiti’s Migrations. December, 2011. Page 11

<sup>35</sup> United States Agency for International Development (USAID) (2011). Evaluation work’s Report against the Smuggling Persons in the Dominican Republic. Redaction Chemonics International, Inc. Dominican Republic, February.

<sup>36</sup> Hoy newspaper, September 13, 2012. Article Title: Men swindled woman with 300 thousand pesos on promise to get visa for Italy. Seen in: <http://www.hoy.com.do/el-pais/2012/9/13/446193/Hombre-estafo-a-mujer-con-300-mil-pesos-bajo-falsa-promesa-de-conseguirle>

<sup>37</sup> This Center provides medical, psychological, legal services and partner labor. It offers services of access to training courses, funds seeds for micro-enterprises and reduces the economic impact caused by trafficking. Despite the limitations in funds, these services have been accompanied with home visits in each case and tracking through the help and guidance of COIN.

The figure of the Deputy Prosecutor Attorney for issues of trafficking of women and complex crimes was also created. But despite this, there are very few cases with convictions<sup>38</sup>.

52. A preliminary report for the IOM where they interviewed prosecutors between 2009 and 2010, revealed that 69 cases of trafficking and smuggling were registered in this period, of which 7 were cases of trafficking, 5 of these victims were for sexual exploitation and 2 for begging, the rest dealt with trafficking of people, with 62 cases in total<sup>39</sup>. The report also reveals that only few judicial districts<sup>40</sup> reported final judgments on these crimes, obtaining only 9 convictions and 3 acquittals. In the case of trafficking only 2 final and in the case of human smuggling only 10 judgments have been given.

53. The same study reveals that the judicial authorities are unaware of the 137-03 law criminalizing human trafficking and smuggling of people, also they do not know what services exist to assist the victims.

## **Recommendations**

54. Strengthen the Inter-Agency Committee for Protection of Migrant Women, as a mechanism to give answers to the problem of trafficking of women, assigning the necessary economic and technical resources, as well as strengthening and recognizing the value of partnerships and alliances with civil society organizations.

55. Implement actions of prevention, identification, care and information on trafficking of women from a human rights perspective of the victims and migrant women; and for the available services to include the promotion of a telephone number to complaint in safe way.

56. Implement processes of training on trafficking of women, the Palermo Protocol and the legal instruments available in the country aimed at judges and prosecutors.

57. Support and strengthen programs of assistance and reintegration services for victims who go to the CSOs as strategies to strengthen protection policies and articulating with these organizations.

58. Update and renew the National Plan of Action against Human Trafficking, make it a priority allocating an appropriate budget to the actions of each strategic part, protection of victims and witnesses, especially linking them to public services, existing security and social assistance programs.

59. Modify law 137-03 against the smuggling of migrants and trafficking of people<sup>41</sup> to oversee and characterize the situation of internal and international trafficking, in addition to

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<sup>38</sup> Despite the existence of cases as the one in Palmas that was recently reported in the media in which a group of more than 100 Haitians among these adolescents and pregnant women were trafficked for agricultural work and that carried out an action of protest to complain that they were brought / trafficked and were demanding payment for their labor. Program news Nuria en el Nueve, January 2013, *‘El detrás del empresario responsable de los haitianos que protestan frente al Ministerio de Trabajo’* (The behind the employer responsible for the Haitians protesting against the Ministry of Labor) Seen on: [http://www.youtube.com/watch?v=7m44\\_hY7vA4&feature=youtu.be&a](http://www.youtube.com/watch?v=7m44_hY7vA4&feature=youtu.be&a)

<sup>39</sup> Jaques Moisés, *‘Resultados entrevistas a Fiscales, Jueces, Defensores Públicos y Abogados sobre la persecución de los delitos de la Ley 137-03’* (results of interviews to prosecutors, judges, public defenders and lawyers on the prosecution of offences of law 137-03), descriptive report, 07/06/2011.

<sup>40</sup> The judicial districts of Valverde, Dajabón, Elías Piña, Distrito Nacional and Santo Domingo.

<sup>41</sup> This regulation must include a section that governs the form of allocation of funds from fines and confiscated goods. In addition to the institutions already envisaged in the law and a percent of these funds should be allocated to the State institutions responsible for the persecution (Department of trafficking and trafficking in human beings of the national police, M2, CESFRONT).

develop regulations for the correct application of the law to contain provisions and recommendations of policies and programs with an approach of the human rights of the victims and migrants.

60. Strengthen the services offered by Dominican consulates and embassies abroad to provide quality care to victims of trafficking for sexual exploitation.

61. Come to agreement with destination countries around the fight against trafficking of people to not restrict the right to migrate of Dominicans, therefore we respectfully request the suspension of the new provision to apply for a visa for countries like Argentina and Chile, this as a measure of prevention that is not really effective to prevent crime.

62. Get statistical data that would enable measurement of the trafficking problem to deal promptly and effectively with it.

## **Article 7. Right to Political Participation**

63. At the level of political representation in the National Congress of a total of 183 deputies, 38 are women (20.8%); in the Senate, of a total of 32 representatives, 3 are women (9.4%)<sup>42</sup>. As for positions in the Government Cabinet, only 4 of 21 ministries are headed by women<sup>43</sup>.

64. Regarding positions at the local level, the Dominican Republic is no exception to the deficit in representation. In the 2010 elections 12 women were elected as mayors, representing 7.7%<sup>44</sup> of the total number, 2 points above the current world average<sup>45</sup> and 4 fewer than the previous period. As in the elections of 2006, the number was 17 women (11.3%), which placed the country in a privileged position in the region of Latin America and the Caribbean. But as the region, the number was not maintained; the percentage can be up or down, but with greater tendency to the latter.

65. The objective pursued with the 13-2000 law establishing the alternation between men and women candidates to mayors and Vice-mayors with the purpose of promoting greater participation of women in positions of political representation, has not been entirely successful, as the vice-mayors, women have been relegated to positions that separate them from the scenarios of political decision-making in the city councils, constituting these acts political violence against them.

66. The women municipal councils, on the contrary for the period 2010-2016 were able to reach the minimum of 33 demanded in law 12-2000, an interesting period to analyze the dynamics of exercise of the position since the minimum majority of the quotas for women.

67. The difficulties faced by women politicians exercising their right to participation and political representation are multiple, among them are the lack of institutionalism and

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<sup>42</sup> Aquino, José Ángel, “Cuota femenina y representación política en República Dominicana: Elecciones 2010” (quotas for women and political representation in Dominican Republic: election 2010) <http://www.jce.gob.do/Portals/0/miembros/JAAR/PonenciaMagAquinoCongresoLatinoamericanoCienciasPoliticas2010.pdf>

<sup>43</sup> The ministries of education, women, work and higher education, science and technology.

<sup>44</sup> Aquino, José Ángel, “Cuota femenina y representación política en República Dominicana: Elecciones 2010” (Quotas for women and political representation in Dominican Republic: Election 2010)

<http://www.jce.gob.do/Portals/0/miembros/JAAR/PonenciaMagAquinoCongresoLatinoamericanoCienciasPoliticas2010.pdf>

<sup>45</sup> From 5% according to data provided by UN Women at the First International Conference of Mayors and Local Elected, in Paris, January 2013.

transparency of their own parties<sup>46</sup>, as well as the absence of internal sanction mechanisms<sup>47</sup>, and diffuse regulation of fees which, among its weaknesses, has not contemplated mandate of position for the placement of candidates on the ballot.

## **Recommendations**

68. Establish and regulate gender parity at political level, especially for candidates to Congress and municipal officials, as well as the composition of ministerial government through the Law of Political Parties.

69. Provide by law mandatory training on gender and human rights at internal level of political parties, establishing sanctions for non-compliance and restrict the release of State funds if it does not meet the training.

## **Article 10. Right to Education**

70. The country has made progress in the integration of women to education at all levels, so that the rate of women who end up 8th grade exceeds 20% the rate of men and the enrollment of women in the middle level is 22% higher than the men's<sup>48</sup>. In 2009, from 372,433 students in higher education 64% were women and 36% men reducing 2% male enrollment and increasing the female in the same proportion from the year 2005 to 2009<sup>49</sup>. This is important for women with the understanding that education is one of the components of their empowerment and possibilities of expanding their opportunities and freedoms.

71. However, the Dominican education system breeds prejudices and stereotypes which affect not only the construction of relations of equality between boys and girls, but even affect school performance and even more the vocational guidance. This is verified when women make up the vast majority of university enrolment in disciplines such as: Humanities, education, health sciences, administration, economy, business and social sciences, reaching a share of more than two-thirds of the students enrolled.

72. However, the leading careers, where employment is increasing and there are better wage opportunities, such as electronic engineering, computer science, technical computing and communication technologies (networks and connectivity) are still very masculine, representing the women less than the 43%<sup>50</sup>, which reaffirms the need to promote in higher education public policies with a gender perspective which contribute to overcoming the obstacles, barriers and stereotypes that determine that Dominican girls opt not massively for this type of career.

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<sup>46</sup> Duarte, Isis and Hasbun, Julia (2009). *“Mujer y política en República Dominicana, consensos y disensos entre las líderes y la ciudadanía”* (Women and politics in Dominican Republic, consensus and dissent between the leaders and citizens). Secretary of State for women (current Ministry). Santo Domingo, October.

<sup>47</sup> We must recognize that in the 2010 elections, it has been the only time in which political parties went through a rigorous compliance of the minimum 33% through a computer system that did not enrolled the proposals that did not comply with the law.

<sup>48</sup> Ministry of Education (MINERD), *“Objetivos de Desarrollo del Milenio”* (Millennium Development Goals) in 2010 Monitoring Report. Dominican Republic.

<sup>49</sup> Arango Echeverri, Amparo (2011). *“¿Otro techo de cristal? La brecha digital de género en la República Dominicana”* (Another glass ceiling? The digital gender gap in the Dominican Republic). Research Center for Female Action (CIPAF)

<sup>50</sup> Idem.

73. In the case of sex education, the code for the System of Protection of the Rights of Children and Adolescents (Law 136-03) establishes the right to information in health, including sexual health and reproductive health, as well as the responsibility for the educational authorities to coordinate and implement programs on preventive health, both sexual and reproductive, formulated by the Dominican system of Social Security and the relevant Secretaries of State.

74. The General Law of Education (Law 66-97), however, does not regulate anything regarding to education about sexual and reproductive health in the education system. The early beginning of sexual relations and active sex life, it is forced to be a priority issue in the education of adolescents and young people. At national level, seven of every ten men from 18 to 24 years and 51% of women in this group started their sex life before reaching age 18.<sup>51</sup>

75. This early onset of sexual life occurs associated with a high rate of pregnancy in adolescence. At the national level, 20.6% teen girls have been pregnant once<sup>52</sup> to being the vast majority of these unwanted pregnancies and with consequential effects on dropping out of school. In addition, pregnancy at an early age creates limitations in the adolescent for timely insertion in the labor market, promoting a reproduction of the cycle of poverty in which they live<sup>53</sup>.

## **Recommendations**

76. Implement specific measures in basic and secondary education to incorporate a gender perspective that promotes sexism overcoming in the Dominican education system and the promotion of concepts, values and principles that combat gender stereotypes.

77. Continue expanding the sexually equal coverage in the basic, initial and high school levels, both rural and urban, with a view to reduce the rates of school non-attendance, working at the same time the priority causes of truancy both women and men.

78. Promote policies of vocational guidance and acquisition of digital skills among women and girls, in order to increase their participation in scientific work, engineering and information and communication technologies careers.

79. Provide sex education with focus on gender and human rights at all levels of the school system, public and private.

80. Implement programs on non- sexist or discriminatory education from a human rights approach at university levels, degrees and graduate studies.

## **Article 11. Right to Employment**

81. Dominican labor market is characterized by a persistent gender inequality, reflected in wage inequality, in access to employment as well as in the absence of measures that ensure the conciliation between work and family life.

82. During the last decade the labor market has been characterized by a persistent high extended<sup>54</sup> female unemployment<sup>55</sup>, being in 2011 the rate of unemployment of women 21.5%,

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<sup>51</sup> Center for Social and Demographic Studies (CESDEM). “Encuesta Demográfica y de salud (ENDESA 2007)” (Demographic and Health Survey (ENDESA 2007). May 2007.

<sup>52</sup> ENDESA 2007.

<sup>53</sup> Pérez Then, Eddy, “Embarazo y factores de riesgo en mujeres adolescentes residiendo en la República Dominicana” (Pregnancy and risk factors in female adolescents residing in the Dominican Republic); 2010

<sup>54</sup> Extended unemployment includes open unoccupied persons (proportion of Economically Active Population - EAP that did errands to get a job in the past 4 weeks prior to the survey) and unemployed persons who although not looked for work in the reference period, they would accept and will be available to work in case of a job offer.

more than double of the male (which was 10.1%), with a significant gap of 11.4 percentage points<sup>56</sup>. Extended unemployment is very high among female heads of family (14.51%), female heads of single households (15.26%), single mothers (16.47%) and women not heads of family (23.36%)<sup>57</sup>; which is very worrying, considering that, according to the IX Census of Population and Housing 2010<sup>58</sup>, 37.5% of the female population is head of household, and that 65% of households reported as poor<sup>59</sup> have a female chief.

83. The female active economic participation (EAP) is persistently lower than the male EAP in all ranges of age, reaching the gap higher from 44 to 65 years<sup>60</sup>. According to the educational level, the unfavorable gender gap to women is 11.0% among the EAP with university level of education, 15.2% at secondary level, and 25.3% with any level of instruction.

84. There is feminization of labor<sup>61</sup> in the following areas of activity: other services (community, social and personal services referred mainly to the health sector and education); hotels, bars and restaurants; financial intermediation and insurance; being the main groups of female occupation: office employees; professionals and intellectuals; and service workers<sup>62</sup>.

85. Between 2000 and 2011 women have received a monthly salary, on average, 27.5% less than men<sup>63</sup>. The gap of income, unfavorable to women, is due to the shorter duration of weekly working hours and lower hourly pay. The difference in hourly compensation is especially high in the group aged 35 to 49 years and characterized all educational levels (with the exception of the group without schooling).

86. Between women and men with university level of education, for equal work, women receive real compensation average of 28.9% lower compared to men, making their remuneration similar to men with lower educational level. The wage gap is particularly high in the private business sector, professionals and among office workers. The low level of income at working also shows persistent wage deterioration in real terms<sup>64</sup>.

87. The almost exclusive responsibility of women, including girls, adolescents and youth, with regard to the unpaid domestic work and the role of care, limits the possibilities of employment for women. This is due to the lack of effective public policies which support conciliation between work and family life and to a dependency ratio of care estimated 34% to 2010<sup>65</sup>.

88. However the affiliation to health insurance has increased for women in recent years, both in the contributory scheme and - to a greater extent - in the subsidiary regime, remains pending the commissioning of the taxable-subsidiary regime<sup>66</sup>, which is aimed at professionals, technicians

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<sup>55</sup> It has however increased the male diminished and female EAP during the period 2000-2011. Ministry of Women, “*Mujeres Dominicanas en Cifras*” (Dominican Women in Numbers) 2000-2012. Santo Domingo, Dominican Republic, 2012.

<sup>56</sup> Projections to 2012 are worsening, with female unemployment forecast from the 22.1% against the men of 9.8% with a gap of 12.3. Source: Central Bank of Dominican Republic, (2012). “*Indicadores del Mercado de Trabajo por Género, Encuesta Nacional de Fuerza de Trabajo*” (Indicators of the Labor Market by Gender, National Labor Force Survey). Available in [http://www.bancentral.gov.do/estadisticas.asp?a=Mercado\\_de\\_Trabajo](http://www.bancentral.gov.do/estadisticas.asp?a=Mercado_de_Trabajo)

<sup>57</sup> The data refer to the month of October 2011. Source: Ministry of Labor, (2011). “*Panorama Laboral 2011*” (Labor Overview 2011). The Dominican Labor Market Observatory - OMLAD. Santo Domingo. Available in [http://www.omlad.gob.do/LinkClick.aspx?fileticket=34R\\_fHON\\_Zg%3D&tabid=116&forcedownload=true](http://www.omlad.gob.do/LinkClick.aspx?fileticket=34R_fHON_Zg%3D&tabid=116&forcedownload=true)

<sup>58</sup> National Bureau of Statistics, (2010). “*IX Censo de Población y Vivienda 2010*” (IX Census of Population and Housing, 2010). Dominican Republic.

<sup>59</sup> In the Unique System of Beneficiaries of the Social Cabinet (SIUBEN).

<sup>60</sup> Processing of data from the “*Encuesta Nacional de Fuerza de Trabajo (ENFT) 2010*” (National Survey of Workforce (ENFT) 2010), Central Bank of the Dominican Republic, 2011.

<sup>61</sup> Related to their participation in the labor force.

<sup>62</sup> Feminization rates are respectively: 1.65; 1.55; 1.33 Source: Central Bank, ENFT 2010.

<sup>63</sup> Ibid

<sup>64</sup> Ibid

<sup>65</sup> Reason among the population in need of care (children between 0 and 6 years and over 85 years of age) and the population between 15 and 74 years, this indicator measures the potential needs of a society care and demographic opportunities provide you with assistance. The rate has been calculated using the data provided by the Latin American Demographic Center.

<sup>66</sup> Law 87-01 on Social security provided for universal coverage in 10 years time, through the three regimes.

and workers self-employed with income averages or above the national minimum wage, areas in which the female occupation is on the rise. In fact, although statistics show that during 2011 the 66.3% busy women played a salaried job (against 43% for men), this form of employment is decreasing in the country, while there is an increase in female occupation in the informal sector, and occupation of low productivity, with poor working conditions and lack of social protection<sup>67</sup>. Between 2000 and 2007 is computed that 7 of every 10 new jobs for women were created in the informal sector or were "unpaid"<sup>68</sup>: in 2009 the 49% of labor women worked in informal activities against 47.3% of the 2000.

89. In another order, in terms of domestic work, in 2007, 5.6% of the total number of occupied persons engaged in the work of home (domestic service)<sup>69</sup>. From 213,355 persons accounted for as domestic workers, the 94.5% were women, most between 18 and 40 years<sup>70</sup>, and only 15% (regardless of sex) were affiliated to any health service, most not quoted for the Social Security System and the Pension System.

### **Sexual harassment**

90. According to the Ministry of Women<sup>71</sup>, in the province of Santo Domingo and the national district there are high levels of sexual harassment, both in the private sector and the public sector: 28.3% amongst the female population interviewed face-to-face, 31.7% among respondents by telephone. However, in the Labor Code sexual harassment referred only as a just cause of resignation for the harassed worker; not allowing inspectors to rise "Act of infringement to such breach". The Draft Law that provided to punish sexual harassment presented at the Chamber of Deputies in 2008, it expired and did not appear again.

91. Despite being referred to in the Criminal Code, many women do not denounce it for fear of losing employment, the high position the stalker has, shame, not knowing who to complain to in the workspace, these reasons were outlined in a study that was conducted by the Research Center for Feminist Action (CIPAF)<sup>72</sup>.

92. The current Criminal Code and the draft amendment of the Criminal Code include the punishment of sexual harassment from hierarchical relations, in which the person who commits it has a higher power or position than the victim. While a step forward is given to address it not only in the work area, the legislative proposal leaves out situations in which the woman receives harassment by men in frameworks of relations with equal jobs or the same range of relationship.

### **Labor Exploitation of Children and Adolescents**

93. Even if it doesn't have sex-disaggregated data that will deliver the magnitude of the problem for girls and adolescents, the country has a high level of child labor carried out by children between 10 and 14 years of age. For 2006 the 13.4% of this population group was

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<sup>67</sup> Ministry of women, (2012).

<sup>68</sup> The United Nations program for development on the basis of the ENFT 2000-2008.

<sup>69</sup> National Bureau of statistics (ONE), "*Encuesta Nacional de Ingresos y Gastos de los Hogares*" (National survey of household income and expenditures), of 2007.

<sup>70</sup> ONE, (2009). "*Trabajo Doméstico Remunerado en República Dominicana. Panorama Estadístico*" (Domestic paid work in Dominican Republic. Statistical overview). Year 9 No. 19. The text also says that play this occupation since before age 18 are only women, with consequent higher risks of child, labor and even sexual exploitation.

<sup>71</sup> Ministry of Women, (2010). "*De la anécdota a la evidencia: investigación sobre acoso sexual y el acoso moral en el trabajo. IAT 2010 RD. Informe Final de Resultados*" (The anecdote to evidence: research on sexual harassment and harassment at work. IAT 2010 RD. Final results report). Santo Domingo

<sup>72</sup> Ibid.

working. 11.8% worked for money, also a 1.6% stated to be working for payment in kind. Apart from this, a 2.9% of children reported having previously worked<sup>73</sup>.

94. Such a situation is shown with higher level of severity in rural areas. According to the study, in the area of Santo Domingo there is 12% of boys and girls doing some work and 11.6% in the rest of the city, while in the rural area, this group makes up 16.5%<sup>74</sup>. Tasks according to the sexual division of labor are reflected in the 28 hours or more a week devoted to domestic work for girls, with a majority stake (4.9 per cent of girls against the 2.5% of children)<sup>75</sup>.

### **Migrant Female Workers in the Rural Sector**

95. Many migrant women in the work of tomatoes crops, are very low paid, of 8-10 RD\$ (i.e. 0.15 - 0.18 USD) per box, collecting 20 boxes per day on average. Some of the women consulted during the uprising, also said that foreman usually pays them fewer boxes than those collecting them<sup>76</sup>.

96. According to the study by NGO “*Colectiva Mujer y Salud*” (Collective Women and Health)<sup>77</sup>, Haitian women located in the border area between Haiti and Dominican Republic, employed as domestic workers in homes of Dominican people, can reach a monthly salary between thousand (US\$ 25) and two thousand pesos (US\$ 51.28), being the average 1,500 pesos (US\$ 38.46). The Haitian domestic employed refer to be victims of sexual violence, sexual harassment and rape, exercised by the male head of the household or any member of the family employing them.

97. The same research indicates that in the area there are practices of delivery of Haitian girls to Dominican people in the form of “daughters of ageing”, that are used to perform housework in exchange for food, clothing, accommodation and studies.

### **Recommendations**

98. Define public policies of employment in the public sector as in the private, in urban and rural areas, which promotes female employability, especially those of lower income and heads of households; these policies must have indicators of measurement and evaluation of wage and labor inequalities between women and men, with a view to overcoming it.

99. Encourage the promotion of women to management positions with competitive salaries, through the introduction of a system of special measures of affirmative action, in the country's main companies in the private sector.

100. Promote the opening of childcare and community homes for boys and girls, as well as homes for the elderly and people with diseases or special care needs, ensuring coverage across the country. Promote shared responsibility between men and women in domestic work and care of children through different actions: introduction of the paternity allowance for parents until the third year of age of children. Ratify the Convention 156 of the International of the Labor

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<sup>73</sup> National Bureau of Statistics (2010). “*Panorama Estadístico. Trabajo Infantil en la Rep. Dominicana*” (Statistical Overview. Child labor in the Dominican Republic). Year 2. No. 23. Monthly newsletter. March  
<http://www.one.gob.do/index.php?module=articles&func=view&catid=207>

<sup>74</sup> Idem.

<sup>75</sup> Idem.

<sup>76</sup> Solidaridad Fronteriza (Border solidarity) (2004). “*Situación de los trabajadores agrícolas en la zona fronteriza norte*” (Situation of agricultural workers in the northern border area).

<sup>77</sup> Petrozziello, Allison and Wooding, Bridget (2011). “*Mujeres en el camino: Una mirada a la violencia contra las mujeres migrantes haitianas, en tránsito y desplazadas en la frontera dominico-haitiana*” (Women on the road: A look at violence against migrant women Haitian, in transit and displaced in the Dominican-Haitian border). Colectiva Mujer y Salud (Collective women and health), Mujeres del Mundo (Women of the world) and the Observatorio de Migrantes en el Caribe (Observatory of migrants in the Caribbean) (CIES-UNIBE). OWL editor. December.

Organization (ILO) on workers with family responsibilities, Convention 183 on maternity protection and Convention 189 on domestic workers.

101. Ensure coverage by social security to all women, who work in the informal sector (through the activation of the contributory scheme subsidiary), paid domestic workers and housewives carrying out unpaid domestic work.

102. Improve the data base with information about the labor market, with data disaggregated by sex, age, educational level, including the situation of women migrant workers.

### **Domestic work**

103. Guarantee domestic workers a labor regime that adjust adequately their day's work, as well as payment for their services and the recognition of licenses and rights; through legislative alignment and the incorporation of the domestic workers to the system of social security.

104. Include exclusively women housewives to social security, thus complying with article 55 paragraph 11, of the Dominican Constitution<sup>78</sup>.

### **Sexual harassment**

105. Modify the current provision on sexual harassment placed in the Criminal Code for a broader approach that contemplates the Act from the obstruction of the function, that is, independently of the hierarchical relations.

### **Labor Exploitation of Children and Adolescents**

106. Carry out studies to have updated and disaggregated information on child domestic labor.

107. Strengthen the inspection measures from the Ministry of labor to prevent practices of child labor, as well as comprehensive programs that include social-economic attention to families.

### **Migrant Women Workers in the Rural Sector**

108. Ensuring labor rights to women migrant workers, who work in the rural work and domestic work, regardless of their legal and immigration status in the country.

## **Article 12: Right to Health**

### **Right to Abortion**

109. Dominican legislation prohibits the termination of pregnancy in all circumstances<sup>79</sup>, however the CEDAW Committee "*strongly condemned the laws that restrict abortion, especially those that prohibit it and penalize it in all circumstances*"<sup>80</sup>. Religious sectors in the State propelled the approval of current article 37<sup>81</sup>, intending to prevent the decriminalization of

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<sup>78</sup> "The State recognizes the work of the home as economic activity that creates added value and produces wealth and social wellbeing, so it will be incorporated into the formulation and implementation of public and social policies."

<sup>79</sup> Article 317 of the Criminal Code.

<sup>80</sup> United Nations (2011). Provisional Report of the Special Rapporteur of the Human Rights Council. On the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, in accordance with resolutions 15/22 and 6/29. Assembly General, 66/A/254, p. 9

<sup>81</sup> It establishes the right to life from conception to death.

abortion by grounds such as: danger of life or health of the woman, or when the outcome is the result of a rape or incest<sup>82</sup>.

110. The resistance of the Dominican State to the decriminalization of abortion continues, while large sections of the population are in accordance with the above-mentioned grounds. The 62.1% of the women and the 60.4% of men consider their justification when the woman's life or health is in danger. To further academic training and separation with ideas of right or religious fundamentalists closer to this position<sup>83</sup>.

111. Despite the serious consequences that fall on a woman on occasion to perform an abortion in unsafe conditions and without a proper medical process, the Dominican State is depriving women decide on their reproductive rights, even on the occasion of special or serious circumstances to the resulting pregnant by a rape or incest, and, even if the pregnancy endangers the woman's life. This grave situation has failed to be recognized and is not advancing within the legislative framework of the country.

112. National statistics show that the abortion rate remains constant and with very little variation in relation to previous decades. It is recognized that disguised abortions under natural abortions are completed mostly in hospitals. The publication "Dominican in Numbers 2011", establishes that you between the General Hospital of the Armed Forces (FFAA), General Hospital of the National Police (HOSGEPOL), the Ministry of Public Health and Social Assistance (MSP), and in the Dominican Institute of Social Insurance (IDSS)<sup>84</sup> 45,130 cases of abortion were registered in 2010<sup>85</sup>.

## Maternal Mortality

113. According to the Demographic and Health Survey of the Dominican Republic in 2007, in the period from 1997 to 2007 there has been an average of 159 maternal deaths per 100,000 live born children. However the commitment assumed by the Dominican State on the occasion of the Millennium Summit to achieve the 2015 reduction of three quarters regarding the 1990 maternal mortality, a trend analysis conducted by the Dominican Ministry of Economy, Planning and Development, on the occasion of the drafting of report of follow-up of the objectives of the Millennium 2010, suggests that in 2015 the maternal mortality in the country will be three times the level fixed, highlighting the achievement by the Dominican Republic of the objective of the Millennium 5 as unlikely. The report highlights that "*high maternal mortality takes place while reports that virtually all births has specialized personnel*"<sup>86</sup>; this raises a problem of quality of service, a fact that is not limited to the skills of providers but also includes attitudes to the provision of the service with quality and warmth<sup>87</sup>.

114. Bad medical practices are associated in the country to the high number of maternal mortality;<sup>88</sup> some causes of maternal death are identified as: increase in blood pressure because of pregnancy, bleeding and complications in the puerperium<sup>89</sup>. Collective Women and Health,

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<sup>82</sup> Requirement of the feminist movement for more than fifteen years in the process of reform of the Criminal Code.

<sup>83</sup> "Cultura Política de la Democracia en República Dominicana" (Culture policy of democracy in Dominican Republic), 2012, pag. 236 et seq. Full report available at: <http://www.vanderbilt.edu/lapop/dr/DomRepublic-2012-Report.pdf>

<sup>84</sup> National Statistics Office (ONE) (2011), "Dominicana en Cifras" (Dominican in Numbers), pages 405-406

<sup>85</sup> Taking account into the under-reporting of such acts found in the framework of illegality.

<sup>86</sup> It also highlights that the proportion of births assisted by qualified health personnel has always been high in the country and continues to rise, official data are: 92.4 in 1991 (CESDEM, 1991); 97.8 in 2007 (CESDEM, 2007) says the trend is such that, in 2015, would result from the 141.0.

<sup>87</sup> Ministry of economy, planning and development (2010), p. 21.

<sup>88</sup> Statements by the Director of the national insurance of health (SENASA) April 01, 2011, seen in:

<http://www.movimientorebelde.com/index.php/noticias/item/1874-mortalidad-materna-es-por-falta-de-insumos-y-la-malapr%C3%A1ctica.html>

<sup>89</sup> United Nations Dominican Republic: <http://portal.onu.org.do/republica-dominicana/datos/salud-materna/36>

non-governmental organization dedicated to the defense of the rights of women in Dominican Republic, counted through its Bulletin of maternal mortality in 2011 a total of 173 maternal deaths (28 less than in 2010)<sup>90</sup>; equal number accounted for the National System of Epidemiological Surveillance (SINAVE) for the year 2012.<sup>91</sup>

## **Knowledge about HIV/AIDS**

115. According to the National Survey of Household Purposes women with lower educational and economic level have less comprehensive knowledge about HIV/AIDS. Those in the highest quintile of wealth (69.2%, 67.6% and 69.1% respectively), show greater differences in the percentages of integral knowledge, with respect to those located in the lower quintile (57.4%) Differences are also observed in the ranges of age according to educational level, the top grade have a level of knowledge almost six times greater than the less educated (45.6% compared to 8% in the group of women without instruction). It should be noted also that women living in the rural area have lower level of comprehensive knowledge, especially in aspects related to the transmission of HIV, than those in urban areas (27% and 37%, respectively)<sup>92</sup>.

## **Recommendations**

### **Right to Abortion**

116. Urgently adapt criminal legislation so abortion is decriminalized for reasons such as rape, incest, danger to the mother's life.

117. Welcome safe legal abortion practices issued by the World Health Organization.

118. Ensure compliance with medical protocols for information on the procedure and correct and continuous follow-up after the termination of pregnancy according to each case following the guidelines of the code of medical ethics of the Dominican Medical College.

## **Maternal Mortality**

119. Take effective measures for the reduction of maternal morbidity and mortality, allocated a budget adequate to the new National Strategic Plan for the Reduction of Maternal and Child Mortality 2012-2016.

120. Ensure the correct application of the Standard of Health Care to Women during Childbirth, Postpartum and Puerperium.

121. Monitor through the creation of a special program or public policy, based on the monitoring carried out by experts in obstetrics, the correct application of quality medical procedures and the proper follow-up to the evolution of women before and after childbirth.

122. Creation of a special health insurance for maternity, guaranteeing free care to low-income women at least during the period of gestation and puerperium, including the needs of vitamins or other medication according to each case.

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<sup>90</sup> Collective women and health, Maternal Mortality 2011 newsletter: [http://colectivamujerysalud.org/files/boletines/mortalidad\\_materna\\_2011.pdf](http://colectivamujerysalud.org/files/boletines/mortalidad_materna_2011.pdf)

<sup>91</sup> Data from the January 22, 2013, likely to increase, although the year it is completed it is possible that new cases are identified through the active search in the entity.

<sup>92</sup> National Bureau of Statistics (ONE). "VIH-SIDA: Conocimiento integral de las mujeres dominicanas sobre formas de prevenir y transmitir el virus" (HIV-AIDS: Comprehensive knowledge of Dominican women on ways to prevent and transmit the virus). Statistical overview. Year 2, no. 21 monthly newsletter November 2009.

<http://www.one.gob.do/index.php?module=articles&func=view&catid=207>

## **Knowledge about HIV/AIDS**

123. Develop prevention campaigns involving in particular the female population of different ages, as well as part of sexual education in public and private schools.