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**Consideration of reports: reports submitted by States parties
in accordance with articles 16 and 17 of the Covenant**

List of issues in relation to the fourth periodic report of the Dominican Republic

Addendum

Replies of the Dominican Republic to the list of issues*

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* The present document is being issued without formal editing.

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Question 1

1. Article 26 of the Dominican Constitution states the following: “The Dominican Republic is a member State of the international community, open to cooperation and committed to the rules of international law. Therefore: it recognizes and applies the rules of general international law and of the international law of the Americas insofar as they have been adopted by the State authorities; the rules in ratified international treaties shall become effective within the Dominican territory upon their official publication.”

2. Economic and social rights are enshrined in articles 50 ff., and the right to culture is enshrined in article 64.

3. These provisions are complemented by article 74 (3), which grants constitutional status to international human rights instruments: “Article 74. - Principles of regulation and interpretation. The interpretation and regulation of the fundamental rights and guarantees enshrined in this Constitution shall be governed by the following principles: ... (3) The human rights treaties, covenants and conventions signed and ratified by the Dominican Republic have constitutional status and are of immediate and direct application by the courts and other public bodies.”

4. The Dominican Constitution and the Code of Criminal Procedure contain a set of minimum guarantees, which have been considered as international instruments recognized and applied by the State, and linked directly to the guarantee of the right of defence in criminal proceedings. The implementation of the Code of Criminal Procedure thus grants accused persons the guarantees needed for the protection of fundamental rights and for improving the conditions of detention, among other minimum guarantees. Namely:

- The implementation of Resolution No. 296-2005, a regulation governing the executing officer, who monitors enforcement of a sentence and resolves questions that may arise in the process, and who is responsible for ensuring compliance with the United Nations Standard Minimum Rules for the Treatment of Prisoners. The executing officer is thus the guarantor of the fundamental rights of prisoners;
- Under that resolution, the Supreme Court of Justice recognizes the constitutional status of international treaties once they have been passed by Congress and provides, in one of the preambular paragraphs, that: “Whereas the Dominican Republic has a constitutional system consisting of provisions of equal standing deriving from two fundamental sources of law: (a) the national source, consisting of the Constitution and constitutional precedents handed down by any of the nation’s courts, including the Supreme Court itself, and the jurisprudence established by the highest court in the exercise of its exclusive jurisdiction; and (b) the international source, consisting of international treaties and conventions, and the advisory opinions and decisions of the Inter-American Court of Human Rights. Together, these sources of law make up the body of constitutional law which determines the substantive and formal validity of all procedural or secondary legislation;”
- The establishment of special courts for children and adolescents; the training of the first public defenders for juvenile criminal courts; the establishment of the Family Mediation Centre to seek solutions to disputes other than through the courts; the establishment of a procedure for enforcing penalties imposed on adolescents; and the drafting of a training plan.

Question 2

5. This report has been prepared by the various ministries and government institutions that draw up public policies related to the International Covenant on Economic, Social and

Cultural Rights. They also circulate it to the various civil society organizations that work in this field.

Question 3

Mandate of the Ombudsperson

6. The Office of the Ombudsperson was created in the Dominican Republic through the promulgation of Act No. 19-01 of 1 February 2001, amended by Act No. 367-09 of 23 December 2009. It was granted constitutional status on 26 January 2010 pursuant to articles 80.5, 83.3, 116, 190, 191 and 192 of the Constitution.

7. Under Article 190 of the Constitution, “the Ombudsperson functions as an independent authority and has administrative and budgetary autonomy. It is held accountable solely to the mandate of the Constitution and the law”. Article 1 of Act No. 19-01 states that “the Ombudsperson is an independent authority, an executor that is not subject to any restriction other than its commitment to the law”.

8. Subsequently, articles 68, 104 and 105 of the Organization Act of the Constitutional Court and constitutional proceedings (Act No. 137-11 of 13 June 2011, amended by Act No. 145-11 of 4 July 2011), empowered the Ombudsperson to act in support of that mandate.

9. Under articles 80.5 and 83.3, both the Ombudsperson and his/her deputies are appointed by the Senate from short lists submitted by the Chamber of Deputies.

10. The Ombudsperson and the authorities appointed to assist with the duties of the Office have a mandate of six years. They may be re-elected for only one additional term of office.

Functions of the Ombudsperson

11. Article 191 of the Constitution states that “the essential function of the Ombudsperson is to contribute to safeguarding the fundamental rights of individuals and the collective and general interests established in the Constitution and the laws in the event that they are violated by State agents or bodies, by public service providers or by individuals who affect collective and general interests”. The organization and functioning of the Office shall be governed by the Organization Act.

Resources allocated

12. Of the total amount of RD\$ 150,000,000 budgeted and released for 2015, the Ombudsperson disbursed RD\$ 65,574,593, or 44 per cent. Of this disbursement, the months of November and December were the most significant, accounting for RD\$ 9,478,410.64 and RD\$ 9,952,465.75, or 14 per cent and 15 per cent, respectively.

Question 4

13. From the very first day of the disaster, the entities involved with the Emergency Operations Centre were convened at the national level to provide an immediate response to the emergency. Orders were dispatched to ship medical supplies and reinforce health centres in the border zone. The transfer of health human resources and of national and foreign volunteers was coordinated, endeavouring to ensure rationality and make the best use of these teams.

14. Following the earthquake, and during the first weeks of the critical period of humanitarian assistance, the Dominican Republic, in coordination with the Haitian authorities, sent eight ambulances and eight mobile medical care units, along with professional and auxiliary staff, their equipment, medicines and other supplies, to provide care in Port-au-Prince and to support the emergency transfer of patients to Melenciano General Hospital in Jimaní and, from there, to other hospitals in the country. These units worked with teams specialized in rescue operations, and with special kitchens.

15. Public hospitals and health services in border cities were reinforced by teams specialized in the care of the wounded and epidemiology. All the country's hospitals were placed on alert to receive patients referred by the border health centres, and temporary shelters were set up to house and provide intermediate care for patients in the post-operative period, in both Jimaní and Santo Domingo.

Question 5

16. The Dominican Republic is currently considering its position on the Optional Protocol.

Question 6

17. In 2012, the Dominican State increased the annual budget of the Ministry of Education to 4 per cent of gross domestic product (GDP), in accordance with General Education Act No. 66-97 and the amendments thereto (Act No. 451-08), and with the Ten-Year Plan 2008-2018, as reported in paragraph 83 of the second universal periodic review.

18. RD\$ 99,628,120,000, or 4.4 per cent of GDP – 1.4 per cent more than the 4 per cent stipulated – was earmarked in 2013 and was disbursed in full. In 2014, the Ministry disbursed RD\$ 105,870,312,694.26, or 97 per cent of the budgeted amount of RD\$ 109,170,290,314. RD\$ 119,363,225,100 was earmarked for 2015, of which 97.07 per cent was disbursed.

19. RD\$ 129,838,121,710.50, or 4 per cent of GDP, has been earmarked for 2016, and disbursement is still in progress.

Measures taken to increase tax receipts

20. Since September 2012, the Dominican authorities have undertaken a number of policy measures that will take effect in the coming years. The idea is gradually to increase the tax burden as part of the general fiscal policy reform, pursuant to Act No. 1-12 on the National Development Strategy for 2030.

21. The following measures have been taken as part of that Strategy: Act No. 253-12, on strengthening the State's revenue-raising capacity, which establishes a series of tax measures, including: establishment of a dual taxation regime for personal income tax; increase in the income tax rate for legal persons; strengthening of international taxation (clause on undercapitalization, limitation of interest, pricing); changes in the real estate tax; increase in vehicle taxes; replacement of the direct exemption of consumption taxes on fuel, through a reimbursement mechanism; increase in the consumption tax on alcoholic beverages and cigarettes; increase in the value added tax rate and expansion of its base, and elimination of zero tax treatment for exempted goods; elimination of, or restrictions on, measures that generate tax expenditures for specific sectors (free trade zones and special industrial free zones, film producers, renewable energy investors and producers, purchasers of tourism real estate projects, local sales of companies registered under incentive

schemes). However, the State Budget Act for 2013 (Act No. 311-12) permits, for that fiscal period, zero tax treatment for the value added tax on milk, cream, bottled mineral water and natural water. It also maintains the transferability of the tax credit given to film producers. The Tax Amnesty Act (No. 309-12), which allows delinquent taxpayers and non-filers to be included in the tax base, and increases the taxation of individuals who are underpaying their taxes or who have unjustified wealth. This includes income tax, value added tax, inheritance tax, real estate tax and tax on real estate assets. The State Budget Act for 2013 (Act No. 311-12) provides for 50 per cent of the telecommunications development tax to be collected by the Dominican Telecommunications Institute. Regulation No. 04-12 of the Directorate-General for Internal Taxation (DGII) considers specific new values to be paid for each slot machine depending on its location, and regulates the collection of income tax on casino jackpots, pursuant to Act No. 253-12. DGII Regulation No. 05-12 governs the procedure to be followed by companies classified as free trade or industrial zones with respect to the submission of the sworn statement and compliance with other formal duties for the payment of income tax under the simplified regime established under Act No. 253-12. DGII Regulation No. 06-12 governs the carbon dioxide emission tax on motor vehicles, which is to be collected in addition to the 17-per-cent tax on each vehicle's first licence plate, as provided under Act No. 253-12.

Question 7

22. The country has made significant progress in establishing mechanisms, rules and controls to expose the misuse of public funds and prevent corruption. Officials have deemed civil society participation essential in supervising the management of public funds in different institutions, by setting up monitoring committees, so as to shed light both on what is working and on what is not working and then take steps to continue increasing transparency and prevent corruption.

23. These monitoring committees have increased the transparency with which State bodies use and manage the resources entrusted to them, doing away with a deeply entrenched culture of being shielded from accountability over the way in which procedures are conducted and how the people's money is invested. Through these committees, civil society exercises the people's right not just to monitor and supervise but also to investigate and file complaints against procedures which they believe have been improperly conducted.

24. The country had never previously conducted such fair and transparent public procurement procedures for the State's various purchases and works. "Through the Directorate-General for Purchasing and Procurement, there has been a significant increase in the number of suppliers to the State. To give a clear example, the number of State-registered suppliers has nearly tripled, rising from less than 20,000 to more than 50,000 to date, and these suppliers have furthermore acquired formal status."

25. Another major sign of progress in the prevention of administrative corruption is the creation of the single treasury account for institutions to deposit all the revenue they generate for their services. The funds are no longer deposited into separate institutional accounts but instead are registered with the National Treasury, and reports must be filed on how the funds are managed. This is currently being done by 200 government agencies, or almost all the country's institutions.

Question 8

26. The Discrimination Bill is intended to consolidate into a single text provisions on preventing and eliminating all forms of discrimination and promoting equality of

opportunities, a culture of tolerance and respect for diversity, pursuant to article 39 of the Constitution, so as to reverse the situation of inequality existing among groups with unequal access to basic social goods and services.

Question 9

27. Equality is enshrined in article 39 of the Constitution. The HIV/AIDS Act (Act No. 135-11) strengthens the regulatory framework of the national HIV and AIDS response and contains specific provisions on the eradication of the stigma surrounding HIV/AIDS and of the discrimination associated with both conditions.

28. In addition to the work of the National HIV/AIDS Council, a joint effort is under way with organized civil society, local non-governmental organizations (NGOs), organizations representing lesbian, gay, bisexual, transgender and intersex persons, the National Council on Disability, the National Council for the Elderly, and international organizations, including United Nations system organizations, such as the United Nations Development Programme and the Joint United Nations Programme on HIV/AIDS (UNAIDS).

29. Other measures taken to combat discrimination are the creation of the National Group for the Eradication of All Forms of Stigma and Discrimination, the bill on comprehensive equality and non-discrimination, the adoption of policies on HIV/AIDS in the workplace for the free trade zones, and implementation of the free legal aid programme for persons living with HIV and other target populations, all of which have had a nationwide impact on the reduction of stigma and of discrimination.

Question 10

30. The Dominican State wishes to reiterate that there are no provisions in Dominican society for discrimination on racial or any other grounds. Exclusionist discrimination is not practised and is not tolerated as a State policy. In this regard:

31. When we talk about Haitians and Dominicans of Haitian or African descent, we must remember that they are considered to be Dominicans because of shortcomings in the current Dominican migration policy, and above all, institutional and bureaucratic shortcomings of the Dominican State. The Civil Registry issued documents that led to the erroneous assumption that these persons were Dominican nationals, and as a result they engaged in civilian life based on specific beliefs and expectations to which they were not legally entitled. In discussing this subject we wish to emphasize that in addition to these Haitian nationals, many foreigners of other nationalities are affected by these irregularities in registration.

32. When we talk about economic, social and cultural rights, it is important to note the following. The right to education enshrined in article 63 (3) of the Constitution is of equal benefit to all, including immigrants who, regardless of their migration status, include more than 31,914 students, who the State provides with books, school supplies and food during school hours. With respect to health, according to the National Survey on Immigrants in the Dominican Republic, 66.1 per cent of those born in Haiti received free treatment at public health facilities. The same applies to 67.6 per cent of those born in the Dominican Republic of immigrant parents, regardless of their status. This represents an annual budget of RD\$ 5.3 million, or US\$ 100 million.

33. A similar situation applies to the 72.8 per cent of Haitian immigrants who are employed or earning wages in the Dominican Republic and who represent 80 per cent of the labour market for construction and agriculture.

34. With regard to the progress made in restoring or granting Dominican nationality to Haitians who were stripped of nationality pursuant to Constitutional Court ruling TC/0168/13, the results achieved by State institutions have been very positive. The most important was to give legal security to all persons with Dominican nationality. The State has been able to organize and streamline its registries with respect to migration policy and has corrected about 62,000 case files.

35. It may also be noted that the measures called for under Decision No. 168-13, Act No. 169-14 on Special Naturalization and Decree No. 327-2014, in conjunction with the measures taken by the State, led to the regularization of all foreign nationals who had been without any legal protection, enabling them to become integrated into the economic, social and legal life of the Dominican Republic.

Question 11

36. The National Gender Equity Plan establishes seven broad national priority areas for the Ministry of Women's efforts to address current limitations in Dominican society on equality and equity between men and women:

- (1) Promoting a culture of gender equality and equity;
- (2) Guaranteeing the rights of women and the full exercise of their citizenship;
- (3) Reinforcing economic empowerment and encouraging efforts to overcome poverty among women;
- (4) Promoting women's leadership and their political and social participation with a view to gender equality;
- (5) Promoting equal access for women to quality goods and services;
- (6) Eradicating all forms of violence against women throughout their lives;
- (7) Promoting the full participation of women in the information and knowledge society.

Level of implementation of the National Gender Equity and Equality Plan for 2007-2017

37. The extent to which the Plan's priority areas are being tackled is clear, given that 61 per cent of institutions have addressed promoting a culture of gender equality and equity; 51.6 per cent have looked at eradicating all forms of violence against women throughout their lives; and 45 per cent have worked on reinforcing economic empowerment and encouraging efforts to overcome poverty among women. Some 42 per cent of institutions have dealt with promoting women's leadership and their political and social participation with a view to gender equality; 38.7 per cent, with promoting the full participation of women in the information and knowledge society; and 29 per cent, with promoting women's access to and control of quality goods and services.

38. With respect to the State's responsibility to promote and ensure the equal participation of women and men in nominations for elected office to executive and decision-making bodies in the public sphere, in the administration of justice and in State oversight agencies, the Central Electoral Board, which governs the organization of elections, issued a decision making it obligatory for parties, party alliances and political groups to have women make up at least 33 per cent of their candidates for deputies,

municipal councillors and deputy councillors, as well as municipal district council members. The names of female candidates are to alternate with those of male candidates on party lists for all the posts proposed at each level.

39. Another initiative for ensuring women's participation is the existence of the school for women's political training of the Ministry of Women, aimed at preparing, developing and empowering women politicians and promoting gender equality, women's political autonomy and elimination of the gender gap.

Question 15

40. The Directorate-General for Migration created a programme to regulate the so-called "hand-to-hand" labour market, which is run by the Non-residents Service of the Immigration Directorate.

41. The programme's objective is to regularize foreigners who are working illegally by helping enterprises that agree to regularize all of their workers.

42. Despite the good intentions of the State and of the Directorate-General for Migration, although some enterprises' employees have been regularized, the hoped-for results have not been achieved due to the lack of documentation of Haitian nationals, and specifically the lack of a passport, an absolute prerequisite for regularization.

43. In addition, to give effect to the presidential orders on regularization of the labour market, the Ministry of Foreign Affairs established the VITT visa under Resolution No. 01/2014, pursuant to General Migration Act No. 631-11.

44. These regularizations of the labour market are taking place without discrimination as to sex, and thus both men and women are being regularized as seasonal workers.

45. Constitutional Court ruling No. 1681-13 of 2013 ordered the State to draw up a national plan for the regularization of foreigners, to be implemented by the Ministry of the Interior and Police. The Ministry took all the necessary measures, including the use of mobile units and visits to workplaces, to enable the various productive sectors to regularize as many of their illegal foreign workers as possible.

46. The Dominican State has thus taken specific measures to ensure that migrant workers in an irregular situation, and Haitian workers in particular, enjoy just and favourable conditions of work, through the regularization of their migration status.

Information on the mechanisms that make it possible for migrant workers to report cases of abuse and exploitation without fear

47. Principle IV of the Dominican Labour Code establishes that the laws governing labour apply to Dominicans and foreign nationals alike, save for such distinctions as are admitted under international agreements. According to the principle, where labour matters are concerned, rights must be exercised and obligations carried out in accordance with the rules of good faith. The abuse of rights is illegal.

48. These principles do not distinguish between whether a foreigner is legal or undocumented, and thus the labour rights acquired in good faith by migrant workers are protected without regard to their migration status, and even without regard to whether they are undocumented.

49. By the same token foreign workers, regardless of their migration status, have the right to an effective remedy and due process pursuant to article 69 of the Constitution.

50. The inspectors of the Ministry of Labour are responsible for verifying that all the labour rights enshrined in the Labour Code are protected for company workers.

Question 16

51. As of December 2015 there were 186 labour inspectors. The Ministry of Labour allocated RD\$ 211,020,407 for the period January-December 2015.

52. The labour inspectors of the Ministry of Labour, in addition to being lawyers, attend regular workshops on how to perform their duties.

Question 17

53. The National Social Security Council and the Dominican Social Security System as a whole have taken steps to provide the population, especially the most vulnerable – 68.5 per cent of the population, or almost 7 million Dominicans and legal residents, with coverage from the Family Health Insurance Scheme. This achievement is due in large part to the support and financial backing of the central Government, which pays for the insurance coverage of 100 per cent of the population identified by the Single System of Beneficiaries as being the most vulnerable (about 3.3 million individuals). The Government has also taken steps to reduce the extreme poverty rate from 41.2 per cent in 2012 to 32.5 per cent in 2015. As a result of this, and of the gradual increase in affiliation with the scheme, coverage under the subsidized scheme grew by 33.8 per cent in the period August 2012-December 2015.

54. Among the beneficiaries, particularly of coverage under the subsidized scheme, are orphans living in foster homes or shelters. Thanks to regulations dictating the inclusion of this population, non-governmental organizations were able to register the children under their care as social security beneficiaries. Another important step in the inclusion of groups facing entry barriers to social security coverage was the extension of affiliation to legally resident foreign workers, pursuant to article 25 of the Constitution and international human rights treaties ratified by the State.

55. The scheme's services expanded considerably this year, with the addition of more than 200 medicines and 600 services and an end to restrictions on specific brands or dosages. The amount of annual coverage per affiliate for the purchase of medicines increased from RD\$ 3,000 to RD\$ 8,000, or an increment of 167 per cent. In the case of terminal illnesses, coverage of RD\$ 1 million per event, per person, was extended to children under 1.

56. The pension system coverage of the economically active population is 69 per cent, based on the number of contributors. Pensions are adjusted every two years based on changes in the consumer price index, and the Dominican Republic ranks among the few countries in the world to adjust their pensions. The agreement regulating policies for disability pensions and survival benefits was redrafted; the number of years in which to submit claims for survival benefits raised from 2 to 7 years; and the age limit for coverage raised from 60 to 65 years. Cumulative funds for pensions were in excess of RD\$ 352 million, or 12 per cent of GDP. At the end of 2015, despite the fact that the system is relatively new, 4,819 disability pensions and 5,240 survival benefits were approved.

Question 18

57. The following public policies are being implemented by the State to eradicate child labour:

58. The National Strategic Plan against Child Labour 2006-2016. This is a strategic tool whose objective was defined by consensus among all the relevant governmental, business, trade union and organized civil society sectors.

59. The goals of the Plan are, by 2016, to turn the country into a society which ensures that children and adolescents are raised in an environment that contributes to the enjoyment and exercise of their fundamental rights, eliminating their participation in dangerous and undesirable jobs; and, by 2020, to eliminate all child labour.

60. The Road Map to make the Dominican Republic a country free of child labour, which adopts the goals set out in the Decent Work Agenda for the Hemisphere.

61. The Sustainability Plan for the Eradication of Child Labour 2014 is being implemented as well. It is intended to speed up actions to meet the goals of the National Strategic Plan and the Road Map.

Education policies and child labour

62. Article 63 (3) of the Constitution stipulates: “The State party guarantees free public education, which is compulsory at the preschool, primary and secondary levels.”

63. The Dominican Republic earmarks 4 per cent of GDP to education, and under Decree No. 546-12, launched the National Literacy Plan “Quisqueya Aprende Contigo” (Quisqueya learns with you) to eliminate illiteracy among more than 727,000 Dominicans.

64. With respect to vocational technical training, the country has a National Institute of Vocational Technical Training.

Question 19

65. “Progress with Solidarity” (PROSOLI) is the main social protection programme of the Dominican Government, the result of the merger of two programmes, “Progress” and “Solidarity”. It is a targeted social intervention programme that includes conditional cash transfers, socioeducational support and involvement with programmes and services, organized into interventions based on seven action lines or components: identification, comprehensive health, education, human resources training and social awareness; food security, nutrition and income generation; habitability and environmental protection; and access to information and communication technologies (ICTs) and reducing the digital divide.

66. PROSOLI also involves families in the process of comprehensive development through responsibility-sharing linked to subsidies and contributes to food and nutritional security, encouraging families to generate income for investing in education and health.

67. Some 800,000 families are currently working with PROSOLI.

68. The main achievements of the first quarter of 2016 are as follows:

- 752,994 families received “Comer es primero” (Eating comes first) cash transfers for buying food;
- 897,054 families received subsidies for buying propane gas (Gas Coupon);

- 460,747 families received subsidies for their electricity consumption (Electricity Coupon);
- 211,955 families received the school attendance incentive transfer;
- 105,288 families received the “Study Progress” school voucher;
- 623,104 beneficiary families received counselling through the home visit scheme;
- 16,616 members of PROSOLI families received technical and vocational training from the programme’s 41 training and production centres and with the technical collaboration of the Technical and Vocational Training Institute;
- 7,864 members of beneficiary families planted household orchards on their land to produce food for their own consumption or sale, with the collaboration of technical specialists from the Ministry of Agriculture;
- 7,503 children and adolescents between 10 and 13 years of age and members of PROSOLI families received counselling on sexual and reproductive health and HIV/AIDS.

69. PROSOLI families are the beneficiaries of three conditional cash transfers:



(1) The “Eating Comes First” transfer is conditional upon participation in preventive health-care check-ups for households with children under 5 and/or pregnant women. It consists of a monthly cash transfer of RD\$ 825 to the head of each participating household for the purchase of a basic basket of foodstuffs. The aim is to supplement the costs of basic foodstuffs for poor households on condition that pregnant women in those households undergo clinical examinations during their pregnancy and that the children of the family are periodically taken to the doctor;

(2) The “Incentivo a la Asistencia Escolar” (school attendance incentive) transfer is conditional and intended solely for households with school-age children who are enrolled in and attending primary school. It provides monthly financial support of RD\$ 150 to the head of each beneficiary household for each child between 6 and 10 years of age, up to a maximum of 4 children, and covers grades 1 to 8 of primary school. It is paid every two months while school is in session, for the purchase of school supplies, uniforms, medicines etc. The aim is to help reduce school dropout rates;

(3) The “Bono Escolar Estudiando Progreso” (Study Progress school voucher) targets members of beneficiary families attending middle school. This is a monthly incentive paid every two months of RD\$ 500 for each young person under 21 enrolled in the first or second year of baccalaureate studies; RD\$ 750 for matriculated students in the third or fourth year; and RD\$ 1,000 for those in the third or fourth year who are following the technical-vocational programme. The idea is for the family to purchase a basic basket of foodstuffs, thereby helping to reduce school dropout rates.

70. The authorities and staff of the health and education sectors are responsible for disseminating information on these programmes. The information serves as a basis for monitoring fulfilment of shared responsibilities, either electronically or through print.

71. There are two sector-specific subsidies: gas voucher and electricity voucher.

(1) Electricity voucher: This is intended to help families with limited economic resources to pay their electricity bills, and ranges from RD\$ 4.44 to RD\$ 444 per month;

(2) Household gas voucher: This consists of an additional RD\$ 228 per month paid to poor and lower-middle-class households for the purchase of liquefied petroleum cooking gas, but they are not obligated to do so. It is part of the Solidarity Programme.

Other achievements

- 742,162 PROSOLI families receive socioeducational support;
- Up-to-date vaccinations and health-care check-ups for 89,290 children under 6 in PROSOLI families;
- Up-to-date vaccination, health-care and nutritional check-ups for 10,000 pregnant PROSOLI family members;
- 30,000 PROSOLI family members have had at least one dental or eye check-up;
- 315,009 adolescents and young people in PROSOLI families received counselling on sexual and reproductive health and HIV/AIDS;
- 742,162 PROSOLI families received counselling on disease prevention and comprehensive health;
- 460,000 children and adolescent workers in beneficiary families have been warned about child labour;
- 21,500 young people in beneficiary families received counselling on the benefits of formal education and are being helped to attend school or university;
- 461,662 children and adolescents received tutoring;
- 108,984 PROSOLI families are involved in agricultural production;
- 304,152 families are increasing their income through vocational training, starting a microenterprise or selling agricultural produce;
- 183,212 PROSOLI family members receive vocational and technical training;
- 590,748 PROSOLI family members participate in sports, recreational, cultural and artistic activities;
- 674,902 PROSOLI families receive counselling on peaceful dispute settlement;
- 4,100 young members of the programme receive leadership training;
- 200,000 children and adolescents are involved in the Progressing with Values Movement;
- 100 artistic, recreational, sports and cultural groups were set up for children and adolescents involved in the Progressing with Values Movement;
- 61,497 PROSOLI family members receive digital literacy training at the Community Technology Centres;
- 742,162 family members are involved in environmental protection initiatives.

72. The PROSOLI programme implements various projects related to nutrition, with significant results, such as a 50-per-cent decrease in anaemia among the beneficiary families of the social programmes. *Chispitas solidarias* (powdered micronutrient supplements), *Progresina* (a nutritional supplement) and training programmes on sound nutrition are just some of these projects. In addition, 59,000 family orchards were created nationwide, sowing more than 12,000 vegetables and plants to improve food security.

Question 20

73. The Dominican State became a party to the Convention relating to the Status of Refugees and its 1978 Protocol after the National Congress had approved both instruments under Resolution No. 694 of 8 November 1977. In November 1983, the Government created the National Commission for Refugees (comprising seven institutions in the executive branch) and adopted its regulations in September 1984. The material and human resources necessary for the Commission's administrative and logistical tasks are provided by the Directorate-General for Migration, for the National Office for Refugees; by the Ministry of Foreign Affairs, for the Commission itself; and by the respective institution with regard to its own responsibilities.

Procedure

74. Pursuant to the Commission's regulations, any foreigner without legal residence may ask for refugee status. This request may be made at ports, airports and border posts, regardless of the individual's migration status (and of whether the person has entered the country legally) and regardless of whether they are being held by the Directorate-General for Migration for purposes of migration control. Once the request has been made it is turned over to the Commission to initiate the process. All applicants fill out a form for the determination of refugee status and are interviewed by Office staff. The applicant may present information or documents in support of the request for evaluation. Meeting in plenary, the Commission decides whether or not to grant refugee status (following the preliminary assessment by the Office), upon recommendation of the technical subcommittee. In plenary, the Commission decides whether to approve the request. If the decision is negative, the applicant has the right to ask for a review. The plenary decides whether to proceed with a review. If the request for refugee status is granted, the applicant is given an identity card and documents attesting to that status, and s/he is authorized to carry out remunerated activities (as a dependant or otherwise), taking his/her abilities into account.

Question 21

75. Public-sector investment in social and low-cost housing projects in the past five years increased by 27.14 per cent, from RD\$ 2,091,068,835 in 2011 to RD\$ 2,870,092,259 in 2015. The latter figure represented 0.50 per cent of the national budget and 0.10 per cent of GDP, as can be seen in the following table.

Table I
Public-sector investment in social housing projects

| Year | Ministry of Public Works RD\$ | Ministry of the Office of the Presidency RD\$ | National Housing Institute RD\$ | Total public-sector budget | National budget | GDP US\$ mil. | % budget. | % GDP |
|------|-------------------------------|---|---------------------------------|----------------------------|-----------------|---------------|-----------|-------|
| 2011 | | | 2 091 068 835 | 2 091 068 835 | 408 734 905 295 | 58 150 | 0.60 | 0.10 |
| 2012 | | 34 911 469 | 2 115 983 352 | 2 150 894 821 | 430 000 814 579 | 60 330 | 0.50 | 0.10 |
| 2013 | | 744 588 765 | 602 477 070 | 1 347 065 835 | 530 846 353 593 | 61 160 | 0.30 | 0.10 |
| 2014 | 19 314 000 | 9 259 994 | 928 331 604 | 956 905 598 | 520 013 620 206 | 62 891 | 0.20 | 0.10 |
| 2015 | 460 652 985 | 1 402 680 000 | 1 006 759 274 | 2 870 092 259 | 630 394 566 614 | 65 691 | 0.50 | 0.10 |

Source: Ministry of Finance, National Housing Institute, Fiscal Transparency, National Statistics Office, Central Bank.

Public-sector incentives for low-cost housing

76. The State provides buyers with housing subsidies — based on the amount of taxes paid to the Directorate-General for Internal Taxation — and land vouchers towards the purchase of a first home. In some projects, such as Ciudad Juan Bosch, the Dominican Government provided the land on which 25,000 low-cost housing units were built, and also provided the infrastructure for basic services. Since then, the private sector has assumed a more active role in the construction and financing of low-cost housing, having found the conditions offered by the State to be attractive. These housing projects are located throughout the country in urban and suburban areas.

Table II
Private-sector investment in housing and apartment construction, by type of construction, 2011 to 2015

| Year | Apartment annex | Housing annex | Apartment or building | Housing units | Total private-sector RD\$ | Dollar Exchange rate | % budget. | % GDP |
|------|-----------------|---------------|-----------------------|------------------|---------------------------|----------------------|-----------|-------|
| 2011 | 117 101 761.00 | 9 085 437.00 | 6 837 984 901.00 | 391 693 682.00 | 7 355 865 781.00 | 38.62 | 1.8 | 0.40 |
| 2012 | 372 842 570.00 | 8 082 476.00 | 7 022 025 273.00 | 724 941 579.00 | 8 127 891 898.00 | 40.29 | 1.9 | 0.40 |
| 2013 | 139 371 305.00 | 1 898 817.00 | 6 607 377 997.00 | 595 466 679.00 | 7 344 114 798.00 | 42.70 | 1.4 | 0.30 |
| 2014 | 522 572 242.00 | 13 227 247.00 | 15 586 279 881.00 | 1 105 507 194.00 | 17 227 586 564.00 | 44.27 | 3.3 | 0.70 |
| 2015 | 454 249 963.00 | 13 119 840.00 | 23 172 330 731.96 | 1 437 236 925.71 | 25 076 937 460.67 | 44.98 | 4.0 | 0.90 |

Source: Ministry of Finance, National Housing Institute, Fiscal Transparency, National Statistics Office, Central Bank.

77. As can be seen in Table II, beginning in 2014, private-sector financing and investment increased by 1.9 percentage points as a share of the national budget compared to 2013, and also increased by 0.4 percentage points as a share of GDP for the same year. In 2015, investment grew by 0.70 percentage points as a share of the national budget and by 0.20 percentage points as a share of GDP. This growth was the result of the implementation of the following legislation: Act No. 189-11 on the Development of the Mortgage Market and of Trusts; Decree No. 663-12, establishing the Trust Fund Commission; Decree No. 241-12, establishing the Low-cost Housing Trust Fund in the Dominican Republic; and Decree No. 153-13, on low-cost housing.

Housing shortage

78. The housing shortage in the Dominican Republic mainly affects low- and middle-income families; 38.4 per cent of households have no housing of their own. The urban population makes up 78.70 per cent of the total, and the rural population, 21.30 per cent.

79. The overall quantitative shortage called for an increase in new housing, from 689,812 units in 2002 to 865,829 in 2010 at the national level. This meant an increase of 25.51 per cent in the period between censuses. Based on the housing shortage reported in the 2002 and 2010 censuses, the 2002 shortfall in urban areas was 422,936 units; in rural areas, 266,876 units. In 2010, urban areas were short of 636,839 units; rural areas, 228,990 units.

80. A pattern of mainly urban quantitative shortage emerges from an analysis by zone. An examination of the data by zone of residence shows a considerable increase (50.57 per cent) in urban zones in the decade 2002-2010, with the deficit still large (about 636,839 units) in 2010. Rural zones, by contrast, underwent a significant decline (14.19 per cent) over the same period. This urban pattern was evident across all the components of the quantitative shortage, with the exception of irrecoverable housing, which is apparently more numerous in rural zones, according to the National Statistics Office.

Question 22

81. With respect to measures taken to improve living conditions in sugar-mill camps, diagnostic and health-care centres, childcare centres and hundreds of schoolrooms have been built thanks to State policies.

82. These structures were put up in the province of San Pedro de Macorís, municipality of Consuelo (a municipality with several sugar-mill camps), Barahona and el Seibo for the most vulnerable and for residents of the camps.

83. The institution responsible for providing drinking water is the National Institute of Drinking Water and Sewerage Treatment, which has outlined the steps taken to ensure drinking water services in the reply to question 24.

Question 23

84. Dominican legislation on rent is based on Decree No. 4807 of 16 May 1959. It identifies two reasons for requesting eviction from a rental property: 1. Because the owner needs the property, for various reasons, and 2. Because of failure to pay the rent, in which case the relevant proceedings are heard by a magistrates' court. In this section we will deal with all aspects of evictions initiated by the Bureau of Rent Control and Evictions.

85. The enforcement of judgments calling for embargos, evictions, expulsions from places and similar actions requires consultations with the police force, as stipulated in the relevant ruling of the Constitutional Court.

86. This decision was adopted by the Council of the Judiciary under Resolution No. 17/2015 of 3 August 2015.

87. The Council's decision was pursuant to article 149.1 of the Constitution, article 26 (14) of the Public Prosecution Service Organization Act (Act No. 133-11) and the decision of the Constitutional Court on the mandatory use of the police force in the implementation of the above-mentioned judgments.

88. The Council's resolution stipulates that the Public Prosecution Service is responsible for authorizing the use of the police force for implementing such judgments, and must so advise the relevant bodies of the Service at the request of the person concerned.

89. Decision No. 0110/13 of 4 July 2013 of the Constitutional Court provides that all matters concerning the Bailiff's Office are governed by the Supreme Court of Justice, as set forth in article 1 (5) of Act No. 28-11 of the Council of the Judiciary. It stipulates that the measure shall be temporary until such time as the National Congress and the executive branch approve the corresponding law, as required under the above-mentioned decision.

Question 24

90. The second strategic focus of the National Development Strategy 2030 postulates the construction of "a society based on equality of rights and opportunities in which the entire population is guaranteed quality education, health care and basic services and which works towards the gradual reduction of poverty and social and regional inequality".

91. Specific objective 2.5.2 of the Strategy is "to guarantee universal access to drinking water and sanitation facilities, provided with quality and efficiency". Various action lines are proposed in order to achieve the objective, including the following:

(1) To develop the legal and institutional framework of the organizations responsible for drinking water and sanitation in order to ensure the timely and high-quality provision of these services as well their efficient and sustainable management;

(2) To transform the management model of the drinking water and sanitation facilities so that it monitors demand and discourages the irrational use of water;

(3) To develop new network infrastructure for extending the coverage of drinking water services;

(4) To ensure the maintenance of the infrastructure needed for the provision of drinking water, among other equally important types of infrastructure.

Question 25

92. The Ten-Year Health Plan has been used by the National Health System to mobilize efforts and financing to make solid primary health care available with ample capacity to deal with complications. Renovation of diagnostic centres is currently under way with a view to providing primary-care medical testing and imagery and to enabling users to access the services, particularly in rural areas. Nevertheless, experience has demonstrated the need to strengthen primary care in urban areas, which should be made a priority for the short term.

93. The state of health of the Dominican population has improved during the period covered by the Ten-Year Health Plan 2006-2015, as reflected in a significant reduction in premature mortality and a consequent increase in life expectancy. However, as is also occurring elsewhere in Latin America and the Caribbean, there is still a significant burden of disability.

94. Between the five-year periods of 2000-2005 and 2010-2015, the Dominican population increased its life expectancy at birth by four years, from 70.1 to 73 years. The country is thus highly likely to meet the goal of 72.3 years outlined in the Ten-Year Plan.

95. Prior to the implementation of the Ten-Year Health Plan 2000-2005, the gap in life expectancy between men and women was 4.3 years, which rose to 4.8 years in the five-year period 2010-2015.

96. Women between 20 and 39 years of age, and men between 25 and 44, benefited the most from the reduction in the premature mortality rate, with values ranging from -28 per cent to -36 per cent for women and from -20 per cent to -31 per cent for men.

Question 26

97. Beginning with the implementation of the project for the prevention of teenage pregnancy and medical care for young women of the Dominican Republic, under the auspices of the Korea International Cooperation Agency, the Ministry of Women acquired valuable experience in dealing with the sexual and reproductive health of adolescents from a gender and human rights perspective.

98. As a result of the hard and continuous work on comprehensive health, focusing on the prevention of teenage pregnancy, sexually transmitted diseases, violence, and a gender and human rights perspective, the Centre for the Promotion of Comprehensive Adolescent Health was built, with support from the Korea International Cooperation Agency. The centre was inaugurated on 17 February 2015.

99. The Centre, which is running its first phase as a pilot, coordinated by the Ministry of Women, is a place where adolescents learn all about their sexuality in a manner that is entertaining.

100. The State provides services and information on sexual and reproductive health through the following actions:

- (1) A budget of US\$ 1.65 million for the purchase of contraceptives in 2016;
- (2) Launch of the campaign "It won't happen to me", aimed at counselling adolescents and young people on the prevention of pregnancy and sexually transmitted diseases (standards). As part of the campaign a play of the same name was performed before 1,004 adolescents and 100 adults;
- (3) 3,209 adolescents and 1,003 adults received training from the Centre for the Promotion of Sexual and Reproductive Health;
- (4) Supplies and services for sexual and reproductive health were delivered through community channels;
- (5) Sexual and reproductive health fairs were held nationwide;
- (6) 15,600 flyers entitled "Plan your life" were distributed to adolescents by the provincial and municipal offices of the Ministry of Women in order to raise awareness about preventing unwanted pregnancies;
- (7) 1,650 educational materials were delivered by the provincial and municipal offices of the Ministry of Women to give inter-agency actors knowledge and tools for promotion and implementation with respect to the link between violence against women and HIV/AIDS.

The results of implementing the National Inter-Agency Plan on the Prevention of Teenage Pregnancy and of any sexual and reproductive health awareness campaigns and educational programmes conducted for adolescents

- (1) Creation under Decree No. 264-13 of the Monitoring Commission for the Teenage Pregnancy Prevention Plan;

- (2) The organizations responsible for the prevention and care of teenage pregnancy have expertise on the subject;
- (3) Creation of the Local Health Committee for Follow-up and Monitoring of the Teenage Pregnancy Prevention Plan;
- (4) The coordination and involvement of different organizations, including civil society, has helped to position the subject and give it prominence;
- (5) Budgetary allotments and disbursements for sexual and reproductive health are being monitored;
- (6) New nationwide research on the subject is being conducted;
- (7) The country has improved its international standing through the evaluation of the implementation of the Ministerial Declaration on prevention through education, which is fundamental to policy development;
- (8) The country received international recognition for its Teenage Pregnancy Prevention Plan.

Question 27

101. The estimated mortality rate for 2013 was 100 deaths per 100,000 live births (Basic Indicators, Health in the Americas, Pan-American Health Organization, World Health Organization, 2015).

102. Sepsis is associated with 23 per cent of maternal deaths; pregnancy-related hypertension, with 22.5 per cent (national epidemiological surveillance system, 2013). Obstetric haemorrhages cause 19 per cent of complications, and abortions account for 13 per cent of maternal deaths.

103. The infant mortality rate is 23.7 per 1,000 live births, and the under-five mortality rate, 28.3 per 1,000 live births (Basic Indicators, Health in the Americas, Pan-American Health Organization, World Health Organization, 2015). Among the principal causes of under-five mortality are diarrhoea and infectious gastroenteritis (22 per cent); drowning and submersion of undetermined cause, 11 per cent; and other septicaemias, 9 per cent (MDG4 Health Profile, 2011).

Question 28

104. Implementation of the Strategy for the Elimination of Mother-to-Child Transmission of HIV and Congenital Syphilis began in 2012. It started with the creation of a technical follow-up board (technical committee), the implementation of a pilot strategy in 16 of the country's main hospitals that treat pregnant women, the drafting and publication of the corresponding strategic plan and the development of an operating plan for implementing the strategic plan.

105. This initiative resulted in changes to the lines of action of the National Programme to Combat Vertical Transmission of HIV. Rapid (treponemal) tests were added to the clinical component for syphilis screening, and penicillin treatment was started for pregnant women who tested positive, along with serological monitoring with (non-treponemal) Venereal Disease Research Laboratory (VDRL) tests. In addition, the newborn were monitored and diagnosed in timely fashion for congenital syphilis.

106. In 2011 the country devised a communication strategy for the prevention of mother-to-child transmission of HIV and congenital syphilis, which is now being implemented and includes a mass media campaign, posters and brochure.

107. In March 2014, the elimination strategy was implemented in 34 primary- and secondary-care facilities, bringing the total number of facilities implementing the strategy nationwide to 50.

108. In 2015, the National HIV/AIDS Care Guide was updated, which set the threshold for starting treatment at 500 Cel/mm³ or less, and called for treatment with simplified fixed doses, targeting gays, men who have sex with other men, sex workers and drug users as its priority populations.

Question 29

109. With respect to the Ten-Year Education Plan for 2008-2019, the Dominican State has completed a number of actions, including revising the curricula at the preschool, primary and secondary levels in order to improve the quality of Dominican education.

110. The National Teacher Training Institute, a decentralized body of the Ministry of Education, has continued to offer scholarships for teacher training programmes for the primary and secondary levels, enabling recipients to follow degree programmes, specialized courses, post-graduate courses and master's programmes to hone their knowledge and teaching skills. Teachers' salary scales have been restructured, enabling them to lead decent lives and be motivated. Primary school teachers today receive a salary of RD\$ 43,500, including benefits; secondary school teachers, RD\$ 51,000.

111. With reference to school infrastructure in rural areas, and in keeping with the national school buildings plan, 14,000 new classrooms had been built as of July 2016, and 7,000 existing classrooms renovated. There are currently 3,624 schools in rural areas throughout the country, some of which were already in existence before the plan went into effect.

Question 30

112. With respect to how the Dominican Republic ensures that Haitian children and Dominican children of Haitian descent – as well as children in the most vulnerable group, those who lack the documents they need to enrol in school – have access to the primary and secondary education system, we reiterate what we have stated continuously in other recent reports with regard to the continued implementation of Circular No. 18 of 27 July 2011. That circular instructed “all district directors, regional directors and principals to proceed with the enrolment of all children and adolescents, whether or not they are duly registered”. This guarantees access to classrooms of all children and adolescents who do not have a birth certificate, regardless of their nationality, until such time as they are regularized.

113. The institutional agreement of 2011 between the Ministry of Education and the Directorate-General for Migration has continued, guaranteeing places in public schools for foreign children regardless of their immigration status, in support of policies to provide the necessary documents for the 24,000 children enrolled, mainly from Haiti, of a total of 54,808 foreigners.

114. With respect to statistics for the period 2014-2015, 47,139 students of Haitian nationality were enrolled in public primary and secondary schools; 7,481 in private schools; and 555 in informal schools, for a total of 55,175 students. This may be compared with the

period 2013-2014, when the total was 49,701 students, meaning that 2015 saw a slight increase in the access to education for this population.

Question 31

115. Specific measures taken to increase secondary school enrolment and to reduce the school dropout rate at both the primary and secondary levels include the Ministry's strengthening of the extended schoolday plan, which has helped lower the dropout rate and restore parents' faith in the public education system.

116. In April 2016, some 3,426 schools were offering extended schooldays, benefiting 934,153 students at the preschool, primary and secondary levels and involving 23,769 teachers in meeting the demand of the new schools.

117. The Dominican education system has also developed the PREPARA programme at very low cost, in keeping with Ordinance No. 01'2006. The programme regulates secondary-school distance education and education requiring part-time attendance for young people and adults, enabling them to finish their baccalaureate studies from home by attending classes for just seven hours a week, in the regular baccalaureate, and nine hours, in the accelerated baccalaureate. The fees for the regular baccalaureate are RD \$800; for the accelerated baccalaureate, RD\$ 1,600.

118. This programme offers the following opportunities: taking the general baccalaureate courses for the first, secondary, third and fourth years; and completing the first cycle (equivalent to the first and second years) and second cycle (equivalent to the third and fourth years) of the accelerated baccalaureate. Educational materials consist of nine modules, each of which contains specific topics to be studied throughout the month.

Question 32

119. A total of 415,294 students were enrolled in higher education in 2015, 41.14 per cent of them in the Autonomous University of Santo Domingo.

120. According to a study on the use of ICTs in institutions of higher education, university enrolment has increased by 6 per cent annually since 2009.

121. The Ministry of Higher Education, Science and Technology has a National Scholarships Department, whose principal mandate is to offer educational opportunities to poor young people with limited means and proven intellectual ability throughout the country (provinces and municipalities) in order to promote equality of opportunity and academic excellence.

Question 33

122. The Ministry of Culture, which is the institution responsible for promoting culture, drew up a strategic institutional plan.

123. Action line 2.6.1.8 of the plan states: "To recover, protect and publicize the country's tangible and intangible cultural heritage through the study and dissemination of regional and local cultures, and to foster their appreciation as part of national identity and productive potential".

124. Strategic Focus II of the plan includes protecting and highlighting the value of the country's cultural heritage, with two specific objectives:

(1) Public policies for proper management of the cultural heritage, both tangible and intangible, that will contribute to the recovery and restitution of the Dominican cultural heritage, whether public or private, and thereby to its protection, conservation and appreciation;

(2) Formulating a new legal framework for better institutional regulations and for developing policies, plans, programmes and projects to promote efficient and high-quality management of the country's cultural heritage.

125. Thus, with a view to promoting the nation's African cultural heritage, the Ministry of Culture is carrying out numerous activities in addition to those mentioned in paragraph 229 of the State party report, including the following:

- A web page on the project "Management of cultural heritage and new technologies for education, protection and promotion of cultural resources";
- Within the framework of the Caribbean Cultural Corridor, to promote cultural diversity, tourism and international cooperation, a series of free activities will be carried out to highlight and promote the African origins of Dominican culture, including:

(1) The influence of African origins in early Dominican culture;

(2) The kettledrum festival of Sainaguá de San Cristóbal: importance for the sustainable development of the southern region;

(3) African heritage in the Dominican Republic today: its contributions and relevant aspects for the creation of contemporary Dominican identity.

126. The Ministry of Culture holds periodic workshops on cultural projects.

Question 34

127. The Dominican Telecommunications Institute and its Department of Management, Sustainability and Social Engineering have made special ICT rooms available for persons with disabilities in different provinces, with a total of 25 such rooms in various localities.
