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Committee on Economic, Social and Cultural Rights

Consideration of reports submitted by States parties under articles 16 and 17 of the International Covenant on Economic, Social and Cultural Rights

Fourth periodic reports of States parties due in 2015

Dominican Republic*

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Annex**

Observations of the Committee on Economic, Social and Cultural Rights on the third periodic report of the Dominican Republic

** The annex is available in the files of the Committee secretariat

I. Methodology

1. The methodology followed in this periodic report was based on gathering information supplied by various State agencies in regard to affirmative action practices, policies, measures and advances in the Dominican Republic in the development of economic, social and cultural rights.
2. Among the institutions which collaborated in preparing this report are: the Ministry of Labour, the Ministry of Women, the Ministry of Culture, the Ministry of Education, the National Housing Institute, the Ministry of Health and Social Welfare and the Social Plan of the Office of the President.

II. Implementation of the articles of the Covenant

Article 1 Right to self-determination

3. The Dominican people constitute a nation organized as a free and independent State named the Dominican Republic.
4. National sovereignty resides in the people, from whom all State powers emanate, and said powers are exercised through representation.
5. The sovereignty of the Dominican nation as a free and independent State is inviolable. The Republic is and shall always remain free and independent of all foreign powers. Consequently, none of the public powers organized by the Constitution may perform or permit the performance of acts which constitute direct or indirect intervention in the internal or external affairs of the Dominican Republic or interference directed against the personality and integrity of the State and the functions vested in it and enshrined in the Constitution. The principle of non-intervention constitutes an invariable rule of Dominican international policy.
6. The Dominican Republic recognizes and applies the rules of general international law to the extent that they have been adopted by its public powers; it declares itself in favour of the economic solidarity of the countries of America and indicates its willingness to support any initiative conducive to the protection of their commodities and raw materials.
7. The Constitution of the Republic recognizes the constitutional status of international treaties once they have been approved by Congress, providing in article 26 (2): "The rules in ratified international treaties shall become effective within the Dominican territory upon their official publication."
8. It is recognized that the primary purpose of the State is effectively to protect the rights of the individual and to afford the means to enable the individual gradually to develop within a setting of individual liberty and social justice compatible with public order, general welfare and the rights of all, as prescribed in article 8 of the Constitution. For this reason, the Dominican State uses as a mechanism for effectively maintaining the right to self-determination the rigorous application of the standards and sources defined above, punishing anyone who ventures to violate them, since allowing their violation would gradually lead it to lose its essence as a free and sovereign State, free of external interference, while taking into consideration and respecting the rights of any who seek to violate the rules.

Article 2

Measures to guarantee the exercise of economic, social and cultural rights

9. It can be deduced from article 8 of the Constitution of the Dominican Republic, referred to in paragraph 8 above, and from a simple analysis thereof, that this legal provision does not establish any argument about discriminatory treatment, but, by way of introduction, does make clear that the Dominican State must give the necessary protection to every individual, regardless of gender, colour, age, disability, nationality, family ties, language, political or philosophical opinions, or social or personal conditions.

10. Accordingly, it is the legal provisions that prevent ill-treatment in all respects by reason of race, religion, culture, etc.

11. At the legislative level, there is no law that establishes or promotes discriminatory treatment of foreigners. Furthermore, as the Dominican Republic is a country with a mixture of races, racially discriminatory practices are prohibited in its legislation, and the country is striving to ensure that any discriminatory acts or practices are eliminated.

12. In addition to the explicit indication in the Constitution, there are specific provisions against discrimination, which will be discussed below. It may be inferred from these provisions that such distinctions are not present in national legislation, which condemns any treatment by one human being of another that violates the true meaning of equal human rights applicable to all and that has come to the knowledge of the State.

13. In the legislation of the Dominican Republic, the right to work, health, education and culture are protected with specific provisions against discrimination.

14. With regard to the Labour Code, Principle VII prohibits any discrimination, exclusion or preference on grounds of sex, age, race, colour, national origin, social origin, expression of opinion, trade union activism or religious belief, save those exclusions embodied in the law for the personal protection of the worker.

15. Article 46 (8) of the Labour Code also provides that due consideration should be shown to workers, refraining from ill-treatment by word or deed.

16. It is likewise provided that rights conferred by law upon workers may not be waived or abridged by agreement, and any agreement providing otherwise is void.

17. Along the same lines, article 47 (9) prohibits acts against workers which may be considered sexual harassment, or in support of other types of acts which limit the rights of workers as provided by law.

18. In addition, article 336 of the Dominican Criminal Code, amended by article 9 of Act No. 24-97 on domestic violence, provides as follows:

Article 336. Any unequal or offensive treatment of natural persons owing to their origin, age, sex, family circumstances, state of health, disabilities, customs, political views, trade union activities or membership or non-membership, or actual or supposed membership, in a specific ethnic group, nation, race or religion, constitutes discrimination.

19. Any unequal treatment by some or all members of a legal person towards natural persons owing to their origin, age, sex, family circumstances, state of health, disabilities, customs, political views, trade union activities or membership or non-membership, or actual or supposed membership, of a specific ethnic group, nation, race or religion, also constitutes discrimination.

20. Article 336-1 states as follows:

Article 336-1. Discrimination, as defined in the foregoing article, committed in respect of a natural or legal person shall be punished by imprisonment for two years and a fine of 50,000 pesos, when it consists of:

- Refusing to provide goods or services;
- Hampering the normal exercise of any economic activity;
- Refusing, hiring, penalizing or dismissing a person;
- Making the provision of goods or services conditional upon one of the elements referred to in the foregoing article;
- Making an offer of employment conditional upon one of the elements referred to in the foregoing article.

21. Article 12 of Act No. 135-11 on HIV/AIDS provides as follows: “Discrimination: Attitudes or practices which have the purpose or effect of diminishing or limiting rights, affecting the ability of a person or group of persons to undertake normal activities in their social, family, employment or institutional environment, or rejecting or excluding such persons because it is suspected or confirmed that they are living with HIV or AIDS”.

22. Article 60 of the Constitution stipulates that all persons have the right to social security. The State shall encourage the progressive development of social security so that every person can enjoy adequate protection against unemployment, sickness, disability and old age.

23. Article 3 of Act No. 87-01 on Social Security lays down some of the guiding principles of social security:

- Universality: The Dominican Social Security System must protect all Dominicans and residents, without discrimination by reason of health, sex, social, political or economic condition;
- Comprehensive coverage: All persons, without distinction, shall have the right to protection sufficient to ensure the enjoyment of life and adequate exercise of their faculties and productive capacity;
- Equity: The Dominican Social Security System shall effectively ensure access to services for all its beneficiaries, especially those living and/or working in remote or marginal areas.

24. Article 4, paragraph 4, of the Act sets out the rights and duties of members: “The beneficiaries, on behalf of their family, shall have the right to elect the health risks administrator and/or health services provider they deem most appropriate. No administrator or provider may reject or cancel membership of a beneficiary for reasons of age, sex, social condition, health or employment.”

25. Article 5, section A, defines the beneficiaries of the system: “All Dominicans and foreign citizens who have established their residence in the national territory shall have the right to promotion of health, disease prevention and protection, recovery and rehabilitation of health and environmental protection, without discrimination.”

26. Article 58 of the Constitution provides the following: “The State shall promote, protect and ensure the enjoyment of all human rights and fundamental freedoms of persons with disabilities on an equal basis with others as well as the full and independent exercise of their capacities. The State shall adopt the necessary positive measures to promote their family, community, social, occupational, economic, cultural and political integration.”

27. Article 3 of the General Act on Disability in the Dominican Republic (No. 42-2000) states: "The purpose of this Act is to protect and guarantee equality and equal opportunities for all persons with functional, physical, psychological and/or sensory disabilities."

28. The purpose of the Act is to ensure the social integration of persons with disabilities, establishing the legal regime of protection, care, rehabilitation, safety and prevention provided for in article 58 of the Constitution.

29. With regard to the right to education, Article 63 of the Constitution provides the following: "Everyone has the right to an all-round, quality, ongoing education, on an equal footing and with equal opportunities, without other limitations than those deriving from his or her aptitudes, vocation and aspirations."

30. Article 63 (3) stipulates: "The State party guarantees free public education, which is compulsory at the nursery, basic and secondary levels. Educational opportunities at the nursery level shall be defined by law. Higher public education shall be financed by the State, guaranteeing a distribution of the resources proportionate to the educational opportunities available in each region, in accordance with the law."

31. The Ministry of Culture administers principles of non-discrimination through Act No. 41-00, article 38 of which establishes that the Ministry "shall organize and promote, without discrimination of any kind, the dissemination and advancement of the cultural expressions of Dominican citizens". This provision is in support of article 64 (1) of the Constitution, which establishes that: "The State shall set policies to promote and stimulate, in the national and international spheres, various scientific, artistic and popular manifestations and expressions of Dominican culture; shall encourage and support the efforts of persons, institutions and communities to develop or finance cultural programmes and activities; and shall foster the broadest possible dissemination of science and culture, adequately ensuring that all persons benefit from the results of scientific and moral progress."

32. Act No. 41-00 is based on some of the following principles, which protect all citizens and residents in the country from discrimination:

(a) The State shall in no event exercise censorship over the form and ideological and artistic contents of cultural activities and projects, and shall, moreover, ensure the free circulation and dissemination of all manner of cultural, scientific and technological information;

(b) Every person has the right freely to take part in the cultural life of the community, to enjoy the arts and to participate in scientific and cultural progress and the benefits flowing therefrom;

(c) Every person has the right to protection of the moral and material interests to which he is entitled by reason of the scientific, literary or artistic products of which he is the author;

(d) Respect for human rights, peaceful coexistence and understanding between peoples, participatory democracy, solidarity, multiculturalism, pluralism, tolerance, equality between the sexes and international cooperation based on a just political and economic order are fundamental cultural values.

33. Despite the aforementioned legal provisions, it should be noted that if a judicial officer violates the application of said measures in an arbitrary or discriminatory manner, to the detriment of the person before the court, Dominican laws such as the Code of Civil Procedure, the Code of Criminal Procedure, the Cassation Act and other laws provide mechanisms for challenging decisions of the courts, such as the remedies of appeal, opposition, cassation and review.

Article 3

Equal rights of men and women

34. The Dominican Constitution of 2010 established gender equality and equity as one of its fundamental underlying principles, as reflected in the following provisions:

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

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

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

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

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

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

- Those which directly allude to their rights;
- Those of a general nature which, in keeping with the principle of equality, implicitly have an impact on women as well;
- Those which represent mechanisms or instruments for claiming or protecting rights and which give women other particular opportunities to exercise, claim, or protect their rights.

36. The Dominican State, in order to ensure women's right to equal remuneration with men, fully complies with Principle X of the Labour Code, that "Male and female workers have the same rights and duties". It has also ratified the International Labour Organization (ILO) Equal Remuneration Convention, 1951 (No. 100). Regarding the implementation of these provisions, the Department of Gender Equity of the Ministry of Labour is responsible for all activities related to the protection of women's rights at work.

37. As an example of women exercising their right to equality in political participation and in influential and decision-making positions in the Dominican Republic, there are currently 38 female members of parliament, representing 20.8 per cent of the lower house, and three senators, representing 9.4 per cent of the Senate. In the 2010 elections, 12 female mayors were elected, representing 7.7 per cent of all persons elected to this position, which is two percentage points above the current world average. As for councillors, for the first time ever, the legal minimum quota of 33 per cent was reached in 2010–2016.

38. Also noteworthy is the second-ever election of a woman as Vice President of the Republic, in May 2012, for the 2012–2016 presidential term of office. The first time the country had a woman in this post was during the 2000–2004 term.

39. The adoption of the National Gender Equity Plan 2007–2017 should also be mentioned. It is based on three strategic aspects: (a) gender equality from the perspective of

human rights; (b) mainstreaming, targeting and high-impact pilot testing; and (c) institutional mechanisms for coordinating and preparing the implementation of the Plan. Another strategic aspect is the establishment of the system of indicators for following up and monitoring the implementation of the Plan's second edition.

Article 6

Right to work; technical and vocational training

Rights, protection, guarantees and training

40. Dominican legislation provides strong safeguards in the Constitution, in the Labour Code and in general. These rules are framed in consonance with the ILO Conventions to enable workers to carry out their work under "decent working conditions," i.e. productive work done under fair conditions. The Dominican Republic has ratified 32 ILO Conventions, including the eight core conventions that are considered to reflect recognition and protection of the right of all persons to work and freely to choose their work, namely the following:

- Forced Labour Convention, 1930 (No. 29);
- Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87);
- Right to Organize and Collective Bargaining Convention, 1949 (No. 98);
- Equal Remuneration Convention, 1951 (No. 100);
- Abolition of Forced Labour Convention, 1957 (No. 105);
- Discrimination (Employment and Occupation) Convention, 1958 (No. 111);
- Minimum Age Convention, 1973 (No. 138);
- Worst Forms of Child Labour Convention, 1999 (No. 182).

41. In addition, it has ratified the following conventions:

- The ILO Employment/Labour Policy Convention, 1964 (No. 122);
- International Convention on the Elimination of All Forms of Racial Discrimination;
- Convention on the Elimination of All Forms of Discrimination against Women.

42. The Dominican Republic has ratified numerous international conventions on working conditions, including the core ILO Conventions on:

- Freedom to organize;
- Right to unionization and collective bargaining;
- Right to strike;
- Abolition of forced labour;
- Elimination of labour and occupational discrimination;
- Elimination of the worst forms of child labour.

43. With a view to eliminating discriminatory practices, such as pregnancy testing and HIV/AIDS testing for employment, the Ministry of Labour has conducted various outreach programmes on labour regulation to make labour market actors aware of the need to ensure the protection of workers' rights.

Employment and employment policies

44. According to the latest Continuous National Labour Force Survey, there was a net increase of 109,300 jobs between October 2014 and April 2015. This, along with the 235,600 jobs created in the two years between October 2012 and October 2014, brings the total number of new jobs to 344,900.

45. From October 2012 to October 2013, there was a net increase of 69,801 jobs in the Dominican economy. Of that number, 94.8 per cent (66,140) were created between April 2013 and October 2013, consistent with the dynamism of the economy at the time, while the remaining 5.2 per cent (3,661) were created between October 2012 and April 2013.

46. These figures show that a turning point occurred in April 2013, when the economy began to recover after growing at barely 0.3 per cent in the first quarter of 2013, as the result of the adoption of fiscal and monetary measures.

47. Based on a comparison of the October and April 2013 surveys, the most dynamic economic activities in terms of employment generation were: other services (34,013 jobs); construction (20,796 jobs); manufacturing industries (7,938 jobs); public administration and defence (4,726 jobs); and hotels, bars and restaurants (3,598 jobs). There was a significant job recovery in the construction sector during the second half of the year, consistent with the increase in the sector's value added.

Main labour market indicators

48. The overall participation rate, which measures the level of activity of the labour market in the economy — defined by the ratio between the economically active population (composed of the employed and the unemployed) and the working-age population — increased by 0.1 percentage points, rising from 56.5 per cent to 56.6 per cent between October 2012 and October 2013.

49. The employment rate, which is the ratio between the employed population and the working-age population over 10 years of age, remained unchanged, at 48 per cent, between October 2012 and October 2013. In analysing this indicator, with reference to the minimum working age of 15 recommended by ILO for purposes of international comparison, the national employment rate was 55.1 per cent in October 2013.

50. The number of persons who joined the economically active population between October 2012 and April 2013 grew by the same proportion as the number of jobs created in that period. This meant that the open unemployment rate — which measures the share of the open unemployed population who were actively seeking employment during the reference period (the last four weeks) — remained unchanged, at 7.0 per cent.

51. The open unemployment rate of the Dominican Republic is close to the Latin American average.

52. The open unemployment rate among young people — a segment of the population comprising persons aged 15 to 24 who are engaged in acquiring the skills and knowledge needed to enhance their subsequent performance — increased by 1.1 percentage points, rising from 15.8 per cent in October 2012 to 16.9 per cent in October 2013. The youth unemployment rate, as in most of the world's economies, tends to be higher than the average unemployment rate of the economy as a whole.

Formal- and informal-sector employees

53. Since October 2013, an estimated 56.2 per cent of the employed have been working in the informal sector. This means that 56 of every 100 employees work in establishments with less than five employees, or engage in own-account activities or as employers in the

following occupations: farmers and stock raisers, operators and drivers, craftspeople, traders and sellers, domestic workers and unremunerated workers. The remaining 43.8 per cent of the employed are part of the formal sector of the economy. It is noteworthy that the percentage of those working in the informal sector decreased by 1.6 percentage points between October 2012 and October 2013.

Wages and working hours

54. The average hourly wage increased by 7.5 per cent between October 2012 and October 2013, rising from RD\$ 75.71/hour to RD\$ 81.42/hour. The average number of working hours remained stable, at about 41 hours per week.

55. A survey of workers' income by occupational category shows that employers and own-account employees experienced the greatest increases in wages — 37.7 per cent and 9.8 per cent, respectively — between October 2012 and October 2013.

56. The average hourly wage in the formal sector in October 2013 increased by 10.4 per cent over October 2012, rising from RD\$ 89.45/hour to RD\$ 98.73/hour. In the informal sector, it increased by 3.4 per cent, from RD\$ 65.30 to RD\$ 67.52.

57. The share of all employees and the percentage of salaried employees with incomes that are below two thirds of the median of all average monthly wages of workers (employees with relatively low salaries) fell by more than 4 percentage points between 2010 and 2013. This reflects a relative improvement in the distribution of income from work, despite the fact that in real terms, this income continues to lag behind, as average nominal wages are not keeping pace with inflation.

58. The wage gap between the ninth and first deciles narrowed slightly in the period 2010–2013, with the average wages of the ninth decile 7.2 times higher than those of the first decile in 2013, compared with 7.4 times in 2010.

59. The average minimum wage in the private sector increased by 33.4 per cent in the period 2010–2013, from RD\$ 6,481 in 2010 to RD\$ 8,645 in 2013. This increase was greater than the 10.4-per-cent growth in average monthly income of all employees during the same period. The average minimum wage in the private sector rose from 50.1 per cent of workers' average monthly income in 2010 to 60.5 per cent in 2013, meaning that the income of workers earning the minimum wage grew more than the average wage in the economy as a whole.

Training

60. The training and job placement programmes implemented by the Dominican State include the following:

- The Technical and Vocational Training Institute, which was established in 1980 by Act No. 116 and which is responsible for regulating and implementing a wide range of programmes for the training, specialization and development of the country's labour force. It seeks not only to enhance the social and cultural level of workers, but also to improve their technical skills, which would lead to a commensurate growth in productivity. The educational opportunities available in the occupational pyramid cover agriculture, industry, free trade zones and tourism, among others;
- The School Workshop Training Centre of the Ministry of Labour, which trains young people in different spheres of working life.

61. One of the most important labour-related changes in the Dominican Republic was the adoption of Civil Service Act No. 41-08 of 16 January 2008, which created the Ministry of Public Administration.

62. In order to continue to guarantee the right to work to anyone residing in the national territory, both labour law (Principles II, IV, VII and X of the Labour Code) and international standards (including ILO Convention Nos. 19, 87, 98, 100 and 111) prohibit all discriminatory acts. Accordingly, the Ministry of Labour continuously disseminates employment legislation and organizes awareness-raising campaigns and training workshops for labour and management concerning the prohibition of discriminatory acts.

Labour Code

63. Principle IV of the Labour Code states: “The laws governing labour are territorial in nature and govern Dominicans and foreigners alike, save for such distinctions as are admitted under international agreements.”

64. Principle V states: “The rights conferred by law upon workers may not be waived or abridged by agreement. Any agreement providing otherwise is void.”

65. Principle VII states: “Any discrimination, exclusion or preference based on grounds of sex, age, race, colour, national origin, social origin, political opinion, trade union activism or religious belief is prohibited, with the exceptions laid down in the Code itself for the purpose of protecting the worker. Distinctions, exclusions or preferences based on qualifications required for holding a particular job do not fall within the scope of this prohibition.”

66. Principle X states: “Female workers have the same rights and obligations as male workers.”

67. Principle XII states: “The basic rights of workers shall include the freedom to organize labour unions, the right to a fair wage, vocational training, and respect for their physical safety, privacy and personal dignity.”

68. Article 46 (8) of the Labour Code provides that due consideration should be given to workers, refraining from ill-treatment by word or deed.

69. Article 47 (9) prohibits acts against workers which may be considered sexual harassment, or in support of other types of acts which limit the rights of workers as provided by law.

70. The following ILO Conventions bear mention:

- Equality of Treatment (Accident Compensation) Convention, 1925 (No. 19): “Each Member of the International Labour Organisation which ratifies this Convention undertakes to grant to the nationals of any other Member which shall have ratified the Convention, who suffer personal injury due to industrial accidents happening in its territory, or to their dependants, the same treatment in respect of workmen's compensation as it grants to its own nationals” (art. 1);
- Convention No. 87, which provides that all workers, without distinction whatsoever, shall have the right to establish and to join organizations of their own choosing;
- Convention No. 98, which provides that workers shall enjoy adequate protection against acts of anti-union discrimination in respect of their employment (art. 1);
- Equal Remuneration Convention, 1951 (No. 100);
- Discrimination (Employment and Occupation) Convention, 1958 (No. 111).

71. Obtaining a job in the Dominican Republic does not depend on race, sex, age (with the exception of limitations on child labour), religion or political affiliation or any other form or manifestation of discrimination. Dominican legislation recognizes no differences other than those deriving from the talents and virtues of each person.

72. It should be emphasized, as stated earlier, that there is no discrimination in employment, because it is prohibited. The Ministry of Labour takes action to ensure compliance with the rules providing that protection.

73. To complete the picture under this article, with regard to the programmes that the Ministry of Labour implements to secure and strengthen effective protection of workers' rights, the Ministry has the support of various organizations for the implementation of cooperation and technical assistance programmes, including:

- The Youth and Employment Programme;
- The technical employment unit for integrated services;
- The Santo Domingo Workshop School;
- The School Workshop of the Ministry of Labour.

Article 7

Right to just and favourable conditions of work

74. With regard to setting wages, article 455 of the Labour Code provides that the National Wage Committee is responsible for setting minimum wage rates for workers in all economic activities, including agricultural, commercial, industrial, or those of any other nature that are carried out in the Republic, and for determining how these wages are to be paid. The rates set by this body can be national, regional, provincial, municipal, for the National District, or exclusively for a particular company.

75. Pursuant to the provisions on this matter, all minimum wage rates are reviewed automatically by the National Wage Committee every two years.

76. The National Wage Committee is a tripartite body, composed of a Director-General, two members appointed by the executive branch, and the special members appointed by the representatives of employers and workers in each economic activity and their respective organizations. The wage-setting process involves a social dialogue in which sector representatives express their recommendations and requirements. Working meetings to review and set wages thus take place in a setting that encourages dialogue between the country's corporate and labour sectors.

77. Minimum wages are set in law, since, as previously noted, there is a law providing standards for setting minimum wages and punishing those who fail to observe them.

78. The average budgets that are necessary to enable a family to support itself, in addition to the types of work the person performs, are taken into account in the minimum wage-setting process.

79. The Dominican State, in order to ensure the right of women to equal remuneration with men, fully complies with Principle X of the Labour Code, that "Male and female workers have the same rights and duties". It has also ratified ILO Convention No. 100.

80. The following should be stressed with respect to gender, equality and non-discrimination.

81. In early 2013 the Ministry of Labour initiated the process of review and harmonization of the Manual of Women's Labour Rights.

82. The main purpose of the review was to analyse and update the manual and to focus it on gender, equal opportunities and non-discrimination. The manual, which was then renamed the Guide to Labour Rights for Equal Opportunities and Non-discrimination, was published in November 2014.

83. Awareness-raising workshops were also held for local labour representatives on the subjects of gender, equal opportunities and non-discrimination.

84. Meetings have been held with the directors of the relevant substantive departments of the Ministry of Labour, ex officio members of Resolution 39/12, which established the Institutional Technical Committee on Equal Employment Opportunities and Non-discrimination.

85. The Ministry of Labour, as the coordinator of that Committee, has been meeting in permanent session, paving the way for mainstreaming the gender perspective into the work of the Ministry's substantive departments.

86. In order to follow up on equal employment opportunities and non-discrimination, the "Iguales" (Equals) promotional campaign will be launched, covering the issues of gender, HIV/AIDS, care and inclusion of persons with disabilities, and diversity – all of which are addressed by the respective departments of the Authority for Equal Opportunities and Non-discrimination.

87. With regard to the ratification of ILO Convention No. 100, the Ministry of Labour, as a representative body of the executive branch in matters of work and as the highest administrative authority in all matters concerning relations between employers and workers, exerts ongoing efforts to ensure effective protection of internationally recognized rights of workers. The Ministry, through its various divisions and departments, engages in processes by which labour and corporate actors develop a culture of compliance with labour laws. It provides ongoing training and dissemination of labour regulations in order to foster awareness of the importance of eliminating discriminatory practices in the workplace. Particular emphasis is placed on sensitive issues, including:

(a) Gender in the workplace, effective protection of women's rights in the workplace to prevent the use of pregnancy tests and violation of the right to equal pay for equal work;

(b) People living with HIV/AIDS in the workplace: campaigns to reduce stigma, discrimination and violation of the rights of people living with HIV/AIDS in the workplace;

(c) Placement of people with disabilities in the labour market, as a measure to ensure respect for their rights and to sensitize employers to the need to employ them.

88. The Ministry of Women, established in 1999 under Act No. 86-99, is responsible for setting standards and coordinating the implementation of policies, plans and programmes at the sectoral and interdepartmental levels, as well as for the full exercise of citizenship by women. This institution has policy-setting and regulatory functions encompassing international policy, awareness-raising and education of society, and coordination and linkages with civil society.

89. The Ministry's action lines are as follows:

- Empowerment of Dominican women, through women's leadership training and participation in decision-making bodies;
- Education, communication and culture regarding violence and health, focusing on prevention and eradication of gender-based violence;
- Gender and public policies.

90. These action lines are pursued as part of global strategies for coordination with civil society, but with the support of international cooperation agencies and the involvement of public institutions in their respective areas of action.

Provincial Offices for Women

91. These offices represent the Ministry of Women in the provinces where they have been set up, in order to promote and coordinate the implementation by public authorities and civil society of policies, programmes and projects which foster equality and equity between men and women in the economic, social, political and cultural spheres.

Main functions

92. The main functions of the Offices are as follows:

- (a) To encourage policies, programmes, projects and strategic actions to advance the realization of women's rights and of gender equity in employment, in keeping with the Ministry's guidelines;
- (b) To provide continuous information to women about their rights, existing services in various institutions, and the programmes and services offered by the Ministry and other public and private organizations to foster gender equity;
- (c) To encourage women's participation, organization, leadership and decision-making in local forums and organizations;
- (d) To monitor compliance with public policies for women at the local level;
- (e) To help ensure that the gender perspective is reflected in municipal plans and programmes;
- (f) To refer women to government services and programmes;
- (g) To maintain coordination at the local level, encouraging the creation of interagency networks;
- (h) To ensure that the relevant institutions develop strategies to provide specialized support for women in their jurisdiction in dealing with domestic violence;
- (i) To promote awareness-raising and training of various local actors on women's rights and the gender perspective, in order to change sociocultural patterns;
- (j) To mainstream the gender perspective into municipal work.¹

Sectoral Offices for Gender Equity and Development

93. Created by Presidential Decree No. 974-01 of 26 September 2001 with a presence in each ministry, and coordinated by the Ministry of Women, the purpose of these offices is to incorporate the gender perspective at the national level into each ministry's policies, plans, actions, programmes and projects for the integration of women in development. Article 4 of the decree provides that all government offices shall monitor and evaluate progress in gender equity plans, policies and strategies and report on them to the Ministry every six months, in addition to coordinating implementation of the necessary adjustments in their respective fields, to ensure compliance with international agreements and commitments entered into by the State.

94. These offices are vital to coordinating government action aimed at fostering gender equity. Since their creation, there has been progress in training the technical staff of the various ministries, especially staff who have greater responsibility for ensuring the gender perspective, and in conducting studies on the situation and needs of the offices. Efforts to

¹ *Translator's note: Some of the language in bullet points (j), (k) and (l) has not been translated as the same text appears in bullet points (h), (i) and (j).*

strengthen these offices have focused on the Ministry of Health and Social Welfare, Ministry of Labour, Ministry of Education and Ministry of Agriculture.

National instruments for gender equity

95. The Ministry of Women, in coordination with women's organizations and institutions of civil society and the public sector, has devised the following tools for implementing gender equity on the basis of international conventions protecting women's rights, such as the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Prevention, Punishment and Eradication of Violence against Women (Convention of Belém do Pará) and the Beijing Platform for Action. The following also bear mention:

- The National Development Strategy (Act No. 112-00);
- The Multi-year Plan for the Public Sector;
- The National Gender Plan, which lays down policies, action lines and other points of reference to ensure its application through an effective system of follow-up, monitoring and evaluation.

96. Women continue to participate actively in politics at all levels and can be said to be doing so in steadily growing numbers. One factor behind this has been the seriousness with which women's organizations, the leaders of women's movements and women politicians have focused on fighting for women's right to be elected, and not just to vote.

97. The fundamental legal framework protecting women's right to be elected consists of:

- Act No. 12-2000 of 30 March 2000, which raised the quota of women in elective office. Women must constitute 33 per cent of candidates submitted to the Central Electoral Board for the Chamber of Deputies, up from 25 per cent before the Act. They must comprise at least 33 per cent of candidates proposed by political parties and groups for the Chamber and for municipal offices, except for the position of mayor, and the names of women candidates must appear in different places on the electoral list than those of men candidates;
- Act No. 13-2000 of 30 March 2000, amending Act No. 3455 of 21 December 1952 on municipal organization, makes it possible to change the duties of mayors and deputy mayors, as follows: "A woman candidate for the office of mayor and deputy mayor must be included on the municipal ballot of all parties."

98. Both the public and private sectors have conducted job classifications and evaluations, describing the functions and hourly workload for each employee. Annual reviews are also conducted on job incentives, mainly in the private sector, with a view to keeping such incentives in line with increases in the minimum wage. Public-sector performance evaluations, job evaluations and overall increases are carried out by the Ministry of Public Administration.

99. The Ministry of Labour is "entrusted with defining a national policy for prevention of on-the-job accidents and occupational diseases, taking into consideration the safety of the worker, the economic possibilities of the enterprise and educational and cultural factors predominating, with enterprises and employing entities being obliged to put into practice basic measures of prevention laid down by the Ministry of Labour" (art. 186 of Act No. 87-01 creating the Dominican Social Security System).

100. The following should be cited in addition to the provisions on safety and health in the workplace contained in the Labour Code and in Decree No. 522-07:

- Act No. 87-01 of 9 May 2001 creating the Dominican Social Security System;
- Decree No. 548-03 of 6 June 2003 establishing the regulations concerning occupational hazards insurance;
- Decree No. 989-03 of 9 October 2003 creating the National Council of Occupational Safety and Health;
- Ministry of Labour Resolution No. 4/2007 of 31 January 2007 establishing the general conditions governing safety and health in the workplace;
- The ILO Guarding of Machinery Convention, 1963 (No. 119);
- The ILO Safety and Health in Construction Convention, 1988 (No. 167);
- Regulations on Occupational Hazards Insurance.

101. The Office of the Superintendent for Occupational Health and Hazards was created pursuant to article 175 of Act No. 87-01 creating the Dominican Social Security System. It is the autonomous State office entrusted with overseeing compliance with the occupational health and hazards provisions of that Act. The occupational hazards insurance scheme ensures that beneficiaries are provided with economic benefits such as a temporary disability allowance, indemnity payments and pensions, medical care, dental care and medicines.

102. The scheme manages all occupational hazards (on-the-job accidents and occupational diseases) and traffic accidents on the way to and from work, for all beneficiaries, both public and private.

103. The income for this insurance scheme is provided by the Social Security Treasury. This insurance provides significant assistance to beneficiaries who become disabled, and payments are made solely and exclusively by the employer.

Article 8

Right to organize trade unions

104. The Dominican Republic has adopted the following international instruments and national laws on freedom of association and the freedom to unionize and bargain collectively:

- (a) ILO Convention No. 87: ratified;
- (b) ILO Convention No. 98: ratified;
- (c) The ILO Labour Relations (Public Service) Convention, 1978 (No. 151): submitted;
- (d) Article 47 of the Constitution states that “Everyone has the right of association for lawful ends, in conformity with the law”;
- (e) Article 48 of the Constitution provides that “Everyone has the right to assemble peacefully for lawful ends without prior permission, in accordance with the law”;
- (f) Article 317 of the Labour Code defines a union as an association of workers or employers constituted to enhance and defend the common interests of its members.

105. Unions of workers may be of the following kinds:

- (a) Company unions: membership is determined not by the nature of the activities the members exercise but by the fact that they provide services at the same company;

(b) Professional unions: may be formed by persons who habitually exercise the same profession or occupation, or similar or related professions or occupations, without regard to the company for which they work;

(c) Branch of activity: these are constituted by workers who provide services to several employers in the same branch of industrial, commercial or service activity, even when they exercise different professions or occupations.

106. Article 324 of the Labour Code requires a minimum of 20 members for the formation of a labour union.

107. Unions of employers may be formed among employers engaged in similar or related activities. A minimum of three employers is required to form such a union.

Requirements for forming a trade union

108. Workers must approve the formation of a union at an assembly convened for that purpose. The formal requirements to be satisfied by the union are as follows: A record of the meeting of the general constitutive assembly must be drawn up which, in addition to the contents normally required in such minutes, must contain the approval of their charter and the appointment of the members of the first board of directors and the first commissioners (art. 373).

109. Unions may form municipal, provincial, regional or national federations, which in turn may form confederations by a vote of two thirds of the members meeting in a general assembly.

110. The following have the right to organize unions:

- Workers in the private sector and in State enterprises and their autonomous official organs of an industrial, commercial, financial, or transport nature (Principle III, Labour Code), with the exception of directors, managers or administrators and those who perform functions of management, inspection, safety, vigilance or auditing when they are of a general nature or are related to work done directly for the employer (art. 328, Labour Code);
- Public servants belonging to different subordinate offices of the executive branch (art. 30, Act No. 14/91). For their formation, a minimum of 40 per cent of the number of employees required to constitute a public servants' association is required in each entity;
- A minor who is competent to conclude employment contracts may be a member of a workers' union (art. 329, Labour Code).

111. Similarly, articles 330 and 331 of the Labour Code provide that unions may establish in their charters additional conditions to those required by law for the admission of their members, as well as a method of exclusion.

112. Along the lines described above, there is no restriction preventing workers from exercising their right to unionize and to join unions; rather, Dominican laws impose requirements for the formation of unions whose formal aspects must be complied with strictly, in light of legal-constitutional precepts governing union rights.

Right to strike

113. Article 62 (6) of the Constitution provides as follows: "The right of workers to strike and the right of employers to organize a lock-out in private enterprises is admitted for the peaceful settlement of labour disputes, provided that those rights are exercised in

accordance with the law. The law shall provide the means to ensure the maintenance of public services or services of public utility.”

114. Provisions of the Labour Code:

Article 401. A strike is a voluntary suspension of work agreed upon and carried out collectively by the workers in defence of their common interests.

Article 402. A strike should be limited only to suspending work. Acts of physical or moral coercion or violence against persons or acts of physical force against things, or any other act whose purpose is to foster disorder or to deprive the strike of its peaceful character, shall be punished by the penalties set out in this Code or in other laws, for which purpose the employer may take steps to initiate prosecution of the persons responsible.

Article 403. Strikes or lock-outs are not permitted in essential services whose interruption may endanger life, health or safety of people in all or part of the population. However, both workers and employers in this class of services have the right to proceed in accordance with article 680 of this Code. When the conflict concerns only the minimum wage, the matter must be submitted to the National Wage Committee.

Article 404. For the purposes of applying the foregoing article, essential services are the following: communications, water supply, the supply of gas and electric power for lighting and domestic use, the supply of medicines, hospitals and any other similar services.

Article 405. If a strike occurs in violation of article 403, the executive branch may take over the direction and management of the services suspended for such time as may be necessary to prevent harm to the national economy, and may take all necessary measures to restore said services and ensure their continuation. The provisions of this article also apply to strikes and lock-outs whose duration or extension threaten or endanger life or normal living conditions of all or part of the population.

Article 406. The following strikes are illegal: those which affect national security, public order, or the rights and freedoms of others; which are accompanied by physical or moral violence against persons or things, the abduction of persons or seizure of property, or the undue use of equipment and facilities of the enterprise; or which are accompanied by violations of the Constitution. Also illegal are strikes which are conducted in violation of article 407, as well as those which continue for 72 hours after the legal deadline for returning to work ordered by the competent judge.

Article 407. To declare a strike, workers shall submit in writing to the Ministry of Labour a declaration asserting the following:

(1) That the purpose of the strike is the resolution of an economic or legal conflict which affects the collective interest of the workers of the enterprise;

(2) That the proposed resolution of the conflict has been submitted unsuccessfully to the procedures of administrative conciliation and that the parties, or one of the parties, have not appointed arbitrators or have not announced in timely fashion the appointment of arbitrators in accordance with article 680;

(3) That the strike has been voted by more than 51 per cent of the workers of the enterprise(s) in question;

(4) That the services to be encompassed by the strike are not essential services;

(5) That the strike cannot be declared until at least 10 days after the date of submission of the declaration by the union representatives to the Ministry of Labour;

(6) That within 48 hours of receiving said submission, the aforementioned Ministry shall send a copy of the same to the employer.

Article 408. A strike declared following completion of the formalities set out in article 407 shall have the following effects:

(1) It entitles workers to invoke the protection of labour authorities and the police in the peaceful exercise of their rights;

(2) It suspends the work of the enterprise concerned, except as provided in article 409.

Article 409. For the duration of the strike, the employer may require that the workers who are necessary, in the judgment of the Department of Labour or the local authority exercising its functions, should perform such work as is required for the safety and preservation of machinery, workplaces and raw materials. Within 12 hours of receiving such request, the Department of Labour or the local authority exercising its functions shall hear the opinion of the union and issue the appropriate decision.

Article 410. The effects set out in article 408 shall cease:

(1) When the strike ends for any reason;

(2) When an arbitration procedure begins;

(3) The arbitration procedure shall be deemed to have begun as from the date of service of the notice referred to in article 684.

Article 411. A legal strike does not terminate the employment contract. It only suspends the application of said contract, in accordance with article 408.

Article 412. An illegal strike terminates the employment contracts of the workers who have participated in it, without liability for the employer. If the strike has been declared illegal for procedural reasons, the employment contracts shall remain in effect if the workers on strike voluntarily return to work within 24 hours after the decision has been issued and if no acts have been committed against property or persons. In the event of new employment contracts with the same workers, or some of them, the conditions of employment shall be those which prevailed before the strike began, unless the employer agrees to or offers other, better conditions for the workers.

Collective bargaining

115. The Labour Code defines the Agreement as one which may be concluded between one or several labour unions and one or several employers, for the purpose of establishing conditions that will govern the labour contracts of one or several enterprises.

116. The requirements for collective bargaining are as follows:

- The existence of a workers' union;
- The existence among the union's members of an absolute majority of workers of the enterprise or branch of activity concerned;

- The approval of the project or agenda by the assembly of the union.

117. It should also be noted that, since the Dominican Republic has ratified ILO Convention No. 87, it recognizes that trade union organizations have the right freely to negotiate working conditions with employers as an essential element of trade union freedom.

118. The right to strike is recognized both for workers and for employers, in defence of the common interests of each respective sector. In this regard articles 401 to 447 of the Labour Code regulate practice regarding the right to strike (for workers) or to organize a lock-out (for employers).

Article 9

Right to social security

Dominican Social Security System

119. Twelve years since the creation of the Dominican Social Security System under Act No. 87-01, public institutions and a number of private and mixed health-service providers, health risk and pension fund administrators, among others, have been being set up and are operational. The system began operating with the Subsidized Family Health Insurance Scheme, starting with the delivery of basic health plan services for the most vulnerable in Health Region IV (provinces of Barahona and Bahoruco). Other provinces were gradually included until nationwide coverage was achieved. As at 28 February 2013, 2,357,089 persons were affiliated nationwide.

120. The number of members of the Old Age, Disability and Survivors Contributory Insurance Scheme has now risen to 2,714,449, of whom 47.6 per cent are actively contributing. As at 28 February 2013, the assets of members' pension funds amounted to RD\$ 206,080.92 million, or 8.9 per cent of the gross domestic product (GDP).

121. At the end of February 2013, the health services plan of the Family Health Contributory Insurance Scheme had 2,708,415 participants, of whom 1,249,039 are members and 1,459,376 dependants, for a dependency ratio of 1:17, i.e. 117 dependants for every 100 members.

122. This demonstrates the considerable growth of the Dominican Social Security System in 2013 compared with previous years. As at 31 December 2012, there were 2,335,292 participants, or 1,112,659 members and 122,633 dependants.

123. Participation in the Old Age, Disability and Survivors Contributory Insurance Scheme, and the inclusion of workers from the formal sector in the Social Security System, has risen significantly. From its inception as a provisional system up to February 2013, the number of contributing members has increased by 122.7 per cent, i.e. 707,666 more than the 576,869 initially registered, covering 76.5 per cent of the formally employed population. The average annual growth rate has been 9.7 per cent.

Article 10

Protection of the family, mothers and children

The family

124. The Dominican Republic considers it a duty to protect family and motherhood and to ensure for children and adolescents the exercise and full and effective enjoyment of their fundamental rights as provided in article 8 (15) of the Constitution.

125. Article 55 of the Constitution states: “The family is the foundation of society and the basic framework for full individual development. It is formed through natural or legal ties, by the free decision of a man and woman to enter into marriage, or by their responsible desire to form a family.”

126. For the State, the family is the nucleus of society. The father and mother have joint and equal responsibilities and obligations in regard to the care, development, education and comprehensive protection of their children, as provided in the following articles of the Civil Code:

Article 213 provides that spouses are to ensure the moral and material guidance of the family together, provide education for their children and prepare them for the future. A married woman has the same civil status as an unmarried woman. The matrimonial regime adopted by spouses may not contain any restrictions on the civil status of the wife which are not expressly set forth in the law.

Article 214 states that each of the spouses should contribute, as far as possible, to household expenses and the education of the children. If one spouse fails to fulfil this obligation, the other spouse may apply to the local Justice of the Peace for an order to garnish and withhold from the earnings, work product or income of the other spouse a portion sufficient to meet that spouse’s needs. Before resolving the matter, the spouses will be summoned before the Justice of the Peace by a certified letter from the Minister indicating the nature of the complaint. The spouses must appear in person unless absolutely prevented from doing so, which prevention must be duly certified.

Article 215 provides that spouses shall be mutually obliged to undertake a life in common, and that the family residence is in the place they choose by common consent; however, if the chosen family residence presents serious drawbacks, the Children’s Court may authorize a different residence and, if necessary, decide upon the residence of the children.

127. Society and its organizations should and are entitled to participate actively in achieving full and effective enjoyment of the rights of all children and adolescents. The State has the duty to keep creating the means for the direct and active participation of governmental and non-governmental institutions in defining, implementing and monitoring policies for protecting children’s fundamental rights, including the right to food, housing, education and health.

128. The following instruments are in force in the Dominican Republic for the protection of maternity and elimination of the worst forms of child labour:

- International Covenant on Civil and Political Rights (ratified);
- Convention on the Rights of the Child (ratified);
- Convention on the Elimination of All Forms of Discrimination against Women (ratified);
- The ILO Maternity Protection Convention (Revised), 1952 (No. 103);
- ILO Convention No. 138 (ratified);
- The ILO Worst Forms of Child Labour Convention, 1999 (No. 182) (ratified);
- Act No. 24-97 on domestic violence;
- Code for the System of Protection of the Fundamental Rights of Children and Adolescents (Act No. 136-03);

- Decree No. 566-01 amending Decree No. 144-97 creating the national steering committee to combat child labour;
- Labour Code;
- Ministry of Labour Resolution No. 9/93 of 25 February 1993 on night work by minors;
- Ministry of Labour Resolution No. 29/93 of 9 November 1993 on light picking work in the fields;
- Ministry of Labour Resolution No. 30/93 of 9 November 1993 on work by minors under age 14 for the benefit of art, science or education;
- Ministry of Labour Resolution No. 31/93 of 9 November 1993 on night work by minors in concerts or theatrical performances;
- Ministry of Labour Resolution No. 52/2004 of 9 November 1993 on dangerous and unhealthy work by persons under age 18.

129. In this regard, the Dominican Labour Code establishes in Principle X that “Female workers have the same rights and obligations as male workers. The basic objective of the special provisions of the Code is the protection of maternity”. It stipulates that:

- Women enjoy the same rights and have the same duties as men under the labour laws, with the sole exception of those enacted to protect maternity;
- Dismissal of a female worker during pregnancy and for up to three months after childbirth is null and void;
- A woman may not be dismissed from her employment because she is pregnant;
- Any dismissal by reason of pregnancy is null and void.
- Any dismissal of a pregnant woman during pregnancy or within six months following childbirth must first be submitted to the Department of Labour or the local authority exercising its functions to determine whether the dismissal was due to pregnancy or childbirth.

130. A pregnant worker is entitled to mandatory rest for six weeks preceding the probable date of birth and the six weeks that follow, as provided in article 236 of the Labour Code. The entitlement to prenatal leave, if the employee does not make use of it, may be added to the period of postnatal leave.

131. Likewise, article 237 of the Labour Code provides that prenatal and postnatal leave may never be less, overall, than 12 weeks and, during such leave, workers shall retain their jobs with all the rights arising therefrom.

132. If the employee requests leave after her postnatal leave, the employer is required to grant it immediately (art. 238 of the Labour Code).

Child labour

133. Article 56 (1) of the Constitution provides the following: “It is of the greatest national importance to eradicate child labour and any kind of ill-treatment or violence against minors. Children and adolescents shall be protected by the State against all forms of abandonment; sequestration; vulnerability; abuse or physical, psychological, moral or sexual violence; commercial, labour and economic exploitation; and dangerous work.”

134. The Ministry of Labour, through the Department of Inspections and in conjunction with the Child Labour Unit and child labour supervisors, runs special, focused operational programmes in areas with the highest incidence and prevalence of child labour, aimed at the

prevention and immediate removal of children and adolescents from situations involving child labour and dangerous activities.

135. In 2014, the Department of Inspections and the Child Labour Unit conducted 70,120 inspections and visits, as follows:

- 58,535 regular visits (ongoing, unofficial daily inspections conducted by the Department of Inspections), and 11,585 special visits (which are triggered by alerts from system users).

136. All of these are field visits, carried out in the country's production units, farms, workshops and industries. The visits resulted in the withdrawal of 416 children from farm work (sowing rice, and harvesting coffee, beans and maize) and work in markets, machine shops and cabinet-makers' workshops.

137. For the period January–December 2014, the Ministry of Labour earmarked and disbursed RD\$ 201,290,612 for child labour prevention policies and awareness-raising, which was allocated as follows:

- 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;
- The goals of the plan are: (1) 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 (2) by 2020, to eliminate all child labour;
- Implementation and entry into force of the Road Map 2015–2018 for the prevention and elimination of violence against children. The Dominican Republic is the first country in the region to have implemented this instrument;
- 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.

139. All the strategies now being implemented have been developed as a result of the following public policies:

Education and child labour policies

140. Article 63 (3) of the Constitution of 2010 states: "The State party is responsible for providing free public education, which is compulsory at the nursery, basic and secondary levels."

141. The Dominican Republic earmarks 4 per cent of GDP for education. In late 2012, pursuant to Decree No. 546-12, the National Literacy Plan "Quisqueya Aprende Contigo" (Quisqueya learns with you) was launched to eliminate illiteracy among 727,000 Dominicans within two years.

142. In 2013, the goal was to eliminate illiteracy among 100,000 persons aged 15 and over, for which purpose 8,500 literacy teachers were trained. Some 18,000 classrooms will be built and 24,000 teachers certified.

143. With respect to vocational technical training, the country has a National Institute of Vocational Technical Training, whose governing body is headed by the Minister of Labour. It is open to students aged 16 and over who have completed the eighth grade.

144. An extended schoolday programme has been under way since 2013 in public schools, where children participate in a comprehensive programme combining training, education, recreation and meals from 8 am to 5 pm. The programme will have a direct impact on reducing child labour.

145. Some 10,017 new classrooms are now in place as part of the goals of the Government's extended schoolday programme for the next two years.

146. The National Plan for Early Childhood Protection and Care has been initiated pursuant to Decree No. 102-13. The objective is as follows:

- To cover 500,000 children under 5 by 2016;
- To build 216 new Early Childhood Comprehensive Care Centres;
- To have 330 such centres in place by 2016;
- To expand nursery education for 3- to 5-year-olds, from the current 35 per cent to 50 per cent. This will benefit 190,000 children under 5, who will be integrated into the Dominican education system by the end of the period.

Anti-poverty, social protection and employment policies

147. The elimination of child labour and the protection of teenage workers are two of the expected outcomes of the National Development Strategy 2010–2030. For the next four years, priority goals with a direct or indirect impact on the elimination of child labour are as follows:

- Reducing the numbers of people living in extreme poverty by 400,000;
- Lifting 1,500,000 people out of poverty and into the middle class;
- Creating 400,000 new jobs and decent jobs, ensuring equal access to such jobs for both men and women;
- Incorporating the entire poor population in the Family Health Insurance Scheme, and completing the inclusion of an additional 1.4 million persons in the subsidized scheme during the first year;
- Strengthening and stimulating small and medium-sized enterprises (SMEs) that create quality jobs;
- Incorporating 200,000 new poor families into the Progress with Solidarity Programme, allowing some 300,000 children and adolescents to benefit from the various conditional transfer programmes (prerequisites include school attendance and advancement, and the absence of child labour);
- Reducing the number of workers in the informal sector to 10 per cent of the economically active population;
- Training and retraining the unemployed, taking account of their characteristics;
- Initiating the public employment service, in accordance with the agreements undertaken within the framework of ILO.

Awareness-raising and social mobilization

148. Some 48 local, provincial and municipal steering committees for the prevention and elimination of child labour have been set up, each with a local working agenda, and with all sectors represented.

149. In addition, the National Council for Children and Adolescents continues to receive technical assistance on combating violence against children and adolescents from such international organizations as the United Nations Children's Fund (UNICEF).

150. In view of the concern expressed about ensuring that all children have access to such basic services as education and health without having to show an identity document (such as a birth certificate), proof of identity is not required for such services in the Dominican Republic, as explained below.

151. The work of the Inter-Agency Law Commission on Name and Nationality (Commission on Name and Nationality), an inter-agency platform created in 2005 and chaired by the National Council, is ongoing. With technical support from UNICEF, the Commission has been promoting the timely declaration of children's births. The Central Electoral Board and the United Nations Development Programme (UNDP) have collaborated on the project to strengthen civil registration and identity (October 2007 to December 2012; extended to 2013), with funding of US\$ 57,938, to enable undocumented children and adolescents to obtain identity documents. In October 2013, the Central Electoral Board and the Ministry of Health adopted a series of measures to ensure that children born in national hospitals are issued with birth certificates before their mothers leave the facilities. The process begins with a prenatal questionnaire to determine whether the mother has the necessary documentation for registration; the mother can then be given a birth certificate or identity card and voting card with which to register the baby's birth.

152. In order to implement the provisions of the Children and Adolescents Code (Act No. 136-03) with respect to education, prevention and rehabilitation, the process of establishing Local Boards for the Protection and Restoration of Rights and Foster Family Programmes began in 2011.

153. Similarly, pursuant to articles 48 and 49 of Act No. 136-03, in November 2011, the policy guidelines for early childhood were issued along with a system of statistical indicators for children and adolescents in the Dominican Republic. The idea was to record, store and process quantitative and qualitative disaggregated and consolidated data in conformity with article 434, paragraphs (f) and (g), of the Act. Under article 20, paragraph (e), the Coordinating Board for International Cooperation on Children and Adolescents was established, in October 2011.

154. The second edition of the Dominican education system's Standards of Conduct and School Discipline in Public and Private Schools was issued in February 2012. This is an important tool for establishing a code of conduct to be followed by both teachers and students, and for helping students to understand their rights and duties.

Teenage pregnancies

155. A current problem for Dominican families, especially lower-income families, is the high percentage of teenage pregnancies; the country has one of the highest such rates in the region. Many programmes aimed at preventing teenage pregnancies have accordingly been implemented by the National Commission for the Prevention of Domestic Violence, coordinated by the Ministry of Women and with the support of departments in the Ministry of Health, Ministry of Education and Ministry of Youth, the Office of the First Lady and the Office of the Vice President. The Government has earmarked RD\$ 388 million for these programmes in 2014.

156. The Strategic Plan for Teenage Pregnancy Prevention 2011–2016: Towards a National Policy was developed to combat the scourge of teenage pregnancy. It has a gender perspective and human rights approach, and its mission is to create and strengthen mechanisms for policies at the local and national level to reduce teenage pregnancy, including through budgetary allocations and accountability for development.

157. With regard to the provisions of the Labour Code concerning minors, Principle XI provides that "Minors may not be employed in services that are not appropriate to their age, state or condition or that prevent them from receiving compulsory schooling". The Code also provides that:

- Minors have the same rights and duties as adults under the labour laws, subject only to the exceptions set out in the Code;
- Employment of minors under age 16 in dangerous or unhealthy jobs is prohibited;
- An employer who employs minors is obliged to grant them facilities adequate to meeting their needs so that they can keep up with school programmes and attend vocational training schools.

158. Children reach adulthood at age 18 or upon emancipation, from age 15 for boys and age 16 for girls, pursuant to the Dominican Civil Code.

159. The minimum age for undertaking any type of employment or work which by its nature or the circumstances in which it is conducted is likely to jeopardize the health, safety or morals of minors is 18 years. However, national legislation or the competent authority, after consultation with the relevant employers' and workers' organizations, where such exist, may authorize employment or work from age 16, provided that there is full protection of the health, safety and morals of adolescents and that they have received adequate instruction or vocational training in the specific branch of activity.

160. In addition, unemancipated minors between 14 and 16 years of age may enter into an employment contract, receive the agreed compensation and allowances fixed by the Labour Code and perform the actions that derive from such relationships, with the permission of their father and mother; of one of these having authority over them; or, in the absence thereof, of their guardian. In case of disagreement between the parents, or in the absence of parents or a guardian, the Children's Court of the minors' domicile may grant permission.

161. Children under 16 may not be employed or work at night, for a period of 12 consecutive hours, which shall be fixed by the Minister of Labour and which shall not begin after 8 p.m. nor end before 6 a.m.

162. The Ministry of Labour conducts ongoing activities for effective implementation of provisions to eliminate the worst forms of child labour and to implement the National Plan for the Eradication of the Worst Forms of Child Labour.

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

- The Attorney-General's Office for Women, created in 2007, which is still operational and whose mandate is to lead and monitor procedures relating to criminal investigations and hearings in cases of violence against women and any other situations affecting their rights and access to justice;
- Gender Equity Offices in institutions, including the Ministry of the Interior and Police, and the National Police;
- The National Directorate for Victims Services, in the Attorney General's Office;
- Specialized integrated services to deal with gender-based, sexual and domestic violence, established in each provincial prosecutor's office. There will be 32 of them by late 2013, which will entail an increase in staff;

- Inter-Agency Committee for the Protection of Migrant Women;
- Information and counselling offices for the prevention of trafficking in persons, located in the provincial and municipal offices of the Ministry of Women;
- Free helplines for persons in situations of violence (Línea VIDA and Línea de Auxilio), since 2012;
- The Legal Representative's Office for Victim's Rights;
- Continuous operation since 2003 of reception and refuge centres for women, children and adolescents who are victims of domestic violence. Two additional shelters should be operational by 2013, providing more space to cope with the increase in violence. Between 2008 and 2012, 1,193 persons have been sheltered in these centres, which took in 147 women in imminent danger of violent death in 2012 alone;
- The interagency agreement of August 2013 between the State Catering Services and the Attorney-General's Office of the Province of Santo Domingo to provide food rations to women victims of violence.

Article 11

Right to an adequate standard of living

164. Concerning the elimination of poverty and food insecurity among the country's most vulnerable people, starting in 2012, the Central Government began to implement various affirmative action measures. They included Decree Nos. 488-12 and 489-12 of 21 August 2012, which merged the Progress Programme with the community technology centres directed by the Solidarity Programme under the Social Policy Coordination Office. The goal of the resulting project, "Progress with Solidarity", is to lift more than 400,000 families out of extreme poverty, to bring 1,500,000 poor people into the middle class and to provide coverage for 200,000 more families through the Solidarity card.

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

166. As a result of the strategies implemented between August 2012 and May 2013, 623,902 families received direct financial assistance to purchase food staples, with a State contribution of RD\$ 4,297,141,800; 774,250 families received subsidies for liquefied petroleum gas for domestic use (Bonagas), thanks to State funding of RD\$ 1,744,364,616; 526,325 families received subsidies for energy consumption (Bonoluz), at a cost of RD\$ 1,959,780,027.12; 285,897 families received incentives for school attendance, with a contribution of RD\$ 650,004,300; and 25,891 families under the Progress Programme who are not part of the integrated Solidarity Programme received conditional transfers.

167. As a result of those measures, the country was recognized by the United Nations Food and Agriculture Organization (FAO) as one of the 20 countries that had made significant progress in 2012 on combating hunger and meeting Millennium Development Goal 1.

168. To date, despite the achievements of the Social Welfare Plan of the Office of the President, the overall objective notwithstanding the current economic constraints on the State is to continue to roll out programmes and projects to reduce what poverty remains.

Right to adequate housing

169. 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 impact of the construction sector as a driver of the economy and employment is such that for every 1 per cent of growth in the sector, the real GDP grows by 0.30 per cent. There is thus a close relationship between the growth of the construction sector and the real growth of the economy. Construction also has an impact on direct employment: for every 1 per cent of real growth in the sector, the associated direct or indirect employment in the economy increases by 0.94 per cent.

170. Access to better housing is limited by income, the financial cost of long-term credit and the limited annual budget allocated to the sector. The housing shortage is primarily the result of inadequate purchasing power, which prevents the enormous potential demand from being met, and of the inability to document permanent sources of income, primarily in the case of families whose income derives from the informal sector.

171. In order to deal with this problem and reduce the housing shortage, the Government is building low-cost housing for low-income families. It is offering tax exemptions to firms that design and construct such housing, and is giving land to construction firms in order to bring down the costs. It is also offering lower interest rates to reduce the financial costs of construction firms that put up low-cost housing for the more vulnerable segments of the population.

172. 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.

173. The social housing programmes of the National Housing Institute are implemented by the programmatic areas that are the basis for defining plans, objectives and goals to reduce the country's shortage of decent housing, particularly for low-income families.

174. These programmatic areas are:

- New housing;
- New housing for low- and middle-income sectors;
- Aimed at building new dwelling units equipped with infrastructure, basic services and a decent living environment;
- New housing for relocating families living in high-risk areas;
- Emergency housing to meet the housing needs of groups in emergency situations, including people left homeless by hurricanes, natural disasters or fires, and people who must be relocated because they live in high-risk areas or will be affected by urban renewal projects;
- The New Housing Programme for low- and middle-income families.

175. The Institute built 16,557 units in 104 housing projects. In all, 4,620 units were completed with financing from the Andean Development Corporation and the Dominican State. Of all the new units built and distributed in 61 communities, 8,987 were intended for families who were affected by natural disasters or who were living in vulnerable areas, as well as families who had been evacuated. Those disasters included tropical storms Olga and Noel in December 2007; tropical storm Fay and hurricane Gustav, in August 2007; and

tropical storms Hanna and Ike, in September 2007.² The disasters made it necessary to allocate most of the Institute's budget to the following projects:

- Housing unit improvements;
- Improvement and/or reconstruction of urban and rural housing.

176. These projects involved the improvement and/or reconstruction of housing components, such as roofing, walls, floors, doors, windows, or the enlargement of a room; the construction of a completely new unit on the site of a pre-existing structure; and/or the reconstruction of units by the Institute, in coordination with the provincial and municipal authorities and civil society, to reduce the shortage of decent housing.

The two components of the housing subsidy

177. The Housing Subsidy Fund's housing vouchers are distributed by the State to low- and middle-income families to help cover the initial costs of housing that is built and financed by the private sector.

178. The Housing Subsidy Fund's land vouchers are State land grants to be used for housing projects implemented in coordination with the private sector.

179. The amount of the subsidy, which is distributed through vouchers, depends on the income level of the beneficiary families and the cost of the housing.

Legalization of lands for use by individuals

180. The main purpose of this form of intervention is to legalize the use of lands for families residing on State property, particularly in housing projects built by the Institute.

181. The proportion of dilapidated housing units in the country declined during the period 2004–2012 as a result of the significant increase in the housing improvement programme, under which 163,514 units were improved for the same number of families. Some 8,987 of these were built from the ground up to help families affected by cyclones and other disasters throughout the country, in both urban and rural areas.

182. The Urban Development and Habitat Programme, 4th stage Dominican Republic, will be implemented in 19 provinces, including urban and suburban areas, with the construction of 800 housing units.

Table 1

Distribution of housing units by location

<i>Region</i>	<i>Province</i>	<i>Housing units</i>
Metropolitana	Santo Domingo	80
	Santo Domingo Oeste	80
Valdesia	San Cristóbal	64
Del Este	Hato Mayor	64
Cibao Central	Hermanas Mirabal	80
Del Noroeste	Valverde	80
	Dajabón	80
Del Valle	Elías Piña	64
	San Juan	80

² Transl. note: Tropical storm Olga took place in December 2007; Noel, in October 2007; Fay and Gustav, August 2008; and Hanna and Ike, September 2008 [Source: Wikipedia].

<i>Region</i>	<i>Province</i>	<i>Housing units</i>
Enriquillo	Bahoruco	64
	Independencia	64
Total		800

Flooding of Lake Enriquillo

183. The problems arising from the flooding of Lake Enriquillo required three forms of intervention: relocating the families affected by the floods; preparing new land for farmers; and monitoring the waters that cause the lake to flood.

184. Some 53,000 plots have already been located and prepared, and eight agricultural projects are under way, to be turned over to farmers whose lands are underwater. The affected families received 560 housing units erected in the Boca de Cachón project. They had lost their property in late 2007, when tropical storms Olga and Noel caused the flooding of Lake Enriquillo.

185. In order to avoid further flooding and damage to the surrounding communities, five projects are currently under way.

186. One of them, the Caño Lucas Project, which has now been completed, involved the rehabilitation of the Cristóbal Canal. The others are the Trujillo Canal, the Paloma Gulch, and the canalization of 51 kilometres of the Yaque del Sur River.

Flooding of the Ozama River

187. Another project is La Nueva Barquita, which will replace the impoverished neighbourhood of La Barquita, located on the western bank of the Ozama River in Santo Domingo Este. It will be built on land in the Javilla de Sabana Perdida sector and will involve the construction of 1,630 housing units for more than 5,500 people and 90 commercial premises, along with cultural, transport and security infrastructure and economic development workshops. These units are intended for people who are likely to be the most affected by flooding. There will be about 50 commercial premises, along with bus stops, river transport stations, amphitheatres, civic centres, civil defence and police stations, and fire stations.

188. The second stage, to be completed within two years, will involve building an additional 800 apartments, 40 more commercial premises, a high school and childcare centre.

189. The third stage involves rehabilitating the inhabited zone of La Barquita: sewerage, ditches, landscaping, secondary access stations and roads, water supply, electricity and services, public spaces, sidewalks, streets, lighting, parks, street furniture, access points, footpaths, bridges and roadsides. The project is intended for the vulnerable segments of the La Barquita population, in Los Mina, where many people live on the banks of the Ozama River, which floods the dwellings during the rainy season.

190. There is also the revitalization of La Vega — where 200 new housing units are being built for the area's current residents — and the renewal of the adjacent areas, the construction of two childcare centres, plazas, better lighting and more security. Some 60,000 residents will benefit, first from the elimination of the ditch, which is at present a magnet for floods and pollution. In addition, 305 housing units are being built for teachers in Santo Domingo Norte and the municipality of Yamasá. Other projects will be undertaken in various municipalities in keeping with the goal of providing decent low-cost housing to low-income populations.

Evacuations

191. In the sectors where the Santo Domingo metro is being built, this stage of the project has involved relocating families who live on the banks of the Isabela and Ozama Rivers. Housing was built for some of them, while others received compensation. Their housing was appraised, taking several socioeconomic variables into account, along with the impossibility of assessing and compensating them fairly for the value of each individual unit. The project accordingly gave each family a sufficient amount for relocation, and houses were built for some of them, within the framework of the law and with due respect for the protection of the human person. The Jardines de Gautier project was built for those who were evacuated from private lands on the Avenida Dr. Delgado and comprises housing units with basic services for all those affected.

Measures for reducing the housing shortage

192. One of the more recent State measures to facilitate the development of low-cost housing and reduce the significant housing shortage was to set up a housing finance fund for low-income families, who would otherwise have difficulty in obtaining access to finance.

193. The purchase price of low-cost housing must be such as to enable low- and middle-income families to acquire housing equipped with basic infrastructure and social services. Thanks to the joint efforts of the public and private sectors, the following decrees were issued under 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.

Table 2

Low-cost housing units

<i>Description</i>	<i>No. units</i>
Low-cost housing units built with trust fund under Act No. 189-11	20 862
Low-cost housing units built without trust fund under Decree No. 153-13, up to 29 November 2013	3 636
Total	24 498

194. These housing units are all granted tax exemptions, as are others for which the State provides the basic services infrastructure and the land on which the units will be built. These housing projects are located throughout the country in urban and suburban areas.

Ciudad Juan Bosch

195. The construction of 10,000 low-cost housing units was begun for low- and middle-income populations. The first stage of the Ciudad Juan Bosch project will involve 25,000 units, to be located on the Las Américas autoroute, on a 3-million-square-meter site in the municipality of Santo Domingo Este. These units will be subsidized, as the Government will provide the land to the housing developers. The Government will also provide the streets, sidewalks and kerbs, drinking water, rainwater and sanitary drainage, a wastewater treatment plant, electricity, green areas and all services.

196. The project will be endowed with schools, health centres and childcare centres, as well as green areas, public spaces, sports facilities, commercial areas, an industrial park for small, medium-sized and micro-enterprises, a public transport system and security, making the complex fully integrated. It is designed as a city where working families can live in

dignity and peaceful coexistence – where they can work or start businesses, raise their children and develop their full potential without financial difficulties and lacking nothing, and where they can walk on safe, clean streets. The use of roofs for solar panels and aquaculture will be promoted as well.

197. Ciudad Juan Bosch was designed to be sustainable, functional, inclusive and dynamic, offering an integrated residential and professional lifestyle, with all the activities appropriate to an inexpensive residential complex that generates employment and fosters environmental sustainability.

Article 12

Right to the enjoyment of the highest attainable standard of physical and mental health

198. The Dominican health sector is currently undergoing a process of reform and modernization, which has involved the implementation of a plan whose lines of action are set out in the National Development Strategy, the Millennium Development Goals, the 10-Year Health Plan, the National Multi-year Plan for the Public Sector 2011–2014, the Strategic Health Agenda, international obligations, the strategic agenda of the National Health Council and the operational plans formulated by each branch of government.

199. The plan's strategies and interventions were aimed at meeting public health needs and focused mainly on: maternal mortality, infant mortality, vaccine-preventable diseases, dengue, malaria, tuberculosis, HIV and zoonoses. The priority was to strengthen health care at both the primary and specialized level, ensuring effective immunization coverage and access to medicines, and improving the infrastructure of the care service network, with an annual budget increase of RD\$ 53,325,148,054.37 for 2012, compared with RD\$ 41,751,228,343 for 2011 and RD\$ 36,033,000 for 2010.

200. Some 10 per cent of the 2012 budget was earmarked for Haitians who needed treatment in Dominican health centres, but with no implications for their immigration status.

201. Thanks to increased supply and progress made in service management, the regional health services were able to maintain the trend of increased service delivery to the general public through primary and specialized health-care centres. By the end of 2012, there were 1,714 primary health-care units, of which 1,338 operated in primary health-care centres nationwide. This covered more than 90 per cent of the needs of the priority population, especially families subsidized by the Dominican Social Security System and non-members with limited means. At the specialized care level, there are 154 institutions nationwide which ensure the horizontal management of all services.

202. With respect to statistical data on primary health-care services, 4,994,948 patients received treatment in 2011, and 6,708,496 in 2012. At the specialized care level, there were 21,974,858 patients in 2011, and 21,549,955 in 2012. The total population using the State health-care network numbered 23,256,017 in 2010; 26,969,806 in 2011; and 28,258,451 in 2012.

203. The establishment of health-care networks has resulted in better organization of health care, following the model network created under the management agreements in force for the past three years. Furthermore, the fees charged by public health centres were abolished during the third quarter of 2013, when all services began to be provided free of charge. The State subsidized the amounts that the fees generated to cover the internal costs of health facilities.

Articles 13 and 14

Right to education; education free of charge

204. The right to education is enshrined in article 63 of the Dominican Constitution, which states: “Everyone shall have the right to an all-round, quality, ongoing education, on an equal footing and with equal opportunities, without other limitations than those deriving from his or her aptitudes, vocation and aspirations.”

205. Article 63 (3) states: “The State party guarantees free public education, which is compulsory at the nursery, basic and secondary levels. Educational opportunities at the nursery level shall be defined by law. Higher public education shall be financed by the State, guaranteeing a distribution of the resources proportionate to the educational opportunities available in each region, in accordance with the law.”

Activities to promote education

206. In view of the education needs of recent years, the Dominican State, at the people’s initiative, in 2012 welcomed the request to increase the annual budget of the Ministry of Education to 4 per cent of GDP, in accordance with General Education Act No. 66-97 and the amendments thereto (Act No. 451-08), and with the 10-Year Plan 2008–2018, as reported in the second universal periodic review, paragraph 83.

207. For 2014, the Ministry of Education disbursed RD\$ 105,870,312,694.26, or 97 per cent of the budgeted amount of RD\$ 109,170,290,314. For 2013, the allocation was RD\$ 99,628,120,000, or 4.4 per cent of GDP – 1.4 per cent³ more than the 4 per cent stipulated. The year’s disbursement was 100 per cent of the full budgeted amount.

208. This initiative was the result of various plans developed by the Ministry of Education to guarantee equal access for all children living in remote areas of the country to all levels of education (nursery, basic and secondary).

209. The National School Buildings Programme was established in August 2012. Some 29,000 classrooms will be built or renovated nationwide by 2016, of the 28,000 originally planned. They will be equipped with everything needed for longer schooldays (eight hours of classes) — exceeding the 2014 goal of 10,017 new classrooms — and benefiting 602,584 students in public schools. The percentage of public school students covered by the programme rose from 2 per cent in 2012 to 36 per cent in 2014. Furthermore, some 17,263 teachers joined the programme in 2013–2014 in order to meet the demand created by the new schools.

210. The early childhood care programme “Quisqueya empieza contigo” (Quisqueya starts with you) has been implemented as well. It will benefit more than 90,000 children under 5 and their families. Fifty new centres have been added to the 200 originally planned; a total of 250 new centres are expected between 2015 and 2016. The programme will eventually cover the entire country.

211. Under the national literacy plan “Quisqueya Aprende Contigo” (Quisqueya learns with you), 454,730 persons aged 15 and over completed the basic literacy programme, and 189,325 of them were certified. However, 762,539 other people are still undergoing literacy training at the 72,413 learning centres currently operating.

212. With regard to measures taken to improve the quality of children’s education, 3,441 primary teachers were trained on the management and organization of extended schoolday schools. In the same period, the management model and curriculum guidelines were defined, and the curriculums updated and diversified to promote meaningful learning at all

³ Transl. note: Sic (the correct figure is 0.4 per cent).

levels, modalities and subsystems, including workshops in the arts, dance, painting and chess.

213. With respect to funding for the most vulnerable groups, 1,507,057 students benefited from the School Food Programme of the Office of Student Welfare in 2014. There were four subprogrammes: marginal urban areas; school rations made from local ingredients; border zones; and extended schooldays. The programme involved an investment of RD\$ 6,077,512,336.33 and the distribution of 307,013,747 rations. The students were provided with breakfast, a nutritional midday meal and a 4-p.m. snack for their walk home.

214. Similarly, in 2013, 7,732,951 books and workbooks were distributed to students at the nursery, basic, secondary and adult level. An additional 7,195,081 textbooks were distributed to schools at the start of the 2014–2015 school year.

215. Another matter of great importance to the Dominican Republic is the encouragement given to the teaching profession. The State, through the Ministry of Education, made it possible for 4,515 students to complete their degrees in nursery or basic education, modern languages, biology, chemistry, mathematics, physics and social sciences. Some 2,253 professionals completed teacher training, of the 1,176 originally targeted; 1,670 teachers did post-graduate training, and 6,811 teachers received scholarships from the National Teacher Training Institute for their post-graduate studies. Currently 5,475 teachers are being trained.

216. In addition, 87,418 teachers, technicians, principals, assistant principals, coordinators and counsellors, among others in the education field, completed continuing education programmes. Some 5,000 of them are being trained and supervised in classrooms (under the centralized classroom training strategy).

217. Some 1,231 school principals were trained in the Principals College of the Ministry, and a proposal for a teaching career system is currently under discussion, targeting the key actors in the field of education.

218. Nine research projects and studies were conducted in 2014, involving a survey of the condition and profiles of teaching staff, and a proposal was drawn up for professional standards and teacher performance.

219. Projected investment in teacher training rose from RD\$ 1,383,432,220 in 2012 to RD\$ 2,203,598,540 in 2014, or an increase of about 59 per cent.

220. There were 17,226 participants in the 2014 competitive examination. Of these, 8,913 passed the examination and 6,224 were hired to fill vacant teaching posts.

221. With regard to the enhancement of teachers' status, in 2014, following the increase in both salaries and incentives (25 per cent), basic education teachers earned RD\$ 35,633 and secondary education teachers, RD\$ 41,096. With the 12-per-cent increase that took effect in 2015, the teaching payroll for the year will be RD\$ 53,746,129,583.

Article 15

Right to take part in cultural life

222. The right to culture is enshrined in the Constitution. Article 64 states: "Everyone has the right to participate and act freely and without censorship in the nation's cultural life, and to access and make use of cultural goods and services, scientific advances and artistic and literary production. The State shall protect the moral and material interests of the works of authors and inventors."

223. The Dominican nation is a multiracial and multicultural society. It is continually striving to guarantee the right of all to take part in activities and cultural development and to preserve and promote their tangible and intangible heritage from a history full of interactions between highly diverse cultural groups: indigenous peoples, Africans, Europeans, Asians and Americans. These characteristics and conditions have given rise to a cultural policy with constitutional status that began to be shaped at the State level with the establishment of the Ministry of Culture and the formulation of a set of standards.

224. Current programmes range from the renovation of the country's cultural infrastructure to the staging of annual book fairs, provincial and national carnivals, the relaunching of art education and the establishment of a system of free schools offering cultural training in the community. In addition, there are 303 national cultural projects under way in all the provinces, targeting 400,000 persons; cultural villages, where the full range of Dominican cultural diversity is on display; the Teatro Orquestal Dominicano group, made up of gifted young people; the late-night museum programme, now in its fourth year; the Koribe choral group, in which young graduates of the National Music Conservatory participate, singing songs that represent the country's cultural diversity; the book and reading promotion scheme; theatre and dance festivals; and mural-painting campaigns in the country's provinces and towns.

225. The objective of these programmes is to extend the reach and impact of cultural activities: the distinctive spiritual, physical, intellectual and emotional traits which together characterize groups of humans, including expressions of popular and indigenous culture such as the Brotherhood of the Congos of the Holy Spirit of Villa Mella, inscribed by UNESCO on the lists of Intangible Cultural Heritage of Humanity; and two items of documentary heritage inscribed in the UNESCO Memory of the World Register: the Book for the Baptism of Slaves (1636–1670), and the Resistance and Struggle for Human Rights in the Dominican Republic, 1930–1961.

226. In conformity with the Covenant, and as part of the founding principles of the Dominican Republic, there is no limit or de facto legal restriction on freedom to undertake scientific research and creative activity. The State understands the importance and benefits deriving from international exchanges and cooperation in this and every other area and has signed numerous international and regional agreements to protect and disseminate science and culture.

227. The country is, for example, a signatory to the Convention on the Exchange of Official, Scientific, Literary and Industrial Publications; the Inter-American Convention on the Rights of the Author in Literary, Scientific and Artistic Works; the Convention on Facilities for Artistic Exhibitions; and the Convention for the Protection of Cultural Property in the Event of Armed Conflict, among others.

228. As a consequence of the Government's willingness and practical attitude, with respect to the right to free access to the sources of culture and its various manifestations, without distinction as to sex, race, nationality or origin, and as previously mentioned, the Dominican Republic is a signatory to the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention on the Elimination of All Forms of Discrimination against Women.

229. Over the past five years, the Ministry of Culture has accordingly developed and implemented a cultural policy which recognizes the contribution of groups of African origin, and which supports all relevant initiatives by civil society. Examples are its endorsement of the establishment of the Casa de Africa; its support for research on the African roots of the Dominican people, with the backing of the Sebastián Lemba Institute of African Studies; the Mandela exhibition; and new appreciation for a number of African traditions that have become an essential part of Dominican culture.