



**Convention on the Elimination
of All Forms of Discrimination
against Women**

Distr.: General
22 January 2013
English
Original: Spanish

**Committee on the Elimination of Discrimination
against Women**
Fifty-fifth session
8-26 July 2013

**List of issues and questions with regard to the consideration
of periodic reports: Dominican Republic**

Addendum

**Replies of the Dominican Republic to the list of issues to be taken
up in connection with the consideration of its combined sixth and
seventh periodic report***

* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not formally edited before being sent to the United Nations translation services.



Constitutional, legislative and institutional framework

1. In its report, the State party indicated that the Constitution refers to equality and equity of women and men and provides for a balanced participation of women and men as candidates (see para. 56). Please indicate whether the State party envisages defining the terms “equity” and “equality” and the notion of a balanced participation of women and men in the laws and action plans and programmes, in the light of the previous recommendations of the Committee indicating that the terms “equity” and “equality” are not synonymous and that the Convention is directed at eliminating discrimination against women and ensuring equality between women and men (see A/59/38, para. 289).

2. With regard to the definitions of equity and equality, the State has made significant efforts to clarify the difference between the two concepts, in particular through the women’s mechanism, the body responsible for gender policy. For example, the Constitution sets out the principle of equality between women and men as a legal and legitimate fact:

3. “Article 39. The right to equality. All persons are born free and equal before the law and shall receive the same protection and treatment from institutions, authorities and other persons, and shall enjoy the same rights, freedoms and opportunities, without discrimination based on gender, skin colour, age, disability, nationality, family ties, language, religion, political or philosophical opinions, or social or personal status.

Therefore:

4. Subparagraph (4): Women and men are equal before the law. The law prohibits any act that has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women and men, on an equal basis, of fundamental rights. All necessary steps shall be taken to ensure the eradication of gender-based inequalities and discrimination.”

5. In addition, State institutions have adopted the concept of equity, which is achieved in practice by ensuring fairness in the distribution of quality goods and services as well as in participation and decision-making. This is implemented through actions, measures, rules and policies such as the National Development Strategy 2030, whose implementation is mandated. One of its primary cross-cutting themes is gender equity. For example, see Act No. 1-12, section III on cross-cutting policies, article 12 (Gender Approach): All plans, programmes, projects and public policies should incorporate the gender approach in their respective fields of activity in order to identify situations where gender discrimination is occurring and to take steps to ensure gender equality and equity.

6. However, we must acknowledge that the proposal for balanced participation of women and men as candidates has not yet been thoroughly discussed, so as to consider its implications and establish parity in other positions. The quota for women candidates now stands at 33 per cent for elective positions. With this in mind, the women’s mechanism intends to draft and submit to the Congress of the Dominican Republic a proposal for amendment of the Electoral Act that would convert the aforementioned constitutional proposal into a specific electoral policy to ensure parity between men and women candidates for various elective positions.

7. An important element to emphasize is that the draft amendment to the Electoral Act submitted to the Central Electoral Board incorporates gender equity in its article 102 as follows: nominations and proposals of candidates for the Chamber of Deputies and municipal councils shall be governed by the principle of gender equity, and these nominations and proposals should therefore consist of fifty per cent (50 per cent) women and fifty per cent (50 per cent) men. In electoral districts in which the numbers of men and women candidates are not equal, the difference between the total numbers of men and women proposed shall not be greater than one. All nominations shall follow an alternating pattern, so that a woman follows a man and vice versa, so that no two persons of the same sex are nominated consecutively.

National machinery for the advancement of women

8. **The national gender equality and equity plan 2007-2017 is mentioned in paragraph 67 of the report of the State party. Please describe the results achieved so far through its implementation, indicate whether the State party has established a monitoring mechanism for its implementation, and explain how the plan is in conformity with the Convention. Please also indicate the measures taken to allocate adequate human and financial resources to the national machinery and to provide it with technical capacity-building activities. In paragraph 66 of the report, the State party indicated that the Ministry of Women has signed working agreements with 22 municipalities and is conducting a gender auditing programme in 11 municipal governments. Please indicate the measures taken to ensure that the scope of action of the Ministry of Women covers the entire territory.**

9. The Ministry of Women has a system of indicators to follow up and monitor execution of the National Gender Equality and Equity Plan. The system is a crucial tool that enables the Ministry to measure the extent to which results achieved by public institutions through their actions in favour of women are contributing to building a State and a society in which equality of political, social and economic opportunities is not mediated by gender.

10. The system has a set of indicators, a database that contains definitions of the indicators and all the information on their component data, in addition to the instruments necessary for electronic storage of the various evaluations of the indicators over time, as well as a set of forms for collecting the information that is fed into the system.

11. In its multi-year plan, the Ministry of Women includes a budget item for activities related to follow-up and monitoring of the National Gender Equality and Equity Plan 2007-2017 (PLANEG II). Some of the information captured by the PLANEG II follow-up system is provided, by way of example, at various points throughout this document under the relevant headings.

Results of the implementation of PLANEG II:

Civil society

12. An agreement was signed with the organization Mujeres en Desarrollo Dominicana, Inc. (Mude) for joint work on the campaign “UNiTE to End Violence against Women”. Under this agreement, the experts of the Ministry of Women are

responsible for training and awareness-raising on gender issues for all Mude managerial and technical staff nationwide.

Local governments

13. Local governments have worked to establish local security, citizenship and gender committees in the town of Guayacanes, San Pedro de Macorís province, to ensure that local authorities comply with the gender component of the National District and Municipalities Act No. 176-07, including the establishment of a gender commission by each municipal council; a 4 per cent budget allocation earmarked for gender and health education; monitoring and promoting efforts to prevent gender-based and domestic violence, with the support of local authorities; local capacity-building to address gender issues and domestic violence, focusing on young people, women's organizations and decision makers from the various institutions that make up the municipal committee.

Participation of women in the information and knowledge society

14. Information and knowledge technologies are instrumental in the success of modern societies, helping to significantly reduce poverty and increase competitiveness; so it is crucial that women are involved in the world of technology in order to strengthen their participation and leadership.

15. The non-governmental organization (NGO) Research Centre for Feminist Action (CIPAF) and the Chamber of Information and Communications Technology of the Dominican Republic held a special meeting of professional women working in the information and communications technology (ICT) sector as part of the Gender and ICTs project, which CIPAF has been implementing since 2010 with the support of the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women).

16. These meetings seek to identify women's needs and requirements and the obstacles they face in fully and effectively using and benefiting from the training, information, business and employment opportunities that new ICTs now offer.

Government institutions

PLANEG II indicators

1. Ongoing publication of statistical information on the health, education and status of women

Number of investigations and studies carried out each year on the status of women

17. From 2008 to 2012, 33 investigations and studies on the status of Dominican women were carried out by the Ministry of Women, the government sector, the judiciary, civil society and international organizations.

18. With regard to research in the field of science and technology, of particular interest is the investigation entitled "Another glass ceiling? The digital gender gap in the Dominican Republic", carried out by CIPAF, which is a tool to support the efforts to achieve an inclusive information and knowledge society, a key element in ensuring a world of justice and equality for all.

2. Gender equality and equity adopted as guiding principles of action for the Government

Public expenditure for the advancement of women

19. The percentage of the annual national budget earmarked for policies, programmes and projects that seek to promote gender equality and equity, including initiatives to implement PLANEG II, has remained between 0.11 and 0.12 per cent.

3. Strengthening inter-agency coordination and organizational mechanisms

The extent to which gender equality and equity is mainstreamed

20. Gender mainstreaming in the Government has come to the fore as a result of the establishment of the Ministry of Women under Act No. 86-99 and of the 52 provincial and municipal offices throughout the country, and as a result of implementing Decree No. 974-01, which established gender equity and development offices in all Dominican Government ministries.

4. Extend and strengthen coordination among institutions and organizations that help to further gender equity and equality

Boosting the role of the Ministry of Women as lead intermediary for governmental and non-governmental sectors and institutions

21. The Ministry of Women has strengthened coordination among institutions and organizations to further gender equity among governmental and non-governmental sectors and institutions by signing more than 34 contracts and agreements between 2008 and 2012. From 2008 to date, the following has been achieved:

- Coordination with representatives of the Armed Forces, the National Police Force and the National Department of Victim Services.
- Coordinated dissemination of the PLANEG II guidelines to Government entities and civil society, in order to ensure gender mainstreaming in the formulation, implementation, monitoring and evaluation of public policies.
- Definition of a new communication strategy and relaunching of the Institute's image, based on a marketing and communication study.
- Development of a coordination strategy for government agencies, civil society and the provincial and municipal women's offices to promote the protection of women's rights in an effort to achieve greater equality and equity.
- Signing of a cooperation agreement with the Office of the Attorney-General of the Republic, ratifying the decision to establish a national system for preventing, responding to and punishing violence against women in the context of human rights.
- Presentation of the PLANEG II strategic pillars to Government Ministers, Deputy Ministers, General Directors and other decision makers.
- Coordination with the Commission on Gender of the Chamber of Deputies to implement the campaigns "Zero Tolerance of Violence against Women" and "There are punches that do not win medals", which were launched in November 2008.

- Monitoring of the policy of comprehensive care for victims of gender-based and domestic violence, implemented as part of a programme to improve and humanize public services, in coordination with the public prosecutor's offices of the National District and the province of Santo Domingo.
- Relaunch of the National Commission to Prevent and Combat Domestic Violence (CONAPLUVI).
- Dissemination of the gender-mainstreamed health care guidelines applicable to cases of domestic violence and violence against women.
- Strengthening of national and international coordination mechanisms to optimize efforts for and investment in a national response to the issue of women and HIV/AIDS.
- Active participation in International Labour Organization programmes to monitor the strategies and actions to implement the White Paper and to disseminate information on women's rights.
- Participation in the evaluation process for Act No. 55-97 on agrarian reform.
- Relaunch of the computer training centre in Manoguayabo.
- Inauguration of the government telephone line, *GOB, which provides information on care centres for victims of gender-based and domestic violence.
- Initiation of a programme on women and politics, in coordination with the Universidad Católica Tecnológica del Cibao (UCATECI) (in the north and east of the country).
- Strengthening of the role of women mayors and deputy mayors, in accordance with the National District and Municipalities Act No. 176-07.
- Implementation of the municipalities' gender audit programme and the establishment of gender equity and development offices to coordinate municipal councils' gender policies with PLANEG II.
- Preparation of the fifth module of the course on trafficking in persons from a gender perspective, in coordination with the Facultad Latinoamericana de Ciencias Sociales (FLACSO).
- A representative of the Dominican Republic was elected as first Vice-President of the Second Conference of States Parties of the Follow-up Mechanism to the Belém Do Pará Convention in 2008.
- Participation in the Gender Equality Observatory for Latin America and the Caribbean.
- Full membership of the Council of Ministers of Women of Central America and the Dominican Republic. At the initiative of the Ministry of Women, a declaration was adopted which stated in its paragraph 13: "Encourage the development of plans and programmes to promote young women's economic and creative empowerment".
- Meeting to raise awareness of PLANEG II and its implementation strategy with the men and women responsible for the communication and public relations strategies of Government institutions.

- Represented the Government at the European Union Ministerial Conference “Towards Global European Union Action against Trafficking in Human Beings”, held in Brussels on 19 and 20 October 2009.
- Launch of orientation hubs to prevent and combat trafficking in persons and to provide victims with a first point of assistance and referral. Initiative coordinated through the Technical Committee, together with the Institucionalidad y Justicia Foundation and the provincial women’s offices.
- Coordination, with the Gender Team of the Dominican Agrarian Institute, of the process to raise awareness of, provide information on and disseminate Act No. 55-97, which introduced a gender perspective to agrarian reform.
- Awareness-raising and information programme on the impact of gender mainstreaming on environmental regulations and natural resources management plans.
- Creation of the framework for the 14 liaison teams of the gender equity and development offices in the various Government ministries, departments and offices.
- Comprehensive training for the staff of the units that assist victims of domestic violence to improve the quality of services offered to victims.
- Presentation of the draft programme to mainstream gender issues in the educational curriculum at the preschool, primary and secondary levels to education authorities.
- Municipal coordination efforts and activities that seek to promote the creation, consolidation and institutional sustainability of local mechanisms.
- Ratification of the agreement signed with the Universidad Autónoma de Santo Domingo to mainstream gender issues in the curriculum and to establish the Simone de Beauvoir programme within the University’s School of Philosophy.
- Inter-agency coordination with government agencies and international organizations to implement the binational project of the Dominican Republic and Haiti.
- Establishment of the Gender Cooperation Committee, with a view to defining and coordinating cooperation and financing for national gender policies, as part of international project and cooperation management.
- Gender mainstreaming coordination activities with the Central Electoral Board’s Political Training School for Women.
- The signing of an agreement with the Ministry of Education to strengthen efforts to sensitize and train secondary school students by encouraging them to dedicate 60 hours of social work to raising awareness of and preventing teenage pregnancies and gender-based and domestic violence in educational centres and in their communities.
- Cooperation agreement with the National Council on HIV and AIDS (CONAVIHSIDA) to reinforce gender mainstreaming in programmes that are part of the national response to HIV and AIDS, using educational and communication activities to address the feminization of the epidemic and to prevent its escalation.

- Inter-agency cooperation agreement with the Central Electoral Board to carry out training workshops for the staff of the Board and its sub-offices on treating women and men equally in order to prevent gender-based violence.

5. Development of forums for study, reflection and action relating to women's practical and strategic interests

22. Creation of the Working Group on Gender and Information and Communications Technology as a joint initiative involving the Ministry of Women, the Institute of Telecommunications and the National Commission for the Information and Knowledge Society.

23. Launch of the Simone de Beauvoir programme through the existing agreement between the Autonomous University of Santo Domingo and the Ministry of Women.

24. Establishment of the Committee on Security, Citizenship and Gender, whose membership comprises representatives from the National Council for State Reform and Modernization, the Ministry of Women, the Ministry of Home Affairs and Police, the Friedrich Ebert Foundation, the Citizens' Forum, Foro Inter-barrial Permanente (FOINPE), the municipal councils of Boca Chica and Los Alcarrizos, the National Drugs Council, the Dominican Federation of Municipalities (FEDOMU) and the Dominican Municipal League.

25. Creation of the Gender Institute of the Autonomous University of Santo Domingo and the Committee on Gender and the Environment, whose membership comprises representatives from the Ministry of Women and the Ministry of Environment.

26. Establishment of the National School for Electoral Training (EFEC).

27. Lecture on women in science, given at the Seminar on Women and Science organized by the Academy of Sciences.

6. Creation of childcare facilities to facilitate access to employment for low-income women

28. Increase in the coverage of State childcare facilities:

29. A programme to provide childcare services as part of the national social security system was launched in 2009. In total, 132 childcare centres have been opened around the country (42 in 2010 and another 90 in 2012), which provide care for 15,183 children aged between 0 and 5 years. The centres are located in all regions, from region 0 to region VII.

7. Advertising campaigns using the mass media to promote equal pay for women and men

30. Campaign for ratification of the Convention concerning Equal Opportunities and Equal Treatment for Men and Women Workers: Workers with Family Responsibilities (Convention No. 156).

31. Campaign to encourage more women to enter the robotics and mechatronics fields.

8. Trends in women's enrolment in training for non-traditional careers and occupations at the technical/vocational and university levels

32. Data show that women continue to enrol in greater numbers than men in courses of study relating to the service professions, as well as courses in preschool, primary and secondary education, marketing, psychology and medicine. However, the percentage of women enrolled in courses in information technology and industrial, system and civil engineering is very low, which limits their access to better sources of work and results in lower incomes.

33. In terms of the financing approved each year for micro-entrepreneurs, only 9.4 per cent of the total is given to women entrepreneurs, while men receive 90.6 per cent, which shows that women are extremely underrepresented among the self-employed.

9. Training of women leaders in the gender perspective

34. With regard to the provision of training in the gender perspective for women politicians and trade union leaders, and for business and professional associations, 181 women politicians have received such training through diploma programmes and courses.

The table below shows the State revenue allocated to the Ministry of Women.

Allocation of human and financial resources to women's mechanisms

<i>Year</i>	<i>Budget allocated</i>	<i>Social spending</i>	<i>Percentage of social spending</i>
2004	200 541 089.00	58 019 707 722.15	0.35%
2005	173 917 595.48	71 922 223 557.00	0.24%
2006	168 677 272.00	93 735 647 039.73	0.18%
2007	195 247 314.57	109 604 838 780.37	0.18%
2008	218 561 071.02	134 835 251 188.53	0.16%
2009	320 974 581.00	129 775 124 297.63	0.25%
2010	340 602 404.00	138 267 549 166.03	0.25%
2011	360 112 769.00	151 150 669 938.00	0.24%
2012	378 849 592.00	180 053 635 401.00	0.21%
2013	497 332 222.00		

35. In January 2013, the Ministry of Women had a staff of 499.

Measures adopted to ensure that the efforts of the Ministry of Women reach the entire national territory

36. The actions, processes and measures implemented to ensure that the efforts of the Ministry of Women reach the entire national territory, in particular through their connections and coordination with local councils, include:

37. Monitoring of compliance with Act No. 176-07 and support for a regulation, drafted by the Ministry, on the implementation of its gender components. A gender auditing programme was conducted in 11 municipal councils and ad hoc or medium-

term working agreements on training and assistance have been concluded with the other municipal councils. In 2013 formal agreements will be reached for actions and support measures for specific processes and to promote adoption of the gender regulation in another 50 municipalities.

38. Coordination with other government entities through public safety committees, a process which has included the signing of agreements with 10 municipal councils.

39. Promoting coordination with municipal councils through provincial and municipal women's offices, which serve as the local mechanisms of the Ministry of Women throughout the national territory. The country's 52 women's offices — 32 provincial and 20 municipal — are the operational arm responsible for local coordination of the policies promoted by the Ministry of Women.

40. A major action undertaken as part of PLANEG II has been to increase the sectoral mechanisms for promoting gender equality policies, such as the gender equity and development offices established in State institutions. In 2012, there were 33 such offices, which is a significant increase compared to 17 in 2009, 22 in 2010 and 18 in 2011. The institutions that have a gender equity and development office use PLANEG II as a frame of reference for their activities.

41. Increase in the number and strengthening of gender equity and development offices and their coordination mechanisms.

- Monitoring and management of the work plans of the 33 gender equity and development offices, which have been created in 16 ministries, 5 departments, 3 institutes, 3 national offices, 3 national councils, 2 military institutions, 1 police institution, 1 agricultural development body and in the Public Prosecutors' Office of the National District, which also has 1 office.
- Inter-agency coordination among gender mechanisms by means of meetings held every six months.
- Steps to ensure implementation of Decree No. 974-01 (which establishes gender equity and development offices in ministries and their departments) in institutions that have not yet created gender mechanisms.
- Planning of activities to strengthen the gender equity and development offices, including the allocation of staff, premises, technology and furniture, creation of work teams, identification of training needs and awareness-raising among decision makers.
- Establishment of the Gender Equality and Equity Office within the Department of Prisons in 2010. Given the complexity of this initiative, a national process of reflection was needed, as well as recommendations on the feasibility of creating a gender mechanism within the Department.
- Incorporation of the gender perspective in the natural resources management plans of the Ministry of Environment.
- Initiation of an awareness-raising process targeting the technical staff of institutions involved in natural resources management, in order to encourage the review of three environmental standards from a gender perspective:
 - Environmental Standard on the quality of groundwater and subsoil discharges;

- Standard on the environmental management of non-hazardous solid waste;
- Environmental standards for protection against noise.
- Strengthening of the technical and operational capacities of the Ministry of Environment for implementation of PLANEG II.
- Training on gender and environmental issues for technical staff and decision makers of the Ministry of Environment and for women members of the reforestation groups established as part of the Quisqueya Verde National Plan.
- Liaison with the Coordinating Committee for national consultations on the United Nations Conference on Sustainable Development (Rio+20) held in Brazil in 2012).
- Participation in the inter-agency committee set up to coordinate the planting of themed forests as part of the actions carried out during the International Year of Forests, 2011.

Strengthening of the networks and mechanisms for local and sectoral coordination of the various women's entities

- A committee on gender and the environment was established in April 2011 as a forum for reflection and debate on gender and the environment. Core themes have been defined to increase the amount of information available on gender and environment theory.

The committee comprises representatives of governmental and non-governmental organizations responsible for managing, organizing and controlling natural resources, including the Ministry of Environment and Natural Resources, Ministry of Women, Ministry of Public Health, Ministry of Tourism, Ministry of Agriculture, Dominican Agrarian Institute (IAD), Social Cabinet Solidarity Programme, National Water Resources Institute (INDHRI), National Meteorology Office, Technological Institute of Santo Domingo (INTEC), Universidad Iberoamericana (UNIBE), Autonomous University of Santo Domingo (UASD), Academy of Sciences, Institute for the Development of the Associative Economy, Asociación Tú, Mujer Inc., Foundation for Rural Youth Development (FUNDEJUR), Institute of Environment Lawyers (ISAPROMA) and Grupo Ocho.

- The Eleventh Ibero-American Meeting of Women Engineers, Architects and Surveyors (EIMIAA) was held on the theme: "The role of professional women in tackling the global challenge of natural phenomena".
- Collaboration with the Coordinating Committee for national consultations on the United Nations Conference on Sustainable Development (Rio+20). The final country document incorporated the gender equity and equality aspects included in Agenda 21 adopted at the United Nations Conference on Environment and Development in 1992.

Cooperation with the Department of Prisons

A programme to promote the rights of women deprived of their liberty is being implemented by means of an information and outreach campaign within and outside prisons.

The Gender Equity and Development Offices of the Department of Prisons, representing the Women's Correctional and Rehabilitation Centre of Najayo Arriba, San Cristóbal, has concluded working agreements with its counterpart in the Ministry of Culture in order to organize cultural and artistic courses for women deprived of their liberty. As a result, theatre groups have been created, courses on music reading and drawing have been held, and documentaries have been made with images and messages that improve perceptions of women deprived of their liberty. Agreements have also been reached with IAD to prepare and implement food production projects by creating kitchen gardens and greenhouses.

Cooperation with the Ministry of Health

A National Plan for Gender Mainstreaming in the Health Sector has been formulated and launched.

The health and justice sectors have liaised in order to develop a joint pilot project on referral and cross-referral in selected hospitals and public prosecutors' offices: Los Alcarrizos I and II, Luis Calventi Hospital, Francisco Moscoso Puello Hospital, Luis E. Aybar and Regional II in Santiago.

Health care providers and justice professionals in areas IV and VII of Region 0 have been briefed and trained on applying health care standards and protocols.

Health care providers in Neyba, Pedernales, Descubierta, Jimaní and Barahona, in the border zone, have been briefed and trained in applying health care standards and protocols.

A total of 19 registers for recording domestic violence cases have been distributed to secondary and tertiary level health centres, five of them in Region 0 (Santo Domingo), nine in Region II (Santiago) and five in the border zone.

Strengthening of the Ministry of Women in its intersectoral and inter-agency coordinating role**In the period under review, the following actions were taken:**

42. The staff responsible for administration, planning and general management at the Agricultural Bank (Banco Agrícola) of the Dominican Republic took part in a meeting concerning an assessment of efforts to incorporate a gender perspective in the Bank's plans, programmes and projects. The event was intended to publicize the findings of the assessment, which pointed to inequality and inequity in agricultural projects and in the distribution of leadership posts and responsibilities. The decision-makers in attendance undertook to examine the details of the assessment and to take the appropriate measures to overcome limitations that had been highlighted. Attendees included representatives of the Agricultural Bank, the Ministry of Women and the United Nations Population Fund (UNFPA). The final conclusions contained a recommendation that the Agricultural Bank should promote the new regulations that are currently being formulated.

43. We provided support for the gender focal point of the Armed Forces at the Conference on the Role of Women in the Armed Forces and for the female members of the Armed Forces Commission in establishing the Department of Gender Equity, Development and Defence.

44. The gender equity and development offices are liaising in order to contribute to technical consultations on the Regional Policy on Gender Equality and Equity of the Central American Integration System, which were organized by the Council of Ministers of Women of Central America and the Dominican Republic, the Technological Institute of Santo Domingo and the Ministry of Women.

45. The Ministry took part in the Central American forum entitled “Food-producing programmes: highlighting the role of women in food security for the development of families and the community”, which was attended by women members of cooperatives and small businesses involved in entrepreneurship and productive programmes organized by the Government of Nicaragua.

Stereotypes and harmful practices

46. **Paragraph 110 of the report refers to various actions taken by the State party to eliminate gender stereotypes. Please describe the results achieved so far through these actions. Please also indicate whether the State party envisages elaborating a comprehensive policy to change social and cultural patterns that lead to stereotyping, reproducing or reinforcing the traditional roles of women and men within the family and society in general. Please also indicate the measures envisaged to eliminate multiple forms of discrimination faced by disadvantaged groups of women, such as women of Haitian descent, rural women, women with disabilities and discrimination faced by women on the basis of their religion or the colour of their skin.**

47. The following information has been compiled based on the indicators of the PLANEG II monitoring system:

- Use of prizes and other incentives to encourage the creation of songs, posters, video clips and other works presenting a positive image of women and men.
- With that indicator in mind, the Ministry of Women cooperated with the Ministry of Culture in 2010 to organize the “Minute and a Half” competition, which marked the International Day for the Elimination of Violence against Women on 25 November and was dedicated to the Mirabal sisters. It was intended to encourage young communicators to promote a change in social values by fostering respect for women and girls. The Patria, Minerva and María Teresa prizes were awarded to the three winning works: *No ha Sido en Vano* [it was not in vain], by Canek Denis, *Inmortales Mariposas* [immortal butterflies], by Mónica Aimée Sepúlveda, and *Trabajo Final* [last work], by Luis Miguel Abreu.
- A review was conducted of syllabus material in textbooks regarding stereotypes that could encourage gender violence and discrimination of any type.
- The Philip Morris Dominicana Centre for Gender Studies and the Dominican Association of Journalists with a Gender Perspective have established a journalism competition entitled Gender Equality for a Life without Violence.

Violence against women

48. **Please provide detailed information on the current situation, trends and legal provisions with respect to violence against women and girls, including rape, marital rape and domestic violence, and provide data on the number of cases of violence against women reported to the police and brought to court, and the number of prosecutions, convictions and sentences imposed in this regard.**

49. **Paragraph 77 of the report refers to the delay in revising the Penal Code. Please indicate the actions taken or envisaged to accelerate the revision of the Penal Code and provide a clear time frame for its adoption. Please also indicate the actions taken to ensure that the provisions of the Penal Code are in line with the Convention and indicate whether discriminatory provisions have been withdrawn from the draft Penal Code, as recommended by the Committee in its previous concluding observations (see A/59/38, para. 284), including the amendments eliminating the definition of violence against women, reducing the penalties for perpetrators of domestic violence, penalizing abortion and withdrawing criminal charges or suspending sentences in cases of rape if the perpetrator marries the minor victim.**

Background information on the Penal Code: On 26 July 2006, the Chamber of Deputies of the Dominican Republic adopted the draft law creating the new Penal Code. From the point of view of women's human rights, the Code's content has certain disadvantages that constitute a step backward from the progress achieved over the past century, particularly through Act No. 24-97 on domestic and sexual violence.

50. The preliminary draft was completed and submitted to civil society in 1999. The Drafting Committee comprised five men and one woman, the woman having no work experience in advocacy for women's human rights.

51. The then President of the Republic, Leonel Fernández, later commented on the preliminary draft in a communication sent to the then President of the Chamber of Deputies, Julio Cesar Valentín, on 23 August 2006, alerting him to the weakening and/or removal of the measures envisaged in Act No. 24-97. He also emphasized the State's international commitments with a view to ensuring enjoyment of the human rights of children and adolescents as established in Act 136-03, adopted as a complement to the Penal Code in order to incorporate offences that would make it possible to punish more effectively the commercial sexual exploitation of children and adolescents, involvement in the sexual exploitation of children, child pornography, and sex shows involving children and adolescents. Among other things, the President of the Republic noted that genocide and other crimes against humanity were criminalized but war crimes were not, which was contrary to the Rome Statute.

52. The Ministry of Women then submitted a document containing specific proposals regarding the content of the Code and stressing that Act No. 24-97 on domestic and sexual violence remained in force; some of these points were also made in comments submitted by NGOs.

53. In 2012, the Ministry of Women worked closely with NGOs, the Commission on Gender of the Chamber of Deputies and the Senate Committee on Gender and the Family, publicizing in letters and press releases their fear that the National Congress would adopt a penal code that would constitute a step backward for Dominican women.

54. Finally, in a press conference, the Justice Commission of the Chamber of Deputies publicly promised that the draft would not constitute a step backward from Act No. 24-97 and introduced provisions that had previously been integral to the Code, such as three grounds for abortion (the only new element was the right to abortion where the mother's life is in danger), expansion of the definition of femicide to include not only acts committed in an intimate relationship (previously defined as "intimate femicide") and a definition of violence against women that matched those of the Convention and Act No. 24-97.

55. All these elements of Act No. 24-97, which the Justice Commission had removed, were going to be reintroduced.

56. The Ministry of Women's position on the Penal Code, October 2012: Violence against women is a violation of women's fundamental rights; it threatens their safety and that of their families and has such a negative impact on society that it constitutes a public order issue.

57. In light of this situation, the Dominican Government has become a party to international conventions that seek to prevent, punish and eliminate violence against women, such as the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women (Convention of Belém do Pará) and General Assembly resolution 48/104 (the Declaration on the Elimination of Violence against Women).

58. Therefore, instruments have been adopted in the Dominican Republic in order to combat this scourge; they include provisions of the 2010 Constitution; Act No. 86-99, which established the Ministry of Women; Act No. 24-97, which amended the Penal Code and criminalized violence against women and domestic violence; Act No. 137-03 on the smuggling of migrants and trafficking in persons; Act No. 136-03, which established the Code for the Protection of the Fundamental Rights of Boys, Girls and Adolescents in the Dominican Republic; and Act No. 88-03, which established safe houses or shelters for women and their minor children whose lives are threatened by violence against women or domestic violence. There is also a set of policies, plans and programmes designed to prevent, detect and punish violence against women.

59. The Ministry of Women notes with concern that the first draft, submitted in 2001, should be redrafted; its preparation predates the current Constitution, with which its provisions must therefore be harmonized.

60. In that connection, the Ministry of Women has reiterated its position that the Penal Code should not constitute a step backward and has outlined the provisions of the draft that should be strengthened.

Concerning the constitutional mandate, we note the following:

61. Article 42, paragraph 2, of the Constitution, on the right to personal integrity, reads: "All forms of domestic and gender-based violence are prohibited. The State shall take all appropriate legislative measures to prevent, punish and eradicate violence against women".

62. This article clearly establishes that the Penal Code must include the crime of violence against women, which is already defined and criminalized in article 309, paragraphs 1 to 7, of the Penal Code as amended by Act No. 24-97.

63. Article 26, paragraphs 1 and 2, of the Constitution state that the Dominican Republic “recognizes and applies the rules of general international law and of the international law of the Americas, insofar as the State has adopted them” [...]. “The rules established in ratified international treaties shall enter into force within the Dominican territory as from their official publication”. This means that the Penal Code must be harmonized with the binding conventions ratified by the Dominican Republic, such as the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women (Convention of Belém do Pará); General Assembly resolution 48/104 (the Declaration on the Elimination of Violence against Women); the American Convention on Human Rights and the United Nations Convention against Transnational Organized Crime (Palermo Convention).

64. Article 39 of the current Constitution establishes to right to equality: “All persons are born free and equal before the law. They shall receive the same protection and treatment from institutions, authorities and other persons and shall enjoy the same rights, freedoms and opportunities, without discrimination on grounds of gender, skin colour, age, disability, nationality, family ties, language, religion, political or philosophical opinions or social or personal condition”.

65. This article requires that the Penal Code incorporate the principle of non-discrimination and criminalize discrimination, as do articles 336 and 336-1 of the Penal Code as amended by Act No. 24-97.

66. Article 44 of the Constitution establishes that everyone has the right to privacy; it guarantees respect for and non-interference in private and family life, the home and personal correspondence.

67. This article requires that the Penal Code incorporate the provisions of article 337 of the Code as modified by Act No. 24-97, which criminalizes violation of personal privacy and disturbing the peace with threats, obscenities or slander.

68. The accountability of State officials should be strengthened pursuant to article 148 of the Constitution.

We also consider it necessary to retain the text of the following articles as amended by Act No. 24-97:

69. Article 331 of the Penal Code as amended by Act No. 24-97, which criminalizes sexual assault and makes it punishable by 10 to 15 years’ imprisonment or longer where there are aggravating circumstances. We consider it essential to establish rape of an individual who is vulnerable on account of pregnancy or physical or mental impairment or disability and child or adolescent rape as separate crimes, not aggravating circumstances.

70. Article 330 of the Penal Code as amended by Act No. 24-97, which criminalizes sexual assault that does not include rape, such as sexual harassment, pimping and other forms of assault.

71. Article 332-1 of the Penal Code as amended by Act No. 24-97, which criminalizes incest and makes it punishable by the maximum prison sentence, without bail or recognition of extenuating circumstances. Incest is defined as any act of a sexual nature that is perpetrated by an adult through deception, violence, threats, surprise or force against a child or adolescent to whom the perpetrator is related within the fourth degree of natural, legitimate or adoptive kinship or the third degree of affinity.

72. Article 332-2, which states that this offence shall be punishable by the maximum prison sentence and shall not be subject to any appeal on the basis of extenuating circumstances.

73. Article 332-3, which makes attempted commission of the offence established in article 332-1 subject to the same penalty as if the offence had been committed.

74. Article 332-4, which establishes that persons accused of the offence established in article 332-1 and in pre-trial detention shall not be released on bail.

75. Article 309-6, subparagraph (I), of the Penal Code as amended by Act No. 24-97, which sets levels of compensation for victims of violence, without prejudice to the outcome of any civil proceedings.

76. The following provisions, which were included in draft amendments to the Penal Code submitted by the Ministry of Women and the Coalition of NGOs for Modern and Consensus-oriented Legislation and on which other countries of the region have already adopted legislation, should be reinstated:

Femicide

77. Anyone who kills a woman, because she is a woman, under one or more of the following circumstances shall be deemed to have committed femicide:

- Where the perpetrator had sought unsuccessfully to establish or re-establish a spousal or intimate relationship with the victim
- Where the perpetrator was related to, in a conjugal or intimate relationship with, cohabitating with or engaged to the victim at the time that the offence was committed
- Where the offence was committed in the presence of someone to whom the victim was related within the second degree of consanguinity or affinity or in the presence of a minor
- Where death was preceded by an act of violence committed against a woman by the perpetrator, whether or not the act was reported by the victim
- Where the perpetrator has a history of violence against women, in public or in private, or has committed what is considered violence against her; or where such acts or omissions subsequently resulted in a woman's death
- Where death was preceded or accompanied by any type of sexual assault, genital mutilation or other form of torture or brutality that conveys a lack of respect for the woman's body
- Where death resulted from a group ritual, whether or not weapons of any kind were used
- Where the act was committed after protective measures had been ordered for the victim or where the perpetrator of a sexual assault is seropositive and knowingly transmitted HIV/AIDS to the victim.

78. Use of sexist and discriminatory language in the Penal Code.

79. On this point, we also note the lack of harmonization with the Constitution of the Republic, the wording of which is gender-inclusive and which states, in article 273, that "[t]he grammatical gender forms used in the wording of this Constitution

in no way imply any derogation from the principle of the equal rights of women and men”.

80. Development of the management model and of modalities for the care of children and adolescents by the comprehensive care units for victims of gender or domestic violence or sexual offences.

81. Note: The letter sent to the Chamber of Deputies by Alejandrina Germán, Minister of Women, on the occasion of the Chamber’s discussion of the Penal Code is annexed hereto.

82. In paragraph 239 of the report, the State party mentions actions taken after the evaluation of the National Model for the Prevention and Mitigation of Violence against Women and Domestic Violence. Please provide information on the status of implementation of these recommendations.

83. In July 2012, the Ministry of Women set up a national hotline as a mechanism for immediate intervention in emergencies involving violence against women. This service was established in order to reduce the incidence of violence through effective, timely telephone communication. It functions as a network that links all institutions of the prevention, detection, care, prosecution, punishment and compensation system and operates 24 hours a day and seven days a week. This mechanism is designed to strengthen the National Programme for the Prevention and Mitigation of Violence against Women and Domestic Violence and to provide users with guidance and refer them to the health and justice authorities and to NGOs that offer treatment and follow-up to cases of violence.

84. The National Commission to Prevent and Combat Domestic Violence (CONAPLUVI) drafted the Second Strategic Plan for the Prevention, Detection, Treatment and Punishment of Violence against Women and Domestic Violence (2011-2016).

85. The 52 provincial and municipal women’s offices, which offer legal and psychological services for women, children and adolescent survivors of violence, are being strengthened.

86. In order to continue preparation of the National Model for the Prevention and Mitigation of Violence against Women, Domestic Violence and Sexual Offences, the Office of the Attorney-General of the Republic has established three new treatment centres in the provinces of San Francisco de Macorís, Dajabón and La Romana; there are now 17 such centres. The Office of the Attorney-General has also established three specialized bodies as mechanisms for mitigating the effects of violence against women:

- The Comprehensive Care Centre for Children, Adolescents and Families
- The Care Centre for Abused Women
- The Office of Legal Assistance for Victims of Violence
- One-way mirrors are used in the evaluation of victims and witnesses during criminal proceedings, thereby avoiding revictimization.

87. The Behavioural Centre for Men rehabilitates perpetrators.

88. Since 2011, the UNiTE to End Violence against Women campaign has been implemented as an ongoing prevention effort in support of the initiative launched by United Nations Secretary-General Ban Ki-moon.

Establishment of observatories:

- By resolution 3041 of 1 November 2007, the Supreme Court of Justice established a gender equality policy in compliance with an international commitment undertaken by the judiciary and in 2010, the judiciary set up the Justice and Gender Observatory; one of its functions is to provide follow-up to sentences and other rulings concerning gender and human rights.
- The Violence Observatory of the Santo Domingo Municipal Council.
- The Civic Security Observatory, coordinated by the Ministry of the Interior and Police, which handles official statistics on violence throughout the country; it was established in 2012.

89. The country participated in the first phase of a regional programme designed to establish, as a regional public good, a regional system of standardized indicators for citizen coexistence and security. The programme, in which 15 countries of the region are participating, will facilitate measurement, follow-up and comparison at the regional level of issues related to these themes in order to build the capacity of decision makers in some countries of the region to formulate, implement and assess public policies for civic security.

90. The second phase began with the establishment of the Civic Security Observatory, coordinated by the Ministry of the Interior and Police.

91. The National Police Force has established the Unit for the Care of Victims of Violence against Women and Domestic Violence. One of the purposes of this care mechanism is to monitor and prosecute persons accused of misdemeanours and crimes against women.

92. Safe houses and shelters established by the Ministry of Women

93. In 2008, a safe house or shelter, the Emergency House, was established. It has the capacity to house 16 people, including women victims of violence and their children under 14 years of age. A second safe house or shelter, the Model House, was established in 2009. It has the capacity to house up to 40 people. This year — 2013 — there are plans to establish two more safe houses and to relocate the first one with a view to increased capacity in response to the growing incidence of femicide.

94. Between 2008 and 2012, we have provided a refuge to 1,193 people in the safe houses or shelters.

Trafficking and exploitation of prostitution

95. **In the light of the Committee's previous concluding observations (see A/59/38, para. 297), please provide information on the steps taken to address the root causes of and discourage the demand for prostitution and on the actions taken to prevent and eradicate child prostitution and sexual tourism. In the light of the Committee's previous concluding observations (see A/59/38, para. 297), please also indicate the measures taken to provide educational and**

economic alternatives to prostitution, and introduce exit programmes as well as rehabilitation and reintegration measures for women exploited in prostitution.

96. In paragraphs 115 to 119 of the report, the State party provided information on actions taken to combat trafficking. Please provide updated information on these actions and their impact, including the campaign against trafficking launched in 2007 (see para. 119) and the hotline set up to exchange information with possible victims of trafficking (see para. 122). Please indicate the steps taken to ensure the effective implementation of the National Action Plan against Trafficking of Persons and Smuggling of Migrants and to take effective measures for the rehabilitation of victims of trafficking and exploitation. Please provide information on the number of women and girls who are victims of trafficking for purposes of sexual and economic exploitation, the number of prosecutions and the sentences imposed on traffickers.

97. The measures taken in order to combat the trafficking and smuggling of persons include the establishment of a unit in the Santo Domingo Public Prosecutor's Office to investigate and prosecute cases of trafficking, smuggling, commercial sexual exploitation and child labour.

98. The establishment and implementation of the National Action Plan against Trafficking of Persons and Smuggling of Migrants (2010-2014) includes specific activities and guidelines for strengthening efforts to combat trafficking. The Plan was drafted in consultation with the members of the Inter-Agency Committee to Combat Trafficking in Persons and the Smuggling of Migrants (CITIM), NGOs working on the issue, other civil society stakeholders and international organizations with experience in the area of trafficking in persons. The Plan includes two primary strategic objectives — prevention, and investigation and prosecution of trafficking — with seven areas for action: information and training, social research, training of citizens, inter-agency coordination, transnational cooperation, emergency assistance and full rehabilitation of the victims.

99. In the course of 2011, the Public Attorney's Department made significant efforts to investigate and prosecute cases of human trafficking.

Number of cases investigated per year:

2008: 163

2009: 51

2010: 62 investigations and 16 convictions for migrant smuggling

2011: 64 investigations and four convictions, two for migrant smuggling and two for human trafficking

2012: one three-month custodial measure for human trafficking.

Prosecutions and other efforts to enforce the Act

100. In the course of 2011, the Government of the Dominican Republic made earnest efforts to investigate and prosecute cases of human trafficking, as the following statistics show:

- Police investigations under Act No. 137-03: 39 cases
- Police arrests under Act No. 137-03: 25 cases

- Trafficking investigations referred to the Public Attorney's Department: 10 cases
- Open cases involving trafficking and related offences: 7
- Cases that have been closed and resulted in convictions: 4

101. Mechanisms implemented:

- In 2011 and 2012, the Department of Migration introduced the Advance Passenger Information System (APIS).
- The recently introduced Línea 700 hotline can be used to report missing children and the abuse of girls, boys and adolescents. The hotline provides counselling in order to prevent and address child abuse.
- Agreement between the Office of the Attorney-General of the Republic, the Office of the First Lady and the Presidential Office for Information and Communications Technology.
- Training has been provided for staff at government institutions, including the National Council on Childhood and Adolescence, the Ministry of Foreign Affairs, the Ministry of the Armed Forces, the Specialized Border Security Unit, judges, prosecutors and tourist police. (In 2008, the Ministry of Foreign Affairs provided four training programmes for consular staff on the subject of migrant smuggling and human trafficking in Europe, Latin America, Central America and the Caribbean). The training sessions were intended for consular networks which protect and assist victims of migrant smuggling and human trafficking.

102. In the period 2008-2011, ten training sessions on migrant smuggling and human trafficking, including those listed below, were provided for Foreign Affairs staff:

- A course on the inspection of travel and identity documents, identification of false and altered documents and identification of impersonators. The course was attended by officials of the Ministry of Foreign Affairs, the Department of Migration, the Department of Passports and the National Police Force.
- A workshop for journalists on tools for reporting on human trafficking, August 2010.
- A two-day theoretical and practical workshop entitled "Human trafficking: Issues and Challenges", 2010.
- "Strengthening capacities to assist victims of human trafficking", 2011.
- One-day training session for officials of the Ministry of the Armed Forces on the rights of children and prevention of the trafficking, smuggling and exploitation of boys, girls and adolescents, September 2010.
- Three training courses on security measures for Dominican Republic passports were held in 2010 for staff of the Department of Migration, particularly supervisors and inspectors working in ports and airports.
- The Ministry of Women organized five programmes on gender, human trafficking and migrant smuggling for officials in agencies tackling human trafficking and for judges, lawyers, psychologists and civil society

stakeholders. The programmes addressed the enforcement and scope of Act No. 137-03 on the trafficking and smuggling of migrants (which is currently being reviewed and amended), Act No. 285-04 on migration, Act No. 24-97 on family violence and Act No. 136-03 on the protection of boys, girls and adolescents. Thus far, 400 people have attended courses on those topics and been trained to incorporate the issue of migrant women in their action plans.

- A radio campaign on human trafficking entitled “Don’t let yourself be fooled” and aimed at women of various social strata.
- The radio programme “Women: Know Your Rights” has been broadcast regularly on Voice of the Armed Forces and Dominicana FM. It has been used to spread awareness of Act No. 137-03 and all of the information necessary to combat the problem.
- In cooperation with the Foundation for Institutions and Justice, copies of Act No. 137-03 have been printed in order to help people with less education to understand its content.
- 50,000 posters and fliers with the slogans “Get the facts here”, “Travel legally” and “Get the facts before you travel” have been distributed and displayed.
- New telephone lines have been established: 809 533 8466 for the Department of Migration; 809 200 7393 for the Office of the Attorney-General of the Republic; 809 681 1515 for the Centro de Orientación e Investigación Integral (COIN) and the Ministry of Women, a service provided at the centre for women returnees; 809 689 7212 for the Ministry of Women emergency hotline.
- A preventative network of guidance and information points has been created in order to mitigate the risk of uninformed migration, migrant smuggling and human trafficking. The network makes use of the 52 provincial and municipal offices of the Ministry of Women, which are responsible for the intake of trafficking cases and provide information and referral to the appropriate agencies represented on the Inter-Agency Committee against Human Trafficking and the Smuggling of Migrants.

103. The Department of Migration has created the forms to be used in the case of potential victims of trafficking and smuggling and has established a procedure for trafficking identification and prevention at airports.

104. In 2011, the Ministry of Foreign Affairs produced a guidance manual on human trafficking, which defines responsibilities and procedures to be followed by consular officials in order to protect Dominicans abroad, particularly the victims of human trafficking. The manual was aimed at Ministry of Foreign Affairs staff assigned to the Consular Department, the Department of Migration Affairs and diplomatic and consular missions abroad.

105. The Ministry of Women and COIN have signed an agreement to assist women victims of trafficking and smuggling and women returnees. The agreement covers the appointment of specialized technical staff such as psychologists and lawyers.

Participation in decision-making and representation at the international level

106. The report refers to Act 12-2000 establishing a 33 per cent quota for women candidates at the provincial and municipal councils (see para. 100). Please indicate the measures envisaged by the State party to ensure the effective representation of women in provincial councils. Please provide information on the actions envisaged to achieve equal representation of women and men in other areas of the political and public life, in particular in decision-making positions in the executive, the Senate and the National Assembly and in the civil service at national and local levels (including through the adoption of temporary special measures, in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation No. 25 (2004) and as recommended in the Committee's previous concluding observations (see A/59/38, para. 299)).

107. Various studies and research projects, some of which were carried out under the auspices of the Ministry of Women, have brought to light highly significant statistics on the important topics of political participation and the situation and position of women in our country. Some of those statistics are set forth below.

108. A study on women and politics in the Dominican Republic: consensus and contention between leaders and citizens, conducted by the Ministry of Women in December 2009, shows that women are less well represented in civil society organizations: 25 per cent of men, but only 15 per cent of women, participate in such organizations.

109. Women's participation in women's organizations has decreased from 7.3 per cent to 1 per cent over the last four years. 18.3 per cent of men, but only 12.6 per cent of women, participate in neighbourhood councils.

110. In managerial positions in social organizations, 30 per cent are women and 25 per cent are men. According to the study, 25.4 per cent of men but only 23.4 per cent of women belong to a political party. The political parties have many long-term members; the average member has been in a party for 19.1 years, without significant differences between genders.

111. Women join a political party for the following main reasons:

- Family connections: some 34.9 per cent
- Liking politics: 30.0 per cent
- Agreeing with the principles of the organization: 20 per cent
- Seeking personal benefit: 5.6 per cent
- 85 per cent of men and women who join a political party do so for the above reasons.

112. The study found no significant gender differences in terms of party political affiliation. However, there are twice as many men as women in leadership positions, which reflects men's control over Dominican political parties and the persistence of gender-based obstacles that prevent women from reaching positions of power with the same opportunities and conditions as men.

113. Men's control over the political parties is particularly striking in view of the distribution of roles: men take a majority of leadership positions, while women manage grassroots organizations.

114. Another important finding of the study is that the public has a high opinion of women's political participation and leadership.

115. First of all, 88 per cent of those surveyed agreed that women should participate in politics on an equal basis with men, which is an increase compared to the data obtained in the 2004 Demos survey (77 per cent). Furthermore, 53 per cent believe that Dominican women are capable and ready to occupy the Office of the President of the Republic.

116. According to public opinion, the factors that most contribute to women taking an active role in politics are the following, in order of importance:

- Experience in community work/participation (97.0 per cent)
- A higher level of education (94 per cent)
- Women are more responsible than men (84.8 per cent)
- Women are more honest than men (83.6 per cent)
- A family with a tradition of political participation (78.5 per cent)
- A spouse or other close family member who is as in government or is a party member
- Women work harder than men (76.2 per cent)
- An affluent or wealthy family (60.4 per cent).

117. According to the aforementioned studies, the three factors that most hinder women's active participation in politics are:

- Machismo and its impact on women's mobility and independence (75 per cent)
- The discrimination prevailing in political parties (74 per cent)
- Discrimination in government entities (72 per cent).

118. Not all members of the public share the same opinion of women's political participation. The wealthiest groups have a higher opinion than the poorest groups. Individuals with a higher level of education have a higher opinion of women's participation in politics than those with less education. It is important to note the public's professed high opinion of women's political leadership, which is not reflected in the levels of political representation that women have achieved in the country.

119. Progress in terms of gender equality and equity is not a short- or medium-term process; the situation is complex and requires a sustained effort from men and women to continue changing the system of values, attitudes and convictions that for thousands of years has highlighted the role of men in all areas of life. Discrimination against women is a sociocultural, educational and economic problem. Therefore, efforts from all sectors of society are needed to oppose it.

120. We need to involve families, churches, cultural associations, community organizations and schools in the efforts to eliminate the causes of inequality and

thereby support national development, so that we can live in a society that is fairer and more equitable, egalitarian, democratic and secure.

121. The Ministry of Women is continuing its efforts to achieve parity.

122. It is also important to emphasize the efforts made to overcome the real obstacles that hinder a significant and sustained increase in women's political representation. These include the Ministry of Women's participation in debates and the political impact of its specific proposals made in the process of amending the Political Parties Act and the Electoral Act, where we have key allies such as the Central Electoral Board, which has taken a position in favour of full equality between men and women in the political sphere.

123. In this connection, we wish to emphasize the Central Electoral Board's initiatives to ensure strict application of the quota laws (Act No. 12-000 and Act No. 13-000) through a number of decisions, one of which abolishes preferential voting or the open list, which was undermining women's quotas. The Central Electoral Board has also produced a draft amendment containing a proposal to establish parity between men and women candidates for elective posts.

Nationality and citizenship

124. In its previous concluding observations (see A/59/38, para. 300), the Committee expressed its concern regarding discriminatory provisions on the definition of nationality, which directly affect one of the most vulnerable groups in the country, namely Dominican women and girls of Haitian descent, and regarding restrictions in the transfer of nationality from a Dominican woman to her foreign husband. Please indicate whether these provisions still apply since the amendment of the provisions on nationality in the new Constitution (see para. 140). Please also provide information on the definition of individuals "in transit" who are reportedly not entitled to Dominican nationality and indicate how this affects Haitian migrants, including migrant women.

125. The Dominican Constitution, in its articles 18, 19, 20, 21, 22, 23, 24 and 25 covering nationality, the requirements for obtaining it, citizenship and foreigners, establishes the equality of Dominican men and women, as well as foreign men and women, including in the transfer of nationality to a spouse. Dominican legislation and the relevant regulations are being amended to respond to any conflicts arising from these articles.

Education

126. Please provide information on the drop-out rate of girls owing to teenage pregnancy and on the steps taken to encourage young women to return to school after pregnancy. Please also indicate the steps taken to eliminate stereotypical attitudes about the roles and the responsibilities of women and men in textbook curricula and teacher training. Please provide information on the measures taken or envisaged to encourage women to take a wider range of subjects in secondary and post-secondary schools, to include non-traditional subjects. Please indicate the measures taken to ensure the effective access to education of girls of Haitian descent and refugee girls.

127. With regard to pregnant adolescents, the Ministry of Education has established regulations to protect the right to education, which is set out in Act No. 136-06 on

the protection of children and adolescents. The Ministry views education as a protected right and seeks to keep these young people in the educational system and to prevent discrimination by educational institutions.

128. With regard to education, the Ministry of Women, with support from the United Nations Population Fund (UNFPA), conducted research in 2010 that was designed to help include a gender perspective in formal education at the initial, basic and secondary levels of the Dominican Republic's formal education system. The result is a tool that is consistent with the actual circumstances of Dominican public education and can be used to implement gender mainstreaming strategies and practices in the educational curriculum. It is designed to foster values and create knowledge that supports the exercise of citizenship in a manner respectful of peace, human rights and gender equity and equality.

129. The Dominican Republic has also conducted a review of textbooks, in response to a 2002 decision to reduce and/or identify gender gaps in the various subject areas.

130. Commemorative dates relating to demands for women's rights were included in the school calendar.

131. As for the percentages of girls and women among students of both sexes in primary, secondary, higher and technical education, the percentage of girls attending educational institutions at the initial and basic levels remained below that of boys for the period from 2008 to 2010. However, at the secondary and higher levels, the proportion of women enrolled was 57.7 per cent for the period 2008-2009 and 57.03 per cent for 2009-2010, while the corresponding percentages for men were around 40.4 and 40.7 per cent, respectively.

132. Furthermore, men and women teachers participated in training courses on: the importance of gender mainstreaming in education; gender analysis concepts; dissemination of the contributions of Minerva Mirabal to achieving political rights for women and to peace-building; redesigning curricula from the gender perspective; and epistemology for mainstreaming gender in the school of psychology. These courses help to increase the number of basic and secondary education teachers who are trained in and sensitive to issues of gender equality and equity and human rights.

Employment

133. The report refers in paragraph 176 to the National Gender Equality and Equity Plan 2007-2017, the National Strategic Plan for the Elimination of the Worst Forms of Child Labour in the Dominican Republic 2006-2016, the Road Map to Eliminate the Worst Forms of Child Labour 2010-2012, the campaign "Give girls a chance — end child labour", and the Gender Action Plan to Create Jobs in the province of Santiago. Please provide information on the impact of these plans.

134. The Ministry of Women, through its Department of Economic and Social Rights, supports the third central theme of PLANEG II, namely, reinforcing women's economic empowerment and encouraging their efforts to overcome poverty.

135. In this connection, the Ministry of Women has conducted joint activities with other State and civil-society institutions, including talks and the signing of inter-agency agreements and arrangements, such as:

1. A working agreement with the National Institute of Technical and Vocational Training (INFOTEP) for operation of the Model Training Centre, situated in the municipality of Los Alcarrizos in Santo Domingo.
2. An agreement with the Ministry of Agriculture for implementation of a project to develop economic structures for the rural poor in the border areas.
3. An agreement with the Ministry of Labour to promote equal opportunities, conditions and treatment for women in the labour market, through an advertising campaign; and to strengthen the Ministry's Gender Equity and Development Office in order to support policies and processes for the advancement of women.

136. The Ministry of Women acted as an executing agency in the joint programme for strengthening the banana value chain through the growth of inclusive markets. The programme provides education and training for women workers and producers in that important agricultural sector, which enables them to obtain better market prices and improve their working conditions and quality of life.

137. Furthermore, and as a result of implementation of the National Strategic Plan for the Elimination of the Worst Forms of Child Labour, a pilot programme for extending school hours to a full day was launched in 21 schools. There was an increase in the monetary benefits provided to parents through the Solidarity Programme in return for sending their children to school, and an expansion of the age range of the children included, so that parents could cover their basic household needs without sending their children out to work.

138. A legal framework was developed, including:

1. A memorandum of understanding with the International Labour Office for the Dominican Republic to join the International Programme on the Elimination of Child Labour. This led to the creation of the National Committee for the Elimination of Child Labour, for which the Ministry of Women is the focal point. Local committees were also established for that purpose.
2. In synergy with the National Council for Childhood and Adolescents (CONANI) and the Ministry of Labour, Act No. 136-03, "Code for the Protection of the Fundamental Rights of Boys, Girls and Adolescents", was signed and implemented.

139. In addition, inter-agency agreements have been signed with:

1. Banco Agrícola — an agreement prohibiting credit to individuals who employ children on their plantations.
2. The Ministry of Agriculture — for joint work to detect farms and plantations employing children.

140. As a result of all the eradication initiatives, child labour was reduced by 14 per cent (from 436,000 child labourers to 304,000) over a 10 year period (2000-2010).

141. A social plan for conditional transfers of food to children in vulnerable areas is still pending. It will be launched in conjunction with the Office of the President of the Republic.

142. **In the light of the Committee's previous concluding observations (see A/59/38, para. 307), please indicate the measures taken to prohibit dismissal on the ground of pregnancy, and to ensure effective implementation of the law on social security, the labour legislation and the legislation on sexual harassment and other forms of violence against women, in particular in free-trade zones. Please provide information on the steps taken to prohibit the requirement of pregnancy testing as a condition for obtaining or maintaining employment. Please also provide information on the measures taken to reduce the wage gap between women and men and the occupational segregation of women in the public and the private sectors.**

143. With the understanding that women face various obstacles to entering and remaining in the labour market on account of discriminatory practices affecting their access to employment and type of occupation, as well as in the workplace and the labour relationship, the Ministry of Women conducted a study entitled "From anecdote to evidence: Research on sexual harassment and bullying in the workplace", to investigate the situation of women workers. This study indicates that 22.6 per cent of the women surveyed had been victims of sexual harassment in the workplace and 25.9 per cent had been victims of bullying.

144. Based on this research, the Ministry of Women signed an inter-agency agreement for collaboration and work with the Dominican Association of Free Trade Zones (ADOZONA), the Office of the Attorney-General of the Dominican Republic and the Ministry of Labour. The objective was to contribute to preventing and eradicating domestic and gender-based violence, and to address other aspects of the working environment which have an impact on women, including gender-based violence, domestic violence, sexual offences, workplace harassment, and the new masculinity. This agreement applies to the women and men employed in all free trade areas in the Dominican Republic, in view of the economic significance of these areas throughout the country.

145. **Please provide information on the steps taken to provide domestic workers, who are mainly women, with the same protection as provided to other workers. Please also provide information on whether inspection mechanisms have been established to monitor the working conditions of domestic workers.**

146. As 96.5 per cent of domestic workers are women (National Household Income and Expenditure Survey (ENIGH) 2007, Statistical Overview, 2009), articles 258-265 of the Labour Code of the Dominican Republic grant labour rights to persons engaged in this type of work, while Act No. 87-01 on the Dominican Social Security System establishes their right to social security. Unfortunately, this aspect of the Social Security Act is not yet in force, despite the Government's interest in implementing it, but it is one of the Presidential Goals for the year 2013; in addition, the Ministry of Women has agreed to draft and develop a proposal for a technical and administrative procedure that will facilitate coverage for domestic workers and for micro and small entrepreneurs in the social security system.

147. It is also important to note that the Dominican Republic is a signatory to International Labour Organization (ILO) Convention No. 189 concerning domestic workers and that a number of governmental agencies, including the Ministry of Labour, have extended a formal request via the Executive Branch to the National Congress for its ratification. The Convention would then automatically become law, in accordance with the Dominican Constitution.

148. Throughout the year 2012, there was an extensive campaign to discuss and disseminate the content of Convention No. 189, Convention No. 156 concerning workers with family responsibilities, and Convention No. 183 concerning maternity protection, with a view to their ratification by the National Congress.

Health

149. Please provide detailed information on the measures taken to address the high incidence of early pregnancies, in particular in rural areas, and provide detailed information on the availability and the accessibility of comprehensive education on sexual and reproductive health and rights and family planning services, in the light of the Committee's previous concluding observations (see A/59/38, para 309).

150. In recent years priority has been given to the consistent work to prevent adolescent pregnancy carried out by the Inter-Agency Technical Committee, which combines the efforts of the ministries of health, education, women, youth, sports and other governmental and non-governmental entities. The Ministry of Women has been coordinating the Committee's work since 2005, and in 2011, progress was made in defining the National Plan for the Prevention of Early Pregnancies 2011-2016.

151. Many programmes, projects and activities for the prevention of adolescent pregnancies have been carried out in this context and have been successful in reducing the pregnancy rate among adolescents, which fell from 23 per cent of adolescents who had been pregnant or had given birth in 2002 (according to the Demographic and Health Survey (ENDESA)) to 20 per cent for 2007. Recent studies show that this indicator is continuing to fall.

152. The measures implemented include intersectoral coordination activities, actions involving training, equipment and the provision of health care services for adolescents, the production of educational materials and methodological tools, and information, education and communication activities, including implementation of the "Youth to youth" strategy, as well as the development of regulatory frameworks and policies on the sexual and reproductive health of adolescents and young people.

• Cross-sectoral and inter-agency coordination

- Eleven government agencies are represented on the Inter-Agency Technical Committee on Policies for Women, Youth and Health.
- Establishment of the Inter-Agency Technical Committee on Adolescent Pregnancy, with the participation of governmental and non-governmental agencies.
- Formation of local networks for the prevention of adolescent pregnancies, focusing on areas with higher rates of pregnancy and poverty.
- Conclusion of a total of six provincial inter-agency agreements to support local policies on the sexual and reproductive health of adolescent girls and young women. Various actors and sectors were involved: municipalities, prosecutors' offices, regional education offices, provincial youth offices, local NGOs and other entities worked together to implement projects coordinated by the provincial and municipal women's offices. These agreements were concluded in the following provinces and municipalities: Espaillat, San Cristobal, Altagracia, Jima Abajo (La Vega), Puerto Plata and Santiago Rodríguez.

- **Training**

- Training of staff in health issues in order to address comprehensive adolescent health care, with an emphasis on sexual and reproductive health and focused on counselling, family planning and pregnancy prevention, sexually transmitted diseases, HIV and violence. All provinces have staff trained in the provision of services to adolescents.
- National training for staff in the education sector. In 2011, 2,500 counsellors at schools throughout the country were trained through the Programme for Affective Sex Education, and they work directly with adolescents attending school to promote a better understanding of sexuality, reduce the number of teenage pregnancies and encourage responsible sexual behaviour.
- Adolescents have been trained as health outreach workers in areas assigned a high priority because of their poverty and high rates of early pregnancy. These young people support health promotion and pregnancy prevention actions in the places where young people come together, in their neighbourhoods, schools and communities. They have access to training programmes that promote personal development and social leadership, as well as fostering the establishment of youth networks linked to community spaces.

- **Production of educational materials and methodological tools**

- Educational materials and methodological tools have been developed for working with adolescents, with a focus on rights and a gender perspective. These materials include training manuals for health providers, tools for in-school discussions of sexuality and materials for community work with young people.
- The materials and methodological tools for working with adolescents have been circulated at national level, with support from local facilitators who can optimize their use.
- The promotional and information materials are designed to be easily understood by adolescents and address, inter alia, pregnancy prevention, condom use, sexual and reproductive rights, self-esteem, prevention of sexually transmitted diseases and HIV, access to user-friendly services for adolescents and the prevention of violence.
- In the case of the border provinces, materials have been produced in Haitian Creole because of the large population of Haitian descent.

- **Information, education and communication for the implementation of the “Youth to youth” programme**

- The “Youth to youth” strategy, which is based on peer education, has been adopted by government and non-government agencies which carry out programmes and projects with adolescents.
- Through information, education and communication activities based on the “Youth to youth” strategy, thousands of adolescents every year receive information and counselling in gender equality and equity, human rights, pregnancy prevention, sexually transmitted diseases, HIV/AIDS, violence

against women and domestic violence. The Ministry of Women reached 3,550 adolescents through these activities in 2011, and the Ministry of Health reached approximately 9,200 adolescents of both sexes through the National Programme for Adolescents.

- Two (2) clubs for adolescent mothers are operating in Dajabón and Santo Domingo, resulting in increased family planning rates and pregnancy spacing.
 - Six (6) youth centres (in Monte Plata, Puerto Plata, Jima Abajo, Jarabacoa, La Vega and El Seibo) have been established as spaces for youth participation, appropriate use of free time and youth leadership, to provide support for the activities of the youth networks.
 - A national campaign on the sexual and reproductive rights of adolescents was carried out (2010-2011), with information, education and communication activities related to the content of the campaign.
 - Recreational strategies have been used, such as the production of the play *La cigüeña llega al colegio* [the stork comes to school], as well as campaign days and school fairs with the theme of sexual and reproductive health.
- **Establishment of health services for adolescents**
 - Specialized care services for adolescents have been established at health facilities. The number of such services increased from only 30 in 2004 to around 100 in 2011.
 - The services for adolescents are free: counselling, contraception and family planning; comprehensive clinical care; detection and treatment of sexually transmitted diseases and HIV; prenatal and postnatal care; comprehensive care in cases of violence; gynaecological care; and early detection of cervical-uterine cancer.
 - The services are governed by regulations guaranteeing confidentiality and privacy, and the barriers to access to contraceptive methods have been reduced.
 - Progress has been made in the incorporation of care for adolescents at the primary level; it is now one of the services offered by primary health care units.
 - **Regulatory and public policy framework**
 - National regulations and procedures for the comprehensive care of adolescents were introduced in 2009.
 - Within the framework of the current care model, a basic adolescent care package has been established and must be offered by all social security schemes. This package includes health promotion, pregnancy prevention, counselling and family planning actions.
 - The Committee for the secure supply of contraceptives made it a priority in 2011 to ensure that access to contraceptives was provided in the services for adolescents.

- Act No. 136-03 establishing the Code for the Protection of the Fundamental Rights of Boys, Girls and Adolescents is a response to the discriminatory practice of excluding pregnant adolescents from the educational system. The prohibition of the application of sanctions, suspensions or expulsions or any kind of discriminatory treatment on the grounds that a girl or adolescent is pregnant is explicitly established in article 48 of the Act. This provision has been widely disseminated and in recent years the number of pregnant adolescents leaving the education sector has been reduced.
- Act No. 295-11 establishing National Adolescent Pregnancy Prevention Day has been promulgated, under the coordination of the Ministry of Women in conjunction with the ministries of health and youth.
- Revision, updating and application of the Programme for Affective Sex Education as an institutional policy of the Ministry of Education.
- Ministerial Decision R-0031-11 of the Ministry of Health calling for the establishment of health services for adolescents.
- Ministerial Decision R-002-11 of the Ministry of Women calling for the implementation of the National Plan for the Prevention of Adolescent Pregnancies.
- The 2011-2016 National Plan for the Prevention of Adolescent Pregnancies has been drafted, published and disseminated. Its strategic objectives are as follows:
 - Promotion of a legal framework and public policies to support the sexual and reproductive health and development of adolescents
 - Promotion of comprehensive sex education and sexual and reproductive rights
 - Expansion of coverage of high-quality user-friendly health services for adolescents
 - Promotion of the empowerment of adolescents and young women
 - Development of an information, communication and statistics system relating to the sexual and reproductive health of adolescents
 - Encouragement of the participation and organization of young women and men
 - Strengthening of strategic intersectoral alliances in the field of teenage pregnancy prevention.

153. In paragraph 62 of the report, the State party acknowledges that article 37 of the Constitution, providing that the right to life is inviolable from conception to death, represents a limitation to the full exercise of women's sexual and reproductive rights. Please provide information on the rate of abortion and the number of deaths due to unsafe abortion. Please indicate whether the State party considers amending the Constitution and legalizing abortion when pregnancy is harmful to the mother's life and/or health, as well as in cases of incest and rape, in the light of the Committee's previous concluding observations (see A/59/38, para. 309).

154. Since abortion is illegal, no separate statistics on unsafe abortion are available. According to data from the Department of the Statistics of the Ministry of Health, there were 22,569 abortions in 2010. Unsafe abortion is one of the main causes of maternal mortality in the Dominican Republic.

155. To our knowledge, no new amendment to the Constitution of the Republic is being considered to address any particular matter, because just two years have passed since the previous amendment (2011), during which time some of the legislative amendment procedures required under the new constitutional text have barely been started.

156. Given the terms of article 37 of the Constitution, however, the efforts of the Ministry of Women and other governmental and non-governmental bodies have been focused on an amendment to the Criminal Code which provides for the legalization of abortion in high-risk cases, that is, when the pregnancy is harmful to the mother's life or health. Negotiations on legalization in cases of incest and rape are continuing.

157. This debate became very intense in the last six months of 2012, but to date no final agreement has been reached on the text. We therefore continue to await the decision of Congress. The Ministry of Women has applied all of its influence and powers of negotiation in support of its position, despite a climate in which forces opposed to the cause of women's rights are advocating the deletion of the provision in question. However, we believe that a great deal of awareness has been raised among decision makers in connection with some of the above-mentioned grounds.

158. Please indicate the measures envisaged to further decrease the maternal mortality rate and improve women's access to quality health care. Please also indicate the measures taken to prevent breast and cervical cancer. Please provide information on the impact of the implementation of articles 50(3) of Law 135-11 on compulsory HIV/AIDS testing for pregnant women, and articles 78 and 79 sanctioning the intentional transmission of HIV/AIDS.

159. Reducing maternal and child mortality is a priority on the President's agenda and in the health sector in particular.

160. A new National Plan for the Reduction of Maternal and Child Mortality has been proposed, with a restructuring of the sexual and reproductive health care services. Human resources will be redeployed to ensure that skilled care is provided in the most disadvantaged areas.

161. The standards, guidelines and protocols for pregnancy, childbirth and postnatal care and for obstetric emergency care have been updated.

162. The Essential Obstetric Care (COEN) strategy has been adopted to provide training for health professionals in order to improve the quality of maternal health care and apply evidence-based practices to reduce maternal mortality.

163. Intra-hospital committees for analysing the preventability of maternal death have been set up and should be operational in health centres that provide assistance during childbirth.

164. Enhanced epidemiological surveillance of maternal mortality has had a significant impact; as a result of this initiative, maternal deaths are no longer silent or hidden and every death counts. Any maternal death must be reported immediately

to the National Epidemiological Surveillance System on Maternal Mortality and it is analysed by the competent health centre.

165. On the prevention of breast and cervical/uterine cancer.

166. Mass media campaigns on the timely detection of gynaecological cancers are held every year and supported by information materials and messages from community health workers.

167. To facilitate the early detection of cervical uterine cancer, Pap smear services have been expanded, together with the provision of the supplies needed.

168. With regard to article 50 of Act No. 135-11 on compulsory HIV/AIDS testing for pregnant women, and articles 78 and 79 sanctioning the intentional transmission of HIV/AIDS, it should be noted that the law has only recently been implemented and, consequently, its impact has not yet been evaluated. However, there is mandatory HIV testing for pregnant women and pre-test and post-test counselling is provided, as is antiretroviral treatment when necessary.

169. An inter-agency committee for gender mainstreaming in health was established to coordinate and promote the policies, actions and programmes to be implemented by the national health system. The committee will be composed of representatives from the ministries of health, education, and women and of other gender-related agencies.

170. A seminar on the sexual and reproductive health of middle-aged and older women was held. It focused on the services provided by the national health system in the areas of sexual and reproductive health, mental health, social protection, social security and sexuality, the myths and taboos of menopause, morbidity, gender-based violence, gynaecological cancers, community involvement in health, the role of older women and HIV/AIDS.

171. International conference on gender mainstreaming in national health systems.

172. Statistics on workplace violence in the Dominican Republic are updated and systematized on the basis of a number of variables. These are provided by, inter alia, the Observatory for women's exercise of citizenship, the Dominican Labour Market Observatory, the Caribbean Migrants Observatory (OBMICA), the Justice and Gender Observatory and the National Statistical Office's gender-sensitive system.

Rural women

173. While mentioning the existence of the Support Programme for Rural Women (see para. 221) and the land reform on rural women (see para. 230), the State party acknowledges the persisting lack of access for rural women to water, land, health, education and employment (see paras. 223-227). Please indicate the measures envisaged to ensure the effective access of rural women to health, education, land, water, food, housing, credit and income-generation projects.

174. Article 193 of the Constitution, on the principles of territorial organization, stipulates that the Dominican Republic is a unitary State, and that its territorial organization is designed to favour its integral and balanced development and that of its inhabitants, as consistent with their needs and the preservation of the Dominican Republic's natural resources, national identity and cultural values. The territory

shall be organized in accordance with the principles of unity, identity and political, administrative, social and economic rationality.

175. The measures envisaged to ensure effective access of rural women to these services are set forth in the Constitution, which stipulates in article 61 on the right to health that, "Every person has the right to comprehensive health care. In consequence: (1) The State must protect the health of all persons, guarantee access to potable water, improve food, health services, hygienic conditions and environmental sanitation and seek ways to prevent and treat all diseases, with access to good quality medicines and free medical and hospital care for those who require it." To that end, health care centres have been set up in rural areas. Since the Constitution is applicable throughout the national territory, rural women are included in these measures.

176. The national development strategy, which was established as the model for long-term national development, is intended, inter alia, to reduce urban-rural and interregional disparities in access to services and economic opportunities by promoting territorial development that is organized and inclusive. One line of action is to promote affirmative action policies that would guarantee rural women access to productive resources (land ownership, loans), thus helping them to overcome the obstacles to independence and personal development.

177. Article 51, on the right to property, establishes in paragraph (3) that it is in the public interest to allocate land for useful purposes and to gradually reduce large-scale land ownership. One of the principal objectives of State social policy is to promote agrarian reform and the effective integration of the rural population within the national development process, using incentives and cooperation to renew their methods of agricultural production and their technical training.

178. Article 8, on the essential function of the State, states that "The effective protection of the rights of the individual and respect for human dignity, and securing the resources for the development of the individual in an egalitarian, equitable and progressive manner, within a system of individual liberty and social justice compatible with public order, the general well-being and the rights of all, is recognized as the essential function of the State."

Act establishing the national social security system

179. Article 5 of this Act stipulates that all Dominican citizens and persons lawfully residing in the national territory are entitled to enrol in the Dominican Social Security System (SDSS).

180. The Act is applicable throughout the country and thus benefits everyone; however, it also specifies the beneficiaries of the different regimes. Article 125 states that the beneficiaries of Family Health Insurance under the subsidized regime shall be: (a) The unemployed, in both urban and rural areas, and their families; (b) Persons with disabilities, in both urban and rural areas, provided they are not economically dependent on a parent or guardian affiliated to another plan or entitled to coverage under another plan; (c) The destitute, in both urban and rural areas, as well as their families, in accordance with the mutually binding arrangements established by the Executive Power on the basis of a proposal by the National Social Security Council.

181. National machinery for the advancement of women: The National Plan is indicative in nature, as it is a framework to guide the country's efforts to build a society based on equal treatment for women, while protecting their rights in accordance with their general and special needs.

182. The National Gender Equality and Equity Plan was devised taking into consideration the agreements and commitments entered into by the Dominican Republic with regard to the advancement of women.

183. Education: the *Social Panorama of Latin America*, a publication of the Economic Commission for Latin America and the Caribbean, defines dropping out as temporary or prolonged withdrawal from school. A significant proportion of girls leave school to marry or as a result of pregnancy. Adolescent pregnancy accounts for a large share of the group, at 37.2 per cent, owing to situations that originate for the most part within the school system.

184. Measures that guarantee the effective access of rural women to land: the basic objective of the Dominican Agrarian Institute is to ensure the successful completion of the agrarian reform throughout the territory of the Dominican Republic. According to its administrative records, 81,469 plots of land were distributed from 1962 to 2007, 60,136 of them to men and 21,330 to women.

185. The total area of the plots distributed is 3,404,870 *tareas* (1 *tarea* is approximately 600 square metres), 1,005,390 of which have been allocated to women. Despite the amendment of the Agrarian Reform Act, the gap in land ownership is clear: 70.47 per cent of plots allocated under the land reform are in the hands of men, and only 29.53 per cent are in the hands of women. As land tenure is a key element for the empowerment and advancement of women, these statistics show that rural women still face persistent obstacles to their economic empowerment.

186. Social policies that benefit rural women: the social policy of the Dominican State is implemented by the Social Cabinet, which defines and coordinates the objectives and tasks of social programmes; eliminates dispersion and the duplication of mandates; helps to match the supply of public social services with national-level demand; and follows up and evaluates the impact of social programmes.

187. The Social Cabinet coordinates the Government's social safety net. It runs the Solidarity Programme, which was created by Decree No. 536-2005 as a political strategy aimed at eradicating extreme poverty. The Programme covers the entire national territory, with a particular focus on the regions and provinces with the highest poverty rates. Poor women in rural areas therefore benefit from the Programme.

188. The social safety net provided by the State in order to reduce poverty includes the Household Gas Voucher Programme, which consists of monthly top-up financial assistance to poor and lower-middle-class households, without any corresponding obligations, for the purchase of liquid petroleum cooking gas.

Marriage and family relations

189. Paragraph 73 of the report refers to the ongoing reform of the Civil Code. Please indicate the actions taken or envisaged to accelerate the adoption of the new Civil Code and provide a clear time frame for its adoption. Paragraph 75

of the report refers to the adoption of legal provisions related to de facto unions. Please elaborate on the content of these provisions and indicate whether they have been adopted or are part of the current legal reform. Paragraph 74 of the report describes the conditions for divorce and remarriage of a woman. Please indicate whether the State party intends to withdraw such conditions.

190. Developments in Dominican marriage legislation: the main developments in marriage legislation were introduced by the new Dominican Civil Code contained in Act No. 198-11, which regulates religious marriages. De facto marital unions, which were recognized in case law, have now been incorporated into the applicable civil legislation.

191. The new Dominican Civil Code has introduced improvements in the requirements in order to conclude a marriage. These include the publication of a proclamation or announcement prior to the marriage ceremony, something that is currently done only in some cases; a sworn declaration in which the parties express their intention to marry or to take one another as spouses; and prenuptial medical certificates, failure to obtain which can lead to the public official being sanctioned. During the ceremony, the public official must read out articles 212, 213, 214.1 and 215.1 of the new Civil Code, which cover the rights and responsibilities of the spouses and the formulation of any objection to the marriage.

192. Far-reaching changes have been made to the procedure for dissolution of marriage. The procedure under the new Dominican Civil Code is as follows:

- Divorce by mutual consent: both spouses decide to divorce. The spouses agree on the breakdown of the marriage and its effects. They then submit for the judge's approval a settlement governing the consequences of the divorce. In this procedure, the spouses can reach an agreement regarding the dissolution of marriage that regulates or sets out all of the consequences of the divorce, namely, residence and custody of children, alimony for maintenance and compensation, liquidation of common or indivisible property and compensation.
- Divorce owing to acceptance of the breakdown of marriage: either or both of the spouses can petition for divorce once they have accepted the breakdown of the marriage, irrespective of the events that caused it. That agreement cannot be withdrawn or appealed.
- Divorce owing to the definitive alteration of marital relations takes place when the spouses have lived separately for two years after the application for divorce.
- At-fault divorce includes cases in which the other spouse has committed acts that amount to a grave or repeated breach of marital duties and obligations that makes the continuation of life together unbearable.

193. The procedure for the dissolution of marriage has been modified and is now completely different from that currently in force. The possible reasons for petitioning for a divorce have been amended. For example, the grounds for the petition can be changed at any stage in the proceedings. This means that a divorce on the grounds of alteration or definitive end of marital ties can be changed to acceptance of the principle of the breakdown of the marriage.

194. One interesting feature is that the procedure for divorce by mutual consent now includes a prior conciliation hearing, and the petition is considered in the presence of both spouses. After examining the request with both parties, the judge approves the agreement and issues a ruling of divorce.

195. Another development worth noting is the legal recognition of de facto unions; previously, there was only a precedent in case law. There are now legal regulations indicating which unions are deemed to be de facto marital unions, and which conditions must be fulfilled in order to petition in the event of a breakdown. The motives for the dissolution of a de facto marital union are the same as for divorce. De facto marital unions are formed by two persons eligible to contract marriage who have lived together for at least two years in a committed, stable and publicly recognized relationship.

196. Another innovative feature with regard to marriage is Act No. 198-11, which regulates the formalities for the recognition of the civil effects of religious marriages in churches that are not protected or subject to an international agreement or treaty.

197. The main developments in the legal concept of marriage concern its official recognition and the restructuring or reformulation of the procedure that takes place when a marriage breaks down, that is, ends in divorce; legal recognition of de facto marital unions; and the registration under civil law of marriages conducted by Protestant churches.

198. The developments in the new Dominican Civil Code are intended to simplify and modernize the procedure for divorce, while expanding the scope for individual agency.

199. In general, a ruling of divorce by mutual consent will therefore be issued following a single hearing, provided that the interests of the children and both spouses are sufficiently protected. In that type of divorce, it will no longer be necessary to provide evidence of events that make life together unbearable.

200. In the case of divorce owing to the definitive alteration of marital ties, a ground that replaces that of failure to live together, it will be necessary only to establish a minimum of two years of de facto separation.

201. A new regime has been put in place for divorce owing to a grave breach of marital duties and obligations (at-fault divorce), and measures to protect spouses who are victims of violence will be strengthened.

202. The legal regime for compensatory alimony has also been reformed, and the role of family mediation has been strengthened by enabling judicial authorities to oblige spouses to have recourse to a mediator.

Amendment to article 20, paragraph 1

203. Please indicate any progress made with respect to the acceptance of the amendment to article 20, paragraph 1, of the Convention.

204. The efforts of the Ministry of Foreign Affairs to secure the relevant agency's acceptance of the proposed amendment to the text of the Convention have thus far not led to any practical result.

Sources used in compiling this report:

- Constitution of the Dominican Republic, 2010
 - Act No. 24-97 on violence against women and domestic violence
 - Act No. 137-03 on migrant smuggling and human trafficking
 - National Household Income and Expenditure Survey, 2007; Statistical Overview, 2009
 - Dominican women in figures: analysis of the situation and position of women in the Dominican Republic, 2000-2012
 - Consultations with the Child Labour Section, Ministry of Labour
 - The publication “From anecdote to evidence: a study of sexual harassment and bullying in the workplace”
 - Consultations with the Comprehensive Response Units of the Office of the Attorney-General
 - Web page of the Office of the Attorney-General of the Dominican Republic
 - National Gender Equality and Equity Plan 2006-2016 (PLANEG II)
 - Consultations with the Ministry of Finance
 - Annual report of the Centro de Orientación e Investigación Integral (COIN)
 - Gender Equity and Development Office, Ministry of Education
 - National Development Strategy 2010-2030
-