



**Convention on the Rights
of Persons with Disabilities**

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Committee on the Rights of Persons with Disabilities

**Implementation of the Convention on the Rights
of Persons with Disabilities**

**Initial reports submitted by States parties in accordance with
article 35 of the Convention**

Dominican Republic*,**

[5 December 2011]

* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not formally edited.

** Annexes can be consulted in the files of the Secretariat.

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I. Introduction

1. The function of the National Council on Disability (CONADIS), the lead agency in the field of disability pursuant to the General Act on Disability of the Dominican Republic (42-2000), is to order, assess and ensure the implementation of public policies in this area as well as respect for the rights of persons with disabilities.
2. The Constitution of the Dominican Republic provides that, upon the adoption of the Convention, mechanisms must be applied for its implementation.
3. In accordance with article 35, paragraph 1, on reports by States parties, this document constitutes an initial report containing a comprehensive enumeration of measures adopted by the Dominican Republic pursuant to the obligations under the Convention.
4. Government bodies of the Dominican Republic as well as organizations of persons with disabilities and their families and organizations of the services sector contributed to the realization of this report. The information contained in the report has facilitated planning and decision-making on the public scene.

II. General information

5. The island of Hispaniola is located in the middle of the Greater Antilles and is the second largest land mass in the region. Two countries occupy its geographic space: the Dominican Republic and Haiti. It has a surface area of approximately 76,192 square kilometres, of which 48,442 square kilometres are in the Dominican Republic and 27,750 square kilometres are in Haiti. It is bounded in the north by the Atlantic Ocean, in the south by the Caribbean Sea (or the Sea of the Antilles), in the east by the Mona Passage, which separates it from Puerto Rico, and in the west by the Windward Passage, which separates it from Cuba, and the Jamaica Passage, which separates it from Jamaica.

A. System of government¹

6. The Dominican Republic has a democratic, republican, civil and representative system of government.
7. The Constitution enshrines the principle of the separation of powers between the executive, legislative and judicial branches. Executive power is exercised by the President, who is elected by popular or direct vote for a period of four years and appoints a cabinet of ministers. The legislature consists of a Senate and a Chamber of Deputies. There are 32 Senators, one for each province and one for the National District. There are 190 deputies. The judiciary is headed by the Supreme Court of Justice, which consists of 16 judges.

B. Political and administrative division

8. The territory of the Dominican Republic is divided politically into 31 provinces and the National District. The National District is a territorial unit in which the country's capital is situated and in which the central government is located. The provinces are the largest political-administrative units into which the national territory is divided to facilitate the

¹ Oficina Nacional de Estadística (ONE) Dominicana en Cifras, 2010 (Dominican National Office of Statistics).

delegation of authority by the central government to the intermediate level. Each province has a Governor appointed by the executive, of which he or she is its representative.



9. In accordance with the ninth population and housing census (2010), conducted by the National Office of Statistics, the Dominican Republic has a total population of 10,010,590 persons, 4,996,533 males and 5,014,057 females.

C. Economic growth

10. Between 1990 and 2009, the population of the Dominican Republic grew by 35 per cent, from 7.2 million to 9.7 million. According to Central Bank figures, the gross domestic product (GDP) rose 178 per cent, from 123 billion pesos to 342 billion pesos, in 1991 prices, and per capita GDP increased 3.5 fold, from US\$ 1,370 in 1991 to US\$ 4,800 in 2009.

11. In terms of GDP growth, the Dominican Republic was one of the best-performing economies of the Latin American and Caribbean region of the past two decades. Its economy grew at an average annual rate of 5.8 per cent, registering the lowest growth rates in 2003 (-0.3 per cent) and 2004 (1.3 per cent), when the country was hard hit by a domestic financial crisis. In 2008 and 2009, in the context of the global financial crisis, growth fell to 3.5 per cent in 2009, considerably less than the above-mentioned average growth rate. Even so, the growth of the Dominican economy continues to be significantly higher than the average for the countries of Latin America and the Caribbean.

III. General information on the Convention

12. Pursuant to resolution 458-08, the Convention on the Rights of Persons with Disabilities was adopted by the Senate in May 2008 and approved by the Chamber of Deputies on 21 October 2008. On 30 October 2008, it was promulgated by the executive and published in *Gaceta Oficial* No. 10495 of 15 November 2008. The instrument of ratification was deposited with the United Nations on 18 October 2009.

13. On the basis of the constitutional framework promulgated on 26 January 2010, the following articles² give effect to the principles and obligations set out in the Convention:

Article 26 – International relations and international law

The Dominican Republic is a member State of the international community, open to cooperation and committed to the rules of international law. Therefore:

1. It recognizes and applies the rules of general international law and of the international law of the Americas insofar as they have been adopted by the State authorities;

2. The rules in ratified international treaties shall become effective within the Dominican territory upon their official publication;

[...]

Article 39 – 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 for reasons of gender, colour, age, disability, national origin, family ties, language, religion, political or philosophical opinions, or social or personal conditions. [...]

Article 58 – Protection of persons with disabilities

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

A. National Strategic Framework

National Development Strategy 2030

14. Through the Ministry of the Economy, Planning and Development, the lead agency of the National Planning and Public Investment System, the function of which is to conduct and coordinate the planning, management, follow-up and assessment of macroeconomic and sustainable development policies aimed at achieving economic, social, regional and institutional cohesion. It was the body responsible for formulating the National Development Strategy 2030, which defines the country's long-term agenda, problems requiring priority attention, actions and commitments of the State authorities and national stakeholders, including in the disability sector.

² Constitution of the Dominican Republic.

15. The Ministry of the Economy, Planning and Development has adopted a new concept of disability, in accordance with which persons with long-term physical, mental, intellectual or sensory impairments whose physical and social surroundings create environmental and attitudinal barriers that hinder their full participation in society are human beings with fundamental rights inherent in their condition and are entitled to respect and to the enjoyment of rights and legal protection on an equal basis with others.

16. The rights and aspirations of persons with disabilities were set out in the bill on the national development strategy 2030, which is in the process of being approved by the Senate. In its vision, its first strategic focus and its cross-cutting policies, this unified planning instrument focuses on the exclusion of vulnerable groups and guarantees a social and democratic State based on the rule of law that promotes equity, social justice and a more egalitarian society.

17. Thus, public policy actions are directed at protecting persons with disabilities in risk situations; eliminating obstacles to their inclusion in national life; overcoming stigmatizing stereotypes; and facilitating their access to health-care, educational, judicial and housing services, as well as to the labour market through agreements with the private sector.

Conformity of the National Development Strategy 2030 with the Convention on the Rights of Persons with Disabilities

18. See the following table:

<i>The Convention</i>	<i>National Development Strategy 2030</i>
General principles of the Convention	<p>Vision: The Dominican Republic is a prosperous country in which people live in dignity and are committed to ethical values in the framework of a participatory democracy which guarantees a social and democratic State based on the rule of law and the promotion of equity, social justice and a more egalitarian society, manages and makes good use of its resources so as to develop in an innovative, sustainable and territorially integrated manner, and is competitive in the global economy</p> <p>First Strategic Focus: a social and democratic State based on the rule of law, with institutions that operate ethically, transparently and efficiently on behalf of a responsible and participatory society, and which guarantees security and promotes equity, good governance, peaceful coexistence and national and local development (preliminary bill on the national development strategy 2030, art. 7)</p> <p>Second Strategic Focus: a society based on equality of rights and opportunities in which the entire population is guaranteed quality education, health care and basic services and which works towards the gradual reduction of poverty and social and regional inequality (preliminary bill on the national development strategy 2030, art. 8)</p> <p>A cross-cutting policy with a focus on human rights: all public plans, programmes, projects and policies must incorporate a human rights focus in their areas of activity in order to identify violations of the rights, discrimination against or exclusion of vulnerable population groups and to take action that contributes to equity and social cohesion³</p>

³ Preliminary bill on the national development strategy 2030, art. 11.

Equal rights and opportunities	<p>Action 2.3.6.4: Promoting a culture of respect for equality of rights and opportunities for persons with disabilities which leads to a change in attitudes in society and helps overcome stigmatizing stereotypes, discrimination and social exclusion</p> <p>Action 1.3.1.6: Universalizing a timely registration and improving the coverage of late registration of the adult population, especially of persons belonging to excluded social groups</p>
Equality and non-discrimination	<p>Cross-cutting policy of gender mainstreaming: all public plans, programmes, projects and policies must incorporate the gender perspective in their areas of activity in order to identify situations of gender discrimination and to take action to guarantee gender equality and equity (preliminary bill on the national development strategy 2030, art. 12)</p> <p>Action 2.5.1.11: Elaborating positive actions for women and vulnerable groups living in poverty, such as women heads of household, single mothers, female victims of violence, the disabled population and the elderly, which facilitate their access to decent low-cost housing</p>
Awareness-raising	<p>Basic objective 2.3: Equality of rights and opportunities</p> <p>Action 2.3.6.4: Promoting a culture of respect for equality of rights and opportunities for persons with disabilities which leads to a change in attitudes in society and helps overcome stigmatizing stereotypes, discrimination and social exclusion</p>
Accessibility	<p>Basic objective 2.3: Equality of rights and opportunities</p> <p>Action 2.3.6.1: Promoting the creation of an infrastructure and logistics of mobility and movement for effective use by persons with disabilities, in line with norms of universal accessibility</p>
Situations of risk and humanitarian emergencies	<p>Ensure the safety and protection of persons with disabilities in situations of risk, including situations of armed conflict, humanitarian emergencies and the occurrence of natural disasters</p> <p>Cross-cutting policy: all public plans, programmes, projects and policies must incorporate criteria of environmental sustainability and appropriate comprehensive risk management (preliminary bill on the national development strategy 2030, art. 13)</p> <p>Basic objective 4.1: Sustainable environmental management</p> <p>Action 4.1.1.7: Conducting investigations and creating systems for systematically reporting on and analysing the impact of environmental degradation on the living conditions of the population, in particular women and vulnerable groups</p> <p>Basic objective 5: Decent housing in healthy surroundings</p> <p>Specific objective 2.5.1: To facilitate the access of the population to economical, safe and decent housing, with legal security and in sustainable, socially integrated human settlements, that meets criteria for adequate risk management and universal accessibility for persons with motor disabilities</p>

Access to justice

Basic objective 1.2: The rule of law and public safety

Action 1.2.1.8: Coordinating institutional mechanisms that facilitate the access of citizens to the constitutional jurisdiction in order to demand that all persons and bodies exercising public authority do so in line with the Constitution and to guarantee the effective protection of citizens' fundamental rights, including those relating to equity and the rights of women and vulnerable groups, against any act or omission on the part of the public authorities or individuals

Action 1.2.1.9: Updating procedural law to bring it into line with advances in comparative law, thereby promoting the development and competitiveness of the country and ensuring strict compliance with international agreements, including those relating to equity and the rights of women and vulnerable groups

Freedom of expression and opinion, and access to information

A cross-cutting policy on the use of the information and communication technologies: to promote the use of the information and communication technologies in the design and implementation of programmes, projects and activities that give effect to public policies (preliminary bill on the national development strategy 2030, art. 16)

Basic objective 3.3: Competitiveness and innovation in an environment conducive to cooperation and social responsibility

Action 3.3.5.1: Consolidating specialized education in the information and communication technologies in order to provide for the human resources required by the increasing integration in the knowledge society, with equality of opportunities for all population groups

Education

Basic objective 2.3: Equality of rights and opportunities

Action 2.3.6.2: Developing comprehensive mechanisms and services that facilitate educational and social insertion for persons with any type of disability, including the use of information and communication technologies, and enable them to develop their human potential in a framework of equity and social justice

Health

Specific objective 2.1.3: To strengthen the system of epidemiological, food and nutrition monitoring at community level, as a fundamental tool for ensuring the food security of the population which promotes nutritional education and helps groups at dietary risk, with emphasis on vulnerable groups

Basic objective 2.2: Health and comprehensive social security

Action 2.2.1.13: Strengthening clinical and experimental research capabilities in the field of health, including with regard to the situation of persons with disabilities

Action 2.2.1.16: Ensuring the provision of quality mental health services to persons in need

Work and employment

Third Strategic Goal: A national economy which is integrated at sectoral level, innovative, diversified, pluralistic and focused on quality and environmental sustainability, and which generates high sustained growth with equity and decent employment, provides and enhances the opportunities of the local market and is competitive in the global economy (preliminary bill on the national development strategy 2030, art. 9)

Basic objective 2.3: Equality of rights and opportunities

Specific objective 2.3.6: to protect persons with disabilities, in particular those in vulnerable situations, and promote their economic and social inclusion

Action 2.3.6.3: Promoting opportunities for the integration of persons with disabilities in the labour market through the conclusion of agreements with the private sector, the creation of sheltered employment and the promotion of entrepreneurship

Basic objective 3.3: Competitiveness and innovation in an environment conducive to cooperation and social responsibility

Action 3.3.2.3: Strengthening public and private job placement services in order to help various population groups find employment without discrimination

Adequate standard of living and social security

Basic objective 2.5: Decent housing in healthy surroundings

Specific objective 2.5.1: To facilitate the access of the population to economical, safe and decent housing, with legal security and in sustainable, socially integrated human settlements, that meets criteria for adequate risk management and universal accessibility for persons with motor disabilities

Action 2.5.1.11: Elaborating positive actions for women and vulnerable groups living in poverty, such as women heads of household, single mothers, female victims of violence, the disabled population and the elderly, which facilitate their access to decent low-cost housing

Actions for the inclusion of persons with disabilities

Establishment of the National Centre for the Encouragement and Promotion of Non-Profit Associations for the management of funds

The Centre was established pursuant to Act 122-05, article 21 of which empowers the Ministry of the Economy, Planning and Development to encourage the participation of this type of association in the management of development programmes; some 205 NGOs manage funds for persons with disabilities.

B. Lead body in the field of disability

19. The National Council on Disability was created pursuant to the General Act on Disability in the Dominican Republic (Act 42-2000) as the lead State body for public policies for the protection of the rights of persons with disabilities and their social inclusion. It was established in accordance with article 14 of the Act and has the following functions:

- (a) To order, assess and ensure the implementation of policies in the areas covered by the Act;
- (b) To monitor the implementation and updating of the Act;
- (c) To ensure respect for the rights of persons with disabilities;
- (d) To ensure the elimination of all forms of discrimination against persons with disabilities;
- (e) To plan and monitor the implementation of programmes aimed at achieving the complete integration of persons with disabilities in society.

20. The National Council on Disability has the following structure:



21. The National Council has the following composition:

<i>State institutions</i>	<i>Non-governmental organizations</i>	<i>Honorary members</i>
Ministry of Agriculture	Dominican Rehabilitation Association (ADR)	National Association of Deaf Persons (ANSORDO)
Ministry of Sport, Physical Education and Recreation	Dominican Association of Blind Workers, Inc.	Women with Disabilities Circle (CIMUDIS)
Ministry of Education	Association of Persons with Motor Disabilities, Inc. (ASODIFIMO)	National Federation of Dominicans with Disabilities
Ministry of Public Works and Communications	Association Pro-Education for Deaf-Mute Persons/ National School for Deaf-Mute Persons	Foundation for the Welfare of Persons with Disabilities (PROBIEN)
Ministry of Public Health and Social Assistance	Dulce Milagro Education Centre	
Ministry of Labour	Catalina de San Agustín Specialized Centre	
Dominican Institute of Social Security (IDSS)	Integrated Centre for Specialized Education	
National Institute of Technical and Vocational Training (INFOTEP)	Dominican Foundation of Blind Persons, Inc. (FUDCI)	
	Santa Rosa Institute for Assistance for Deaf Persons	

<i>State institutions</i>	<i>Non-governmental organizations</i>	<i>Honorary members</i>
	Protected Workshop Specialized Institute (INETAP)	
	Dominican Organization of Blind Persons, Inc. (ODOCIN)	
	Cibao Rehabilitation Agency National Agency of Blind Persons, Inc.	

22. The work of the National Council involves coordination and inter-agency and intersectoral exchange with public and private institutions, thereby helping to ensure the inclusion of the disability sector in policies carried out by public and private national and international bodies, together with which synergy and coordination have been improved for the implementation of policies directed at the promotion of the rights and social inclusion of persons with disabilities. This is reflected in:

- The promotion of coordinated actions with public and private institutions directed at encouraging an inclusive culture in all social areas and respect for the fundamental rights of persons with disabilities;
- The enhancement of the institutional image at both local and international level through participation in activities involving various social sectors;
- The dissemination of the General Act on Disability in the Dominican Republic (Act 42-2000);
- The dissemination and implementation of the following international instruments: the Declaration on the Decade of the Americas for the Rights and Dignity of Persons with Disabilities (2006–2016) of the Organization of American States (OAS), the Inter-American Convention on the Elimination of All Forms of Discrimination against Persons with Disabilities (OAS) and the Convention on the Rights of Persons with Disabilities;
- The promotion of a programme of continuing education directed at all staff, which covered various areas of knowledge in order to help such persons exercise their functions more effectively;
- The modernization and improvement of the organizational and technological aspects of the National Council;
- Links with organizations of persons with disabilities and organizations providing services in the sector to strengthen them and ensure their involvement in the National Council's decisions, for the benefit of persons with disabilities;
- Closer relations with international technical cooperation organizations;
- The implementation of projects for the social development of persons with disabilities, with the help of public and private sector institutions.

IV. Implementation of the articles of the Convention

23. In adopting the Convention on the Rights of Persons with Disabilities as an international treaty, the Dominican Republic accepts all its principles and obligations, in accordance with article 26 of the Constitution.

24. The Organic Act on the equality of rights of persons with disabilities, approved on second reading by the Senate and which would repeal Act 42-00, defines the concept of persons with disabilities⁴ as follows: any persons who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others. The International Classification of Functioning, Disability and Health (ICF) is also used as a frame of reference and as a tool for the assessment and certification of disability for beneficiaries of the Dominican social security system.

25. The Organic Act accepts the definitions in the Convention of “communication” and “discrimination on the basis of disability”. These aspects are also covered by the fundamental rights and guarantees set out in articles 37 to 49 of the Constitution.

Article 5

Equality and non-discrimination

26. With regard to the provisions for the eradication of discrimination against persons with disabilities, in 1991 the first legislation was promulgated on equality of opportunities for persons with disabilities (Act 21-91), which called for the establishment of the National Council for Prevention, Rehabilitation and Education of Persons with Disabilities (CONAPREM) under the Ministry of Health to coordinate social policies in this area.

27. In a similar vein, with regard to procedural legislation designed to improve people’s lives and well-being, the Act is being revised and a new legal instrument is being elaborated with a broader and more modern perspective, the

28. General Act on Disability (Act 42-2000), which created the National Council on Disability, the lead body responsible for formulating policies for the protection of the rights of persons with disabilities and the improvement of their quality of life.

29. Part of the value of the Act lies in the contributions and participation on the part of persons with disabilities and their organizations. This initiative enabled the public sector and civil society to interact and participate, coordinating shared interests so as to make progress in the exercise of the civil rights of persons with disabilities. Thus, at the time that this report was prepared, the Act had been amended and updated in accordance with the provisions of the Convention and had been approved on second reading by the Senate.

30. Article 336 of the Criminal Code defines discrimination as any distinction made between legal entities for reasons of origin, age, sex, family situation, state of health, disabilities, customs, political opinions, trade union activities, employment, membership or non-membership, actual or supposed, of an ethnic group, nation, race or religion of any or all of the members of a legal entity.

31. With regard to the strengthening of the legal framework to ensure respect for equality and non-discrimination, other laws and regulations which establish that it is in the interest of society to ensure persons with disabilities the full exercise of their rights include:

- The General Act on Education (Act 66-1997), which recognizes equal rights for all pupils, including children and adolescents with special educational needs;

⁴ Preliminary bill on the equality of rights of persons with disabilities, which repeals Act 42-00 on the subject, approved on second reading.

- The General Act on Sport (365-05), which establishes provisions for the inclusion of persons with disabilities in sport, whether adapted or not, as well as norms for access to sports facilities;
- The Departmental Orders 04-08 and 03-08, which regulate special education and inclusive education, respectively;
- The Code for the System of Protection and the Fundamental Rights of Children and Adolescents (Act 136-03), which establishes the principle of the equality of all children and adolescents, without discrimination of any kind, including for reasons of disability;
- Another important piece of legislation is the Labour Code (Act 16-92), which in articles 314 to 316 protects the rights and equality of workers with disabilities; reference is also made to ILO Convention No. 159 concerning Vocational Rehabilitation and Employment (Disabled Persons), 1983;
- In the same vein, the General Act on Health (Act 42-01) establishes the general principles of universality, solidarity, equity, efficiency, effectiveness, completeness and cooperation and creates mechanisms for the prevention of disabilities and for social reintegration. The Act contains provisions for the protection of the right to health of persons with disabilities and the prevention of risks liable to result in a disability;
- The Social Security Act (Act 87-01) aims to establish and regulate the Dominican social security system and to promote the mutual rights and duties of the State and citizens with respect to the funding of protection for the population against the risks of old age, disability, termination due to old age, survival, illness, maternity, childhood and occupational hazards.

Article 6

Women with disabilities

32. The Dominican Republic has made progress towards creating a national legal framework that ensures gender equality and equity and covers many aspects relating to the prevention and punishment of violence against women, political participation, education, the situation of rural women, health, social security and, more generally, the achievement of equality of rights and opportunities in various aspects of national life.⁵

33. Legislation is being amended in the context of a more general reform and modernization of the Dominican State and in particular the judicial system, and although advances have been made in achieving legal equality between men and women, this process has not explicitly included the criterion of gender equality and equity in its guiding principles. These changes have been promoted to a large extent by the women's movement, organizations of international cooperation and the Ministry of Women.⁶

34. A number of legislative measures adopted by the Dominican Republic ensure the full development, advancement and empowerment of women, with a view to guaranteeing them the exercise and enjoyment of fundamental rights and freedoms, but although they are

⁵ PLANEG II (National Plan II for Gender Equality and Equity, 2007–2017, first edition 2007, second corrected edition 2011).

⁶ Ministry of Women, 2010. Analysis of gender in reform and modernization, Santo Domingo.

not explicit on the subject of disability, they do not exclude the protection of women with disabilities.⁷

35. In addition to the national normative framework, the Dominican Republic has also ratified the following international instruments relating to gender equality:

- (a) The Convention on the Elimination of All Forms of Discrimination against Women;
- (b) The Beijing Platform for Action;
- (c) The Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women.

36. The creation in 1999 of the Ministry of Women was the national response to all the international recommendations for strengthening institutional mechanisms guaranteeing fundamental rights and freedoms. Together with other government bodies and civil society, the Ministry of Women elaborated the National Plan for Gender Equality and Equity 2007–2017 in order to develop comprehensive programmes to address various needs.

37. The Plan includes:

- (a) a sectoral focus to coordinate and monitor the implementation of sectoral initiatives in the country;
- (b) a regional focus to coordinate and monitor the implementation of policies and initiatives in favour of gender equality, coordinated by the Provincial and Municipal Offices of Women;
- (c) cooperation with women’s civil organizations in order to enhance the work of the Ministry of Women and organizations promoting gender organizations through the creation of synergies that make joint use of the potential of each;
- (d) international cooperation to coordinate international financial and technical support with the national strategic objectives of the National Plan II for Gender Equity.

38. In order to achieve gender equality and equity, seven major national priority themes have been defined to address the main problems facing women in Dominican society:

- Promoting a culture of gender equality and equity;
- Guaranteeing all the rights of women and the full exercise of their citizenship;
- Reinforcing economic empowerment and encouraging efforts to overcome poverty among women;
- Encouraging women’s leadership and their political and social participation and representation with a view to ensuring gender equality;
- Furthering women’s access to and control of quality goods and services;
- Eradicating all forms of violence against women throughout their lives;
- Promoting the full participation of women in the information and knowledge society.

⁷ Annex: Legislative measures on women adopted by the Dominican State.

Article 7

Children with disabilities

39. The legal provisions relating to the rights of this population group are specific and apply equally to all children and adolescents, without discrimination of any kind on grounds of race, colour, sex, age, language, thought, conscience, religion, belief, culture, political or other opinion, economic status, social, ethnic or national origin, disability, illness, birth, exposure to risk or any other condition of the child or adolescent, or of their parents, representatives, guardians or relatives.

Selected indicators	Number of children and adolescents						
	2004	2005	2006	2007	2008	2009	2010
Overall population	9 092 778	9 226 449	9 359 706	9 492 876	9 625 207	9 755 954	9 884 371
Population up to the age of 5 (projections)		1 053 698					1 065 821
Population up to the age of 5	1 051 965	1 017 757	1 011 140	1 012 215	1 029 132	978 367	996 645

Source: MEPYD/ONE/2011.

40. The legislative measures adopted by the Dominican Republic to guarantee children with disabilities the full enjoyment of all human rights and fundamental freedoms⁸ are contained in:

- The Constitution of the Dominican Republic;
- The Code for the System of Protection and Fundamental Rights of Children and Adolescents (Act 136-03);
- Act No. 24-97 on domestic violence.

41. The institutional mechanisms that guarantee the rights of children and adolescents in the Dominican Republic are set out in Act No. 136-03. Article 51 of the Act focuses on mechanisms for intersectoral coordination, planning, oversight and control, as well as citizens' participation and enforceability. It defines the National System for the Protection of the Rights of Children and Adolescents as follows: "All governmental and non-governmental institutions, bodies and entities engaged in formulating, coordinating, incorporating, supervising, implementing and evaluating public policies, programmes and actions at the national, regional and municipal level for the full protection of the rights of children and adolescents."⁹

42. The National System for the Protection of the Rights of Children and Adolescents is divided into two subsystems: (a) an administrative subsystem; and (b) a judicial subsystem.

⁸ The annex cites the provisions relating to this subject.

⁹ Third to fifth periodic reports on the implementation of the Convention on the Rights of the Child, pursuant to article 44 of the Convention, July 2010.

Composition of the National System for the Protection of the Rights of Children and Adolescents

<i>Bodies in the administrative subsystem</i>	<i>Bodies in the judicial subsystem</i>
Policy design, planning, monitoring and evaluation bodies: governing boards of national and municipal councils	Juvenile courts, executing judges, appeal courts, the Supreme Court of Justice
Policy implementation bodies: National Office of the National Council on Disability, municipal offices and public and private care providers	The Office of the Ombudsman for children and adolescents
Bodies for the protection, defence and enforceability of rights: local committees for the protection and restoration of rights	The Office of the Public Prosecutor for children and adolescents

Administrative subsystem

43. The administrative subsystem consists of the National Council for Children and Adolescents (CONANI). This decentralized body, which has legal personality and its own assets, is the highest administrative institution in the national protection system. In accordance with the law, the Council is responsible for implementing policies, programmes, projects and initiatives for children's and adolescents' rights within the country by liaising between and coordinating governmental and non-governmental institutions at the local and national level.¹⁰ It is headed by a National Board, which is chaired by a civil servant with State Secretary rank, with the representation of 12 institutions plus the General Management, which acts as the secretariat of the Board.

44. Measures to promote the fundamental rights of children and adolescents, including those with disabilities, are as follows:

- (a) The National Development Strategy, formulated in 2009 and 2010 and submitted by the executive to Congress on 11 March 2011, sets the national objective for the year 2030;
- (b) The Solidarity Programme, discussed below;
- (c) Other initiatives:
 - (i) The Línea 700 and Línea Vida hotlines for preventing child abuse and assisting the victims; 209,189 calls have been received;
 - (ii) Projects for HIV/AIDS prevention and control;
 - (iii) An initiative to bolster the National Programme to Combat Vertical Transmission, in 2004, and the Programme for the Prevention of Tuberculosis and Malaria, in 2006;

¹⁰ The basic functions of the Council are: (a) managing the work of the national and regional technical offices, municipal boards and municipal offices that comprise the National Council for Children and Adolescents; (b) coordinating and monitoring the design and implementation of the basic social welfare, care and protection policies of the bodies that make up the National Board; (c) ensuring the implementation, in the context of administrative and judicial procedures, of mechanisms for the protection of children and adolescents whose rights are threatened or violated; and (d) advising State bodies responsible for ratifying international commitments, treaties, conventions and other instruments concerning children's and adolescents' rights to which the country adheres.

- (iv) Two public awareness campaigns on children and disabilities;
 - (v) Fifty-six comprehensive childcare centres and 51 day-care facilities for the integral development of children under 5 years of age, as well as 10 shelters for the protection and care of minors;
 - (vi) Three hundred twelve NGO programmes for the protection and care of children and adolescents;
- (d) The Angels' Home for children with disabilities, opened by the National Council for Children and Adolescents;
- (e) Programmes and services to prevent and address the health problems of adolescents.

The Solidarity Programme

45. This programme provides support for raising the income of families living in moderate or extreme poverty throughout the national territory and promoting investment in their human capital.¹¹

46. The programme has the following components:

Component Health

47. In connection with the "Eating Comes First" programme: support for households in moderate or extreme poverty through direct financial assistance by electronic means to help them meet their basic nutritional needs at commercial establishments of the subsidized food network. Such assistance is made conditional on compliance with the household health requirements set in conjunction with the Ministry of Health. The target groups for this initiative are pregnant women, children up to the age of 5, adolescents between 10 and 15 years of age and adults aged 65 and older.

Subcomponent Nutrition

48. Support for households with children up to the age of 5 through nutrition education and the provision of powdered micronutrient supplements, called *Chispitas Solidarias*. The World Food Programme, which coordinates its activities with the Ministry of Health throughout the country, provides technical assistance for the implementation of this subcomponent.

Subcomponent Education

49. In connection with the School Attendance Incentive: financial support for school expenses for households with children and young people between 5 and 21 years of age, in return for a commitment by these households to ensuring that their children enrol and remain in school until the completion of basic and middle-level education, with goals established in coordination with the Ministry of Education.

Angels' Home of the National Council for Children and Adolescents (Ángeles de CONANI)

50. This is a programme of special care for children and adolescents with severe disabilities, especially those who have been abandoned or are from low-income families. Its

¹¹ In 2009, 532,976 households were covered by this programme, and 538,573 in 2010. Currently, 494,964 households are covered.

aim is to provide comprehensive care, encourage social and family integration and make the Home a model for specialized care. The centre is specialized in: (a) psychomotor retardation; (b) mental retardation; (c) cerebral palsy; (d) sequels of meningitis; (e) microcephaly; (f) Down's syndrome; and (g) autism. It provides services in dentistry, dermatology, general medicine, laboratory analysis, nutrition, orthopaedics, physiotherapy and social work.

<i>Children cared for at the Angels' Home of the National Council for Children and Adolescents (CONANI)</i>				
<i>2007</i>	<i>2008</i>	<i>2009</i>	<i>2010</i>	<i>2011</i>
146	146	142	102	85

Source: Memorias Institucional CONANI.

51. As to the number of programmes and services aimed at the prevention and treatment of adolescent health concerns, some 106 units currently provide comprehensive health care for adolescents.¹²

Article 8

Awareness-raising

52. Article 1 of the Code of Criminal Procedure specifies that the courts must give precedence to the Constitution and international treaties in the application of the law. Article 10 establishes the following: "The dignity of the person. Everyone has the right to personal dignity and to physical, mental and psychological integrity. Neither torture, nor cruel, inhuman or degrading treatment may be inflicted upon anybody."

53. Campaigns directed at society at large to educate the public, raise awareness and encourage respect for the rights of persons with disabilities as well as to promote the rights embodied in the Convention include:

<i>Campaign</i>	<i>Body responsible</i>
Let's support the capabilities of persons with disabilities, 2010	National Council on Disability (CONADIS)
Stand up for your rights, 2008	CONADIS
Resolution No. 08-05 on providing coverage for persons hit by stray bullets and for relatives of policemen killed in the line of duty; a non-violence campaign	Ministry of the Interior and Police
Awareness and education campaigns targeting women with disabilities and directed at changing the behaviour of adolescents in order to prevent HIV/AIDS and encourage the use of condoms	The Women with Disabilities Circle (CIMUDIS) and the Presidential Council on AIDS (COPRESIDA)

¹² Source: National programme for adolescents.

<i>Campaign</i>	<i>Body responsible</i>
Publicity campaigns to raise public awareness of the subject of children with disabilities	National Council for Children and Adolescents (CONANI)
As part of the celebration of the International Day of Persons with Disabilities, every year regional Days are conducted throughout the country on the rights and social inclusion of persons with disabilities, with the participation of organizations of persons with disabilities from throughout the country, which carry out social mobilization measures to promote the rights of such persons	CONADIS and organizations active in the area of disability
Campaigns: “The law hits hard” and “Fight trafficking in persons”	The Attorney-General’s Office and the Office of Migration, as well as a number of NGOs and Dominican media
“Understanding Act 137-03” and “Women, know your rights!”	Ministry of Women and the Foundation for Institutionalism and Justice (FINJUS)
The “Campaign for You”, 2011, which addresses respect for values and human dignity	Office of the First Lady

Article 9

Accessibility

54. Legislative and other measures taken to ensure to persons with disabilities access, on an equal basis with others, to the physical environment (including the use of signal indicators and street signs), to transportation, information and communications (including information and communications technologies and systems) and to other facilities and services provided to the public are as follows:

- Regulation M-007 on barrier-free design pursuant to Act No. 687; Act No. 675 on buildings; Act No. 42-2000 on disability in the Dominican Republic;
- Decree 284-91, which approves the regulation on barrier-free design of 1992;
- Accessibility requirements for accommodation establishments, National Hotel Classification System, Ministry of Tourism.

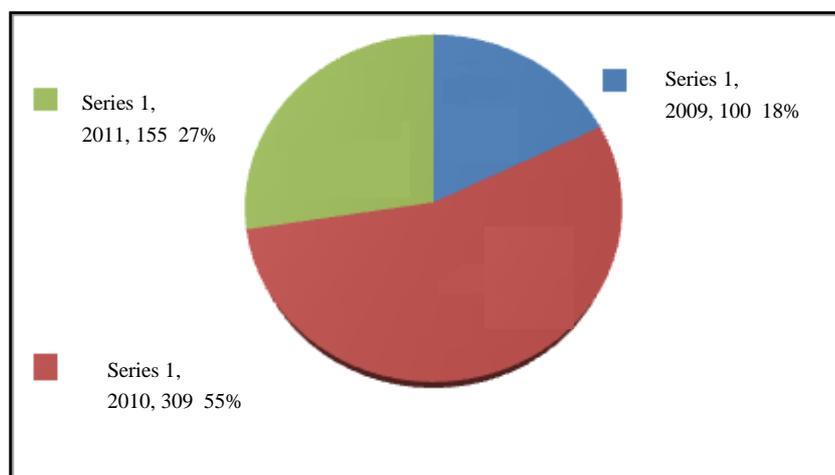
55. The National Council on Disability is conducting a number of initiatives aimed at eliminating barriers in the physical environment, including:

- Advising institutions so that they ensure accessibility. The following have provided for some degree of accessibility:
 - Eight hospitals, including four in Santo Domingo, one in Moca, one in Santiago and one in la Vega;
 - Museums: the Museum of Natural History, the Museum of Fine Arts, the National Theatre and the Columbus Lighthouse;

- Thirteen parks;
 - The Autonomous University of Santo Domingo at its central headquarters and extensions in San Francisco de Macorís, the Higüey headquarters, the Bonao headquarters, Nagua, Barahona, San Juan de la Maguana and Puerto Plata;
 - The Jaragua, V Centenario, Santo Domingo, Lina, Clarión, Coral Hamaca, VQ and El Embajador hotels and the Santo Domingo Association of Small Hotels;
 - The Central Bank of the Dominican Republic, the branches of the Reserve Bank and Banco Popular, Banco BHD, Banco León and Banco Scotiabank;
 - The Zona Colonial Hotel;
 - Schools and libraries;
 - Public areas: La Sirena supermarkets, Plaza Lama shopping centre, Amadita Laboratory, among others;
- A training programme for accessible construction, carried out in order to raise awareness and train building professionals so that they are familiar with the relevant norms. In the period 2009–2011, 564 engineers and architects received training.

Transport

56. The Santo Domingo Metro is the sole means of transport with accessibility. Its lifts, escalators and floor tiles are marked with raised tactile markings enabling persons with visual disabilities to walk independently, and it has signs in Braille, special seating in the cars, zones with safety belts for wheelchairs, an alarm bell system etc.



57. A survey was conducted among participating State institutions to gather information on accessible buildings for this report.

No.	Institution	Stories or levels	Ramps	Lifts	Labelling	Accessible toilets	Signs	Parking for disabled persons
1	Attorney-General's Office and its branches	7	-	3	-	3	-	-
2	Chamber of Deputies of the Dominican Republic	5	4	8	3	-	34	2

<i>No.</i>	<i>Institution</i>	<i>Stories or levels</i>	<i>Ramps</i>	<i>Lifts</i>	<i>Labelling</i>	<i>Accessible toilets</i>	<i>Signs</i>	<i>Parking for disabled persons</i>
3	Directorate-General of Occupational Risks	2	-	-	-	4	-	0
4	Directorate-General of National Assets	2	1	-	3	-	2	1
5	City Council of the National District	5	6	3	42	6	5	-
6	National Council for the Elderly, Executive Office	1	1	-	-	2	-	-
7	National Council of Childcare Facilities (CONDEI)	2	-	-	8	4	2	-
8	Dominican Corporation of State Electricity Companies	6	5	2	5	5	6	4
9	National Housing Institute	4	-	1	-	1	-	1
10	Technological Institute of the Americas (ITLA)	2	6	-	28	1	66	3
11	Dominican School of Engineers, Architects and Surveyors	2	2	-	20	3	-	1
12	Directorate for Information for and Protection of Persons Affiliated with the Social Security System (DIDA)	7	1	2	6	4	17	2
13	National Institute of Public Administration (INAP)	14	0	4	16	28	1	b0
14	Aid and Housing Institute (INAVI)	3	1	-	20	2	20	1
15	National Institute of Technical and Vocational Training (INFOTEP)	3	1	1	-	-	-	1
16	National Office of Statistics (ONE)	15	0	6	16	28	16	0
17	Central Electoral Board	3	3	2	-	4	-	-
18	Ministry of Public Administration	14	1	6	-	28	1	-
19	Ministry of Women	2	-	-	4	-	5	-
20	Ministry of Sport and Recreation (MIDEREC)	3	2	1	-	6	3	-
21	National Institute for Teacher Training (INAFOCAM)	3	-	-	-	-	-	-
22	Ministry of Education	4	2	2	-	8	-	-
23	Ministry of Culture	-	-	-	-	-	-	-
24	Ministry of Industry and Trade	-	2	6	-	-	-	-
25	Ministry of Public Works and Communications	main building 4	3	-	-	6	-	6
26	PROCOMUNIDAD	1	-	-	-	2	-	-
27	Technical Office of Land Transport	3	-	-	-	-	-	-
28	Pan American Health Organization	2	1	1	1	2	1	2
29	National Council for the Promotion and Support of Micro-, Small- and Medium-Sized Enterprises (PROMIPYME)	2	-	-	-	1	-	-
30	Customs Administration	5	4	3	-	-	46	3

<i>No.</i>	<i>Institution</i>	<i>Stories or levels</i>	<i>Ramps</i>	<i>Lifts</i>	<i>Labelling</i>	<i>Accessible toilets</i>	<i>Signs</i>	<i>Parking for disabled persons</i>
31	Office of the Superintendent for Labour Health and Risks	6	1	1	1	6	1	1

Access to information and communication

58. With regard to this aspect of accessibility, ongoing efforts have made it possible for the Dominican Institute of Telecommunications (INDOTEL) to introduce measures so that all persons with disabilities have access to technology on an equal basis with others. Digital studios have been set up for a number of organizations of persons with disabilities, and young people with disabilities of different kinds have been hired at the centres which operate under this body. Reference is also made to the plan coordinated with INDOTEL to ensure that the individual centres set aside units that are accessible for persons with disabilities. These initiatives have led to a gradual introduction of measures that permit persons with disabilities to benefit from technology on an equal basis with others.

59. Thanks to these efforts, the INDOTEL has installed digital studios at the following locations in Santo Domingo and throughout the country in response to the proposals of the National Council on Disability:

<i>No.</i>	<i>CCI</i>
1	The Remedial Education Laboratory (LARPE) for Special Education, Ministry of Education, San Francisco de Macorís
2	The Experimental Alternative Centre for Deaf Persons (CAES), San Pedro de Macorís
3	The Special Education School, Department of Special Education, Ministry of Education, La Romana
4	The Dominican Rehabilitation Association, Santiago branch
5	The School of Deaf and Mute Persons, Moca
6	The Doña Célida L. Pérez de Crespo Special Education School, Azua
7	The National Foundation for Blind Persons, National District
8	The Association of Persons with Physical Disabilities (ASODIFIMO), Santo Domingo Oeste
9	The Dominican Rehabilitation Association, San Cristóbal branch
10	The Special Protected Workshop Institute, National District
11	The Dominican Rehabilitation Association, Miraflores, Santo Domingo branch
12	The Diversity Resource Centre, Hermanas Mirabal province
13	The Dominican Rehabilitation Association, San Juan branch
14	The Special Education School, Dajabón province
15	The Padre Luís Quin Special Education School, San José de Ocoa
16	The School for Deaf and Mute Persons, San Juan de la Maguana province
17	The Dominican Rehabilitation Association, Barahona province branch

60. To date, some 2,000 persons with disabilities and their families have benefited from the use of these digital studios.

Article 10 **Right to life**

61. The right to life is embodied in article 37 of the Constitution, which provides that the right to life is inviolable from conception to death and that the death penalty may not be established, decreed or applied in any case.

Article 11 **Situations of risk and humanitarian emergencies**

62. The measures adopted by the Dominican Republic to ensure the protection and safety of persons with disabilities in situations of risk and humanitarian emergencies are set out in the Act on risk management (No. 147-02) of 22 September 2002, which establishes an Emergency Operations Centre that plans and directs all coordinated action and facilitates joint operations by the institutions of the national system for disaster prevention, mitigation and response (SN-PMR) following a declaration of an alert of a probable adverse event or its sudden occurrence anywhere in the national territory which exceeds regional and provincial capacities; the aim is to assist with the emergency response and help minimize the impact efficiently and effectively.

63. The Emergency Operations Centre is composed of 25 State institutions.¹³ Its objective is to ensure the protection and safety of persons with disabilities in situations of risk. Regulations on shelters contain a section indicating actions to be taken and specifying that persons with disabilities are a priority group.

64. The Dominican Republic has a National Emergency Plan for directing measures by the Government and civil society to respond to a disaster or emergency, thereby helping to save lives and reduce damages when events of human or natural origin are imminent or occurring. The Plan stipulates that certain groups of particularly vulnerable persons, such as blind persons, persons with other disabilities, or hospitalized, detained or imprisoned persons, must be given special attention to ensure that they are taken into account.

¹³ The Ministry of the Armed Forces, the Ministry of the Environment and Natural Resources, the Ministry of Public Health and Social Assistance, the Ministry of Public Works and Communications, the Ministry of the Interior and the Police, the National Office of Civil Defence, the National Police, the Fire Department of Santo Domingo, the Dominican Red Cross, the General Directorate of Civil Aviation, the General Directorate of Mining, the Dominican Port Authority, the Customs Administration, the National Institute of Water Resources, the National Institute of Drinking Water and Sewerage Treatment, the National Housing Institute, the Dominican Telecommunications Institute, the Dominican Electricity Corporation, the Dominican Municipal League, the National District City Council of Santo Domingo, the National Office of Meteorology and the Dominican Seismological Institute.

Articles 12 and 13

Equal recognition before the law; access to justice

65. Article 7 of the Civil Code specifies that the exercise of civil rights is independent of the status of citizen, which may be acquired and maintained only in conformity with the Constitution.¹⁴

66. Article 39 of the Constitution enshrines the right to equality. It stipulates that 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 for reasons of gender, colour, age, disability, national origin, family ties, language, religion, political or philosophical opinions, or social or personal conditions.

67. However, pursuant to the following provisions of the Civil Code, a person with an intellectual or mental disability may not exercise the right to legal capacity on an equal basis with others in all aspects of life:

Art. 901: It is necessary to be in full possession of one's mental faculties in order to make a disposition *inter vivos* or by a testament;

Art. 902: Anyone who has not been declared legally incompetent may acquire and dispose of an *inter vivos* donation or an inheritance;

Art. 911: A disposition made to the benefit of a person declared legally incompetent is null and void, even if dissimulated in the form of an onerous contract or made on behalf of intermediaries. Intermediaries are defined as parents, children and their descendants, and the spouse of the legally incompetent person;

Art. 936: A deaf-mute person who can write may accept [an *inter vivos* donation] on his or her own behalf or through a representative. If he or she does not know how to write, acceptance is given through a guardian appointed for that purpose, in conformity with the rules established under the chapter on minors, guardianship and emancipation.

68. In this connection, the Civil Code establishes the following:

- Art. 489: An adult who is in a habitual state of imbecility, mental derangement or insanity may be declared legally incompetent, even if he or she exhibits periods of lucidity;
- Art. 491: In a case of insanity, a declaration of legal incompetence, if not solicited by the spouse or relatives, may be requested by a prosecutor, who, in cases of imbecility or derangement, may also make such a request concerning a person who is unmarried and does not have known relatives;
- Art. 493: Evidence of imbecility, mental derangement or insanity must be presented in writing, and persons soliciting a declaration of legal incompetence must name witnesses and submit supporting documents.

69. The Act on the National Police (96-04) states that persons with disabilities who join the professional or technical staff of the police force may be exempted from the conditions set [...] for their employment as permanent or equivalent members, following approval by the High Police Council (art. 55, para. II, on exceptions), that a member of the National Police with an absolute disability is entitled to a retirement pension equal to the salary paid

¹⁴ Civil Code of the Dominican Republic.

in active duty, regardless of the length of service (art. 112), and that the disabled children of members of the police, even if they are adults, are also entitled to a pension (art. 115).

70. There are various judicial bodies in the Dominican Republic, which converge in the Office of the Attorney-General of the Republic.

Article 14

Liberty and security of the person

71. In accordance with article 40 of the Constitution, all persons have the right to freedom and personal security. Article 42 of the Constitution provides that everyone has the right to respect for their physical, psychological and moral integrity and to a life free of violence; everyone shall enjoy the protection of the State in cases of threats or risk to, or violation of those rights.

72. The following provisions of the Criminal Code ensure the freedom and security of persons with disabilities:

- Art. 303-4: Torture or acts of cruelty, when committed against a person (man or woman) whose vulnerability due to age, illness, invalidity, a physical or psychological deficiency or disability, or pregnancy is known to the perpetrator, is punishable by 30 years' imprisonment;¹⁵
- Art. 309: Anyone who intentionally inflicts injury or a beating or commits acts of violence or assault, if they result in the aggravation of an infirmity or the inability to work for more than 20 days, shall be punished by imprisonment of between 6 months and 2 years and a fine of 55,000 pesos. Such persons may also be sentenced to deprivation of the rights referred to in article 42 for between 1 and 5 years. When such violence results in maiming, amputation or deprivation of the use of a limb, loss of vision or hearing or other disabilities, the perpetrator shall be sentenced to imprisonment;
- Art. 331: Any act of sexual penetration, of whatever nature, committed against a person by means of violence, constraint, threat or surprise is a criminal act punishable by 10 to 15 years' imprisonment and a fine of 100,000 to 200,000 pesos. It is punishable by 10 to 20 years' imprisonment and a fine of 100,000 to 200,000 pesos when it is committed against a person who is particularly vulnerable due to pregnancy, invalidity or a physical or mental disability;
- Art. 332: A person in a couple who commits a non-consensual sexual act [...], when for reasons of illness or temporary or permanent mental disability the victim is unable to understand the nature of the act at the time of its commission, shall incur the same punishment;
- Art. 333: Any sexual assault which does not constitute a violation is punishable by 5 years' imprisonment and a fine of 50,000 pesos. However, a sexual assault is punishable by 10 years' imprisonment and a fine of 100,000 pesos when it is committed or attempted against a person who is particularly vulnerable due to illness, disability, a physical or mental deficiency, or pregnancy.

¹⁵ Criminal Code of the Dominican Republic.

Article 15

Freedom from torture or cruel, inhuman or degrading treatment or punishment

73. The main measures introduced by the Dominican Republic to protect persons with disabilities from being subjected to torture or cruel treatment are set out in the following provisions of the Criminal Code:

Art. 303: Any act carried out as a method of criminal investigation, measure of intimidation, corporal punishment, preventive measure, criminal sanction or for any other purpose that causes injury or physical or mental suffering constitutes torture or an act of cruelty. Equally, the application of substances or methods designed to neutralize the personality or will of persons or to reduce their physical or mental capacity, even if such substances or methods do not cause physical pain or mental suffering, also constitutes torture or an act of cruelty;

Art. 303-1: Subjecting a person to torture or acts of cruelty is punishable by 10 to 15 years' imprisonment.

Protection against exploitation, violence and abuse

74. Act 136-03 focuses on intersectoral coordination, planning, monitoring, control, participation and civil enforceability through the National System for the Protection of Children and Adolescents. For its part, the Labour Code and subsequent regulations of the Ministry of Labour prohibit the employment of children under 14 years of age, impose restrictions on the employment of children under 16 years of age and protect children under 18 years of age against the worst forms of child labour.¹⁶ Notwithstanding the gradual decline registered in the period 2003–2008, violations of these norms do not permit the authorities and organizations of civil society to let up their efforts.

75. The National Steering Committee for Combating Child Labour has 31 municipal and 3 local committees, which have evolved into monitoring networks, bringing together government and business institutions, trade unions and civil society.¹⁷ The Committee implements the National Strategic Plan for the Eradication of the Worst Forms of Child Labour 2006–2016, which has already succeeded in removing 27,300 minors from situations of risk and child labour; an additional 5,574 children have benefited from the programme of educational initiatives for the eradication of child labour.

76. To prevent child labour, the Ministry of Education has been improving its services so that all minors attend school and are not working. With that in mind, in 2003 it began authorizing undocumented minors of school age to enrol for primary school education, which in itself is compulsory. This measure is of equal benefit to Dominicans and to foreigners lacking the required documents.

¹⁶ Ministry of Labour, resolution No. 52/2004 on dangerous and insalubrious employment for persons under 18 years of age.

¹⁷ The National Steering Committee for Combating Child Labour, under the chairmanship of the Ministry of Labour, also includes the Ministries of Education, Sport, Public Health and Social Assistance, Women, Youth, the Economy, Planning and Development and Agriculture and the National Council for Children and Adolescents, the Office of the First Lady, the Dominican Municipal League, the Solidarity Programme, the organization Muchachos y Muchachas con Don Bosco, World Vision: Dominican Republic, the National Trade Union Council, the National Council of Private Enterprises, the National Confederation of Dominican Workers, the organization Instituto de la Familia, the Employers' Confederation of the Dominican Republic, DEVTECH SYSTEM DOMINICANA, UNICEF and ILO.

Articles 17 to 20
Protecting the integrity of the person; liberty of movement and nationality; living independently and being included in the community; personal mobility

77. These rights are embodied in the Constitution in the following articles:

Article 42: Right to personal integrity. Everyone has the right to respect for their physical, psychological and moral integrity and to a life free of violence; everyone shall enjoy the protection of the State in cases of threats or risk to or violation of those rights. Accordingly:

1. No one may be subjected to punishment, torture or humiliating practices that involve the loss of or harm to their health or physical or psychological integrity.
2. All forms of domestic and gender violence are punishable. The State shall ensure the adoption of legislation to prevent, punish and eradicate violence against women.
3. No one may be subjected, without prior consent, to experiments or procedures that are not consistent with internationally recognized scientific and bioethical norms. The same applies to medical examinations and procedures, except where life is in danger.

Article 43: The right to free development of personality. Everyone has the right to the free development of their personality, without any restrictions other than those imposed by the legal order and the rights of others.

Article 44: The right to privacy and personal honour. Everyone has a right to privacy. Respect and non-interference in one's privacy, family, home or correspondence shall be ensured. The right to honour, reputation and self-esteem is recognized. Any authority or individual who violates those rights is required to pay compensation or make amends in conformity with the law. Consequently:

1. The home, domicile and any other private premises are inviolable, except in cases ordered by a competent judicial authority in accordance with the law or in case of flagrante delicto.
2. Everyone has the right to information and data concerning themselves or their property contained in official or private records and to learn what use is being made of such information and data and for what purpose, within the limits established by law. The processing of information and data on persons and their property must take place with due respect for the principles of quality, legality, loyalty, security and intention. Anyone may petition the competent judicial authority to update such information and data, may oppose their processing and may request the correction or destruction of any information that has an unlawful impact on their rights.
3. The inviolability of private correspondence, documents and messages in physical, digital, electronic or any other form is recognized. They may only be seized, intercepted or registered, by order of a competent judicial authority, under legal procedures relevant to matters which are being investigated by the courts and protecting the confidentiality of anything unrelated to the legal proceedings. The confidentiality of telegraph, telephone, cable, electronic, telematic and any other communications is

likewise inviolable, except in cases authorized by a court or competent authority in accordance with the law.

4. The management, use or processing of official data and information collected by authorities responsible for the prevention, prosecution and punishment of crime may only be processed or communicated to the public registers once a trial has commenced, and in accordance with the law.

Article 45: Freedom of conscience and worship. The State shall ensure freedom of conscience and worship, subject to respect for public order and morals.

Article 46: Freedom of movement. Everyone in the national territory has the right to move freely within, reside in and leave the country, in conformity with the law:

1. No Dominican may be deprived of the right to enter the national territory, nor may he or she be expelled or banished, except on the basis of an extradition order issued by a competent judicial authority, in accordance with the law and relevant international agreements in force.

2. Everyone may apply for asylum in the national territory in cases of persecution on political grounds. Persons granted asylum shall enjoy protection that guarantees the full exercise of their rights, in accordance with the international agreements, norms and instruments signed and ratified by the Dominican Republic. Terrorism, crimes against humanity, administrative corruption and transnational crimes are not deemed to be political offences.

Article 47: Freedom of association. Everyone has the right of association for lawful ends, in conformity with the law.

Article 48: Freedom of assembly. Everyone has the right to assemble peacefully for lawful ends without prior permission, in accordance with the law.

Work

78. With a view to encouraging policies which promote the development of alternatives for the socioeconomic integration of persons with disabilities that contribute to the effective exercise of their labour rights, and acting upon recommendations and national and international regulations in force, the Dominican Republic has conducted a number of initiatives, including:

79. The creation of the National Commission for the Occupational Integration of Persons with Disabilities as part of the National Plan for the Occupational Integration of Persons with Disabilities. The Commission is made up of representatives of the National Council on Disability, the Office of the First Lady, the Ministry of Education, the Ministry of Labour, the Social Plan of the Office of the President, the National Institute for Technical Occupational Training (INFOTEP), the Labour Integration Bloc, the Women with Disabilities Circle (CIMUDIS), the Association of Persons with Physical Disabilities (ASODIFIMO) and the Dominican Autism Foundation.

80. A study conducted in conjunction with the Dominican Institute of Telecommunications (INDOTEL) on teleworking for persons with disabilities sought to determine whether training in the new information and telecommunication technologies will enable such persons to engage in teleworking.

Placement programme

81. The following initiatives have been carried out under this programme:

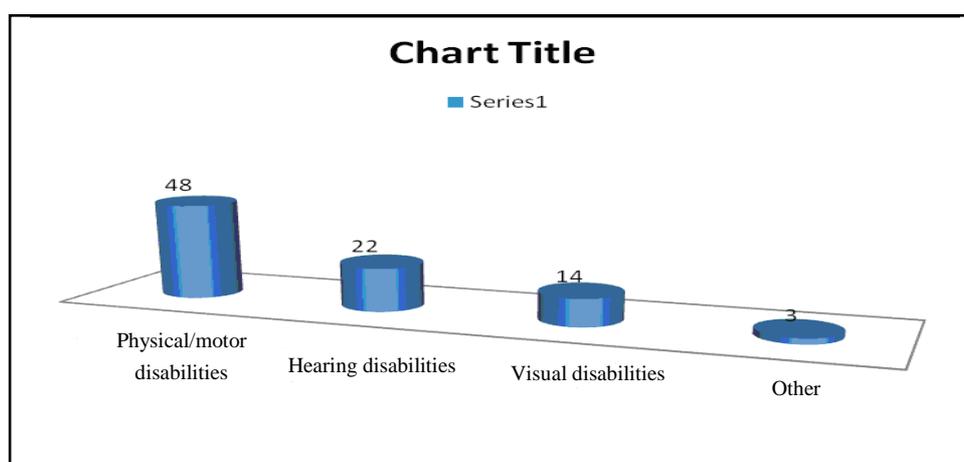
- Establishment of a databank on employment, which has information on job-seekers with disabilities;
- Awareness-raising talks targeting public and private enterprises businesspeople, the aim being to promote the employment of persons with disabilities. Participants in this initiative include: the Free-Trade Zone Businesses of the Americas and the Free-Trade Zone Association of Los Alcarrizos, the Association of Small Hotels of Santo Domingo, the Business Association of El Conde Street and Mella Avenue, the Association of Commercial Banks, the Association of Minibus Owners and the Employers' Confederation of the Dominican Republic (COPARDOM);
- Talks and workshops for persons with disabilities to equip them with the technical tools for job management; 1,000 persons have been trained.

82. This programme has made it possible to place persons with disabilities in a number of enterprises, including ODERBREACH, Frito Lay, Santo Domingo Motors and the School Workshop Training Centre of the Ministry of Labour, and to assign 42 passwords to access training courses on the Manpower Dominica virtual platform.

First job fair for persons with disabilities

83. The fair was carried out in the context of an agreement between the National Council on Disability and the Manpower Dominica company; 87 persons with disabilities attended, of whom 46 per cent were men and 54 per cent were women.

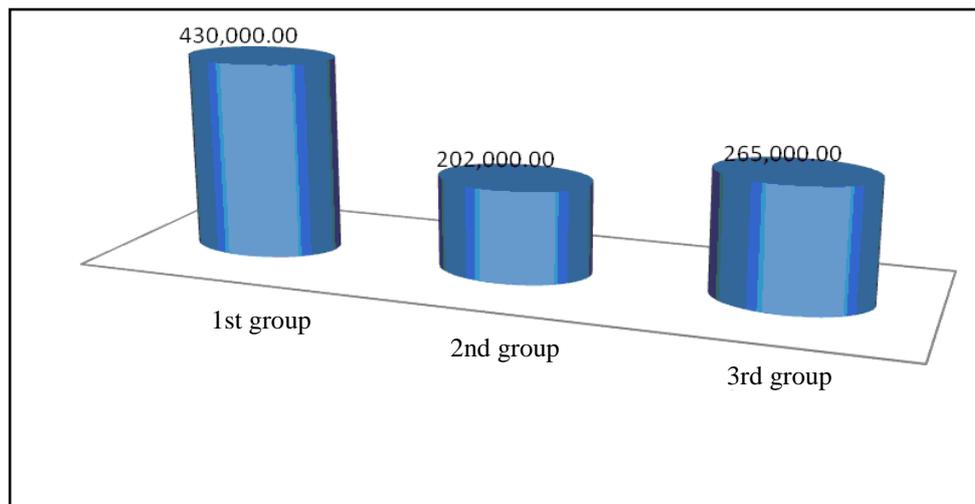
84. The biggest group attending the fair were persons with physical disabilities, followed by persons with hearing and visual disabilities.



Special programme for loans

85. The purpose of this programme is to launch and/or strengthen initiatives for the production and commercialization of products and articles and the sale of services, with a view to promoting the self-employment and economic independence of persons with disabilities. The programme is being conducted in cooperation with the National Council for the Promotion and Support of Micro-, Small- and Medium-Sized Enterprises (PROMIPYME).

86. This initiative calls for the training of applicants in microenterprise management and for the granting of special loans. To date, 35 persons with disabilities have benefited; they have been approved sums ranging between 15,000 and 60,000 pesos, for a total of 820,000 pesos.



Article 21 Freedom of expression and opinion, and access to information

87. The Constitution of the Dominican Republic establishes the following:

Article 49: Freedom of expression and information. Everyone has the right to express their thoughts, ideas and opinions freely by any means, without prior censorship:

1. Everyone has the right to information, including the right to search, investigate, receive and disseminate public information of any kind, by any means, channel or fashion, as determined by the Constitution and the law.
2. All media shall have free access to official and private news sources regarding matters of public interest, in conformity with the law.
3. Professional secrecy and the journalist's conscience clause are protected by the Constitution and the law.
4. Everyone has the right of reply and rectification when they believe that their rights have been violated by disseminated information. This right shall be exercised in conformity with the law.
5. The law shall guarantee all social and political sectors equal and general access to the State-owned media.

88. In conformity with the Act on free access to information, all citizens have the right to:

- Solicit information from any State body and any corporation, limited company or stock company with State participation;
- Obtain complete, true, appropriate and timely information from any State body and any corporation, limited company or stock company with State participation;
- Have free access to information insofar as its reproduction is not requested;
- Request, obtain and disseminate information pertaining to the administration of the State;
- Obtain information on draft regulations and other general provisions governing relations between individuals and the administration;

- Voice their views on draft regulations and other general provisions governing relations between individuals and the administration;
- Obtain information on services provided by the State and their cost;
- Learn about the structure, components, operating regulations, projects, management reports and databases of the public administration;
- Obtain information on the budgets and estimates of approved resources and expenditure, their evolution and implementation;
- Have information on programmes and projects, their budgets, time frames, implementation and oversight;
- Be kept up to date on bidding, competitions, purchases, expenditure and results;
- Have access to information on the State payroll and remunerations;
- Obtain information on asset declarations of State civil servants, in accordance with the law;
- Obtain information on the list of beneficiaries of assistance programmes, subsidies, scholarships, retirement benefits, pensions and retirements;
- Obtain information on the accounts of the public debt, maturities and payments;
- Look up acts, decrees, resolutions, provisions, regulatory frameworks and any type of norm;
- Request and obtain in due time any type of financial information relating to the public budget.

89. The General Act on Free Access to Public Information (Act 200-04), paragraph 4. The public administration, both centralized and decentralized, as well as any other body or entity that exercises public functions or implements the public budget, must provide simple and accessible information to citizens on formalities and procedures for requesting information and must indicate the competent authorities or bodies concerned, the form that a request must take, and requirements for filling in an application form and the offices to which persons can turn to seek guidance, address queries or lodge complaints regarding service or the exercise of functions or authority by the person concerned.

90. However, there remain many shortcomings such that information and media formats are not yet fully accessible and data have yet to become available in a timely manner.

Article 24

Education

91. In chapter 2 (on the economic structure of the educational system) of the General Act on Education on the academic structure of the educational system (66/97), which is a major pillar for the elaboration of actions to promote and protect the right to education of persons with disabilities, special education is defined as a subsystem designed to respond to the levels of specialization required by children with disabilities (art. 48) and to encourage a better knowledge of the difficulties facing persons who need this type of education and who wish to exercise their rights (art. 49 (a)).

92. The principles which permeate the new special education concepts are set out in the General Act on Education. These are:

- The right of all persons to a comprehensive education without discrimination of any kind;

- Equality of opportunity and equity in the provision of educational services.

93. The national curriculum incorporates these concepts and functions in the following articles of Ordinance 1/95:

Art. 44: The curriculum regards special education as a set of systematized resources (normative, administrative, material, personal and methodological) designed to ensure that the educational system makes the principle that all pupils are educable, and that even children with special educational needs can be educated in their age group, a reality in practice through a commitment to the principles of educational standardization, integration and diversification.

94. In 2000, nationwide consultations were held to hear the views and analysis of the special education centres, and what stood out most was the need to continue creating mechanisms that make possible the real inclusion of pupils in regular centres and to define criteria for access, attendance and promotion of pupils in special education schools. With that in mind, Departmental Order No. 18-2001 was introduced, which was repealed by 04-2008, which provides that only children who exhibit special educational needs associated with severe or multiple disabilities that require significant curricular adaptations in practically all aspects of the curriculum may enrol at special education centres.

95. Departmental Order 24-2003 was repealed by 03-2008, which establishes national guidelines for inclusive education and opens possibilities for educational centres to begin their transformation process until the conditions needed to address the diversity of pupils enrolled in regular centres are met.

96. Article 11 of Departmental Order 24-2003 calls for the establishment of a Resource Support Centre for each regional school authority; there are now four such bodies. One of them focuses at national level on assisting persons with visual disabilities and their families and was created pursuant to Departmental Order 05-2002, on the basis of which the National School for Blind Persons was changed to a Resource Centre.

97. The main functions of special education are as follows:

- To elaborate strategies which provide quality teaching in line with the needs and nature of the school population;
- To create strategic alliances with special education institutions through the establishment and operation of a special education advisory board;
- To strengthen the component of occupational training for adolescents and young people with disabilities who are enrolled in the second cycle of primary education in special education schools;
- To diversify educational opportunities in different areas, targeting children with disabilities;
- To promote the strategy of early care in special education centres for children with disabilities under the age of 5 and their families;
- To ensure access to, attendance in and timely completion of various levels and different forms of school for children, adolescents and young people with special education needs associated with disabilities, on the basis of the principle of inclusive education;
- To identify the student population with special educational needs associated with disabilities;
- To improve literacy rates among adults with disabilities.

Structure

98. Cross-cutting special education programmes have two main areas:
- (a) Inclusive education (support for all levels, forms and subsystems);
 - (b) Enrolment in special education centres.
99. These programmes focus on:
- The promotion of inclusive schools;
 - The reorganization and enhancement of special education centres;
 - Early care strategies;
 - Occupational training for young people with disabilities;
 - Awareness-raising and communication;
 - Teacher training;
 - Diversification of opportunities.

Basic objective

100. To guarantee quality, equitable education for children and young people with special educational needs, in accordance with the principle of educational inclusion, providing a set of systematized resources to support the educational system.

101. To meet this objective, it is planned to redefine the functions of special education centres with a view to enhancing their services from two standpoints: the enrolment of children with multiple severe disabilities, and the development of inclusive education through the strategy of Diversity Resource Centres.

<i>Action</i>	<i>Objective</i>	<i>Scope</i>	<i>Goals achieved in recent years</i>
Online course “Inclusive Education. Equal in Diversity”, Ministries of Education of the Dominican Republic and Spain	The aim is for participants to recognize, analyse and reflect on their own educational practices with a view to ensuring that such practices have an inclusive focus and thus serve to promote change in that regard throughout the educational community.	National	120 professionals in the area (workshop and classroom teachers, counsellors and psychologists) have been trained in inclusive education
Strengthening of the early care strategy in the special education schools of Santo Domingo, San José de Ocoa, La Romana and la Vega with the support of the Ministry of Education of Spain through the Organization of Ibero-American States	To develop a programme of early care in special education centres that provides assistance to regular schools	National	Four reinforced early care classes

<i>Action</i>	<i>Objective</i>	<i>Scope</i>	<i>Goals achieved in recent years</i>
Dissemination of the first handbook of Dominican sign language	To equip teachers with learning resources so that they can provide inclusive, quality education to children with the special educational needs associated with a hearing disability	National	All teachers at official and semi-official special education centres have been familiarized with the first handbook of Dominican sign language
Awareness-raising Days focusing on inclusive education	To raise the awareness of the educational community so that it can offer children with special educational needs quality, equitable education that enables them to overcome barriers to learning and participation	National	All technical personnel of the 18 regions, 206 districts and directors of the basic educational centres have been trained in inclusive education
Provision of support materials for schoolchildren with visual disabilities, including in regular schools	To support the educational process of children with visual disabilities, eliminating obstacles to their learning and participation	National	All the regular centres at national level at which 250 schoolchildren with visual disabilities are enrolled have textbooks in Braille, and 50 regular centres have been equipped with Perkins machines, slates, styluses, globes and teaching materials
Expand educational coverage for deaf-blind children and children with multiple disabilities	To build the skills and abilities of these children through systematic educational processes that encourage their inclusion in social groups and improve their living conditions as well as the living conditions of their families through the elaboration of functional plans to promote their independence and social integration	Regional	Opening of support services for deaf-blind children and children with multiple disabilities at six special education centres in the provinces of Dajabón, la Vega, Azua, Ocoa, Puerto Plata and la Romana; 105 deaf-blind children and children with multiple disabilities
Launch and promotion of a radio programme on sharing in diversity	To provide guidance and information to the public at large on topics focusing on diversity and special education	National	A two-year weekly programme
Opening of the Diversity Resource Centre in Regional 10	To ensure, on the basis of inclusive education, access to and attendance in regular educational centres for children and youths in vulnerable situations or with special educational needs	Regional	One functioning Diversity Centre
First nationwide competition on best practices in inclusive education	To encourage an inclusive culture, policies and practices in educational centres	National	

<i>Action</i>	<i>Objective</i>	<i>Scope</i>	<i>Goals achieved in recent years</i>
Planning and implementation of a programme of psychological counselling outside school hours for children who need additional support from the Diversity Resource Centre; 235 schools in the Regional 15	To support teachers, pupils and their families in improving the educational process	Regional	60 children with disabilities
Professional qualification and continuous training of teachers at special education centres	To improve the educational offer at special education centres and to optimize the quality of the education provided	National	All teachers at official special education schools have attended professional qualification and training programmes
Subsidies as additional economic support for official and semi-official special education centres	To improve the administrative management of special education centres	National	15 official and semi-official centres are receiving these subsidies
Celebration of the International Day of Persons with Disabilities	To elaborate awareness campaigns on respect for the rights of persons with disabilities in the context of the International Day of Persons with Disabilities	National	Two campaigns held
Start of the project for the integration of the Fidel Ferrer schools and Santo Domingo special education	To strengthen the process of inclusion, socialization and cooperation between the two centres	Local	All teachers at both centres have a positive attitude towards pupil diversity; children with disabilities who attend the Santo Domingo special school
Elaboration of a national programme of supplementary classes to teach Braille and the use of the abacus and to promote remedial education for children with visual disabilities enrolled in regular schools	To support the learning process of children with visual disabilities	National	All children with visual disabilities are enrolled in supplementary classes
Elaboration and publishing of an early care guidebook	To improve educational practice in areas in which the early care strategy is being implemented	National	All early-care teachers are implementing the strategies recommended in the guidebook
Opening of the Artistic Education Centre for differently abled children (CEANDIC)		Regional	Creation of an Artistic Education Centre
Provision of teaching materials and promotion of psychomotor development and school libraries	To enhance the learning process of children enrolled in special education centres	National	All special education centres have been equipped with libraries and materials

<i>Action</i>	<i>Objective</i>	<i>Scope</i>	<i>Goals achieved in recent years</i>
Participation of 17 children and adolescents with disabilities in special education schools in the North-South Friendship Cultural Festival, held in Norway from 31 May to 14 June	To improve the artistic skills of children with disabilities	National	Establishment of Armonía Quisqueyana, a national artistic group of 17 schoolchildren with disabilities

Article 25

Health

102. Under the national health-care system, which takes the General Act on Health (Act No. 42-01), published on 8 March 2001 by Congress, as its primary legal point of reference, persons with disabilities have the right to the enjoyment of the highest attainable standard of health, and access for persons with disabilities to health services, including health-related rehabilitation, that are gender-sensitive must be ensured in their community and without financial cost.

103. Non-governmental organizations that receive funding for their projects from the Ministry of Public Health include:

Table No. 5

Ministry of Public Health and Social Assistance Vice-Ministry of Planning and Development

Institutions active with persons with disabilities; annual funding approved

<i>No.</i>	<i>Institution</i>	<i>Approved 2010</i>	<i>Approved 2011</i>
Entities active with persons with physical/motor disabilities			
1	Asociación Dominicana de Rehabilitación, Inc. D.N. (Dominican Association for Rehabilitation, Inc.)	54 495 200	66 495 200
2	Asociación de Personas con Discapacidad Físico Motora, Sto. Dgo. Oeste (Association of Persons with Physical-Motor Disabilities)	3 240 000	3 240 000
3	Fundación Pro Bienestar de las Personas con Discapacidad (PROBIEN), D.N. (Foundation for the Welfare of Persons with Disabilities, National District)	1 020 000	1 450 000
4	Fundación Pro Discapacitados (FUNDAPRODIS), D.N. (Foundation Pro Disabilities, National District)	680 000	680 000
5	Círculo de Mujeres con Discapacidad, Santo Domingo Este (Women with Disabilities Circle, Santo Domingo)	948 000	948 000
6	Patronato Maeño de Rehabilitación (Maeño Agency for Rehabilitation)	240 000	240 000
Subtotal		RD\$ 60 623 200	RD\$ 73 053 200
Entities active with deaf-mute and blind persons			
7	Instituto de Ayuda al Sordo Santa Rosa, D.N. (Institute for Assistance to Deaf Persons, Santa Rosa, National District)	2 000 000	5 000 000
8	Instituto Pro Ayuda al Ciego, D.N. (Institute Pro Blind Persons, National District)	900 000	900 000

<i>No.</i>	<i>Institution</i>	<i>Approved 2010</i>	<i>Approved 2011</i>
9	Organización Dominicana de Ciegos, Inc., D.N. (Dominican Organization of Blind Persons, Inc., National District)	1 380 000	1 380 000
10	Patronato del Sordomudo de la Provincia Espaillat (Espaillat Province Agency of Deaf-Mute Persons)	360 000	360 000
11	Patronato Nacional de Ciegos, D.N. (National Agency of Blind Persons, National District)	7 000 000	7 000 000
12	Asociación Dominicana de Sordociego, Inc. (Dominican Association of Deaf-Blind Persons, Inc.)	1 030 400	1 030 400
13	Asociación Dominicana de Trabajadores Ciegos, Inc., D.N. (Dominican Association of Blind Workers, Inc., National District)	320 000	320 000
14	Asociación Nacional de Sordos de la Rep. Dom. (ANSORDO) (National Association of Deaf Persons of the Dominican Republic)	180 000	0
15	Asociación Pro Bienestar de Ciegos, Santo Domingo Este (Association Pro Welfare of Blind Persons, Santo Domingo)	129 600	129 600
16	Asociación Pro Educación de los Sordomudos, Inc., D.N. (Association Pro Education for Deaf-Mute Persons, Inc., National District)	2 500 000	2 500 000
17	Centro Alternativo del Sordo Mudo, San Pedro de Macorís (Alternative Centre for Deaf-Mute Persons, San Pedro de Macorís)	207 360	207 360
18	Escuela de Sordomudo San Francisco de Macorís (San Francisco de Macorís School of Deaf-Mute Persons)	700 000	700 000
19	Unión de Ciegos Azuanos (UCAI), Inc., Azua (Union of Blind Persons of Azua, Inc.)	240 000	240 000
Subtotal		RD\$ 16 947 360	RD\$ 19 767 360
Other entities providing services for persons with disabilities			
20	Asociación de Profesionales y Técnicos Discapacitados (Association of Professionals and Technicians with Disabilities)	240 000	240 000
21	Asociación de Respiro Mutuo de Nigua, San Cristóbal	120 000	120 000
22	Federación Nacional de Discapacitados Dominicanos, Inc. (National Federation of Dominicans with Disabilities)	1 700 000	2 400 000
23	Fundación de los Derechos del Discapacitado, Inc. (Foundation for the Rights of Persons with Disabilities, Inc.)	129 600	180 000
Subtotal		RD\$ 2 060 000	RD\$ 2 760 000
Overall total		RD\$ 79 630 560	RD\$ 95 580 560

Source: Ministry of Public Health, 2010–2011.

104. Some illnesses that have a high morbidity and mortality rate and are potentially disabling for the survivors, in many cases placing a burden on the family, can usually be prevented by vaccinations. On the basis of the Expanded Programme on Immunization, the following list has been established of illnesses covered under this programme, the aim being to prevent and reduce disability:

- Pulmonary or disseminated tuberculosis (dysfunction of one or several organs affected: central nervous system);
- Hepatitis B: cause of chronic hepatitis and its evolution to cirrhosis of the liver;

- Diphtheria, high rate of mortality and disability (central and peripheral neurological disorders, heart disease and paralysis);
- Pertussis: anoxia with subsequent brain damage;
- Tetanus, with high mortality and neurological sequelae. Death in more than 20 per cent of cases;
- Invasive form of *Haemophilus influenzae b* (Hib): meningoenzephalitis, otitis, pneumonia, empyema etc.;
- Poliomyelitis: permanent neuromotor disability;
- Measles: international commitment to its eradication. Cause of encephalitis, pneumonia, otitis and severe malnutrition. Highly contagious, resulting in malnutrition and death in more than 10 per cent of cases. Absent in the country for more than 8 years after last re-emergence in 1998;
- Rubella, subject of elimination and eradication. Blindness, deafness, heart disease.

105. The Expanded Programme on Immunization of the Ministry of Public Health is carrying out, as a matter of priority, the vaccination of the expected birth cohort of 315,391 children against diphtheria, pertussis, tetanus, poliomyelitis, hepatitis B, meningeal and disseminated tuberculosis, and Hib; 213,630 children are being vaccinated at the age of 1 year against measles, rubella and mumps, and 340,983 pregnant women and 629,626 women of childbearing age (between 10 and 49 years old), twice the number estimated, are being vaccinated with two or more doses of DT to prevent neonatal tetanus and tetanus at other ages.

Table No. 6

**Ministry of Public Health and Social Assistance
Expanded Immunization Programme**

Vaccine-preventable diseases

<i>Syndrome targeted</i>	<i>(f)</i>	<i>Observations</i>
Acute flaccid paralysis	28 cases	Clinical diagnosis 100% for poliomyelitis
Diphtheria	5 suspected cases	Highly satisfactory
Pertussis	32 suspected cases	Highly satisfactory
Neonatal tetanus	0	N/A
Tetanus at other ages	50 clinical cases	23 deaths
Eruptive fever	138 suspected	Clinical diagnosis measles-rubella
Bacterial meningitis	126 confirmed	3 Hib, 29 n. meningitis

106. Successes achieved by the Ministry of Public Health in the prevention of illnesses that cause disabilities:

- Absence of wild poliovirus circulation;
- Absence of measles virus circulation for seven years;
- Absence of rubella virus transmission since January 2007;
- No cases of Hib meningitis since 2001;

- Control and significant reduction in cases of diphtheria;
- Control and eradication of indigenous neonatal tetanus;
- Vaccination coverage of children 1 year of age: higher than 89 per cent; for measles and rubella: higher than 96 per cent;
- Since 2009, vaccination of elderly persons against seasonal influenza and Streptococcus pneumoniae.

107. Under the National Mental Health Programme, measures have been taken for the psychosocial rehabilitation of a large number of persons with psychiatric and mental disabilities. Measures include:

Table No. 6

Ministry of Public Health and Social Assistance

General Directorate of Mental Health

Patients with psychiatric disabilities treated and rehabilitated

Psychosocial Rehabilitation Programme of the Padre Billini Psychiatric Hospital		
2010	Number of patients receiving treatment	309
Day-care centre of the Gualey Community Mental Health Centre		
2010	Number of persons rehabilitated	19
Socio-occupational insertion programme		
2010	Number of beneficiaries	23
Inpatient psychiatric hospital		
2011	Number of persons rehabilitated	14
Total	Number of persons with psychiatric or mental disabilities treated in 2010 and 2011	365

Article 26

Habilitation and rehabilitation

108. The Ministry of Public Health is the lead body responsible for ensuring the implementation of public policies relating to the provision of health-care services.

Table No. 4

Ministry of Public Health and Social Assistance

General Directorate of Rehabilitation

Patients with disabilities treated in public hospitals

Darío Contreras Hospital, Santo Domingo		
	Patients seen	16 704
	New patients	6 624
	Patients with follow-up visits	10 080
Francisco Moscoso Puello Hospital, Santo Domingo		
	Patients seen	803
Luis E. Aybar Hospital, Santo Domingo		
	Patients seen	1 198

Patients with disabilities treated in public hospitals

Antonio Musa Hospital, San Pedro De Macorís	
Patients seen	855
Number of physiotherapy treatments	6 112
Morillo King Hospital, La Vega	
Patients seen	1 996
Patients with follow-up visits	1 976
Professor Juan Bosch Surgical and Traumatology Hospital, La Vega	
Patients seen	2 151
Patients with follow-up visits	10 166
Juan Pablo Duarte Hospital, San Cristóbal	
Patients seen	1 080
Patients with follow-up visits	1 620
Robert Read Hospital, Santo Domingo	
Patients seen	1 833
Patients with follow-up visits	3 890
Total number of patients treated	67 080

*Source: Ministry of Public Health, 2010–2011.

Article 28

Adequate standard of living and social protection

109. The Dominican Republic has a number of programmes to ensure persons with disabilities an adequate standard of living and social protection. The Social Policy Office is responsible for the formulation, implementation and assessment of the social policies of its constituent bodies, and it has been temporarily mandated to conduct, administer and implement social protection programmes pending an institutional reordering of the functions of assistance, development and social welfare.

110. The main functions of the Social Policy Coordination Office defined under the decree establishing the Sectoral Policy Coordination Offices are as follows:

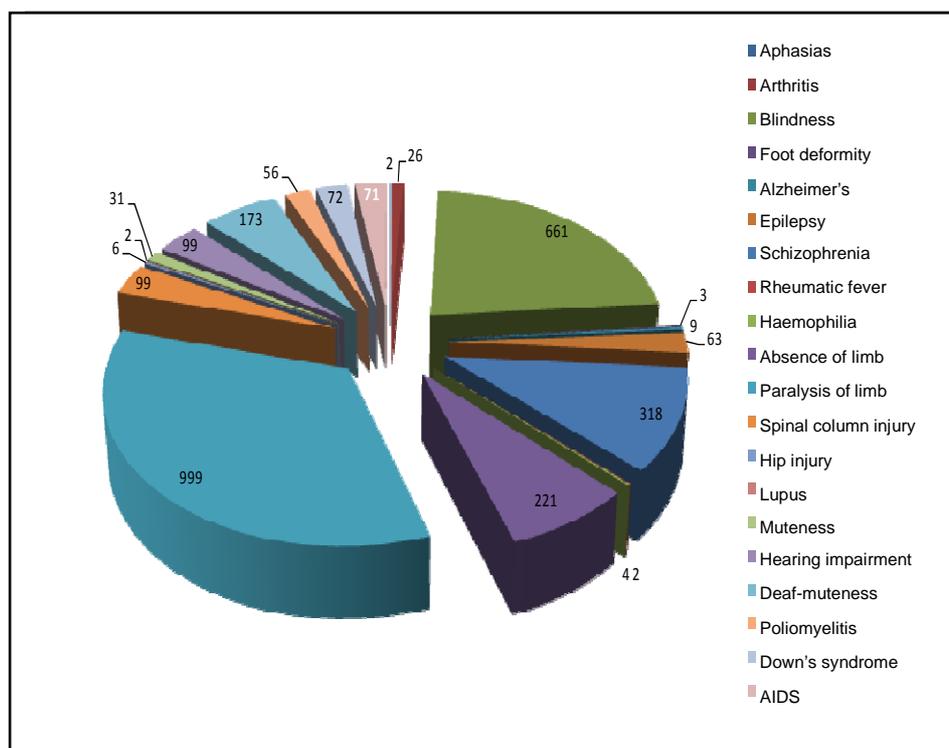
(a) Coordinating the formulation, implementation and assessment of the Government's social policies;

(b) Designing, establishing and following up a strategic agenda for the social sector and regularly informing the President of the Republic in due time on its progress.

111. One important advance achieved by the Dominican Republic in the area of social protection is the direct inclusion of persons with disabilities in the family health-insurance scheme through national health insurance, thereby guaranteeing free health-care services for such persons.

Statistical data¹⁸

112. In April 2010 there were 15,459 persons with disabilities affiliated with the subsidiary regime in the database of the national health insurance system. Of that number, 2,917 are identified according to type of disability and 12,542 are not classified by the system. A list of disabilities has been produced.

List of disabilities

113. In July 2011, this figure had risen to some 50,000 persons.

114. The following advances have also been made pursuant to the Social Security Act.

Occupational Hazards Insurance

115. Occupational hazards insurance was launched on 1 March 2004. This component of the social security system covers hazards associated with occupational accidents or illness, including during travel to and from work, and currently protects employed persons affiliated with the contributory health insurance scheme. As of the end of April 2011, it covered 1,313,429 workers, or 81 per cent of the economically active population working in the formal sector.

116. Occupational hazards insurance provides 100 per cent coverage for the risk of disability and for health-care services, as well as financial benefits for a disability resulting in an occupational incapacity, whether temporary (subsidies) or permanent (indemnities and pensions). Administrative resolution CNSS No. 225-05d/f of 3 December 2009 was in response to the recommendations of the Office of the Superintendent for Labour Health and

¹⁸ Data provided by the Management of Membership and the Department for Promotion and Prevention of the National Health Insurance Agency, updated in April.

Risks (SISALRIL) concerning the protection of persons with a disability pension and their dependants against health risks unrelated to work.

Table No. 1

Certified permanent disability, from June 2009 to May 2011

<i>Year</i>	<i>No. cases</i>
2009	214
2010	221
2011	42
Total	477

Table No. 2

Certified permanent disability, by sex, from June 2009 to May 2011

<i>Sex</i>	<i>2009</i>	<i>2010</i>	<i>2011</i>	<i>Total</i>	<i>%</i>
Men	183	198	40	421	88
Women	31	23	2	56	12
Total	214	221	42	477	100

Table No. 3

Certified permanent disability by age group in the past two years

<i>Age</i>	<i>2009</i>	<i>2010</i>	<i>Total</i>	<i>%</i>
0–17	0	0	0	0
18–30	42	40	82	19
31–45	99	100	199	46
46–60	50	66	116	27
61–75	23	13	36	8
76	0	2	2	0
Total	214	221	435	100

Source: SISALRIL/DARL.

Annex 2. Population statistics on persons with disabilities affiliated with the social security system and benefiting from a disability pension

Table No. 2

Persons benefiting from a disability pension according to type of financial benefit, 2009 and 2010

<i>Type of financial benefit</i>	<i>No. of beneficiaries 2009</i>	<i>No. of beneficiaries 2010</i>	<i>Total</i>
Subsidies (Temporary disability)	13 710	18 260	31 970
Indemnities (Permanent disability with a degree of disability of more than 15 per cent)	191	153	344

<i>Type of financial benefit</i>	<i>No. of beneficiaries 2009</i>	<i>No. of beneficiaries 2010</i>	<i>Total</i>
Pensions (Permanent disability with a degree of disability of more than 50 per cent)	76	151	227
Total	13 977	18 564	32 541

Source: SISALRIL. ARLSS database analysis.

Table No. 3

Pensioners according to size of pension and average pension received through the Occupational Hazards Insurance in April 2011

<i>Size of pension (RD(\$))</i>	<i>No.</i>	<i>%</i>	<i>Average pension (RD(\$))</i>
<3,000	65	28,;63	2,247,;07
3,000<5,000	103	45,;37	3,802,;84
5000<10,000	48	21,;15	6,828,;49
<10,;000	11	4,;85	12,703,;00
Total	227	100	

Source: SISALRIL database, figures for disability pensions.

Disability, Old-Age and Survival Insurance

117. Act 87-01, which established the Dominican social security system, was the result of a consensus between various sectors of society (Government, employers and employees) arrived at in an open and participatory atmosphere; it drew upon the experiences of other Latin American countries which had reformed their pension systems in order to regulate and ensure the mutual rights and duties of the State and citizens with respect to protection against the risks of old age, termination due to old age, disability and survival.

118. The social security system comprises all public, private and mixed entities which conduct principal or complementary activities of social security, physical and human resources, and the rules and procedures governing the foregoing.

119. Act 87-01 created the Office of the Superintendent of Pensions, an autonomous State agency with legal personality and its own assets which fully exercises, on behalf of and in representation of the Dominican Republic, the function of ensuring strict compliance with established laws, norms and provisions and any additional rules in its field of competence, protecting the interests of members, monitoring the financial solvency of the Pension Fund Administrators and helping to strengthen the national pension system. It is empowered to execute contracts and to act in court as plaintiff or defendant and is under the fiscal control of the Office of the General Comptroller of the Republic and/or the Chamber of Accounts only insofar as reviewing its income and expenses is concerned.

<i>Component of Act 87-01</i>	<i>Reference</i>	<i>Act 87-01 Contributory scheme</i>	<i>Pension regulations of the contributory scheme</i>
Old-age, disability and survival pension.	Old-age pension	Article 45	Articles 100 to 105
Book II: Articles 35 to 117	Pension for termination due to old age	Article 50	Article 111
	Total or partial disability pension	Articles 46 to 49	Articles 106 to 108
	Survival pension	Articles 51 and 52	Articles 109 and 110
	Social Solidarity Fund	Articles 60 and 61	Articles 1 to 114
	Pension funds	Articles 95 to 101	Articles 82 to 95
	Pension Fund Administrators	Articles 80 to 94	
	Office of the Superintendent of Pensions	Articles 107 to 111	

Beneficiaries of the national pension system

120. The purpose of a pension system is to award the benefits expected upon retirement. The Dominican social security system, set up following the promulgation of Act 87-01, establishes a set of benefits designed to contribute to the well-being of members and their dependants, based on the accumulated contributions to the individual capitalization accounts upon which the pension system is built.

121. The Dominican pension system includes a structure of benefits to cover the risks of old age, disability, termination due to old age and survival. Thus, it makes provision for the basic aspects of risk so as to ensure a satisfactory consumption level, bearing in mind the various eventualities that may distort the income of affiliated persons when they stop working, and guarantees coverage for low-income persons under the subsidized regime, which is the solidarity pillar of the national social security system.¹⁹

122. The following statistics are provided in this connection:

Number of applications for disability pensions; status

As of 31 July 2011

<i>Pension Fund Administrators</i>	<i>Status</i>			<i>Overall total</i>
	<i>Granted</i>	<i>Rejected</i>	<i>Pending</i>	
Popular	482	262	302	1 046
Reservas	146	84	260	490
Romana	43	18	23	84
Scotia	214	108	311	633
Siembra	260	209	275	744
Banco central	33	5	2	40

¹⁹ Annex beneficiaries of the system.

<i>Pension Fund Administrators</i>	<i>Status</i>			<i>Overall total</i>
	<i>Granted</i>	<i>Rejected</i>	<i>Pending</i>	
Banco reservas	39	38	17	94
IDSS	5		11	16
Total	1 222	724	1 201	3 147

Number of beneficiaries of disability pensions by sex²

As of 31 July 2011

<i>Pension Fund Administrators</i>	<i>Women</i>	<i>Men</i>	<i>Total</i>
Popular	157	246	403
Reservas	55	79	134
Romana	4	33	37
Scotia	68	117	185
Siembra	82	132	214
Banco central	11	18	29
Banco reservas	15	21	36
IDSS	3	2	5
Total	395	648	1 043

Number of disability pensions granted quarterly¹

As of 31 July 2011

Date	Pension Fund Administrators								Total
	Popular	Reservas	Romana	Scotia	Siembra	Banco Central	Banco Reservas	IDSS	
2004									
First quarter									0
Second quarter	2								2
Third quarter									0
Fourth quarter	2	1							3
2005									
First quarter	4	1			1			1	7
Second quarter	4			1	1	1		1	8
Third quarter	3	1	1	1	4			1	11
Fourth quarter	3	1			1	2			7
2006									
First quarter	8	1	3	2	2			2	18
Second quarter	9	2	1	5	6	1		1	25
Third quarter	1	2	6	1	3	4		2	19
Fourth quarter	21	2	2	2	3	3		3	36
2007									
First quarter	5	6	4	8	15	1		3	42
Second quarter	27	2	2	8	6	3		3	51
Third quarter	16	3	2	4	3	3		2	33
Fourth quarter	7	2	3	6	11	1		1	31
2008									
January	4	3	1	3	6	1		3	21
February	3	2			1	1			7
March	2	1	2	1	3			1	10
April	7			8	2	1			18
May		4		2					6

<i>Date</i>	<i>Pension Fund Administrators</i>								<i>Total</i>
	<i>Popular</i>	<i>Reservas</i>	<i>Romana</i>	<i>Scotia</i>	<i>Siembra</i>	<i>Banco Central</i>	<i>Banco Reservas</i>	<i>IDSS</i>	
June	22	2		4	3				31
July	17	3	1	5	6	1	1		34
August	7	2		7	5		1		22
September	20	1	3	4	8		3		39
October	13	1		3	2	1			20
November	14	2	1	2	6				25
December	6	1		1	7	1			16
2009									
January	24	1		1	1		1		28
February		1			2				3
March									0
April									0
May									0
June	12	1		17	15	1		2	48
July	9	3		1	1	1	1		16
August	14	5	2	2	5	1	1		30
September	13	2		9	5				29
October	21			4	9		2		36
November	13	10	3	11	6		1		44
December	5	4	1	1	9		1		21
2010									
January	11	2		5	3				21
February	4	1		1	2				8
March	7	2		6	6				21
April	11	3	1	4	3				22
May	6	3		3	3				15
June	13	8		10	9	1	2		43
July	9	6		9	6				30
August	7	9		3	3				22

<i>Date</i>	<i>Pension Fund Administrators</i>								<i>Total</i>
	<i>Popular</i>	<i>Reservas</i>	<i>Romana</i>	<i>Scotia</i>	<i>Siembra</i>	<i>Banco Central</i>	<i>Banco Reservas</i>	<i>IDSS</i>	
September	2	5		2	4				13
October	2	3	1	6	13				25
November	3	1		1	11				16
December	12		1	2	3	1			19
2011									
January	7	5		7	8	1	1		29
February	6		1	3	8	1	1		20
March	6	9	1	8	2				26
April	9	3		6	11	1			30
May	13	1		1	1				16
June	6	8		9	3		2		28
July	10	4		4	3				21
Total	482	146	43	214	260	33	39	5	1 222

Note: For the period between the fourth quarter of 2006 and the second quarter of 2008, applications for pensions corresponding to the Reservas Pension Fund Administrators and the substitute plan of the Banco de Reservas were counted together. Starting in the third quarter of 2008, they were counted separately.

¹ Data on date of receipt.

Article 31

Statistics and data collection²⁰

123. Official statistics on disability were analysed using the 2002 population and housing census,²¹ on the basis of which it is estimated that 4.2 per cent (358,341 inhabitants) of the total population have some disability, of whom 51 per cent are males and the remaining 49 per cent are females; thus, there is a 2 per cent higher prevalence among men. This figure is significantly lower than the 10 per cent estimated by PAHO/WHO. However, the persons identified by the census have an obvious and in many cases severe disability, so that the figure of 4.2 per cent is very relevant and suggests that the number of persons with disabilities in the Dominican Republic probably exceeds the 10 per cent estimated by international organizations.

124. In percentage terms, persons with disabilities usually live in provinces with higher economic growth, where the greater proportion of the overall population also resides. Thus, 40 per cent of persons with disabilities are concentrated in the provinces of Santo Domingo, the National District and Santiago. The following table shows rural and urban distribution.

<i>Population</i>	<i>Urban areas</i>		<i>Rural areas</i>		<i>Total</i>
	<i>n</i>	<i>%</i>	<i>n</i>	<i>%</i>	
Overall population	5 446 704	63.6	3 115 837	36.4	8 562 541
Persons with disabilities	215 005	60.0	143 336	40.0	358 341
Prevalence/100 inhabitants	3.9		4.6		4.2

125. Distribution by type of disability:

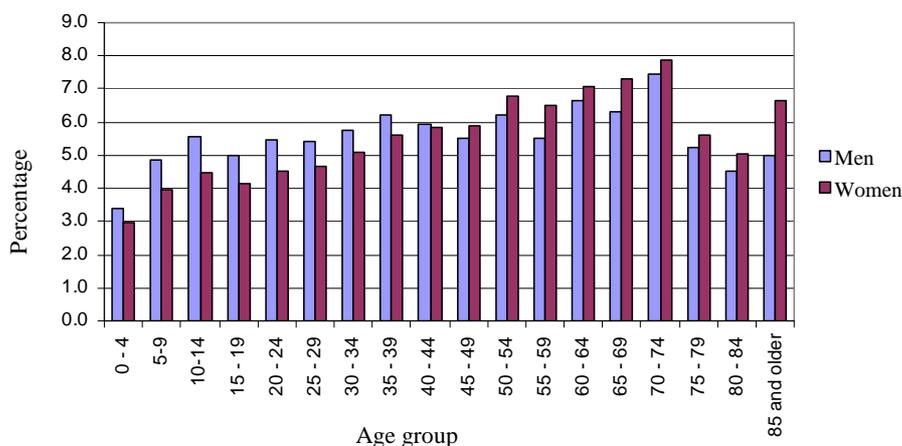
<i>Disability Group</i>	<i>Men</i>	<i>Women</i>	<i>Total</i>	<i>%</i>
Physical/motor	44 231	39 955	84 186	24
Visual	27 248	22 902	50 150	14
Hearing	11 492	10 212	21 704	6
Voice and speech	3 830	3 537	7 363	2
Mental or intellectual	22 857	19 735	42 592	12
Other disabilities*	71 414	79 928	151 342	42
Total	181 072	176 287	357 337	100

* This category is not set out in detail in the census database.

126. Distribution of persons with disabilities by age group:

²⁰ Annex document Disability in the Dominican Republic.

²¹ National Office of Statistics.

Distribution of the disabled population by age and sex

127. Two variables included in the 2010 population and housing census for identifying disability have not yet been analysed.

Article 32 International cooperation

128. Technical cooperation plays an important role in bolstering national initiatives. Technical advice and international cooperation have been received from the following organizations:

- (a) The Pan American Health Organization (PAHO/WHO) in the following areas:
 - Elaboration of the national plan for the Decade of the Americas for the Rights and Dignity of Persons with Disabilities (2006–2016);
 - Training in accessibility; assessment and certification of disability;
 - International technical assistance to establish a national system for the assessment and certification of disability, as well as strengthening of public rehabilitation services;
 - Establishment of the Disability Documentation and Information Centre, which included funding for technical training in library science and documentation at the Centre;
 - A project for the identification of persons with disabilities in border areas and strengthening of rehabilitation services in Health Care Regions IV, VI and VII;
- (b) The Ibero-American Intergovernmental Technical Cooperation Network (RIICOTEC):
 - Promotion of technical training for the administration of document centres;
 - Training in the diagnosis and assessment of disability;
- (c) The Church of Jesus Christ of Latter-Day Saints:

- Donation of support devices (wheelchairs, walking sticks, Braille machines, crutches, walkers, canes for blind persons);
- Missionaries Who Help Programme;
- (d) The Japan International Cooperation Agency:
 - Training on rehabilitation policies and social inclusion strategies for persons with disabilities: an integral vision;
 - A seminar on developing social networks for the social inclusion of persons with disabilities;
 - The seventh international seminar on rehabilitation;
- (e) The Isla Dominicana de Petróleo Corporation:
 - Donation of special wheelchairs for persons with cerebral palsy;
 - Donation of hearing aids for persons with a hearing disability;
- (f) The Foundation Orange Dominica:
 - Donation of funding for printing material;
 - Donation of financial resources for the self-management, training and promotion of organizations active in the area of intellectual and sensory disability;
 - Donation of 500,000 for the purchase of audiological equipment.

International cooperation with organizations of civil society active in the area of disability

129. See the information in the following table.

<i>Project</i>	<i>Beneficiary</i>	<i>Amount received</i>	<i>Cooperating partner</i>
Cooperation on the publication of bibliographic material in Braille and in spoken form	Dominican Foundation of Blind Persons (FUDCI)		Spanish National Organization for Blind Persons (ONCE)
The network of persons with disabilities Project for institutional strengthening	Women with Disabilities Circle (CIMUDIS), the National Federation of Disabled Dominicans (FENADID) and the Association of Persons with Physical-Motor Disabilities (ASODIFIMO)		The Ibero-American Network of Entities of Persons with Physical Disabilities
Video-clip project "I am a citizen just like you"	ASODIFIMO		World Bank
UN Convention: a path to social inclusion	ASODIFIMO	9 000 000	European Union

<i>Project</i>	<i>Beneficiary</i>	<i>Amount received</i>	<i>Cooperating partner</i>
Volunteers for promoting human resources specialized in topics relating to disability	National Agency of Blind Persons Dominican Association for Rehabilitation (ADR) Cibao Rehabilitation Agency		Japan International Cooperation Agency
AGORA project: occupational management classes in the Latin American region	FUDCI		Foundation ONCE for Solidarity with Blind Persons in Latin America (FOAL)
Project: Enhancing opportunities for improving the mobility and independence of persons with physical disabilities in the Dominican Republic	Dominican Association for Rehabilitation (ADR)	11.8 million	
	ASODIFIMO	1 900 000	National lottery
		1 800 000	First Lady Mormons Embassy of Canada National Council of Private Enterprises
			Foundation ONCE for Solidarity with Blind Persons in Latin America (FOAL) Cristofell Blindenmision (CBM) International Council for Education of People with Visual Impairment (ICEVI)
Project to promote the enrolment of students with visual, hearing and visual, and multiple disabilities	Olga Estrella National Centre of Educational Resources for Persons with Visual Disabilities		Embassy of Korea
Construction of premises in Barahona province	National Agency of Blind Persons		Rotary International
Cataract surgery	National Agency of Blind Persons		American Chamber of Commerce
Project: hydroponic cultivation	National Agency of Blind Persons		Physicians for Peace Old Dominion University, USA
Training in the field of orthotics and prosthetics	Cibao Rehabilitation Agency		
Projects for health-care improvements in special education schools	Dominican Association for Rehabilitation (ADR)	438 200	Embassy of Germany

Millennium Development Goals

130. The Dominican Republic has assumed the commitment, and since 2000 the MDGs have, to varying degrees, permeated the policies, actions and initiatives of successive Governments, non-governmental organizations and the international community.²²

131. For the Dominican Republic, the MDGs involve a dual commitment: to mobilize all social sectors and coordinate a development strategy in line with the Goals, and the choice of the Dominican Republic as an MDG pilot country (the only middle-income country among five worldwide) entails for the Government the implementation of a number of measures and actions, including the creation of a Presidential Commission on the Millennium Development Goals and Sustainable Development (COPDES) as the coordinating and monitoring body for attaining the Dominican Republic's MDGs.

132. The Dominican Republic has made significant progress towards achieving gender equity in access to education; the spread of HIV/AIDS has been stopped and has begun to decline; strides have been made in ensuring environmental sustainability, because there is evidence indicating a reversal in the loss of biodiversity; the proportion of persons without sustainable access to clean water and basic sanitation services has been reduced by more than half; and there has been a considerable improvement in the lives of the inhabitants of disadvantaged neighbourhoods.

133. In the area of social protection, reference is made to the launching of the social security system, which has facilitated access to health-care services and pensions for more than 40 per cent of the population. Stepping up the implementation of the Social Security Act will give impetus to attaining the MDGs, especially those relating to health. The Dominican Republic is tackling the challenge of achieving total social security coverage, a goal for which a timeframe of 10 years has been set, ending in 2011. However, at the current rate of implementation, it is unlikely that the objective of universal social security coverage will be achieved by that time.

134. The main obstacles to making progress towards achieving the MDGs include the poor quality of public expenditure as a whole and the low level of social spending, less than 7 per cent of GDP on average over the period 2000–2009 and about half the average for the Latin American and Caribbean region. In recent years, a high percentage of tax revenues (currently more than 40 per cent) has gone for servicing the public debt, thereby placing heavy restrictions on overall public expenditure, and social spending in particular.

135. The redefinition of fiscal policy is an important challenge for ensuring that it fulfils its redistribution function to a much greater degree. Without improvements in income distribution and opportunities, a strengthening of institutions and more and better social spending, it will be difficult for the country to raise its level of human development. Hence the need to have a more global focus on the formulation of public policies, to improve their management and to identify mechanisms for making and coordinating real commitments to the development of the country and the achievement of the MDGs.

136. The implementation of the proposed national development strategy 2010–2030, to be signed into law, will provide the opportunity to create more efficient monitoring mechanisms than those used until now for the MDGs, especially with regard to funding.

²² MDG follow-up report. Ministry of the Economy, Planning and Development 2000.

Article 33

National implementation and monitoring

137. Pursuant to Decree No. 662-11, the executive declared the National Council on Disability to be the State body responsible for implementing the Convention on the Rights of Persons with Disabilities.

138. This governmental decision gives effect to article 33, paragraph 1, of the Convention (adopted by the Dominican Republic on 30 March 2007), which stipulates that “States Parties, in accordance with their system of organization, shall designate one or more focal points within government for matters relating to the implementation of the present Convention, and shall give due consideration to the establishment or designation of a coordination mechanism within government to facilitate related action in different sectors and at different levels.”

139. Thus, the Dominican Republic fulfils its human rights commitment entered into with international organizations. Decree No. 662-11 reads as follows:

Leonel Fernández
President of the Dominican Republic

Number: 662-11

Bearing in mind that the function of the National Council on Disability (CONADIS), created pursuant to Act No. 42-2000 of 29 June 2000, is, inter alia, to order, assess and ensure the implementation of policies in various areas concerning action regarding, and diagnosis and assessment of disabilities;

Bearing in mind that article 33, paragraph 1, of the United Nations Convention on the Rights of Persons with Disabilities, adopted by the Dominican Republic on 30 March 2007, stipulates that “States Parties, in accordance with their system of organization, shall designate one or more focal points within government for matters relating to the implementation of the present Convention, and shall give due consideration to the establishment or designation of a coordination mechanism within government to facilitate related action in different sectors and at different levels”;

Having regard to resolution No. 458-08 of 30 October 2008, which ratifies the United Nations Convention on the Rights of Persons with Disabilities, published in Official Gazette No. 10495 of 15 November 2008;

Having regard to article 33, paragraph 1, of the United Nations Convention on the Rights of Persons with Disabilities;

Having regard to the General Act on Disability of the Dominican Republic (Act No. 42-00) of 29 June 2000;

In exercise of the powers vested in me by article 128 of the Constitution of the Republic, I order the following:

Decree

Article 1: The National Council on Disability (CONADIS), created pursuant to the General Act on Disability of the Dominican Republic (Act No. 42-00) of 29 June 2000, is hereby designated as the State body responsible for the implementation of the United Nations Convention on the Rights of Persons with Disabilities.

Done in Santo Domingo de Guzmán, National District, capital of the Dominican Republic, on twenty-seven (27) May two thousand and eleven (2011), year 169 after Independence and year 149 after the Restoration.

(Signed) Leonel **Fernández**

Organizations of persons with disabilities

140. The Dominican Republic has a broad network of non-governmental organizations working to prevent and eliminate all forms of discrimination against persons with disabilities and to ensure their rights. Reference is made in particular to the Asociación Dominicana de Rehabilitación (Dominican Association for Rehabilitation) (ADR), the Asociación de Personas con Discapacidad Físico-Motor (Association of Persons with Physical-Motor Disabilities) (ASODIFIMO), the Fundación Dominicana de Ciegos, Inc. (Dominican Foundation of Blind Persons) (FUDCI), the Organización Dominicana de Ciegos, Inc. (Dominican Organization of Blind Persons) (ODOCIN), the Centro Nacional de Recursos para la Discapacidad Visual “Olga Estrella” (Olga Estrella National Centre of Educational Resources for Persons with Visual Disabilities), the Patronato Cibao de Rehabilitación (Cibao Rehabilitation Agency), the Asociación Dominicana de Autismo (Dominican Autism Association), the Asociación Dominicana de Síndrome de Down (Dominican Down’s Syndrome Association), the Asociación Nacional del Sordo (National Association of Deaf Persons) (ANSORDO), the Círculo de Mujeres con Discapacidad (Women with Disabilities Circle) (CIMUDIS), the Asociación Dominicana de Trabajadores Ciegos (Dominican Association of Blind Workers), the Instituto de Ayuda al Sordo “Santa Rosa” (Santa Rosa Institute for Assistance to Deaf Persons), the Escuela Nacional de Sordomudos (National School of Deaf-Mute Persons) and the Patronato Nacional de Ciegos (National Agency of Blind Persons).

141. On the basis of this report, the NGOs conclude that:

- Coordination with State bodies should be enhanced to ensure access to health care, housing, employment and social protection for persons with disabilities;
- Efforts should be stepped up in the area of inclusive education, which is a basic pillar of development;
- The system for gathering statistical data should be improved, which will make it possible to have a picture of the current living conditions and needs of persons with disabilities;
- The preliminary bill on disability submitted to the National Congress should be adopted in order to have an updated legal framework in line with the Convention on the Rights of Persons with Disabilities.

V. Conclusions

142. Although measures have been taken to promote the implementation of the Convention, circumstances persist which may constitute limiting factors, such as the slow application of certain legislation, limited availability of funding for specific initiatives and the weakness of mechanisms to enforce the implementation of measures.

143. Hence the need to take the following action:

- Return to the values of the Millennium Declaration and a focus on human rights so as to promote inclusion and reduce the social and economic disparities which hold back human development and the realization of the Millennium Development Goals;

- Coordinate interagency efforts to increase the impact of programmes conducted;
- Allocate economic resources for policies, plans and programmes in the area of disability;
- Continue to promote the adoption of legislative, administrative, social, educational, occupational and any other measures to ensure the elimination of all obstacles to the inclusion of persons with disabilities in public entities and society at large;
- Foster the effective inclusion of persons with disabilities as a priority group in the Government's social protection programmes, coordinating policies with public sector bodies in order to reduce the gap in opportunities for insertion in all areas of Dominican society;
- Promote the active participation of persons with disabilities in decision-making processes as well as their access to technologies in order to ensure equal opportunities for them;
- Step up interaction with academic entities for the teaching and training of human resources in the care of persons with disabilities;
- Continue with the programme for the dissemination of national and international legal norms relating to the promotion of the rights of persons with disabilities;
- Strengthen and expand State rehabilitation services;
- Establish a national statistical database on disability to ensure that information relating to disability and human rights is readily available for all institutions and society at large;
- Reinforce regional relations and interaction with organizations and institutions in other countries which, through their experience, are able to assist with initiatives in the Dominican Republic in the field of disability.
