

# **DOMINICAN REPUBLIC 2017 HUMAN RIGHTS REPORT**

## **EXECUTIVE SUMMARY**

The Dominican Republic is a representative constitutional democracy. In May 2016 Danilo Medina of the Dominican Liberation Party (PLD) was re-elected president for a second four-year term. Impartial outside observers assessed the elections were generally free and orderly despite failures in the introduction of an electronic voting system.

Civilian authorities at times did not maintain effective control over the security forces.

The most significant human rights issues included extrajudicial killings by security forces; torture; harsh and life-threatening prison conditions; arbitrary arrest and detention; arbitrary interference with privacy; criminal libel for individual journalists; impunity for corruption; police violence against lesbian, gay, bisexual, transgender, and intersex individuals; and child labor, sometimes as a result of human trafficking.

The government took some steps to punish officials who committed human rights abuses, but there were widespread reports of official impunity and corruption, especially concerning officials of senior rank.

### **Section 1. Respect for the Integrity of the Person, Including Freedom from:**

#### **a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings**

There were numerous reports that the government or its agents committed arbitrary or unlawful killings. The National Human Rights Commission (NHRC) reported more than 180 extrajudicial killings by police forces through early December.

In November the National Police arrested Fernando de los Santos, nicknamed “The Rope,” a former police lieutenant who had been wanted since 2011 for killing at least 35 persons while working as a police officer. Some of those killed were believed to be criminals wanted by the police, while others were killings for hire committed on behalf of drug traffickers, according to news accounts.

In July, Blas Peralta, a former transportation union president, was convicted of killing a man during the 2016 presidential campaign and sentenced to 30 years in prison. As of November his appeal was pending.

### **b. Disappearance**

There were no reports of disappearances by or on behalf of government authorities. The NHRC reported it continued investigating six unresolved disappearance cases of human rights activists that occurred between 2009 and 2014, which they believed were politically motivated.

### **c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment**

Although the law prohibits torture, beating, and physical abuse of detainees and prisoners, there were reports that security force members, primarily police, carried out such practices.

The NHRC reported that police used various forms of physical and mental abuse to obtain confessions from detained suspects. According to the NHRC, methods used to extract confessions included covering detainees' heads with plastic bags, hitting them with broom handles, forcing them to remain standing overnight, and hitting them in the ears with gloved fists or hard furniture foam so as not to leave marks.

### **Prison and Detention Center Conditions**

Prison conditions ranged from compliance with international standards in “model” prisons or correctional rehabilitation centers (CRCs) to harsh and life threatening in “traditional” prisons. Threats to life and health included communicable diseases, poor sanitation, poor access to health-care services, a lack of well-trained prison guards, and prisoner-on-prisoner violence, all of which were exacerbated in the severely overcrowded traditional prisons.

Physical Conditions: Gross overcrowding was a problem in traditional prisons. The Directorate of Prisons reported that as of June there were approximately 17,750 prisoners in traditional prisons and 8,960 in CRCs, a ratio that remained constant for the past several years because traditional prisons had not been phased out. La Victoria, the oldest traditional prison, held nearly 9,000 inmates, although it was designed for a maximum capacity of 2,011. The inmate population at all 19 traditional prisons exceeded capacity, while only two of 22 CRCs were over

capacity. Both male and female inmates were held in La Romana Prison but in separate areas.

Police and military inmates received preferential treatment, as did those in traditional prisons with the financial means to rent preferential bed space and purchase other necessities.

According to the Directorate of Prisons, military and police personnel guarded traditional prisons, while a trained civilian guard corps provided security at CRCs. Reports of mistreatment and violence in traditional prisons were common, as were reports of harassment, extortion, and inappropriate searches of prison visitors. Some traditional prisons remained effectively outside the control of authorities, and there were reports of drug and arms trafficking, prostitution, and sexual abuse within prisons. Wardens at traditional prisons often controlled only the perimeter, while inmates ruled the inside with their own rules and system of justice. Although the law mandates separation of prisoners according to severity of offense, authorities did not have the capability to do so.

In traditional prisons health and sanitary conditions were generally poor. Prisoners often slept on the floor because there were no beds available. Prison officials did not separate sick inmates. Delays in receiving medical attention were common in both the traditional prisons and CRCs. All prisons had infirmaries, but most infirmaries did not meet the needs of the prison population. In most cases inmates had to purchase their own medications or rely on family members or other outside associates to deliver their medications. Most reported deaths were due to illnesses.

According to the Directorate of Prisons, all prisons provided HIV/AIDS treatment, but the NHRC stated that none of the traditional prisons was properly equipped to provide such treatment. In CRCs some prisoners with mental disabilities received treatment, including therapy, for their conditions. In traditional prisons the government did not provide services to prisoners with mental disabilities. Neither CRCs nor traditional prisons provided access for inmates with disabilities.

In October the Constitutional Tribunal declared the condition of some jails were a “gross and flagrant” violation of the constitution and ordered the Attorney General’s Office to take steps to improve them within 180 days or face a fine of approximately 21,450 pesos (\$450) per day.

Administration: Prisoners could submit complaints regarding their treatment verbally or in writing to the human rights committees and most often did so

through family members, lawyers, or human rights defenders. Public defenders provided legal services to prisoners and in some cases assisted with certain complaints. The NHRC director served as a prisoner advocate.

Independent Monitoring: The government permitted visits and monitoring by independently funded and operated nongovernmental organization (NGO) observers and media. The NHRC, National Office of Public Defense, Attorney General's Office, and CRC prison administration together created human rights committees in each CRC that were authorized to conduct surprise visits.

#### **d. Arbitrary Arrest or Detention**

The constitution prohibits detention without a warrant unless authorities apprehend a suspect during the commission of a criminal act or in other special circumstances but permits detention without charge for up to 48 hours. The constitution provides for the right of any person to challenge the lawfulness of his/her detention in court, and the government generally observed this requirement. Arbitrary arrest and detention were problems, and there were numerous reports of individuals held and later released with little or no explanation for the detention. NGOs reported that many detainees were taken into custody at the scene of a crime or during drug raids. In many instances authorities fingerprinted, questioned, and then released those detainees.

#### **Role of the Police and Security Apparatus**

The Ministry of Interior and Police oversees the National Police, Tourist Police, and Metro Police. The Ministry of Armed Forces directs the military, Airport Security Authority and Civil Aviation, Port Security Authority, and Border Security Corps. The National Department of Intelligence and the National Drug Control Directorate, which have personnel from both police and armed forces, report directly to the president.

The Internal Affairs Unit investigates charges of gross misconduct by members of the National Police. These cases involved physical or verbal aggression, threats, improper use of a firearm, muggings, and theft. Authorities fired or prosecuted police officers found to have acted outside of established police procedures.

Training for military and the National Drug Control Directorate enlisted personnel and officers and the National Police included instruction on human rights. The Ministry of the Armed Forces provided human rights training or orientation to

officers of various ranks as well as to civilians during the year. The Border Security Corps conducted mandatory human rights training at its training facilities for border officers. The Graduate School of Human Rights and International Humanitarian Rights trained civilians and armed forces personnel. The school also had programs in which members of the armed forces and civilians from the Supreme Court, congress, district attorney offices, government ministries, National Police, and Central Electoral Board participated.

In October the National Police announced that officers and recruits applying to join the police force who were suspected of corruption would be required to take polygraph tests.

### **Arrest Procedures and Treatment of Detainees**

The constitution provides that an accused person may be detained for up to 48 hours without a warrant before being presented to judicial authorities. The law also permits police to apprehend without an arrest warrant any person caught in the act of committing a crime or reasonably linked to a crime, such as in cases involving hot pursuit or escaped prisoners. Police sometimes detained suspects for investigation or interrogation longer than 48 hours. Police often detained all suspects and witnesses to a crime. Successful habeas corpus hearings reduced abuses of the law significantly. There was a functioning bail system and a system of house arrest.

The law requires provision of counsel to indigent defendants, although staffing levels were inadequate to meet demand. The National Office of Public Defense (NOPD) represented 80 percent of the criminal cases brought before the courts, covering 28 of 34 judicial districts. Many detainees and prisoners who could not afford private counsel did not have prompt access to a lawyer. Prosecutors and judges handled interrogations of juveniles, which the law prohibits by or in the presence of police.

Arbitrary Arrest: Police made sporadic sweeps or roundups in low-income, high-crime communities during which they arrested and detained individuals without warrants. During these operations police arrested large numbers of residents and seized personal property allegedly used in criminal activity. The Attorney General's Office reported a decrease in arbitrary arrests connected to mass arrests at the scene of a crime due to training conducted in concert with human rights NGOs.

Pretrial Detention: Many suspects endured long pretrial detention. Under the criminal procedures code, a judge may order detention to be between three and 18 months. According to the Directorate of Prisons, as of November, 63 percent of inmates were in pretrial custody. The average pretrial detention time was three months, but there were reports of cases of pretrial detention lasting up to three years. Time served in pretrial detention counted toward completing a sentence.

The failure of prison authorities to produce detainees for court hearings caused some trial postponements. Many inmates had their court dates postponed because of a lack of transportation from prison to court or because their lawyer, codefendants, interpreters, or witnesses did not appear. Despite additional protections for defendants in the criminal procedures code, in some cases authorities held inmates beyond the legally mandated deadlines even when there were no formal charges against them.

Protracted Detention of Rejected Asylum Seekers or Stateless Persons: There were isolated cases of asylum seekers detained due to a lack of documentation (see sections 2.d. and 6).

#### **e. Denial of Fair Public Trial**

The law provides for an independent judiciary; however, the government did not respect judicial independence and impartiality. Improper influence on judicial decisions was widespread. Interference ranged from selective prosecution to dismissal of cases amid allegations of bribery or undue political pressure. The judiciary routinely dismissed high-level corruption cases. Corruption of the judiciary was also a serious problem. The NOPD reported that the most frequent form of interference with judicial orders occurred when authorities refused to abide by writs of habeas corpus to free detainees.

The Office of the Inspector of Tribunals, which disciplines judges and handles complaints of negligence, misconduct, and corruption, received an increase in its budget and technical training, and as a result it opened more investigations. Eighteen judges and 295 administrative personnel were suspended and the cases referred to the Attorney General's Office for prosecution.

#### **Trial Procedures**

The law provides for the right to a defense in a fair and public trial; however, the judiciary did not always enforce this right.

The District Attorney's Office is required to notify the defendant and attorney of criminal charges. The law provides for a presumption of innocence, the right to confront or question witnesses, and the right against self-incrimination.

Defendants have the right to be present at their trial and consult with an attorney in a timely manner, and the indigent have a right to a public defender. Defendants have the right to present their own witnesses and evidence. The law provides for free interpretation as necessary. The constitution also provides for the right to appeal and prohibits higher courts from increasing the sentences of lower courts. The courts frequently exceeded the period of time provided by the criminal procedures code when assigning hearings dates.

Military and police tribunals share jurisdiction over cases involving members of the security forces. Military tribunals have jurisdiction over cases involving violations of internal rules and regulations. Civilian criminal courts handle cases of killings and other serious crimes allegedly committed by members of the security forces.

### **Political Prisoners and Detainees**

There were no reports of political prisoners or detainees.

### **Civil Judicial Procedures and Remedies**

There are separate court systems for claims under criminal law, commercial and civil law, and labor law. Commercial and civil courts reportedly suffered lengthy delays in adjudicating cases, although their decisions were generally enforced. As in criminal courts, undue political or economic influence in civil court decisions remained a problem.

Citizens have recourse to file an "amparo," an action to seek redress of any violation of a constitutional right, including violations of human rights protected by the constitution. This remedy was used infrequently and only by those with sophisticated legal counsel.

### **f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence**

The law prohibits arbitrary entry into a private residence, except when police are in hot pursuit of a suspect, when a suspect is caught in the act of committing a crime,

or if police suspect a life is in danger. The law provides that all other entries into a private residence require an arrest or search warrant issued by a judge. Police conducted illegal searches and seizures, however, including raids without warrants on private residences in many poor neighborhoods.

Although the government denied using unauthorized wiretaps, monitoring of private email, or other surreptitious methods to interfere with the private lives of individuals and families, human rights groups and opposition politicians alleged such interference occurred. Opposition political parties alleged government officials at times threatened subordinates with loss of employment and other benefits to compel them to support the incumbent PLD party and attend PLD campaign events. The NOPD reported two cases in which police imprisoned family members of a suspect to compel the suspect to surrender.

## **Section 2. Respect for Civil Liberties, Including:**

### **a. Freedom of Expression, Including for the Press**

The constitution provides for freedom of expression, including for the press, and the government generally respected this right. The independent media were active and expressed a wide variety of views with some restriction.

Press and Media Freedom: Individuals and groups were generally able to criticize the government publicly and privately without reprisal, although there were several incidents in which authorities intimidated journalists or other news professionals. In October the Dominican Association of Dailies expressed concern that the president's security detail mistreated journalists and impeded media participation at presidential events.

Violence and Harassment: Journalists and other persons who worked in media were occasionally harassed or physically attacked. Some media outlets reported that journalists, specifically in rural areas, received threats for investigating or denouncing criminal groups or official corruption. The Inter American Press Association reported that journalists suffered violent attacks from military and police security details of government officials, particularly while covering civil society-led protests. In July the Dominican College of Journalists denounced inaction by government officials after an attack on television reporter Indira Vasquez and cameraman Jose Manual de la Cruz. The journalists said they were assaulted by a businessman and his two sons while covering environmental

damage caused by the excavation of aggregate material at the Bajabonico River in Puerto Plata.

Censorship or Content Restrictions: The constitution provides for protection of the confidentiality of journalists' sources and includes a "conscience clause" allowing journalists to refuse reporting assignments. Nonetheless, journalists practiced self-censorship, particularly when coverage could adversely affect the economic or political interests of media owners. Some media outlets chose to omit the bylines of journalists reporting on drug trafficking and other security matters to protect the individual journalists.

Libel/Slander Laws: The law criminalizes defamation and insult, with harsher punishment for offenses committed against public or state figures than for offenses against private individuals. The Dominican College of Journalists reported that journalists were sued by politicians, government officials, and the private sector to pressure them to stop reporting. In 2016 the Constitutional Tribunal annulled several articles in the Law on Freedom of Expression that criminalized statements denouncing events that were of public interest and that authorities considered damaging. The court also ruled that media outlets, executive staff, and publishers are not liable for libel suits against individual journalists. While some observers proclaimed this relieved pressure on journalists by business interests that controlled much of the mainstream media, others described the ruling as benefiting business interests' ability to distance themselves from protecting their editors and journalist teams. The law continues to penalize libel for statements concerning the private lives of certain public figures, including government officials and foreign heads of state.

### **Internet Freedom**

The government did not restrict or disrupt access to the internet or censor online content without appropriate legal authority; however, there were allegations that the government monitored private online communications. According to the International Telecommunication Union, 61 percent of citizens used the internet in 2016.

### **Academic Freedom and Cultural Events**

There were no government restrictions on academic freedom or cultural events.

### **b. Freedoms of Peaceful Assembly and Association**

## **Freedom of Peaceful Assembly**

The law provides for freedom of peaceful assembly. Outdoor public marches and meetings require permits, which the government usually granted. On several occasions police used force to disperse demonstrations and injured demonstrators and bystanders.

### **c. Freedom of Religion**

See the Department of State's *International Religious Freedom Report* at [www.state.gov/religiousfreedomreport/](http://www.state.gov/religiousfreedomreport/).

### **d. Freedom of Movement**

The law provides for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights, with some exceptions. The government cooperated in a limited manner with the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to internally displaced persons, refugees, returning refugees, asylum seekers, stateless persons, or other noted persons of concern.

Abuse of Migrants, Refugees, and Stateless Persons: During a December 2016 hearing at the Inter-American Commission on Human Rights (IACHR) on human rights and statelessness in the country, civil society organization representatives said deportations of Haitian migrants and Dominicans of Haitian descent continued. They said some deportations were arbitrary and consisted of taking persons across the border without any record. Monitoring of the border by the International Organization for Migration found that some of those deported were unaccompanied children. The Center for Migration Observation and Social Development in the Caribbean reported in October concern regarding the lack of information on accountability mechanisms stipulating that migration officials and other members of state security adhere to legal provisions for due process and other rights of migrants during deportations. It reported that abuses appeared to be greater when the deportations were carried out by military personnel than by officials of the General Directorate of Migration. In addition to deportation, undocumented Haitian victims faced increased vulnerability to trafficking.

The International Organization for Migration reported cases of individuals deported because authorities did not permit them to retrieve immigration or citizenship documents from their residences as well as deportations of women who left children behind in their residences.

A 2012 National Statistics Office and UN Population Fund (UNFPA) study estimated the total Haitian population in the country at 668,145, of whom 458,233 were identified as Haitian immigrants and 209,912 were categorized as persons of Haitian descent. The exact number of undocumented persons was unclear. During the year the statistics office and UNFPA conducted a survey to obtain more accurate and up-to-date statistics on immigrants in the country.

In 2014 the government promulgated the *National Regularization Plan* that enabled undocumented migrants in the country to apply for temporary legal residency. In July 2016 the government extended the expiration date of the temporary resident cards issued under the plan, marking the third time the government had done so. The plan granted temporary residency status to more than 260,000 irregular migrants (98 percent Haitian). According to census data, up to 280,000 Haitian migrants may not have applied or qualified for regularization and were subject to deportation. UN officials accompanied immigration authorities during interception procedures conducted in different provinces. According to the United Nations, deportation procedures were orderly, legal, and individualized, in compliance with applicable international human rights standards.

### **Protection of Refugees**

Access to Asylum: The law provides for the granting of asylum or refugee status. The government has an established refugee protection system but did not effectively implement it. In 2016 UNHCR recognized 787 asylum seekers, 93 percent of them Haitian, but the government historically recognized few of those claims. Of the more than 300 asylum-seeker cases between 2012 and 2016 that received a final decision, the government rejected 99 percent with the vague justification of “failure of proof.” NGOs concluded that this alone was evidence of systemic discrimination, as 99 percent of asylum seekers were also of Haitian origin.

The National Office of Refugees in the Migration Directorate of the National Commission for Refugees (CONARE) adjudicates asylum claims. CONARE is an interagency commission that includes the Foreign Ministry, National Department of Investigations, and General Directorate of Migration.

A 2013 CONARE resolution requires individuals to apply for asylum within 15 days of arrival in the country. Under this resolution, if an asylum seeker is in the country for more than 15 days and without applying for asylum, the individual permanently loses the right to apply for asylum. The resolution also rejects any asylum application from an individual who was in, or proceeds from, a foreign country where the individual could have sought asylum. Thus, the government makes inadmissibility determinations administratively before an asylum interview or evaluation by CONARE.

According to refugee NGOs, there was no information posted at ports of entry to provide notice of the right to seek asylum or of the timeline or process for doing so. Furthermore, the NGOs reported that immigration officials did not know how to handle asylum cases. UNHCR protection officers were occasionally and unpredictably granted access to detained asylum seekers. CONARE policies do not provide for protection screening in the deportation process. By law the government must afford due process to detained asylum seekers, and those expressing a fear of return to their country of nationality or habitual residence should be allowed to apply for asylum under the proper procedures. Nonetheless, there was generally neither judicial review of deportation orders nor any third-party review to provide for protection screening.

CONARE did not provide rejected asylum seekers details of the grounds for the rejection of their initial application for asylum or information regarding the process for appeal. Rejected applicants received a letter informing them that they had 30 days to leave the country voluntarily. Per government policy, rejected asylum seekers have seven days from receipt of notice of denial to file an appeal; however, the letter providing notice of denial does not mention this right to appeal.

Freedom of Movement: The government issued travel documents to approved refugees for a fee of 3,150 pesos (\$65). Refugees commented that the travel document listed their nationality as “refugee” and not their country of origin. Asylum seekers with pending cases had only a letter to present to avoid deportation, which deterred freedom of movement.

Employment: The government prohibited asylum seekers with pending cases from working. This situation was further complicated by the long, sometimes indefinite, waiting periods for pending cases to be resolved. Lack of documentation also precluded refugees from certain employment. Employment was nonetheless a requirement for the government to renew refugees’ temporary residency cards.

Access to Basic Services: Approved refugees receive the same rights and responsibilities as legal migrants with temporary residence permits. This provided refugees the right to access education, employment, health care, and other social services. Nonetheless, UNHCR reported that problems remained. Only those refugees able to afford health insurance were able to access adequate health care. Refugees reported that their government-issued identification numbers were not recognized, and thus they could not access other services, such as opening a bank account or entering service contracts for basic utilities, but instead had to rely on friends or family for such services.

### **Stateless Persons**

Prior to 2010 the constitution bestowed citizenship upon anyone born in the country except children born to diplomats and children born to parents who are “in transit.” The 2010 constitution added an additional exception for children born in the country to parents without migratory status. In 2013 the Constitutional Tribunal ruled that undocumented migrants were considered “in transit” for purposes of citizenship transmission, and thus all children born to undocumented migrant parents were not Dominican citizens. The ruling retroactively revised the country’s citizenship transmission laws and stripped citizenship from approximately 135,000 persons, mostly the children of undocumented Haitian migrants, who had been conferred citizenship by virtue of *jus soli* since 1929.

Until 2012 the Haitian constitution did not permit dual citizenship. Therefore, individuals of Haitian descent who obtained Dominican citizenship at birth by virtue of birth on Dominican soil forfeited their right to Haitian citizenship. The 2013 Constitutional Tribunal ruling therefore stripped nearly all of those affected of the only citizenship they held. The IACHR, UNHCR, and Caribbean Community criticized the 2013 tribunal judgment. The IACHR found that the 2013 ruling implied an arbitrary deprivation of citizenship and that it had a discriminatory effect, stripped citizenship retroactively, and led to statelessness for individuals not considered citizens.

In 2014 President Medina signed and promulgated law 169-14 to regularize and (re)issue identity documents to individuals born in the country between June 16, 1929, and April 18, 2007, to undocumented migrant parents, who were previously registered in the civil registry (Group A), recognizing them as Dominican citizens from birth. Based on an audit of the national civil registry archives, that population was estimated to total 60,000. As of the end of 2015, according to

media reports, the government had issued new citizenship documents to 13,495 persons and continued processing the remainder. Civil society reported an additional 6,000 Group A cases obtained new citizenship documents, bringing the estimate of known Group A cases whose citizenship was restored to 20,000. The law also creates a special path to citizenship for persons born to undocumented migrant parents who never registered in the civil registry, including an estimated 45,000-75,000 undocumented persons, predominantly of Haitian descent (Group B). Group B individuals were able to apply for legal residency under this law and apply for naturalized citizenship after two years. The law granted Group B individuals 180 days to apply for legal residency, an application window that closed on January 31, 2015. A total of 8,755 Group B individuals successfully applied before that deadline. NGOs and foreign governments expressed concern for the potentially large number of Group B persons who did not apply before the deadline. The government committed to resolve any unregistered Group B cases but had not identified the legal framework under which that commitment would be fulfilled. The government also committed not to deport anyone born in the country.

In 2015 the civil registry (known as the Central Electoral Board or JCE) announced it had transferred the civil records of the 54,307 individuals identified in Group A to a separate civil registry book and annulled their original civil registrations. The JCE invited those on the list to report to JCE offices and receive a reissued birth certificate. In 2015 civil society groups reported that many Group A individuals experienced difficulties obtaining reissued birth certificates at JCE offices. NGOs documented cases of individuals they determined qualified as Group A but were not included in the JCE's audit results list. In response to complaints, the government created channels for reporting missing cases, delays, or failures to issue Group A nationality documents in JCE satellite offices, including a telephone line and social media accounts. NGOs reported the measures led to improved document issuance rates for Group A.

Dominican-born persons of Haitian descent without citizenship or identity documents faced obstacles traveling both within and outside the country. In addition undocumented persons may not obtain national identification cards or voting cards. Persons who did not have a national identification card or birth certificate had limited access to electoral participation, formal-sector jobs, public education, marriage and birth registration, formal financial services such as banks and loans, courts and judicial procedures, and ownership of land or property.

In April the IACHR placed the Dominican Republic on a “black list” reserved for countries with the most egregious violations of human rights because of its treatment of Dominicans of Haitian descent. The IACHR declared that the 2013 Constitutional Tribunal decision disproportionately deprived black, ethnically Haitian Dominicans of citizenship based on their race and national origin, and also that the government’s efforts had not fully mitigated the harmful impact of the ruling. The IACHR stated many of those affected by the ruling remained without a path to citizenship, and it questioned the legality, implementation, and viability of some of the solutions the government offered.

### **Section 3. Freedom to Participate in the Political Process**

The law provides citizens the ability to choose their government in free and fair periodic elections conducted by secret ballot based on nearly universal and equal suffrage. The constitution prohibits active-duty police and military personnel from voting or participating in partisan political activity.

#### **Elections and Political Participation**

Recent Elections: In May 2016 voters participated in general elections for all levels of government and elected Danilo Medina of the PLD as president for a second four-year term. The JCE instituted a system of electronic vote counting during this election. According to international observers and experts on electronic voting systems, the JCE did not follow international standards, as it neither audited nor gradually implemented the system. On election day many electronic voting systems failed or were unused. The JCE did not announce final, official results with all ballots counted until 13 days after the elections. Many congressional and municipal races remained contested for weeks after, leading to sporadic protests and violence. On election day the Organization of American States (OAS) and domestic observers noted widespread political campaigning immediately outside of voting centers in violation of the law, as well indications of vote buying.

Political Parties and Political Participation: The OAS and domestic NGOs criticized the inequality of preceding political campaigns regarding allocation of funding. By law major parties, defined as those that received 5 percent of the vote or more in the previous elections, received 80 percent of public campaign finances, while minor parties shared the remaining 20 percent of public funds. Civil society groups criticized the government and the incumbent PLD party for using public funds to pay for advertising in the months leading up to the 2016 elections, although the law prohibits the use of public funds for campaigns. In March 2016

President Medina ordered a stop to the use of public funds for the campaign, and government spending on advertising decreased. According to civil society groups, revenue from government advertising influenced media owners to censor voices in disagreement with their largest client, the PLD party.

Participation of Women and Minorities: No laws limit the participation of women or members of minorities in the political process, and they did participate.

#### **Section 4. Corruption and Lack of Transparency in Government**

The law provides criminal penalties for corruption by officials; however, the government did not implement the law effectively, and officials frequently engaged in corrupt practices with impunity. The attorney general investigated allegedly corrupt officials. In December he obtained the conviction of the former mayor of San Francisco de Macoris, Felix Manuel Rodriguez Grullon, and an administrator, Jerson Lizardo, for the misuse of eight million dollars of public funds. According to news accounts, Rodriguez Grullon received a five-year sentence and Lizardo an eight-year sentence.

NGOs noted the greatest hindrance to effective investigations was a lack of political will to apply the law and prosecute individuals accused of corruption, particularly when those accused included well-connected individuals or high-level politicians. Government corruption remained a serious problem and public grievance.

Corruption: Civil society organizations criticized the widespread practice of awarding government positions as political patronage and alleged many civil servants did not have to perform any job functions for their salary. Small municipalities reported having staffs far in excess of what the physical offices could house.

NGOs as well as individual citizens regularly reported that police officers attempted to solicit bribes during routine traffic stops or arrests. Numerous individuals reported having their personal property taken by police. Police reportedly detained drivers, including foreign tourists, and requested money in exchange for release. Local human rights observers reported immigration officials and police officers particularly targeted undocumented immigrants of Haitian descent to extort money by threatening deportation. NGOs reported incidents of corruption among military and immigration officials stationed at border posts and checkpoints. NGOs reported police complicity in areas known for child sex

trafficking. Prison officials accepted money in exchange for recommendations to release prisoners for health reasons. There were credible allegations that prisoners paid bribes to obtain early release on parole.

The government on occasion used nonjudicial sanctions to punish corruption, including dismissal or transfer of military personnel, police officers, judges, and other minor officials engaged in bribe taking and other corrupt behavior. Widespread acceptance and tolerance of petty corruption, however, hampered anticorruption efforts.

In May the attorney general indicted 14 active and former public officials, including three sitting members of congress and the minister of trade, for their alleged links to \$92 million in bribes paid by the Brazilian construction company Odebrecht to obtain public works contracts. By law members of congress may not be prosecuted unless the House of Deputies or the Senate votes to lift immunity of its members facing criminal charges. The House of Deputies and the Senate voted against lifting immunity for the three members charged.

A national anticorruption citizens' movement known as the Green Movement arose because of the Odebrecht scandal, resulting in well-attended public demonstrations throughout the country. The protesters demanded the government appoint an independent prosecutor. They also demanded investigations of President Medina and former presidents Hipolito Mejia and Leonel Fernandez. The attorney general, however, continued to investigate and prosecute the case.

Financial Disclosure: The law requires the president, vice president, members of congress, some agency heads, and other officials, including tax and customs duty collectors, to declare their personal property within 30 days of being hired, elected, or re-elected as well as when they end their responsibilities. The constitution further requires public officials to declare the provenance of their property. The law makes the Chamber of Accounts responsible for receiving and reviewing these declarations. As of March, 4,061 public officials, including members of congress and mayors, had not presented their declarations, according to the Chamber of Accounts. NGOs questioned the veracity of the declarations, as amounts often fluctuated significantly from year to year, and total declared assets often appeared unrealistically low.

## **Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses of Human Rights**

A number of domestic and international organizations generally operated without government restriction, investigating and publishing their findings on human rights cases. While officials often were cooperative and responsive, human rights groups that advocated for the rights of Haitians and persons of Haitian descent faced occasional government obstruction.

The United Nations or Other International Bodies: The government did not attend a December 2016 IACHR hearing in Panama on the situation of human rights defenders in the Dominican Republic, saying it had not received the invitation in time.

Government Human Rights Bodies: The constitution establishes the position of human rights ombudsman, and in 2013 the Senate appointed Zoila Martinez, a former Santo Domingo district attorney, for a six-year term. The ombudsman's functions are to safeguard the fundamental human rights of persons and protect collective interests established in the constitution and law. There is also an Interinstitutional Human Rights Commission, chaired by the minister of foreign affairs and the attorney general. The Attorney General's Office has its own human rights division.

## **Section 6. Discrimination, Societal Abuses, and Trafficking in Persons**

### **Women**

Rape and Domestic Violence: The law criminalizes rape of men or women, including spousal rape, and other forms of violence against women, such as incest and sexual aggression. The sentences for conviction of rape range from 10 to 15 years in prison and a fine of 100,000 to 200,000 pesos (\$2,100 to \$4,200).

Rape was a serious and pervasive problem. Despite government efforts, violence against women was pervasive. The Attorney General's Office oversees the specialized Violence Prevention and Attention Unit, which had 19 offices in the country's 32 provinces. The Attorney General's Office instructed its officers not to settle cases of violence against women and to continue judicial processes, even in cases in which victims withdrew charges. District attorneys provided assistance and protection to victims of violence by referring them to appropriate institutions for legal, medical, and psychological counseling.

The Ministry of Women actively promoted equality and the prevention of violence against women through implementing education and awareness programs and the

provision of training to other ministries and offices. It also operated shelters and provided counseling services, though NGOs argued these efforts were inadequate.

Sexual Harassment: Sexual harassment in the workplace is a misdemeanor, and conviction carries a sentence of one year in prison and a fine equal to the sum of three to six months of salary. Union leaders reported that the law was not enforced and that sexual harassment remained a problem.

Coercion in Population Control: There were no reports of coerced abortion, involuntary sterilization, or other coercive population control methods. Estimates on maternal mortality and contraceptive prevalence are available at: [www.who.int/reproductivehealth/publications/monitoring/maternal-mortality-2015/en/](http://www.who.int/reproductivehealth/publications/monitoring/maternal-mortality-2015/en/).

Discrimination: Although the law provides women and men the same legal rights, women did not enjoy social and economic status or opportunity equal to that of men.

## **Children**

Birth Registration: Citizenship comes with birth in the country, except to children born to diplomats, to those who are “in transit,” or to parents who are illegally in the country (see section 2.d.). A child born abroad to a Dominican mother or father may also acquire citizenship. A child not registered at birth remains undocumented until parents file a late declaration of birth.

Education: The constitution stipulates free, compulsory public education through age 18, however, not all children attended. A birth certificate is required to register for high school, which discouraged some children from attending or completing school, particularly children of Haitian descent. Children who lacked documentation also were restricted from attending secondary school (past the eighth grade) and faced problems accessing other public services.

Child Abuse: Abuse of children, including physical, sexual, and psychological abuse, was a serious problem. For additional information, see Appendix C.

The law contains provisions concerning child abuse, including physical and emotional mistreatment, sexual exploitation, and child labor. The law provides for sentences of two to five years’ incarceration and a fine of three to five times the

monthly minimum wage for persons convicted of abuse of a minor. For additional information, see Appendix C.

Early and Forced Marriage: The legal minimum age for marriage with parental consent is 16 for boys and 15 for girls. Marriage, particularly of women, before age 18 was common. According to a 2014 UNICEF survey, 10 percent of girls were married by age 15 and 37 percent by age 18. The government conducted no known prevention or mitigation programs. Girls often married much older men. Child marriage occurred more frequently among girls who were uneducated, poor, and living in rural areas.

Sexual Exploitation of Children: The law defines statutory rape as sexual relations with anyone under age 18. Penalties for conviction of statutory rape are 10 to 20 years in prison and a fine of 100,000 to 200,000 pesos (\$2,100 to \$4,200).

The commercial sexual exploitation of children generally occurred in tourist locations and major urban areas. The government conducted programs to combat the sexual exploitation of minors.

Displaced Children: Large populations of children, primarily Haitians or Dominicans of Haitian descent, lived on the streets and were vulnerable to trafficking. See the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

International Child Abductions: The country is a party to the 1980 Hague Convention on International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at [travel.state.gov/content/childabduction/en/legal/compliance.html](http://travel.state.gov/content/childabduction/en/legal/compliance.html).

## **Anti-Semitism**

The Jewish community comprised approximately 350 persons. There were no reports of anti-Semitic acts.

## **Trafficking in Persons**

See the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

## **Persons with Disabilities**

Although the law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities, these individuals encountered discrimination in employment, education, the judicial system, and in obtaining health care and transportation services. The law provides for access to basic services and physical access for persons with disabilities to all new public and private buildings. It also specifies that each ministry should collaborate with the National Disability Council to implement these provisions. Authorities worked to enforce these provisions, but a gap in implementation persisted. Very few public buildings were fully accessible.

The Dominican Association for Rehabilitation received support from the Secretariat of Public Health and from the Office of the Presidency to provide rehabilitation assistance to persons with physical and learning disabilities as well as to run schools for children with physical and mental disabilities. Lack of accessible public transportation was a major impediment.

The law states that the government should provide for persons with disabilities to have access to the labor market as well as to cultural, recreational, and religious activities, but it was not consistently enforced. There were three government centers for care of children with disabilities--in Santo Domingo, Santiago de los Caballeros, and San Juan de la Maguana. In May 2016 the Ministry of Education reported that 80 percent of registered students with disabilities attended school.

### **National/Racial/Ethnic Minorities**

There was evidence of racial prejudice and discrimination against persons of dark complexion, but the government denied such prejudice or discrimination existed and, consequently, did little to address the problem. Civil society and international organizations reported that officials denied health care and documentation services to persons of Haitian descent.

### **Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity**

The constitution upholds the principles of nondiscrimination and equality before the law, but it does not specifically include sexual orientation or gender identity as protected categories. It does prohibit, however, discrimination on the grounds of “social or personal condition” and mandates that the state “prevent and combat discrimination, marginalization, vulnerability, and exclusion.” The law prohibits

discrimination based on sexual orientation and gender identity only for policies related to youth and youth development.

Discrimination limited the ability of LGBTI individuals to access education, employment, health care, and other services.

NGOs reported police abuse, including arbitrary arrest, police violence, and extortion, against LGBTI persons. According to civil society organizations, authorities failed to properly document or investigate the incidents that were reported. According to a report presented by Dominican civil society before the UN Human Rights Committee, the law does not provide for the prosecution of hate crimes based on sexual orientation or gender identity.

NGOs reported widespread discrimination against LGBTI persons, particularly transgender individuals and lesbians, in such areas as health care, education, justice, and employment. LGBTI individuals often faced intimidation and harassment.

### **HIV and AIDS Social Stigma**

Although the law prohibits the use of HIV testing to screen employees, Human Rights Watch, Amnesty International, and the International Labor Organization (ILO) reported that workers in various industries faced obligatory HIV testing. Workers were sometimes tested without their knowledge or consent. Many workers found to have the disease were not hired, and those employed were either fired from their jobs or denied adequate health care.

### **Other Societal Violence or Discrimination**

On a number of occasions, citizens attacked and sometimes killed alleged criminals in vigilante-style reprisals for theft, robbery, or burglary.

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The law provides for the right of workers, with the exception of military and police, to form and join independent unions, conduct legal strikes, and bargain collectively; however, it places several restrictions on these rights. For example, a requirement considered excessive by the ILO restricts trade union rights by

requiring unions to represent 50 percent plus one of the workers in an enterprise to bargain collectively. In addition the law prohibits strikes until mandatory mediation requirements have been met. Formal requirements for a strike to be legal also include the support of an absolute majority of all company workers for the strike, written notification to the Ministry of Labor, and a 10-day waiting period following notification before proceeding with the strike. Government workers and essential public service personnel may not strike.

The law prohibits antiunion discrimination and forbids employers from dismissing an employee for participating in union activities, including being part of a committee seeking to form a union. Although the law requires the Ministry of Labor to register unions for them to be legal, it provides for automatic recognition of a union if the ministry does not act on an application within 30 days. The law allows unions to conduct their activities without government interference. Public-sector workers may form associations registered through the Office of Public Administration. The law requires that 40 percent of employees of a government entity agree to join a union for it to be formed. According to the Ministry of Labor, the law applies to all workers, including foreign workers, those working as domestic workers, workers without legal documentation, and workers in the free-trade zones (FTZs).

The government and private sector inconsistently enforced laws related to freedom of association and collective bargaining. Labor inspectors did not consistently investigate allegations of violations of freedom of association and collective bargaining rights. Workers in the sugar sector, for example, reported that labor inspectors did not ask them or their supervisors about freedom to associate, right to organize, union membership or activity, or collective bargaining, although workers had separately reported some instances of employers threatening them with firing or loss of housing if they met with coworkers.

Penalties under law for labor practices contrary to freedom of association range from seven to 12 times the minimum wage and may increase by 50 percent if the employer repeats the act. Noncompliance with a collective bargaining agreement is punishable with a fine. Such fines were insufficient to deter employers from violating worker rights and were rarely enforced. In addition the process for dealing with disputes through labor courts was often long, with cases pending for several years. NGOs and labor federations reported companies took advantage of the slow and ineffective legal system to appeal cases, which left workers without labor rights protection in the interim.

There were reports of intimidation, threats, and blackmail by employers to prevent union activity. Some unions required members to provide legal documentation to participate in the union, despite the fact that the labor code protects all workers within the territory regardless of their legal status. Twenty-eight Dominican air traffic controllers claimed they were fired in 2014 for engaging in union activity and filed a lawsuit. A lower court decision ordering the reinstatement of the controllers was overturned on appeal, and in October 2016, 17 of the 28 who were fired reached a settlement. The others continued to pursue their case in national and international courts.

Labor NGOs reported the majority of companies resisted collective negotiating practices and union activities. Companies reportedly fired workers for union activity and blacklisted trade unionists, among other antiunion practices. Workers frequently had to sign documents pledging to abstain from participating in union activities. Companies also created and supported “yellow” or company-backed unions to counter free and democratic unions. Formal strikes occurred but were not common.

Companies used short-term contracts and subcontracting, which made union organizing and collective bargaining more difficult. Few companies had collective bargaining pacts, partly because companies created obstacles to union formation and could afford to go through lengthy judicial processes that nascent unions could not afford.

Unions in the FTZs, who are subject to the same labor laws as all other workers, reported that their members hesitated to discuss union activity at work due to fear of losing their jobs. Unions accused some FTZ companies of discharging workers who attempted to organize unions.

The law applies equally to migrant workers, but NGOs reported that many irregular Haitian laborers and Dominicans of Haitian descent in construction and agricultural industries, including sugar, did not exercise their rights due to fear of being fired or deported. The Ministry of Labor reported that during the first half of 2014 there were 237,843 Haitians living in the country, of whom 157,562 were working in the formal and informal sectors of the economy. Multiple labor unions represented Haitians working in the formal sector; however, these unions were not influential.

## **b. Prohibition of Forced or Compulsory Labor**

The law prohibits all forms of forced or compulsory labor. The law prescribes imprisonment with fines for persons convicted of forced labor. Such penalties were sufficiently stringent to deter abuses.

The government reported it received no forced labor complaints during the year. Nonetheless, there were credible reports of forced labor of adults in the service, construction, and agricultural sectors as well as reports of forced labor of children (see section 7.c.). For example, workers and unions reported instances of forced overtime, induced indebtedness, deception, false promises about terms of work, and withholding and nonpayment of wages in the construction and agricultural sectors, including sugar.

Haitian workers' lack of documentation and legal status in the country made them vulnerable to forced labor. Although specific data on the problem were limited, Haitian nationals reportedly experienced forced labor in the service, construction, and agricultural sectors. Many of the 240,000 mostly Haitian irregular migrants who received temporary (one- or two-year) residency through the *Regularization Plan for Foreigners* worked in these sectors. In 2015 and 2016, the government created the regulatory framework to include documented migrants in the national social security network, including disability, health-care, and retirement benefits. As of November the government had enrolled 14,013 migrants in the social security network; more than 90 percent had registered under the regularization plan.

Also see the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

### **c. Prohibition of Child Labor and Minimum Age for Employment**

The law prohibits employment of children under the age 14 and places restrictions on the employment of children under 16, limiting their working hours to six hours per day. For persons under 18, the law limits night work and prohibits employment in dangerous work, such as work involving hazardous substances, heavy or dangerous machinery, and carrying heavy loads. The law also prohibits minors from selling alcohol, certain work in the hotel industry, handling cadavers, and various tasks involved in the production of sugarcane, such as planting, cutting, carrying, and lifting sugarcane, or handling the bagasse. Firms employing underage children are subject to fines and legal sanctions.

The Ministry of Labor, in coordination with the National Council for Children and Adolescents, is responsible for enforcing child labor laws. While the ministry and the council generally effectively enforced regulations in the formal sector, child labor in the informal sector was a problem. The law provides penalties for child labor violations, including fines and prison sentences.

A National Steering Committee against Child Labor plan to eliminate the worst forms of child labor established objectives, identified priorities, and assigned responsibilities to combat exploitative child labor. Several government programs focused on preventing child labor in coffee, tomato, and rice production; street vending; domestic labor; and commercial sexual exploitation.

The government continued to implement a project with the ILO to remove 100,000 children and adolescents from exploitative labor as part of its Roadmap Towards the Elimination of Child Labor. The roadmap aimed to eliminate the worst forms of child labor in the country and all other types of child labor by 2020.

Nevertheless, child labor was a problem. A 2014 health survey published by the National Statistics Office revealed that 12.8 percent of children between ages five and 17 performed some sort of illegal labor.

Child labor occurred primarily in the informal economy, small businesses, private households, and the agricultural sector. In particular there were reports children worked in the production of garlic, potatoes, coffee, sugarcane, tomatoes, and rice. Children often accompanied their parents to work in agricultural fields. NGOs also reported many children worked in the service sector in a number of jobs, including as domestic servants, street vendors and beggars, shoe shiners, and car window washers. The commercial sexual exploitation of children remained a problem, especially in popular tourist destinations and urban areas (see section 6, Children).

Many children who worked as domestic servants were victims of forced labor. There were credible reports that poor Haitian families arranged for Dominican families to “adopt” their children. In some cases adoptive parents reportedly did not treat the children as full family members, expecting them to work in the household or family businesses rather than attend school, which resulted in a kind of indentured servitude for children and adolescents. There were also reports of forced labor of children in street vending and begging, agriculture, construction, and moving of illicit narcotics.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at [www.dol.gov/ilab/reports/child-labor/findings](http://www.dol.gov/ilab/reports/child-labor/findings).

#### **d. Discrimination with Respect to Employment and Occupation**

The law prohibits discrimination, exclusion, or preference in employment, but there is no law against discrimination in employment based on sexual orientation.

The government did not effectively enforce the laws against discrimination in employment. Discrimination in employment and occupation occurred with respect to LGBTI persons, especially transgender persons; against HIV/AIDS-positive persons; and against persons with disabilities, persons of darker skin color, and women (see section 6). For example, the ILO noted its concern regarding sexual harassment in the workplace and urged the government to take specific steps to address existing social and cultural stereotypes contributing to discrimination. Discrimination against Haitian migrant workers and Dominicans of Haitian descent occurred across sectors. Haitians earned, on average, 60 percent of the amount a Dominican worker received in wages. Many Haitian irregular migrants did not have full access to benefits, including social security and health care (see sections 7.b. and 7.e.).

#### **e. Acceptable Conditions of Work**

There were 14 different minimum wages, depending on the industry. The minimum wage for workers in FTZs was 8,310 pesos (\$183) per month. The minimum wage for workers outside the zones ranged from 9,412 pesos (\$197) to 15,448 pesos (\$324) per month. The minimum wage for the public sector was 5,884 pesos (\$130) per month. The daily minimum wage for agricultural workers was 320 pesos (\$6.70) based on a 10-hour day, with the exception of sugarcane field workers, who received a lower wage based on an eight-hour workday. Minimum wage provisions cover all workers, including migrants and those in the informal sector. The Central Bank calculated that, due to inflation, the minimum wage had not increased in real terms since 1979.

In 2016 the Ministry of Economy, Planning, and Development calculated the official poverty line at 4,644 pesos (\$97) per household per month. The ministry estimated that 30.5 percent of the population, approximately 3.2 million persons, were living in poverty. In 2015 the Juan Bosch Foundation released a study that reported 63 percent of workers did not receive an income sufficient to pay for the lowest-cost family budget, and only 3.4 percent received a salary adequate to

provide for a family of four. The report stated that 80 percent of workers earned less than 20,000 pesos (\$454) per month.

The law establishes a standard workweek of 44 hours. While agricultural workers are exempt from this limit, in no case may the workday exceed 10 hours. The law stipulates all workers be entitled to 36 hours of uninterrupted rest each week. Although the law provides for paid annual holidays and premium pay for overtime, enforcement was ineffective. The law prohibits excessive or compulsory overtime and states that employees may work a maximum of 80 hours of overtime during three months. The labor code covers domestic workers but does not provide for notice or severance payments. Domestic workers are entitled to two weeks' paid vacation after one year of continuous work as well as a Christmas bonus equal to one month's wage. The labor code also covers workers in the FTZs, but they are not entitled to bonus payments.

The law applied to the informal sector, but it was seldom enforced. According to an ILO report published in 2014, informal employment as a portion of nonagricultural employment grew from 50 percent in 2011 to 51.5 percent in 2012. In 2013 the Central Bank calculated that 58 percent of employment was informal and theorized the high rate stemmed from a low minimum wage and workforce elasticity in the availability of cheap migrant labor. The Economic Commission for Latin America and the Caribbean reported that in 2014, 48 percent of workers worked in the informal sector, with men more likely to work informal jobs than women. Workers in the informal economy faced more precarious working conditions than formal workers.

The Ministry of Labor sets workplace safety and health regulations. By regulation employers are obligated to provide for the safety and health of employees in all aspects related to the job. By law employees may remove themselves from situations that endanger health or safety without jeopardy to their employment, but they could not do so without reprisal.

Authorities did not always enforce minimum wage, hours of work, and workplace health and safety standards. Penalties for these violations range between three and six times the minimum wage. Both the Social Security Institute and the Ministry of Labor had a small corps of inspectors charged with enforcing labor standards, but it was insufficient to deter violations.

Workers complained that labor inspectors lacked training, often did not respond to their complaints, and responded to requests from employers more quickly than

requests from workers. For example, in the sugar sector there continued to be reports of procedural and methodological shortcomings in the ministry's inspections. These included: Interviewing few or no workers; failing to discuss topics related to legal compliance with workers; interviewing workers with employer representatives present; employing inspectors lacking language skills (particularly Creole) to effectively communicate with all workers; failing to follow up on allegations of violations made by workers during the inspection process; and failing to conduct follow-up inspections to verify remediation of violations.

Mandatory overtime was a common practice in factories, enforced through loss of pay or employment for those who refused. The Dominican Federation of Free Trade Zone Workers reported that some companies set up "four-by-four" work schedules, under which employees worked 12-hour shifts for four days. In some cases employees working the four-by-four schedules were not paid overtime for hours worked in excess of maximum work hours allowed under labor laws. Some companies paid biweekly salaries every eight days with the four-by-four schedules instead of weekly salaries with a standard 44-hour schedule every seven days. These practices resulted in underpayment of wages for workers, as they were not compensated for the extra hours worked.

Conditions for agricultural workers were poor. Many workers worked long hours, often 12 hours per day and seven days per week, and suffered from hazardous working conditions, including exposure to pesticides, long periods in the sun, limited access to potable water, and sharp and heavy tools. Some workers reported they were not paid the legally mandated minimum wage.

Companies did not regularly adhere to workplace safety and health regulations. For example, the National Confederation of Trade Unions Unity reported unsafe and inadequate health and safety conditions, including lack of appropriate work attire and safety gear; vehicles without airbags, first aid kits, properly functioning windows, or air conditioning; inadequate ventilation in workspaces; an insufficient number of bathrooms; and unsafe eating areas.

Accidents caused injury and death to workers, but information on the number of accidents was unavailable by year's end.