

DOMINICAN REPUBLIC

CERD A/45/18 (1990)

230. The initial report and the second and third periodic reports of the Dominican Republic contained in a single document (CERD/C/165/Add.1) were considered by the Committee at its 876th meeting, held on 15 August 1990 (CERD/C/SR.876).

231. The report was introduced by the representative of the State party, who said that although she was unable to take an active part in the work of the Committee, she would communicate to her Government the substance of the discussion and the questions asked by members.

232. In general, the members of the Committee expressed regret at the brief nature of the report and the lack of specific information on implementation of the provisions of the Convention in the Dominican Republic. They expressed a desire for clarification concerning the statement in the report that no racial discrimination existed in that country and, in particular, concerning the implementation of the provisions of article 2 of the Convention. In that connection, reference was made to the case of the Haitian workers employed on the sugar-cane plantations; explanations were sought about the particularly arduous working conditions to which they seemed to be subjected. Further information was also requested concerning the demographic composition of the country and, in that connection, it was asked why the report had introduced a distinction between black African and persons of other origins.

233. Members welcomed the unequivocal position adopted by the Dominican Republic vis-à-vis South Africa.

234. Detailed information was requested on the implementation of article 5 of the Convention and, in particular, on the level of education of minority children; on any relations maintained between those minorities and the country from which they originated; on the living conditions of the ethnic minorities; and on the conditions that must be fulfilled in order to be able to exercise the right to vote as provided for in article 13 of the Constitution.

235. In conclusion, members expressed the hope that the next periodic report of the Dominican Republic would contain the necessary information and clarification.

CERD A/52/18 (1997)

60. At its 1189th meeting, held on 5 March 1997 (see CERD/C/SR.1189), the Committee reviewed the implementation of the Convention by the Dominican Republic based upon its previous report (CERD/C/165/Add.1) and its consideration by the Committee (see CERD/C/SR.876). The Committee noted with regret that no report had been submitted to the Committee since 1988.

61. The Committee regretted that the Dominican Republic had not responded to its invitation to participate in the meeting and to furnish relevant information. The Committee decided that a communication should be sent to the Government of the Dominican Republic setting out its reporting obligations under the Convention and urging that the dialogue with the Committee should be resumed as soon as possible.

62. The Committee suggested that the Government of the Dominican Republic avail itself of the technical assistance offered under the advisory services and technical assistance programme of the United Nations High Commissioner for Human Rights/Centre for Human Rights, with the aim of drawing up and submitting as soon as possible an updated report drafted in accordance with the reporting guidelines.

CERD A/54/18 (1999)

504. The Committee considered the fourth to eighth periodic reports of the Dominican Republic (CERD/C/331/Add.1) at its 1364th and 1365th meetings (see CERD/C/SR.1364 and 1365), on 23 and 24 August 1999, and adopted, at its 1369th meeting (see CERD/C/SR.1369), on 26 August 1999, the following concluding observations.

A. Introduction

505. The Committee takes note of the submission by the Dominican Republic of its long overdue report. It expresses its satisfaction over the resumption of the dialogue with the State party and the willingness expressed by the delegation to comply with its reporting obligations under the Convention. It also welcomes the supplementary information provided by the State party in writing as well as during the oral presentation. The Committee regrets, however, that the report did not follow the Committee's reporting guidelines and lacked important information about the implementation of the Convention. The Committee also regrets that the State party has not yet submitted a core document.

B. Positive aspects

506. The Committee takes note of the information provided by the State party on the ethnic composition of the population and on domestic legislation governing the acquisition of nationality and education programmes intended to combat racial prejudices, although this information was not complete.

507. The Committee takes note of the recent acceptance by the State party of the jurisdiction of the Inter-American Court of Human Rights, as well as the decision of the Supreme Court that regulates the procedure for the exercise of the right of protection in cases of violation of fundamental rights by public authorities.

C. Principal subjects of concern

508. Concern is expressed at statements contained in the periodic report that no racial prejudice exists in the Dominican Republic and that the State party never perceived any need to condemn racial discrimination within the meaning of article 2 of the Convention, as no country can claim the total absence of racial discrimination in its territory or be confident that it will not appear in the future.

509. Concern is also expressed about the situation of the large number of Haitians living in the country, the majority of them illegally, in view of information that they, and in particular women and children, are often unable to enjoy the most basic economic and social rights, such as housing, education and health services.

510. The Committee is also concerned at reports that racial prejudices exist not only against Haitians but also against the darker-skinned Dominicans.

511. The inadequacy of the present legislation, including the Penal Code, to enable the State party fully to discharge its obligations under article 4 of the Convention is a further matter of concern.

D. Suggestions and recommendations

512. The Committee recommends the State party to take the necessary steps to meet the requirements of articles 2 and 5 of the Convention.

513. The Committee recommends that in the current process of reform of the Penal Code the provisions of article 4 of the Convention be taken into consideration.

514. The Committee recommends that the State party take urgent measures to ensure the enjoyment by persons of Haitian origin of their economic, social and cultural rights without discrimination. Efforts should be made, in particular, to improve their living conditions in the *bateyes* (shanty towns).

515. The Committee recommends that the State party address the requirements of article 6 of the Convention by facilitating access to the courts and other competent institutions for victims of racial discrimination and ensuring that the perpetrators of racist acts are brought to trial and the victims obtain adequate reparation or satisfaction.

516. The Committee recommends that the State party take all appropriate measures to give effect to the provisions of article 7 of the Convention, with a view to combatting racial prejudices in society and promoting understanding and tolerance among individuals and groups with different characteristics in terms of race, colour, descent or national or ethnic origin.

517. Measures should be taken to ensure that law enforcement officials receive appropriate training in matters pertaining to the Convention. The Committee recalls in this respect its general recommendation XIII.

518. The Committee requests that the State party include, in its next periodic report, information about the implications of the proposed social security scheme for the prevention of racial discrimination. It also requests information about the reform of the Penal Code currently under way, in particular with respect to matters pertaining to the Convention.

519. The State party should take all appropriate steps to acquaint the population with the Convention and to publish the periodic reports as well as the Committee's concluding observations.

520. The Committee recommends that the State party ratify the amendments to article 8, paragraph 6, of the Convention, adopted on 15 January 1992 at the fourteenth meeting of States parties.

521. It is noted that the State party has not made the declaration provided for in article 14 of the Convention, and some members of the Committee request that the possibility of making the declaration be considered.

522. The Committee recommends that the State party's next periodic report, due on 24 June 2000,

be a comprehensive one, follow the reporting guidelines and take account of the points raised in these concluding observations.