



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

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**Committee on the Elimination of Discrimination  
against Women**

**Consideration of reports submitted by States parties under  
article 18 of the Convention on the Elimination of All Forms  
of Discrimination against Women**

**Combined sixth and seventh periodic reports of States parties**

**Dominican Republic\***

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



## Contents

	<i>Paragraphs</i>	<i>Page</i>
I. Foreword .....	1–7	3
II. Introduction .....	8–51	3
III. Implementation of the articles of the Convention .....	52–246	10
A. Article 1. Conventions, treaties and agreements signed and ratified by the State to support the elimination of discrimination and to promote equality..	52–57	10
B. Article 2. Policy measures to eliminate discrimination against women .....	58–80	11
C. Article 3. Guarantee of human rights and fundamental freedoms .....	81–99	15
D. Article 4. Special measures .....	100–105	18
E. Article 5. Modification of social and cultural patterns .....	106–112	20
F. Article 6. Measures by States parties to suppress all forms of traffic in women and exploitation of prostitution of women .....	113–125	22
G. Article 7. Equality in political and public life .....	126–135	24
H. Article 8. Equality in political and public life at the international level .....	136–139	25
I. Article 9. Equal rights with respect to nationality .....	140	26
J. Article 10. Equal rights in education .....	141–159	26
K. Article 11. Equality in employment and work .....	160–176	30
L. Article 12. Equality of access to health care .....	177–199	32
M. Article 13. Equal rights with respect to economic and social security .....	200–217	35
N. Article 14. Rural women .....	218–230	38
O. Article 15. Legal and civil equality .....	231	40
P. Article 16. Equality with respect to marriage and the family .....	232–234	40
Q. Article 17. Violence against women (General Recommendation No. 19 of the Committee) .....	235–246	41

## I. Foreword

1. The Dominican State signed and ratified the Convention on the Elimination of All Forms of Discrimination against Women in 1982. It ratified the Optional Protocol thereto, which entered into force in June 2002, and has submitted five reports so far; the present report represents the combined sixth and seventh reports, covering the periods 2003-2007 and 2007-2011.

2. The Ministry of Women monitors compliance with the Dominican State's international commitments with respect to the rights of women, and it is therefore responsible for preparing the present periodic report.

3. This report covers the progress made in the Dominican Republic and the actions, programmes and policies undertaken and implemented by the relevant Dominican stakeholders in the executive, legislative and judicial branches of government at the national, provincial and municipal levels in order to promote equality between men and women and eliminate gender-based discrimination.

4. This report makes reference to the reports previously submitted to the Committee on the Elimination of Discrimination against Women, the follow-up to regional and subregional commitments, and the Committee's guidelines.

5. Documents on the national and local legal and regulatory framework for the advancement of women, reports on the progress of policies and plans, together with programmes, surveys, research, official data and evaluations related to the topics identified in the Convention, have also been reviewed.

6. Many official and civil society sources were consulted, and they have made significant contributions to the objectivity and value of the information, in both qualitative and quantitative terms.

7. Other relevant stakeholders are the National Statistics Office (ONE), which is the body responsible for the national statistical system; the Central Bank, which conducts periodical surveys on the behaviour of employment and the economy in general; the sectoral offices of the central Government; municipal governments; the organs of the judiciary; and the National Congress.

## II. Introduction

8. The Dominican Republic shares the island of Hispaniola, the second largest island in the Greater Antilles archipelago, with the Republic of Haiti. The total area of the island is 77,914 km<sup>2</sup>, of which the Dominican Republic occupies 48,670 km<sup>2</sup> and Haiti 29,244 km<sup>2</sup>. Also annexed to its territory are the islands of Saona and Beata. Its coastline is 1,500 km long. Its geographical coordinates are 68° 30' West longitude and 18° 20' North latitude. It also has natural boundaries: the Atlantic Ocean to the north; the Caribbean Sea to the south; the Mona Passage to the east; and the Republic of Haiti to the west.

9. The Government of the Dominican Republic is essentially civil, republican, democratic and representative, and is separated into three branches — the legislature, the executive branch and the judiciary. The Dominican Republic is a social democratic State under the rule of law, organized as a unitary Republic and

based on respect for human dignity, fundamental rights, work, popular sovereignty and the separation and independence of government powers.

10. The executive authority is exercised on behalf of the people by the President of the Republic in his or her capacity as Head of State and Government, in accordance with the provisions of the Constitution. The President is elected every four years by direct vote.

11. The legislative authority is exercised by the National Congress, composed of the Senate of the Republic and the Chamber of Deputies. Its members are elected by direct universal suffrage every four years, with the exception of the period 2010-2016, which was extended in order to combine the presidential, congressional and municipal elections so that they could be held in the same year.

12. The Senate is composed of 32 senators, one for each province and the National District. The Chamber of Deputies is made up of one representative for each 50,000 inhabitants or fraction of 25,000. Currently, there are 178 deputies, corresponding to the different provinces and election districts, and five national deputies.

13. Judicial authority rests with the Supreme Court of Justice (SCJ), the highest judicial body, and the other courts established by the Constitution and laws of the Republic. The SCJ is composed of a minimum of 16 judges. The judicial system includes the courts of appeal, the courts of first instance, the Magistrate's Court, administrative courts, specialized courts and the Office of the Public Prosecutor. The last-mentioned is the judicial body responsible for formulating and implementing policy governing the investigation, prosecution and punishment of criminal behaviour.

14. Demographic trends in the Dominican Republic have changed significantly in the past 50 years. The population was estimated at about 9.8 million in 2010 and is expected to reach 10.4 million by 2015 and approximately 12 million by 2030.<sup>1</sup> The population growth rate will tend to decrease over time, so that although the rate was rising at more than 3 per cent annually in past decades, the annual rate for the coming period is estimated at only 1.6 per cent.

15. The country is going through a demographic transition, which is gradually modifying the distribution of the population by age, area and gender. It is estimated that nearly 38 per cent of the current population is under 18 years of age, but this percentage is expected to fall to 30 per cent by 2030. Meanwhile, the proportion of persons over 64 years of age, who now represent 6 per cent of the total population, will rise to about 10 per cent. In other words, in the next two decades, the percentage of economically dependent persons will decline, while that of the working age population will rise.

16. According to these projections, in 2010 the population is estimated to be composed of 49.9 per cent men and 51.1 per cent women. This implies that the percentage distribution of the population by gender has gradually narrowed: the slight edge for males has been eliminated, with females representing a slight majority by 2010. Other figures show that 65 per cent of women and 66 per cent of men now live in urban areas.

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<sup>1</sup> *Source:* ONE, Dominican Republic and Economic Commission for Latin America and the Caribbean (ECLAC), 2008.

17. This transitional process in the Dominican population is being influenced by the gradual decline in the total fertility rate, which fell from 3.3 per cent in 1991 to 2.4 per cent in 2007. Infant mortality has also decreased, from 75.2 per 1,000 in the period 1980-1985 to 29.6 per 1,000 for the period 2005-2010. The total mortality rate was 3.0 per 1,000 for men and 2.0 per 1,000 for women in 2007, according to the Demographic and Health Survey.

18. It is interesting to note the evolution of other socio-demographic variables, such as being head of household, which used to be basically a male function but now incorporates a significant proportion of females. In 2007, 60 per cent of households were headed by men, as compared to 40 per cent headed by women, according to the 2007 National Household Survey.

19. Female heads of household are more common in urban areas (74 per cent) than in rural areas (26 per cent). Most male heads of household are married or living with a partner (79 per cent).

20. As for the economy, it is well known that for the past four decades the Dominican Republic has seen relatively high growth rates in the Latin American context. Concretely speaking, in the period 1961-2007 the Dominican economy expanded at an annual average rate of 5.3 per cent, while Latin America and the Caribbean as a whole grew at an average rate of 3.8 per cent. As a result, the country's per capita income in 2007 was about 10 times higher than in 1970 and, in terms of per capita income, the Dominican Republic was no longer the third poorest country in Latin America, but rather had attained an intermediate position.<sup>2</sup> The Dominican economy maintained this growth rate, reaching an increase in the gross domestic product of 7.8 per cent in 2010.

21. The growth of the Dominican economy, however, has not reached the same levels that are common in other regions, where long periods of sustained growth are interrupted by relatively short periods of fluctuation between expansion and contraction. The growth periods have had a perceptible impact on poverty reduction. For example, the sustained expansion in the period 2005-2008 helped more than 1.5 million Dominican men and women rise out of poverty.<sup>3</sup> It should also be noted, however, that the sensitivity of poverty to growth is relatively low, whereas it shows a high sensitivity to recessions.

22. Thus, the Dominican Republic is facing the challenge, on the one hand, of growing sustainably for a prolonged period and, on the other hand, of replacing the income distribution pyramid with a redistribution of wealth that will help close social gaps and overcome poverty, as set out in the National Development Strategy 2010-2030.

23. As for the environmental situation, the Dominican Republic has seen considerable advances in some areas, while in others it has met with great difficulties and challenges. The country has managed to slow down deforestation. It currently has institutional and legal frameworks that are more favourable to the adoption of environmental protection policies. By 2003, the country's forest cover had risen to 33 per cent of the national territory, or nearly three times the 12 per cent

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<sup>2</sup> Korea Development Institute, 2009; World Bank on Growth, Policy Brief.

<sup>3</sup> *Source:* Central Bank of the Dominican Republic.

forest area in 1967. The expansion of protected areas has been significant and has contributed to the conservation of biodiversity.

24. The Dominican Republic has had a low incidence of greenhouse gases. The main source of emission of these gases is the burning of fossil fuels to provide energy, as well as the production of electricity and transport and agricultural activities. These emissions are partially offset by carbon capture by Dominican forests, given the advances in reforestation and tighter control, for the most part, of the causes of deforestation.

25. Because of the Dominican Republic's insularity, a high percentage of its flora is endemic, as are most of its reptiles and amphibians. Although some progress has been made, estimates indicate that more than 10 per cent of the country's flora and 33 per cent of its vertebrates are endangered or threatened with extinction.

26. The problems associated with the use of water and coastal-marine resources, together with problems stemming from air pollution and solid waste disposal, are the most serious environmental challenge facing the country. The data show that the rate of use of water resources is higher than the rate of water renewal, and this suggests the importance of developing alternative sources of water and implementing policies to encourage its efficient use and promote the sustainability and conservation of sufficient water flows for aquatic ecosystems.

27. The environmental challenge is one of the four strategic pillars of the National Development Strategy 2010-2030, "Sustainable management of natural resources and the environment, and appropriate adaptation to climate change", taking a comprehensive approach that combines environmental concerns with economic and social processes.

28. With regard to education, the country is experiencing a steady upward trend in coverage at the various educational levels, although it remains low at some levels. Specifically, net Dominican coverage, at the primary education level, is about 92 per cent, which is relatively high; at the secondary level, however, the net coverage is 49 per cent, or relatively low in comparison with the average in Latin America and the Caribbean.

29. As for school attendance, in 2009 the Dominican population aged 15 or older averaged about 8.2 years of schooling, with a higher average level in urban areas (approximately 9 years) than in rural areas (slightly less than 7 years). These levels of schooling are relatively similar to the Latin American average. It is noteworthy that the country nearly doubled the number of years of schooling in the past decade. Women attended slightly more years of school on average (8.5 years) compared to 8 years for men.

30. Upon reaching age 18, a young Dominican man will have been enrolled in school for an average of 11.8 years, a figure which is surpassed in Latin America only by Chile and Argentina (12.1 years).

31. Moreover, the illiteracy rate has significantly declined over the past four decades, falling from 35 per cent in 1960, for the population aged 15 or older, to 27 per cent in 1981 and about 10 per cent in 2008.

32. The biggest challenges in the education sector have to do with efficiency and quality. In relation to efficiency, the Dominican education system is making efforts, in the framework of the Ten-Year Education Plan 2008-2018, to reduce repetition

and drop-out rates in primary and secondary education. This situation is improving. In 2007, the drop-out rate was 2.8 per cent in the last year of secondary education and 10 per cent in the first year of primary school. As for the quality of education, the Ten-Year Plan seeks to overcome deficiencies in the Spanish language and mathematics curricula.

33. As for gender equity, in the past two decades the differential access to education between males and females, as well as between urban and rural dwellers, has been reduced. Similarly, the gap in access between pupils from poor households and those from non-poor households has narrowed. This is good news. However, significant differences persist by area of residence and by gender in some indicators, such as illiteracy rate, enrolment and promotion at the secondary level.

34. Current and future policies in pre-university education are aimed at expanding coverage (especially at the primary and middle levels), promoting deep-seated changes in the curriculum to enhance its quality and relevance, improving the living conditions of teachers and, at the same time, their levels of competence and achievement, and strengthening the capacities of official policy-making bodies to set standards. The National Development Strategy 2010-2030 also projects a sustainable and systematic increase in investment in education to 5 per cent of GDP in 2020 and 7 per cent in 2030.

35. As for higher education, there has been an explosive increase in university enrolment in the past two decades. Although this is a common trend in the Latin American context, the rate of expansion of higher education in the Dominican Republic has exceeded regional averages. In this case, the chief constraints have been the lack of flexibility in implementing changes in the curricula in line with modern developments in science and technology, and the failure to train human resources in order to achieve equality of education and overcome gender-based exclusion.

36. On another front, the country has made progress during the past few decades in improving life expectancy at birth, reducing infant mortality and providing health services. Beginning in 2005, with the implementation at the national level of Acts 42-01 and 87-01, which regulate the new social security system, health insurance coverage has increased, through the contributory and subsidized social security schemes, while the country has been making progress in the development of the new public health-care model, based on primary care. The percentage of membership in some type of health insurance plan has risen from 21.1 per cent in 2002 to 39.8 per cent in 2009.

37. However, many challenges still need to be overcome in the area of health. One of the main ones is to improve quality in the provision of services. Another is to overcome the regressive financial mechanisms of the system, which entail heavy expenditures by households.

38. The country is focusing most of its efforts on increasing the allocation of government resources to finance health services in the poorest population groups; at the same time, it seeks to ensure quality in the provision of health services and an efficient use of resources. It is also endeavouring to guarantee the provision of a relevant and sustainable package of health services for the lowest-income population and to strengthen mechanisms for monitoring results and further decentralizing public health networks. Moreover, efforts are being made to expand

the coverage of health and other types of insurance, develop criteria for allocating government resources on the basis of results, improve information systems, ensure the development of practices and areas of social participation, improve the health-care model and increase the capacity for prevention by further developing the first level of primary care. These goals of the Ten-Year Health Plan 2007-2017 are replicated and projected in the National Development Strategy 2010-2030.

39. With respect to decent jobs, the country is showing a rising trend in the labour participation rate (that is, the percentage of working age persons who are employed), which is particularly notable among women. A number of factors are responsible for this continued integration of women into the labour market, including economic growth, changes in the demographic structure (significant decline in the fertility rate), and an increase in female school enrolment.

40. One reason that the country's economic growth is not equally reflected in the incorporation of the economically active population into the labour market is the high rate of immigration from Haiti. This has been largely motivated by the wage differential between the two countries. The many Haitians who have joined the labour market in the Dominican Republic have had a negative impact on job opportunities for Dominican men and women.

41. Moreover, the capacity for job creation has been affected by changes in the sectoral structure of the economy, where the tourism, communication and financial sectors now predominate. In general, with respect to the productive structure some decades ago, the recent growth shows a certain bias which has weakened job creation, given that the leading sectors have a lower demand for labour per production unit. This is combined with a rise in the labour participation rates, especially those of women and young people, which increases the labour supply; therefore, the expansion of the participation rate coexists with relatively high unemployment, and the greater impact is felt by economically active women and young people.

42. Thus, the National Development Strategy 2010-2030 states that "economic policies in general, and productive development policies in particular, should be oriented towards the promotion of linkages between the various productive sectors, in order to avoid overlaps in the production apparatus, with the primary goal of creating decent jobs — defined as productive work, adequately remunerated and performed in conditions of freedom, equality, security and human dignity [...]".

43. In order to stimulate growth with high rates of job creation, the Strategy establishes the following objectives: to encourage higher levels of investment, both national and foreign, in activities resulting in high added value and decent job creation; to consolidate job training and continuing education to bring them into line with the production apparatus in the process of upgrading value, helping people find jobs and developing entrepreneurial skills; and to enhance the efficiency, investment capacity and productivity of small and medium-sized enterprises.

44. With regard to institutions, in recent decades the Dominican Republic has developed a reform agenda with a view to modernizing the State in accordance with the democratic changes taking place in the country and in Latin America. Accordingly, the following were established: the Commission on State Reform and Modernization (currently the National Council on State Reform), the Office of the Commissioner for the Support of the Reform and Modernization of the Judiciary,



the Executive Commission for the Reform of the Health Sector and the Commission for the Reform of Public Enterprises, together with other bodies of a similar nature.

45. Likewise, this process includes the adoption of a broad series of laws, such as the Planning and Public Investment Act, the Organic Act on the Budget, the Procurement and Contract Act, the Act on Free Access to Public Information, the National Accounting Act, the Act concerning the Office of the Comptroller General, the National Treasury Act and the Public Credit Act, among others. Other noteworthy institutional advances include the Civil Service Act, which created the Office of the Secretary of State for Public Administration, and the laws establishing the Office of the Secretary of State for the Economy, Planning and Development and the Office of the Secretary of State for Finance, together with the act creating the Secretariat for Women. Secretariats were also created for youth and natural resources and the environment. The State Secretariats are called Ministries in the new Constitution.

46. These reforms are an attempt to enhance transparency and accountability in the management of public resources, to strengthen institutional checks and balances and improve the allocation and management of expenditures. All these laws provide a broad legal framework. In order to strengthen the implementation of this framework and overcome the difficulties and shortcomings still present in the national institutional apparatus, the National Development Strategy 2010-2030 seeks to achieve “a State with efficient and transparent institutions, at the service of a responsible and participatory citizenry, which guarantees security and promotes development and peaceful coexistence” towards which it establishes the following objectives:

(a) To build an efficient public administration system, which will act ethically and transparently and focus on obtaining results, while serving the citizenship and national development;

(b) To ensure the enforcement of law and non-impunity through a flexible, accessible and efficient judicial system;

(c) To promote a climate of public safety based on combating the causes of crime and conflict and ensuring a national, professionalized, efficient and effective police force at the service of the citizenry;

(d) To consolidate participatory democracy and the exercise of civic rights and responsibilities;

(e) To strengthen the electoral system;

(f) To ensure the defence of national interests by strengthening the National Security System;

(g) To consolidate international relations as instruments for the promotion of national development and sustainable global development and a just international order consistent with democratic principles.

47. The Strategy as a planning tool takes as its reference point the agenda of institutional reforms already in place, such as the new Constitution of the Republic, promulgated on 26 January 2010, the law creating the National Planning and Public Investment System and the new Organic Budget Act. Other benchmarks include the national plans of the various sectors, such as the National Plan for Systemic

Competitiveness 2007-2017; the National Education Plan 2008-2018; the National Health Plan 2006-2016; the Strategic Plan for Science and Technology 2008-2018; and the National Gender Equality and Equity Plan 2007-2017 and others of equal importance.

48. The Strategy is built on the following four strategic pillars and four cross-cutting priorities:

(a) Pillar 1: a State with efficient, transparent institutions, at the service of a responsible and participatory citizenship, which provides security and promotes development and peaceful coexistence;

(b) Pillar 2: a cohesive society, with equality of opportunity and low levels of poverty and inequality;

(c) Pillar 3: a well organized, innovative and sustainable economy, which has a productive structure that generates high, sustained growth and decent jobs and is incorporated competitively into the global economy;

(d) Pillar 4: sustainable management of the environment and appropriate management of climate change.

49. In strategic terms, it contains four basic cross-cutting priorities:

(a) Gender equity;

(b) Environmental sustainability and adaptation to climate change;

(c) Democratic governance;

(d) The information society.

50. The building of a culture of gender equality and equity in the Dominican Republic is defined in the National Development Strategy as one of the high-priority strategic objectives for attaining the human development goals by 2030.

51. For the Ministry of Women, for women in general and for the Dominican people, it is highly relevant that, beginning with the design of the Strategy, the focus has been placed not only on a gender-based approach as a cross-cutting priority but also on the effort to integrate into the diagnostic assessments and various areas of work the perspectives, rights and needs of women. The Strategy also focuses on an objective image of women as being involved in building a society based on gender equality and equity.

### **III. Implementation of the articles of the Convention**

#### **A. Article 1. Conventions, treaties and agreements signed and ratified by the State to support the elimination of discrimination and to promote equality**

52. The Dominican State supports the definition of discrimination against women established in the Convention on the Elimination of All Forms of Discrimination against Women. Consequently, article 39 of the Constitution of the Republic establishes the principle of non-discrimination.

53. The Constitution expresses this principle as the right of all persons to be born free and equal before the law, to receive the same protection and treatment from institutions, authorities and other persons and to enjoy the same rights, freedoms and opportunities, without any discrimination on the basis of gender, skin colour, age, disability, nationality, family ties, language, religion, political or philosophical views, or social or personal status.

54. Likewise, the Dominican Constitution condemns the assignment of any privilege or status that might undermine equality between Dominican women and men, and allows for differentiation only on the basis of their talents or moral integrity. Moreover, the Constitution provides that legal and administrative conditions should be promoted and measures adopted so as to prevent and combat gender-based discrimination, deprivation, vulnerability and exclusion.

55. Women and men are equal before the law, and the law prohibits any act which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by men and women, on an equal basis, of human rights and fundamental freedoms. All necessary steps must be taken to ensure the eradication of gender-based inequalities and discrimination.

56. Another constitutional mandate is to promote and ensure a balanced participation of women and men as candidates for elected office at the management and decision-making level in the public sphere, the judiciary and State oversight agencies.

57. An important advance in this area, especially in connection with the new Constitution, is the following provision contained in article 74, paragraph 3: "Human rights treaties, agreements and conventions, signed and ratified by the Dominican State, shall have constitutional status and shall be applied directly and immediately by the courts and other State bodies".

## **B. Article 2. Policy measures to eliminate discrimination against women**

58. In the period covered by this report (2003-2011), important policies and measures were adopted to promote the advancement of women and the elimination of gender-based discrimination.

59. The steps taken included the adoption of the new Political Constitution of the Republic, which came into force in January 2010; the National District and Municipalities Act (Act 176-07); the National Gender Equality and Equity Plan 2007-2017; the National Development Strategy 2010-2030; and the reforms currently under way in the country.

60. The new Constitution of the Dominican Republic represents the most inclusive constitution, in terms of the rights and interests of women, both explicitly and implicitly, in the country's entire history.

61. Noteworthy advances in the new Constitution include:

(a) The principle of equality between men and women and the condemnation of all forms of discrimination (art. 39, right to equality);

(b) Women's right to a life free of violence (art. 42, para. 2): "All forms of domestic and gender-based violence are prohibited. The State shall take all appropriate legislative measures to prevent, punish and eradicate violence against women";

(c) The State's responsibility to promote and ensure a balanced participation of women and men as candidates for elected office at the management and decision-making level in the public sphere, the judiciary and State oversight agencies (art. 39, para. 5);

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

## **1. Limitations and obstacles**

62. Although the new Constitution is the most advanced text ever adopted by the Dominican Republic with regard to gender equality and equity, and notwithstanding the participatory nature of the drafting and sharing of information on the reform plan, with the incorporation of views from all the national sectors and significant input from the Women's Forum for Constitutional Reform and the Ministry of Women, the provision adopted in article 37 represents a limitation that threatens the full exercise of women's sexual and reproductive rights. Article 37 states 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.

## **2. National District and Municipalities Act**

63. Significant changes have taken place at the local level also, as a result of the new National District and Municipalities Act (Act 176-07) of 12 July 2007. This law contains important features that support the advancement of gender equality and equity in the management of local governments. For the first time, a specialized law regulating municipal and local management explicitly incorporates a gender perspective and the situation of women. It includes initiatives such as the following:

(a) Gender equity as a principle: equity as the equivalent of justice and giving each person his or her due, recognizing the specific conditions and characteristics of each person or group of persons (of any sex, gender, class, religion or age), and acknowledging differences in order to overcome inequalities;

(b) Participatory budgets which, in addition to being an area for participation in, and control of, municipal management by the people, tend to offer an opportunity for incorporating the needs of women into the planning and allocation of the local government budget;

(c) Willingness to coordinate with national and international policy makers in implementing actions and policies to benefit women; strengthening of electoral laws concerning the representation of women in local government; assignment of gender-related functions to existing mechanisms;

(d) Allocation of specialized funds for gender work (4 per cent of the budget);

(e) Inclusion of women in local citizen participation activities, taking into account women's needs in terms of participatory budget investments.

64. As for the limitations and weaknesses of this law, it should be noted that it incorporates the principle of equity rather than equality. Moreover, its reference to women is very much tied to other actors, such as children, older persons and the disabled, which tends to sharpen the focus on services, rather than on the rights of vulnerable sectors. The law provides for little or no strengthening of the roles assigned to women elected to municipal office; there is scant highlighting of the importance of women's contribution to local development, a fault which stems from the absence of economic and social policies that would incorporate them. Moreover, the mechanisms for gender mainstreaming are not clearly defined.

65. As for the advocacy process for the implementation of the gender components of Act 176-07, the Ministry of Women elaborated a draft regulation for applying the gender articles in this law and launched a dissemination and training campaign, which includes advocacy, in the framework of a broader process being carried out by the National Council on State Reform (CONARE) and the Dominican Federation of Municipalities (FEDOMU), aimed at the enactment of a general regulation for applying this law.

66. The Ministry of Women has signed working agreements with 22 municipalities and is conducting a gender auditing programme in 11 municipal governments. Steps forward include the establishment of the Municipal Offices for Gender and Development in the municipalities of Puerto Plata, Altamira, Monte Plata, Dajabón, Azua and Villa González, by decision of their municipal councils, which have adopted regulations for the implementation of gender components in their management.

### **3. National Gender Equality and Equity Plan 2007-2017 (PLANEG II)**

67. This National Plan involves the entire Dominican society, in both its elaboration and its execution. PLANEG is based on four strategic pillars: (a) gender equality from a human rights perspective; (b) mainstreaming, targeting and high-impact intervention; (c) institutional mechanisms for ensuring coordination and linkages during the execution process; (d) strengthening the oversight role of the Ministry of Women. Another strategic aspect is the establishment of a system to follow up and monitor the execution of PLANEG II.

68. PLANEG II prioritizes seven major national goals to deal with the main problems facing women in Dominican society and to promote public policies to build gender equality. These goals are as follows:

- (a) To promote a culture of gender equality and equity;
- (b) To guarantee the rights of women and the full exercise of their citizenship;
- (c) To strengthen economic empowerment and reduce poverty among women;
- (d) To promote women's leadership and their political participation and representation;
- (e) To increase women's access to and control of high-quality goods and services;
- (f) To eradicate all forms of violence against women throughout their lives;
- (g) To promote the full participation of women in the information and knowledge society.

#### **4. Reform processes under way in the country**

69. The country is immersed in a broad reform process aimed at adapting current legislation to the new Constitution and providing feedback concerning draft reforms that had already been submitted to Congress when the new Constitution of the Republic was proclaimed. The most important initiatives in support of women's interests are the following:

##### **(a) Draft law on political parties and groups**

70. The enactment of a law on political parties is a process by which changes are proposed in terms of structures, regulations, culture and practices of political parties in order to ease women's access, participation and representation at all levels within political parties and guarantee the exercise of their fundamental rights with justice and equity.

71. The objective is to ensure that the gender perspective is included in the new Act on Political Parties and Groups with regard to the following areas:

- (a) Women's right to political participation on an equal footing with men;
- (b) Ensuring that the national party leadership bodies are composed of at least 33 per cent women;
- (c) Strengthening of internal democracy, by ensuring gender equality and equity at all levels of party structure;
- (d) Establishing a clear procedure for selecting the 33 per cent of nominations that legally correspond to women.

72. At the time of preparation of this report, the draft Act on Political Parties and Groups in the Dominican Republic had been sent to the Commission of the Chamber of Deputies for consideration.

##### **(b) Civil Code reform bill**

73. A considerable effort has been made to include advocacy in the process of reforming the Civil Code, from a gender perspective, in order to highlight women as citizens with equal rights and promote full legal equality between men and women.

74. A consensus-based draft reform was prepared and promoted by the Ministry of Women and the Women's Forum for Constitutional Reform. Preparations are now being made to analyse and review this proposal in accordance with the new Constitution of the Republic, since the latter text strengthens and broadens expectations with regard to the most relevant aspects, such as the responsibility of parents to provide their sons and daughters with an education and prepare them for the future; it also provides that gender-based physical, psychological, sexual or economic acts of violence committed by one spouse against another are causes for dissolving a marriage that are not subject to appeal and constitute a specific ground for divorce. Moreover, the new law provides that a woman may re-marry immediately after a divorce, provided that she submits a verbal statement that she is not pregnant by her former husband.

75. The law also recognizes a de facto marital union, formed by two persons eligible to contract marriage who have lived together for at least two years in a committed,

stable and publicly recognized relationship, as a type of matrimonial regime (this type of union has already been recognized in the new Constitution). The new Civil Code will provide for retroactive effect of this law for already existing unions.

76. Common property will be administered jointly by the two partners in the union, subject to the rules of the community property regime set out in the Civil Code.

**(c) Penal Code reform bill**

77. The process of reforming the Penal Code has not been completed, and the current bill, which is being revised, will be adjusted to the new Dominican Constitution, which, in paragraph 2 of article 42, concerning the right to personal integrity, provides that: “Domestic and gender-based violence in any form is prohibited. The State shall guarantee by law the adoption of the necessary steps to prevent, punish and eradicate violence against women”.

78. This constitutional mandate reinforces the Penal Code bill with regard to:

(a) The offences of violence against women already defined and characterized as crimes in Act 24/97, together with the concept of women’s right to a life free of violence and the prohibition of slavery;

(b) Criminalization and penalization of offences subject to punishment, such as slavery and human trafficking, already dealt with in Dominican legislation in Act 137-03, on trafficking in persons, together with organized crime with respect to this transnational criminal activity.

79. Thus, the new Penal Code will have to take into account the new Dominican Constitution, explicitly establishing the principle of equality and non-discrimination as set forth in the provisions of article 39 of that document and replicating the provisions of Act 24/97 with regard to the definition of incest. Article 332-2 of the Penal Code reads as follows: “The infraction defined in the preceding article shall be punishable by the maximum prison sentence, and shall not be subject to any appeal on the basis of extenuating circumstances”. The new Penal Code increases the sentence from 5 to 20 years.

80. In addition, the new Code will include two internationally recognized offences that will help strengthen the criminal justice system and policies to fight crime and prevent its devastating effects on society. These offences are: femicide, or the killing of a woman as an extreme form of violence, committed voluntarily and intentionally by a man; and the battered woman syndrome, whereby “a woman who has been the victim of habitual violence by her spouse or former spouse, and who has been unable to take any action that would allow her to escape the intimidation or violence, is presumed to have acted in self-defence and is therefore not criminally responsible”.

**C. Article 3. Guarantee of human rights and fundamental freedoms**

81. From 2003 to 2011, important steps were taken to promote the full development and advancement of women in various areas of national life; these measures will be presented here in greater detail under this article, in order to avoid repetition. With regard to public policies, the various branches of the State have taken the following initiatives.

82. The National Development Strategy 2010-2030 (END). Includes gender as a cross-cutting' theme, defining the specific policy guidelines for each of the four strategic pillars of END.

83. The creation of the Office of Women and the Family in the Supreme Court of Justice. This is an essential setting where guidance and support are provided to women and the family in the framework of laws to protect human and women's rights, through projects aimed at disseminating these rights and preventing domestic violence. Constant vigilance is maintained so that the services provided to citizens are efficient and effective.

84. Gender equality policy of the Dominican judiciary. This is the instrument that governs the institution's activities aimed at protecting the rights of women as citizens. Its purpose is to guarantee equal opportunities for men and women and non-discrimination on the basis of gender in judicial decisions, in the administration of justice and in the provision of public services by the judiciary.

85. Justice and gender observatory. Efforts are currently being made to implement a justice observatory for the prevention of domestic and gender-based violence and to follow up sentences and other judicial decisions handed down in this area, in order to provide guidelines for the judiciary and, at the same time, suggest changes in the law that are deemed necessary in order to enhance the effectiveness and enforceability of judicial actions.

86. Ten-Year Health Plan 2006-2015. This is the basic instrument for the development of the national health system. It is responsible for coordinating the national management of health care and the many diverse institutions and organizations involved in it, in order to ensure a clear orientation towards the achievement of the strategic objectives of the sector, with regard to both the development of the subsystems and various components of the system, such as the production of health-care services on the basis of social participation, and the transformation of the health-care situation of the people with a focus on equity and social justice. This Plan incorporates a gender perspective and helps combat inequalities in general, as well as social exclusion.

87. Strategic Gender Plan of the Ministry of Labour (PEG-MT) 2009-2013. Elaborated for the purpose of incorporating a gender approach to the objectives and functions of the Ministry of Labour by developing actions to promote gender equality and equity within the organic and functional structure of the Ministry.

88. Ten-Year Education Plan 2008-2018. Envisions a future where all Dominican men and women have access to a relevant, high-quality education, on the basis of the principle of respect for diversity and strengthening of cultural identity; it promotes training, in order to enable people to enjoy an active and democratic life, while advocating new attitudes and changes in society and seeking to guarantee a quality education to ensure sustainable development and a culture of peace.

89. Ten-Year Plan for Higher Education, Science and Technology 2008-2018. This Plan represents an effort at national planning, which defines the direction Dominican education will take, now and in the future. It sets out the major policies, objectives, goals, strategic programmes and other relevant programmes and projects to allow for the national and international incorporation of Dominican higher education into the knowledge-based society and the global economy. Its general content includes a gender perspective.



90. Social Security. Protects all Dominican men and women and residents of the country, with no discrimination on the basis of health, gender or social, political or economic situation. It establishes a social security policy aimed at ensuring the overall protection and general well-being of the population and, in particular, increasing the levels of equity, solidarity and participation; poverty reduction; the advancement of women; protection of children and older persons; and environmental protection.

91. Family Health Insurance. This is an important achievement for society in terms of solidarity and equity. It ensures that citizens have access to a series of health services. Women represent 56.4 per cent of those covered by the subsidized regime of the National Health Service.<sup>4</sup>

92. Solidarity Programme. This represents a segment of one of the strategic methods for eradicating poverty, providing support to the improvement of family income in order for families to invest in the education of their children. This Programme was created through Decree No. 536-2005. The Programme has the following components: “Eating Comes First” (Comer es Primero), whose purpose is to supplement the basic diet in households living in extreme poverty; School Attendance Incentive, which helps reduce the school leaving rate at primary level (children between ages 6 and 16); and “Dominicanos/as con Nombre y Apellido”, a programme designed to promote and facilitate the registration of births and the obtaining of documentation.

93. It is important to note that 64 per cent of households benefiting from this programme are headed by women. The families eligible to receive benefits from these programmes are identified, categorized and registered through the Single System of Beneficiaries (SIUBEN).

94. Childcare facilities. The National Council of Childcare Facilities (CONDEI) is the mechanism created by the Dominican State to oversee childcare facilities, in response to the mandate contained in Act 87-01, which establishes the Dominican Social Security System and also the right to childcare facilities for children between 45 days and five years of age, supplementing the benefits of the Family Health Insurance scheme. This provision is fundamental because it enables women to reconcile their family responsibilities with their outside employment. The country now has 25 of these centres.

95. National Council for the Promotion and Support of Micro, Small and Medium Enterprises (PROMIPYME), created by Decree No. 238-97, is a public policy aimed at promoting men’s and women’s entrepreneurial initiatives by providing them with loans and technical and managerial advisory assistance. The Ministry of Women has signed a working agreement with this entity in order to encourage positive support for women’s initiatives by ensuring that they have access to credit programmes on an equal footing with men, and in order to reduce poverty.

96. National System of Technical and Vocational Training. This is aimed at developing the skills of the labour supply. It plays a leading role in job training, and it offers technical courses and career paths in order to meet the needs of the various sectors. The Ministry of Women is committed to the economic empowerment of women, and therefore maintains constant contact and coordination with training activities for women in traditional and non-traditional fields of study to enable them

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<sup>4</sup> Source: National Health Service (SENASA), 2009.

to become part of the labour market. It is currently carrying out the Ten-Year Vocational Education Plan 2008-2018.

97. Equitable Competition Project. The Ministry of Women, together with the National Council on Competitiveness (CNC) and with the support of the United Nations Development Programme (UNDP), is carrying out a project on a gender equity model for competitiveness that seeks to highlight possible gender gaps within enterprises, which are not usually seen as inequalities, and which have serious repercussions on the profitability and productivity of these enterprises. It will also allow steps to be taken to promote equity and overcome gender inequalities in the entrepreneurial workplace.

98. Creation of the Office of the Deputy Attorney General for Women in 2007. Its mandate is to direct and monitor the processes of criminal investigation and prosecution that relate to violence against women and any other matter that affects women's rights and their free access to justice.

99. Legislative reforms. In the past eight years, the Dominican State has strengthened its legal, regulatory and policy framework for the promotion of the full development and advancement of women. The progress thus far can primarily be seen in the new Constitution of the Republic, 2010; Act 176-07, on the National District and Municipalities, 2007; Act 41-08, on the Civil Service; Act 531, Organic Budget Act for the Public Sector; Act 76-02, on the new Code of Criminal Procedure, 2004; Act 88-03, creating safe houses and shelters for victims of domestic violence and other violence against women, 2003; and Act 137-03, establishing the System of Protection of the Rights of Boys, Girls and Adolescents, 2003.

#### **D. Article 4. Special measures**

100. In the Dominican Republic, the laws mandating a minimum quota for the political representation of women continue in force: Act 12-2000, establishing that a minimum of 33 per cent of candidates for office on provincial and municipal councils should be women; Act 13-2000, which provides that, if a party nominee on a municipal ballot for mayor or trustee is a man, a women should be on the ballot as deputy mayor or trustee, and vice versa.

101. The most important measures adopted between 2003 and 2010 are Resolutions 06-2006 and 04-2010 of the Central Electoral Board, to promote compliance with quotas for female representation. Both measures require that political parties comply with the legal quotas for women.

102. Resolution 04-2010. The Central Electoral Board of the Dominican Republic, the governing body for electoral policies, in compliance with the guidelines set out in the Constitution, adopted Resolution 04-2010, which establishes the procedure for implementing the electoral quota mandated by Act 12-2000.

103. In this resolution, the Central Electoral Board takes note of the requirement that women must represent at least 33 per cent of the total number of names submitted by political parties, party alliances and political groups as candidates for office as deputies, members of city councils and alternates, or members of municipal districts, allocated alternately, at every level of the election, taking into account the total number of posts for which election is sought throughout the national territory, and by constituency.

104. The quota system has led to changes in roles and leadership positions within the Dominican political culture. The tables below show how the election of women to congressional and municipal posts has evolved since the promulgation of the laws on quotas:

Table 1  
**Female representation in the National Congress 1962-2010**

Year	Lower House			Senate		
	Both sexes	Women	Percentage	Both sexes	Women	Percentage
1962	71	2	2.8	26	1	3.8
1966	74	3	4.1	27	1	3.7
1970	74	3	4.1	27	4	14.8
1974	91	13	14.3	27	3	11.1
1978	91	12	13.2	27	2	7.4
1982	120	8	6.7	27	1	3.7
1986	120	9	7.5	30	1	3.3
1990	120	14	11.7	30	0	0.0
1994	120	15	12.5	30	1	3.3
1998	149	24	16.1	30	2	6.7
2002	150	24	16	32	2	6.3
2006	178	35	19.7	32	2	6.3
2010	183	38	20.8	32	3	9.4

Source: Clara Báez, *Estadísticas para la planificación social con perspectivas de género. SEM-UNDP-UNFPA*. Santo Domingo, 2000 and Central Electoral Board, Electoral Results, 2002-2010.

Table 2  
**Female representation on municipal councils 1970-2010**

Year	Provinces			Municipalities		
	Both sexes	Women	Percentage	Both sexes	Women	Percentage
1970	423	33	7.8	78	1	1.3
1974	453	48	10.6	78	1	1.3
1978	484	61	12.6	84	0	0.0
1982	584	23	3.9	94	2	2.1
1986	637	39	6.1	99	4	4.0
1990	625	64	10.2	103	5	4.9
1994	648	93	14.4	107	5	4.7
1998	756	185	24.4	115	2	1.7
2002	789	236	29.9	125	9	7.8
2006	963	259	26.9	151	17	11.3
2010	1 149	383	33.3	155	12	7.7

Source: Clara Báez, *Estadísticas para la planificación social con perspectivas de género*. SEM-UNDP-UNFPA. Santo Domingo, 2000 and Central Electoral Board, Electoral Results, 2002-2010.

105. International electoral observation, incorporating equality and non-discrimination in ordinary general congressional and municipal elections in the period 2010-2016, is an unprecedented initiative of vital importance in support of affirmative action and, in general, the strengthening of women's political participation; it consists of the creation of a group of international experts in human rights and women's political participation in international observations of elections.

## **E. Article 5. Modification of social and cultural patterns**

106. The Gender Equality and Equity Plan (PLANEG II), 2007-2017, prioritizes as a first working topic: "Promoting a culture of gender equality and equity". The goals and interventions in this area address the causes of gender inequality in the country, whose roots are cultural, as can be easily seen in the media, in the images of feminine and masculine roles and in the prevailing patterns of education.

107. The promotion of a culture of gender equality and equity incorporates three major goals. The first is based on the deconstruction of discriminatory cultural stereotypes and roles and the achievement of a revitalized female image; the second proposes not only to highlight women's contributions to Dominican history and society, which have often been forgotten or minimalized, but also to point out the current disadvantaged position of women in the areas in which it can best be observed. The third goal is to create more awareness about women's rights among the public in general, especially among entrepreneurs and workers in the media sector.

108. In addition, the Constitution of the Dominican Republic provides as follows, in article 55, paragraph 10: "The State shall promote responsible parenthood. The father and the mother, even after separation and divorce, have the shared and unavoidable duty to feed, raise, train, educate, maintain, protect and assist their sons and daughters. The law shall establish the necessary and appropriate measures to ensure the effectiveness of these obligations." The new Constitution restates this exclusive obligation, assigning it to men and women, together with society at large and the State, as a shared responsibility.

109. Another relevant aspect, which is consistent with the quest for reforms that will influence the culture that characterizes Dominican society, is introduced in paragraph 11 of the above-mentioned article of the Constitution: "The State recognizes housework as an economic activity that adds value and produces wealth and social welfare; therefore, housework shall be factored into the preparation and implementation of public and social policies".

110. Although sexist educational practices persist, both in the formal education system and within families, progress has been made as a result of the political will of the Government and the commitment of many women and men who have been advocating in the world of culture and education in favour of gender equality. The most important actions taken systematically in recent years are described below:

(a) The signing of the “Code on the prevention of verbal abuse against women”, which sets out the commitment of composers and authors to write books and songs that enhance the dignity of women;

(b) The inclusion of gender equality in article 2 of Act 41-00, creating the State Secretariat of Culture (now the Ministry of Culture), as a fundamental cultural value. It recognizes gender equality as a referential value that must become an integral part of the work of the institution;

(c) The establishment by the Ministry of Culture of the Office of Gender Equity and Development, which is responsible for ensuring gender equality and equity in the institution’s plans, actions and programmes;

(d) The broadcast and promotion of radio programmes dealing with topics relating to gender equality and equity;

(e) The signing of inter-agency agreements to encourage joint initiatives in a cultural environment that favours gender equality and equity;

(f) The revision of primary school textbooks from a gender perspective in eight areas of the curriculum: Spanish language, foreign languages, mathematics, physical education, humanistic and religious training, arts, social sciences and natural sciences;

(g) Preparation of guides, modules and indexes of gender competence for the implementation of the gender perspective in schools, targeted at teachers, students, mothers, fathers and school supporters;

(h) Development of gender training and awareness-raising plans targeted at teachers and administrative staff of educational centres;

(i) Promotion of the use of non-sexist language in textbooks and other educational materials;

(j) Agreements with the Autonomous University of Santo Domingo (UASD) to train and sensitize students about gender issues and gender-based violence;

(k) Resolution protecting adolescents and, in particular, preventing the expulsion from school of pregnant teenagers;

(l) In addition, the primordial role of education in cultural change towards building a gender-equal society has been recognized by the Dominican State in various initiatives that are being pursued, focused on promoting a national education system that does not differentiate between men and women;

(m) Introduction and development of technological and community centres, a phenomenon that has led to a series of changes in the cultural behaviour of women and men, in favour of equality of access to information and communications technologies (ICT). The training programme for incorporating ICT into the preschool, primary and secondary levels of education has led to an intergenerational change in student culture;

(n) The growing presence of women in technical training centres and higher education reveals a change in the values and customs of the Dominican people.

111. With regard to the protection of minors, article 56 of the Constitution states that “The family, society and the State shall give preference to the best interest of

the child and adolescent; they shall assist and protect them to ensure their balanced and comprehensive development and the full exercise of their fundamental rights under this Constitution and the laws”.

112. Notwithstanding these developments, the Dominican news media and education system should be encouraged to become further involved in this issue, in order to take advantage of their power and make them allies in disseminating information and awareness about the rights of girls and women, and in promoting a culture of equality and equity among all human beings.

#### **F. Article 6. Measures by States parties to suppress all forms of traffic in women and exploitation of prostitution of women**

113. The Dominican Republic was placed on the Tier 2 Watch List for trafficking in persons in 2003. The Government has since boosted its efforts to educate the public in general, and women in particular, about the dangers of trafficking. In 2003, the Government promulgated Act 137-03, on the smuggling of migrants and trafficking in persons. It has also improved the services that provide assistance to victims and has prosecuted those involved in this crime.

114. In recent years, progress has been made in the legal realm for the protection of migrants and victims of trafficking, primarily in the implementation of the Act on Control and Prevention of the Smuggling of Migrants and Trafficking in Persons, and the ratification of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

115. The steps taken by the Dominican State to eliminate human trafficking and exploitation of prostitution include the following:

(a) The new Constitution prohibits any form of slavery, involuntary servitude or human trafficking. It is based on an understanding of the complexity of the offence, its negative impact on the lives of women, boys and girls and its flagrant violation of the exercise of human rights;

(b) General Law on Migration (Act 295-04) of 15 August 2004, regulating and controlling the movement of persons entering and leaving the Dominican Republic;

(c) Act 137-03 of 7 August 2003, on the Smuggling of Migrants and Trafficking in Persons;

(d) Act 136-03 of 7 August 2003, establishing the Code for the Protection of the Fundamental Rights of Boys, Girls and Adolescents in the Dominican Republic;

(e) Adoption of the United Nations Convention against Transnational Organized Crime and the Protocols thereto on the smuggling of migrants and trafficking in persons;

(f) Creation of the Victims of Trafficking Unit in the Office of the Attorney General of the Republic, and Resolution 4510 of 14 April 2003, establishing a specialized department to combat the commercial sexual exploitation of boys, girls and adolescents.

116. The Government has made significant efforts to fight human trafficking since 2002. It has launched programmes to raise awareness and educate the public on the complexity of these offences and the dangers of trafficking; it has improved services to assist victims and has prosecuted traffickers and slave traders. Some of the actions taken in this area are the following:

(a) Creation and strengthening of the Inter-agency Committee for the Protection of Migrant Women (CIPROM);

(b) Awareness-raising among teachers and students in Dominican schools about the dangers of the smuggling of migrants, commercial sexual exploitation and human trafficking.

117. From 2002 to 2010, the Ministry of Women and CIPROM, in coordination with the International Organization for Migration (IOM) and civil society organizations, instituted six certificate courses on the topic, in order to provide training in the management of both national and international legal norms. These training programs include a gender and human rights perspective.

118. Since the middle of 2006, the Education and Prevention Unit of the Department against the Smuggling of Migrants and Trafficking of Persons, within the Office of the Attorney General of the Republic, has been developing workshops to provide knowledge, awareness and prevention of human trafficking and the smuggling of migrants as well as commercial sexual exploitation, in primary and secondary schools in the National District and the Province of Santo Domingo. Awareness-raising workshops have also been carried out in coordination with the education and labour ministries on the dangers of the smuggling of migrants, commercial sexual exploitation and human trafficking.

119. A campaign against trafficking was launched in late 2007. Known as “The law hits hard”, it was an initiative of the Inter-American Development Bank (IDB) and was also sponsored by IOM and the Ricky Martin Foundation.

120. In 2010 the Ministry of Women, with the support of IOM, created 52 orientation and information hubs to combat the risks of migration and human trafficking for the purposes of sexual exploitation. A nationwide prevention effort is taking place on the basis of these hubs. They function in the 52 provincial and municipal offices for women located throughout the national territory. They serve as a mechanism for the initial care and effective referral of cases to other local, national and/or international bodies and these, in turn, form a coalition of hubs that are coordinated through a network for the prevention of irregular migration and human trafficking.

121. Research and publications. National studies have been done for the basic purpose of reviewing and analysing national laws on human trafficking, the mechanisms used to combat it and the experiences of female victims. For example, the Council of Central American Ministers of Women and the Dominican Republic carried out a noteworthy study on this topic.

122. A hotline was set up in order to exchange information quickly and effectively with possible victims of trafficking and sexual exploitation in any part of the country.

123. Some examples of synergy between Government bodies and non-governmental organizations (NGOs) include: the Ministry of Women, the Centre for Integral

Orientation and Investigation (COIN), a non-profit non-governmental organization, and IOM offer legal and psychological support to trafficked and sexually exploited women and female returnees.

124. With regard to commercial sexual exploitation, a unit was created in the Office of the Attorney General of the Republic for the prevention and prosecution of sexual exploitation on the Internet; the work of this unit has helped reduce the incidence of illicit exhibition, distribution and publication of pictures of children and adolescents in cyberspace. The staff of this unit have also received training in order to enhance their specialized skills in the prevention, investigation and prosecution of sex trafficking. By monitoring the Internet, this unit has been able to detect and shut down websites that promote commercial sexual exploitation.

125. The Dominican Republic has established relations with the Ibero-American Network for International Legal Cooperation (IbeRed), through which an international operation to combat child pornography on the Internet was organized in support of Eurojust.

## **G. Article 7. Equality in political and public life**

126. According to empirical evidence from Dominican political culture surveys, there has been a significant trend among the population in general, and among women in particular, towards a positive assessment of women's participation in politics on an equal footing with men in the Dominican Republic. Among Dominican citizens, 88 per cent believe that women should be equally involved in politics as men; this figure can be broken down to 89.2 per cent for women and 86.4 per cent for men (Ministry of Women, Survey on Women and Politics, 2008).

127. Many initiatives have been promoted, including legislative reforms, awareness-raising campaigns and training to help women gain access to decision-making positions on a more equitable basis.

128. These initiatives and other actions launched by the Ministry of Women, the women's movement, civil society and women in political parties have undeniably had a positive impact on women's political and social participation in the country, as demonstrated by the slow but steady increase in the number of women who hold jobs in various branches of government and segments of society.

129. In the execution of the section of PLANEG II dealing with the political empowerment of women, political parties and organizations have been working together with the Ministry of Women, including civil society and the women's movement, the Forum of Women in Political Parties, CONARE, the Dominican Federation of Municipalities and the Central Election Board, which have all expressed a willingness to promote and defend women's rights to political participation and representation on an equal basis, through the adoption of measures and procedures for the enforcement of laws on quotas for female candidates.

130. As indicated in the section of this report dealing with article 2, the Ministry of Women, together with the Commission on Gender of the Chamber of Deputies and CONARE, have incorporated the gender perspective into the draft law on political parties and groups, which reflects the principles of equality and non-discrimination on the basis of gender; recognition of the rights of both men and women; and equal, effective defence and protection against any type of discrimination. It introduces



relevant changes with regard to the assets and financing of political parties during campaigns; political education, electoral campaigns and pre-campaign periods in political parties and groups; training procedures; rights, duties and prohibitions; and statutory norms that guarantee women's rights to participate in politics on an equal footing with men.

131. In the 2004 elections, 50.4 per cent of the votes were cast by women; in 2006, the female vote was 50.6 per cent. More than six million persons voted in the 2008 elections, of whom 50.6 per cent were women, and 49.4 per cent were men. For the 2010 elections, that proportion was maintained.<sup>5</sup>

132. According to the report on electoral observation with a gender perspective, which deals with elections projected from 2010 to 2016, women are highly represented in electoral colleges (polling stations), with many of them holding the post of President.

133. Great strides have been made in opening up the judiciary to women. The proportion of female judges increased from 36.8 per cent in 1999 to 50 per cent in 2010. This proportion is now 31.3 per cent in the Supreme Court of Justice, 33.3 per cent in the Civil Appeals Court, 38.5 per cent in the Criminal Appeals Court and 67 per cent in the Appeals Court for Boys, Girls and Adolescents. In the magistrates' courts, the percentage of women has reached 74 per cent. Similarly, women make up 60 per cent of public defenders and 42 per cent of State-appointed lawyers.

134. In the Office of the Attorney General of the Republic, women represent 42 per cent of the officials in charge of investigation and prosecution, 35 per cent of general prosecutors, 41 per cent of public prosecutors and 48 per cent of inspectors.

135. According to the records of the Ministry of Public Administration, by the year 2010 women constituted 48 per cent of civil servants, although only 15 per cent held decision-making posts. The greater the hierarchy of positions, the lower the participation of women.

## **H. Article 8. Equality in political and public life at the international level**

136. The Dominican Republic has signed many international conventions, treaties and agreements that require and guarantee women's presence in areas relating to the economy, the environment, health and politics, among others.

137. Women's representation in the diplomatic and consular corps has been on the rise in recent years. By the year 2010, according to data from the Ministry of Foreign Affairs, women accounted for 37 per cent of the diplomatic corps and 41 per cent of the consular service. In the Ministry itself, women occupy 47 per cent of diplomatic and administrative-level posts.

138. International representation. Through the Ministry of Women, the Dominican Republic participates in a number of different international bodies, such as the Inter-American Commission of Women (CIM); the steering committee of the ECLAC Regional Conference on Women in Latin America and the Caribbean; and the Council of Ministers for Women in Central America and the Dominican Republic (COMMCA). The progress made in these forums has made it possible to agree on a

<sup>5</sup> Official data from the Central Electoral Board (CEB).

gender-based common minimal regional agenda with three important priority themes: a life free of violence; economic equality; and parity in political and public representation.

139. The Ministry of Women held the President pro tempore position in the Council of Ministers for Women in Central America and the Dominican Republic for the period July-December 2010. This was the first such position occupied by the Dominican Republic in the framework of the Ministerial Council of the Central American Integration System.

## **I. Article 9. Equal rights with respect to nationality**

140. With regard to the nationality of women, the Constitution states the following:

“Article 18. Nationality. The following persons are Dominican nationals:

- (1) The sons and daughters of a Dominican mother or father;
- (2) Any person having Dominican nationality before the effective date of this Constitution;
- (3) Any person born within the territory of the Dominican Republic, except those born to members of foreign diplomatic and consular missions, and foreigners who are “in transit” or reside illegally in Dominican territory. A foreigner “in transit” is any person defined as such by the laws of the Dominican Republic;
- (4) Any person born in a foreign country to a Dominican father or mother, despite having acquired, by place of birth, a nationality different from that of his or her parents. Upon reaching the age of 18, such persons may go before the proper authority and choose dual nationality or relinquish one nationality;
- (5) Any person marrying a Dominican man or woman, provided that such person chooses to acquire the nationality of his or her spouse and fulfils the requirements established by law;
- (6) The direct descendants of Dominicans residing in a foreign country;
- (7) Naturalized persons, pursuant to the conditions and formalities required by law.

[...]

Article 19. Naturalization. Foreigners can become naturalized citizens pursuant to the law.

Article 20. Dual nationality. Dominicans may acquire foreign nationality. The acquisition of another nationality does not entail the loss of Dominican nationality.”

## **J. Article 10. Equal rights in education**

141. In the Dominican Republic, education is one of the fundamental rights enshrined in the Constitution, which provides, in article 63, that “older persons have

the right to a comprehensive, high-quality, continuous education, under equal conditions and opportunities, with no limitations except those arising from their capabilities, location and aspirations”.

142. General Education Act 66-97 provides: “education is a permanent and inalienable human right. To make this right effective, all persons have the right to a comprehensive education that enables them to develop their own individuality and perform a socially useful activity, adapted to their vocation and within the requirements of the national or local interest, without any type of discrimination on the basis of race, sex, belief, economic or social position or other grounds.” Education is free at the preschool, primary and secondary levels; for the primary level it is compulsory.

143. The Dominican Government has made considerable efforts to incorporate the principle of gender equality into the education system.

144. The Dominican educational curriculum includes gender education as a cross-cutting’ theme in all levels, modalities and areas of the Dominican education system, a measure that was made official in Resolution 3599-2004 of 2004.

145. The gender equality and equity approach contained in the Ten-Year Education Plan 2008 2018 fully expresses the political and technical commitment of the State and coordinated social forces in the country to carry out a medium-and long-term educational reform in order to further develop the Dominican education system and overcome its remaining shortcomings.

146. To that end, a number of initiatives and actions have been promoted and carried out, including the following:

(a) Act 133-03, which protects adolescents, and, in particular, prevents them from being expelled from school if they are pregnant;

(b) Revision, from a gender perspective, of the curriculum and textbooks at primary level in eight subject areas: Spanish language, foreign languages, mathematics, physical education, humanitarian and religious training, arts education, social sciences and natural sciences;

(c) Preparation of guides, modules and indexes of gender competence for the implementation of the gender perspective in schools, targeted at teachers, students, mothers, fathers and school supporters;

(d) Programme to prevent teen pregnancy, developed within the framework of the “Women, Youth and Health Project: Towards a Comprehensive Social Development Policy”, being executed by the Ministry of Women in coordination with the Office of the First Lady, the National Council for Childhood and Adolescence (CONANI), the Ministry of Health, the Ministry of Education and other governmental bodies; its purpose is to disseminate and implement Act 136-03;

(e) Development of gender training and awareness-raising campaigns targeted at teachers and administrative staff of primary and secondary schools;

(f) Promotion of the use of non-sexist language in textbooks and other educational materials;

(g) Gender mainstreaming in the Faculty of Humanities of the Autonomous University of Santo Domingo (UASD), a coordinated effort between the university

and the Ministry of Women. This State-run university accounts for 49 per cent of total enrolment in higher education.

147. Access to secondary and primary education. The enrolment rate in the Dominican Republic for primary education — boys and girls aged 5 to 13 — is 94.8 per cent (95.2 per cent boys and 94.3 per cent girls). At secondary level (boys and girls aged 13 to 17), the total enrolment rate is 92.5 per cent, representing an average of 82.5 per cent boys and 102.9 per cent girls.<sup>6</sup> These data show that there is gender equity in access by boys and girls to Dominican education and that female participation increases as they advance in their level of schooling, including higher education.

148. Promotion at primary level. In the Dominican Republic the probabilities of being promoted from the first year of primary school to the next grade is about 97 per cent. In urban areas, the proportion of pupils who reach fifth grade is 87 per cent, while in rural areas it is 91 per cent. Among the poorest sectors of the population, the promotion rate is 84.2 per cent, while in the highest-income families, the rate is 98.3 per cent. At primary level, with regard to promotion, there are no significant differences in terms of gender.

149. Years of schooling. In 2009, the total level of schooling of the Dominican population aged 15 years or older was 8.2 years, representing an average of 8.0 years for men and 8.5 years for women. The proportion of young people between 15 and 19 years of age who completed primary education is higher for women, or 79.1 per cent, compared to 67 per cent for men. The same trend can be seen in the percentage of graduation from secondary school. In 2009, the proportion of young people aged 20-24 who finished secondary education was 58.2 per cent for women and 42 per cent for men.

150. Higher education. In the Dominican Republic, women's presence in higher education is substantially greater than that of men. Women represent approximately 62 per cent of university enrolment and 66 per cent of those who graduate with honours. In the Dominican Republic the feminization of higher education has become a reality.

151. The Strategic Plan for Science, Technology and Innovation includes a scholarship programme. Thus, the Ministry of Higher Education, Science and Technology, in the period 2007-2009, granted 1,147 national scholarships to individual students. From 2005 to 2006, 200 international scholarships were awarded. The preferred career paths were marketing, computer engineering, public administration, education and technology, for which the term of study is from two to five years. Of the recipients, 38.5 per cent were women.

152. Likewise, subsidy programmes such as solidarity cards and incentives to higher education are being targeted at poor students. In 2009, 24,232 university students received benefits from the solidarity card programme and the subsidy for the purchase of textbooks and other educational materials, together with the payment of tuition at the State-run university. Of the total recipients of this subsidy, 67.3 per cent were women and 32.3 per cent were men.

153. Illiteracy. The illiteracy rate of the population aged 10 or older in the Dominican Republic is 9.7 per cent. For men, the rate is 9.9 per cent, and for

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<sup>6</sup> System of Social Indicators of the Dominican Republic (SISDOM), July 2010.

women, 9.5 per cent. This gap of barely 0.4 per cent is another indication of the steady advance in educational indicators for women. Illiteracy has been slowly declining in the past decade, from 11.4 per cent in 2000 to 9.7 per cent in 2009, or only 1.7 percentage points in nine years, whereas the rate for women dropped by 1.8 points in the same period.<sup>7</sup>

154. Access to technical and vocational education. In the Dominican Republic, the National Institute of Technical and Vocational Training (INFOTEP) operates the National Technical Training System, whose aim is to provide specialized training, empowerment and certification of workers in all fields, including industry, commerce, agriculture, information technology and tourism.

155. Already in 2007, the female graduation index was 94.1, or very close to parity. In 2010, quantitative parity had been reached: women represented 49.7 per cent of the graduates of INFOTEP, although more than 75 per cent of women have been trained for traditionally female jobs and occupations, such as beautician and hair stylist positions, nursing, therapy, hospitality services and crafts.

156. Innovative projects and programmes. Many education projects have been developed to promote the fundamental rights of girls, young women and women in general, and encourage a type of education geared to equality and peace; the most notable of these are the following:

(a) Master's Degree in Gender and Development and a curriculum of specialties in this area, at the Gender Centre of the Technological Institute of Santo Domingo (INTEC), a private university;

(b) Observatory on inclusive and multicultural education, a project developed by the Ministry of Education in coordination with Aid Action;

(c) The Simone de Beauvoir Chair of Philosophy and Gender was established at UASD with the support of the Ministry of Women;

(d) Project on Gender, Education and Adolescent Pregnancy, executed by the Ministry of Women, in coordination with the Office of the First Lady;

(e) Research: Observatory on the Promotion of Gender Equity in Primary Education, sponsored by the Inter-American Development Bank (IADB).

157. Women's access to information and communications technology (ICT). In the Dominican Republic, as in other Latin American countries, there is a gender digital divide, which is reflected in unequal training in science and technology and in the development of the specialized skills needed to gain equal access to decent jobs at competitive wages.

158. Indexes of access to ICT recorded by the 2007 National Household Survey do not show a marked differentiation between men and women. Men use the Internet more than women do (58.4 per cent men and 50.9 per cent women). As for the ownership and use of mobile telephones, the figures are 70 per cent for men and 63.4 per cent for women. Among women, 65.8 per cent use computers in their studies, while only 58 per cent of men use them for this purpose. With respect to the use of computers for work, male-headed households use them at the rate of 64 per cent, compared to female-headed households (47.5 per cent).

<sup>7</sup> SISDOM, July 2010.

159. The Dominican Government, through its various institutions, is making efforts to close the technology gap. Thus, it has opened 68 community technology centres, covering 75 per cent of the national territory and reaching 519,000 personas. These technology centres have trained 29,650 persons; 18,579 of them, or 63 per cent, are women.

## **K. Article 11. Equality in employment and work**

160. In the Dominican Republic, the employment rights of women are protected by the Constitution, the Labour Code and the conventions of the International Labour Organization (ILO) ratified by the Dominican State.

161. Article 62 of the Constitution provides as follows:

“Employment is a right, a duty and a social function exercised under the protection and assistance of the State. An essential goal of the State is to foster decent, well-paying jobs. Public authorities shall promote dialogue and understanding between labour, business and the State. Therefore:

(1) The State guarantees equality and impartial treatment of women and men in the exercise of the right to work;

[...]

(5) Discrimination in the workplace is prohibited during and after the hiring phase, with the exceptions established by law for the purposes of worker protection [...].”

162. The Dominican State has ratified ILO Convention No. 100, the Equal Remuneration Convention, of 1951, and No. 111, the Discrimination (Employment and Occupation) Convention, of 1958.

163. Gender mainstreaming in the labour market: In the past decade, a growing number of women have joined the workforce, although at a moderate rate. From 2000 to 2009, the number of jobs held by women rose from 1 million to 1.2 million, representing an increase in their share of the total employed population from 33.3 per cent to 34 per cent. Nonetheless, the proportion of gainfully employed women compared to the total number of working-age women remains practically half that of men.<sup>8</sup>

164. The female employment rate rose from 31.1 per cent in 2000 to 33.5 per cent in 2008, and then fell the following year to practically the same level as at the beginning of the period. For men, on the contrary, in 2000 the proportion was higher (64.8 per cent) than in 2008 (62.1 per cent). In general, the gap or difference between the employment rates for men and women shrank by 2.5 percentage points.<sup>9</sup>

165. For women, the opportunities to find a paying job increase considerably with their level of education, both in comparison with men and with the employed female population as a whole. In 2000, 66.1 per cent of female university graduates had

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<sup>8</sup> *Mujer Dominicana en Cifras* (Statistical portrait of Dominican women), Ministry of Women, 2010, SISDOM and National Employment Survey (ENFT), 2000-2009.

<sup>9</sup> *Ibid.*

paying jobs, a significantly higher proportion than those with a secondary education (38.1 per cent) and those who had only a primary education (23.2 per cent); this proportion remains approximately the same for 2009, although it is less clearly marked.<sup>10</sup>

166. Female employment is characterized by a high concentration in the informal sector and in areas of low productivity. In 2009, 49.9 per cent of female employment was concentrated on informal economic activities; a similar situation existed with respect to male employment, although the proportions were higher, rising from 55.8 per cent in 2000 to 60 per cent in 2009.

167. In 2000, the manufacturing sector employed 19.2 per cent of working women and 16 per cent of men. By 2009, however, that sector accounted for only 8.3 per cent of female employment and 11.7 per cent of male employment.<sup>11</sup>

168. Remunerated domestic work: A significant and growing proportion of jobs, mainly held by women, are in the domestic services sector. This type of employment represented 11.4 per cent and 14.6 per cent of total jobs held by women in 2000 and 2009, respectively, whereas for males, the proportion rose from 0.5 per cent to 8 per cent.<sup>12</sup>

169. Unremunerated domestic work: Economically inactive women constitute 59.7 per cent and active women 40.3 per cent of those who perform this type of work. Men, on the contrary, predominate in the group of economically active persons (67.4 per cent).

170. Of the work done by the economically inactive population of both genders, there is a concentration of women in domestic activities, which by the end of 2009 accounted for 24.8 per cent of women and only 0.2 per cent of men.

171. Women's exclusive dedication to domestic activities, associated with bringing up children and taking care of the home, as well as caring for dependent older adults, is a situation that exists in all age groups, with higher peaks between ages 50 and 64 and between 25 and 49 — women of childbearing age — and also, although to a lesser extent, among women 15 to 24 years of age.

172. The recognition of housework in the Dominican Constitution is of considerable benefit to women. According to article 55, paragraph 11, of the Constitution, "The State recognizes housework as an economic activity that adds value and produces wealth and social welfare; therefore, housework shall be factored into the preparation and implementation of public and social policies".

173. Unemployment: In 2009, female unemployment stood at 23.2 per cent, compared to the male rate of 9.8 per cent. This unemployment behaviour, differentiated by gender, is the primary indicator of the gender inequalities that prevail in the Dominican labour market. Unemployment affects all economically active women in all economic sectors, although it has a greater impact on women between 14 and 24 years of age.

<sup>10</sup> Ibid.

<sup>11</sup> Ibid.

<sup>12</sup> Estudio de la Condición y la Posición de las Mujeres en la Dominican Republic (Study on the condition and status of women in the Dominican Republic), *Mujer Dominicana en Cifras*, Ministry of Women, 2010.

174. The loss of jobs in the manufacturing sector over the past decade in the Dominican Republic has hurt women especially. The contribution of this sector to employment fell from 17.1 per cent in 2000 to 10.6 per cent in 2009.

175. Wage gap. The wage gap continues to be unfavourable to women, although it is tending to shrink. In 2009, women's real monthly average income amounted to 27.5 per cent less than that of men, compared to a gap of 33 per cent in 2000. The difference is attributable to both a lower hourly wage and a shorter work week. As measured by real monthly income per hour, the gap decreases to 11.8 per cent. On the other hand, it remains higher (28.9 per cent and 28.6 per cent) for female graduates of university and secondary school, respectively.

176. The following plans, programmes and actions are worth mentioning:

(a) National Gender Equality and Equity Plan 2007-2017, which prioritizes as a national theme the economic empowerment of women and reduction of female poverty;

(b) National Strategic Plan for the Elimination of the Worst Forms of Child Labour in the Dominican Republic 2006-2016 and the Road Map to Eliminate the Worst Forms of Child Labour in the Dominican Republic 2010-2012;

(c) Dominican Action Plan to Eradicate the Abuse and Commercial Sexual Exploitation of Boys, Girls and Adolescents;

(d) The campaign known as "Give girls a chance — End child labour", launched by the Ministry of Labour in coordination with ILO;

(e) Youth and Employment Programme: designed to train young people for the jobs needed in the productive sector, so as to enhance their chances of finding work. Young people are admitted to the Programme on an equal opportunity basis. By 2009, approximately 37,500 youth were trained through this Programme;

(f) Gender Action Plan to Create Jobs in the Province of Santiago: This Plan, run by the Ministry of Labour, deals with the impact of job losses in the free-trade sector on female unemployment.

## **L. Article 12. Equality of access to health care**

### **1. Plans and programmes implemented**

177. The Ten-Year Health Plan (PLANDES 2006-2016) synthesizes the medium-term national policy for the health sector and includes the gender perspective as a cross-cutting theme.

178. One of the priorities of PLANDES 2006-2016 is to reduce maternal and child mortality.

179. In order to combat maternal and child mortality, the National Maternal/Child/Adolescent Health Directorate (DIGEMIA) has been strengthened, as being the main partner in interventions aimed at promoting the implementation of the National Plan for the Reduction of Maternal and Child Mortality.

180. Health-care policies for women have been continued; these include the programmes listed in the following paragraphs.



181. Monitoring of maternal mortality. The National Strategic Plan for the Reduction of Maternal and Child Mortality was launched in 2004. This involved a social mobilization effort by the Government and civil society organizations, together with local community groups. In September 2005, the Ministry of Public Health called on the Dominican people and their organizations to join hands in an immediate national movement, known as “Zero Tolerance”, to address priority health problems such as:

- (a) Preventable maternal mortality and mortality of children under five;
- (b) Diseases and deaths that could be prevented through the national vaccination scheme;
- (c) Preventable vertical transmission of HIV/AIDS;
- (d) Deaths from dengue fever and malaria.

182. There are now 32 in-hospital maternal mortality monitoring committees in the Dominican Republic, one for each province, based in every provincial hospital.

183. Given that the nutritional status of boys and girls is closely associated with their morbidity and mortality, an anthropometric module was included in the Plan in 2006 to monitor children’s weight, in conformity with international standards and using precision instruments. However, the rate of delayed growth (under length/height-for-age) among children under three in the Dominican Republic is only 6 per cent, one of the lowest in the countries of the region, owing to the systematic reduction of the country’s malnutrition rate.

184. In addition, active efforts are being made in cooperation with the National Commission on Breastfeeding towards the adoption of Act 8-95, on the encouragement and dissemination of breastfeeding. In this area, the Ministry of Women has become an advocate of mothers’ right to breastfeed their babies.

185. Early detection of cervical, uterine and breast cancer. This is a nationwide programme primarily based on the use of Pap tests for women of childbearing and menopausal age, and it is carried out in 100 per cent of the country’s public health-care facilities.

186. The prevention of breast cancer has been promoted since 2004 through widespread information and dissemination campaigns on early care and detection, including breast self-examination, mammography and periodic check-ups; these campaigns, broadcast through the programme “Now is the best time”, which is sponsored by the Office of the First Lady, have had a wide impact.

187. Comprehensive health care for adolescents. The National Programme for Comprehensive Adolescent Health Care (PRONAIISA) is one of the most effective and high-quality programmes. The number of specialized health-care services for adolescents has increased from only 30 in 2004 to a total of 104 at the present time. They are found in 97 per cent of provincial public health offices. The work of these services is geared to prevention, including by supplying contraceptives, and to developing a training component for adolescents, who act as multipliers in spreading information about prevention throughout the community.

188. Programme on prevention and care of pregnancy among low-income adolescents. In 2005 this became a permanent intersectoral and inter-agency programme known as “Women, Youth and Health”, which was aimed at assisting

100 per cent of all teenage boys and girls. This programme is coordinated by the Ministry of Women, in cooperation with the Office of the First Lady and the Ministry of Public Health. The current rate of teenage pregnancies is 20 per cent.

## 2. Basic health indicators

189. Fertility rate. Statistical data for 2007 on fertility show a decline of more than 0.5 births per woman in the past five years, to a current total fertility rate of 2.4 births. There has been a similar downward trend in both urban and rural areas, where the respective rates for the triennium 2005-2008 are 2.3 and 2.8 births.

190. Life expectancy at birth. For the five-year period 2005-2010, life expectancy at birth for women surpassed that of men, reaching 75.5 years on average, as compared to 69.2 years for men. Projections also indicate a growth in average life expectancy for both genders in every five-year period.<sup>13</sup>

191. Child mortality. The child mortality rates for children under one year of age have been gradually declining, and stood at 29.6 per 1,000 live births in the period 2005-2010, with a significant gender difference: 25.3 per 1,000 live female births compared to 33.7 per 1,000 live male births.<sup>14</sup> The 2007 Demographic and Health Survey (ENDESA 2007) reports higher child mortality rates than those projected by the Latin American and Caribbean Demographic Centre (CELADE), at about 32 per 1,000 live births. The neonatal segment, which represents about 65 per cent of infant deaths, is the most affected.

192. Maternal mortality: estimated at 159 deaths per 100,000 live births in 2007.<sup>15</sup> For 2008, reports from the Epidemiology Department (DIGEPI) placed maternal mortality below 100 deaths per 100,000 live births. The main causes of maternal mortality are obstetrical in origin (toxaemia, haemorrhages, abortion and postnatal complications).

193. Care during pregnancy, childbirth and the postnatal period. Professional care during pregnancy and childbirth improved between 2002 and 2007, approaching 100 per cent; this indicator is encouraging because it will reduce the occurrence of maternal deaths caused by lack of skilled care. Professionally trained personnel attend 98 per cent of births, with a slight difference by place of residence (99 per cent in urban areas and 97 per cent in rural areas). The same trend can be seen in prenatal care, with nearly 100 per cent professional attention in urban areas and almost 99 per cent in rural areas.

194. Adult mortality. According to ENDESA 2007, the mortality rate in the population aged 15-49 years is 3 per 1,000 for men, compared to 2 per 1,000 for women. The principal causes of death, by gender and in order of prevalence, are as follows: (a) Causes of female deaths: diseases of the circulatory system (34 per cent), other diseases (23 per cent), malignancies (16 per cent), communicable diseases (12 per cent), perinatal (8 per cent) and external causes (7 per cent); (b) causes of male deaths: diseases of the circulatory system (27 per cent), other diseases (25 per cent), external causes (17 per cent), communicable diseases (16 per cent), malignancies (9 per cent) and perinatal causes (5 per cent).

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<sup>13</sup> CELADE, 2008, revised projections.

<sup>14</sup> Ibid.

<sup>15</sup> ENDESA 2007.

195. Use of contraceptives. Access to contraceptive information and methods has increased considerably since 2002. The proportion of persons who know at least one modern contraceptive method stands at 100 per cent, while 82 per cent knew at least one traditional method in 2007. As for access to contraceptive methods, there is an unmet need for contraceptives of 11 per cent in the Dominican Republic. The public sector provides 80 per cent of injections, 67 per cent of implants and 8 per cent of surgical sterilizations. The private sector supplies 58 per cent of birth control pills and 56 per cent of condoms.<sup>16</sup>

### **3. Other health indicators of importance to women**

196. HIV and AIDS. ENDESA 2007 indicates a prevalence of 0.8 per cent of the population living with HIV, while a study conducted in 2008 by the United Nations Population Fund (UNFPA) establishes the prevalence at 1.25 per cent.

197. The Presidential AIDS Council (COPRESIDA) and the Programme on Sexually Transmitted Diseases and AIDS (DIGETCISS) are responsible for developing HIV/AIDS programmes at the government level. The National Programme to Reduce Vertical Transmission of HIV/AIDS (PNRTV) and the HIV/AIDS comprehensive care units offer antiretroviral drugs (ARVs) free of charge for persons living with HIV.

198. These efforts have been complemented by important projects developed by NGOs as civil society initiatives that have found common ground with public policies.

199. Median age for first sterilization, first union and first sexual intercourse: From 2002 to 2007, according to ENDESA, the median age of sterilized women remained practically the same — 27.7 years in 2002 and 27.6 years in 2007. Of women who undergo sterilization, 65 per cent do so before they are 30 years old. While the median age for first sexual intercourse for men 25-59 years of age has remained almost unchanged (16.6 years in 2007), for women it is still 18 years of age.

## **M. Article 13. Equal rights with respect to economic and social security**

200. The economic rights of women, on an equal basis as those of men, are enshrined in the Constitution that governs the Dominican State and the international agreements, conventions and treaties adopted. Article 62 establishes the right to work, and therefore specifies the following:

“(1) The State guarantees equality and impartial treatment of women and men in the exercise of the right to work;

[...]

(3) All workers shall enjoy the following fundamental rights, among others: the right to join a trade union, the right to social security, collective bargaining, vocational training, respect for their physical and intellectual capabilities, and the right to privacy and human dignity;

[...]

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<sup>16</sup> Ibid.

(5) Discrimination in the workplace is prohibited during and after the hiring phase, with the exceptions established by law for purposes of worker protection;

[...]

(9) All workers have the right to a fair and adequate wage that will allow them to live with dignity and to satisfy basic material, social and intellectual needs for themselves and their families. Every worker shall have the right to equal pay for equal work, without discrimination on the basis of gender or any other reason, where ability, efficiency and seniority are equal [...].”

201. Moreover, article 55, on family rights, provides as follows: “The State recognizes housework as an economic activity that adds value and produces wealth and social welfare; therefore, housework shall be factored into the preparation and implementation of public and social policies”.

202. The Constitution also establishes and guarantees the right of all persons to own property; declares that it is in the public interest that land be devoted to useful purposes and that large estates be gradually eliminated; and defines food security as a national priority and land reform as a major goal of the social policy of the State. It also declares the right to intellectual property and recognizes consumer rights, family rights, protection of minors, older persons and persons with disabilities, the right to housing and the right to social security.

203. Accordingly, the National Gender Equality and Equity Plan 2007-2017 focuses its priorities on strengthening the exercise of all the civil, political, social, economic and cultural rights of women, with three objectives directly linked to these rights: (a) National objective 1, “To guarantee the rights of women and the full exercise of their citizenship”; (b) National objective 3, “To strengthen economic empowerment and reduce poverty among women”; and (c) National objective 5, “To increase women’s access to and control of high-quality goods and services”.

204. The mechanisms governing the system of economic and social benefits are the Dominican Social Security System, created by Act 87-01 of 2001, and the Social Cabinet, which is a governmental, intersectoral mechanism that implements policies aimed at promoting social mobility among those living in extreme poverty.

205. The Dominican Social Security System (SDSS). This system is composed of three protection subsystems or regimes: (a) the contributory regime, which covers wage earners who contribute to the system; (b) the subsidized regime, which covers the low-income, inactive population through direct government subsidies; and (c) the subsidized contributory regime, which covers workers in the informal sector, who cannot afford to pay into the system and therefore require governmental support.

206. SDSS was launched in 2002, with a pilot experiment in the subsidized subsystem; in 2004, coverage by this subsystem began to expand gradually, and in 2007, the contributory regime was incorporated. Total social security coverage in the Dominican population grew from 21 per cent in 2002 to 39.8 per cent in 2009. This rising trend primarily benefited women, whose percentage of membership in

2002 was less than that of men (20 per cent versus 22 per cent); by 2009 it had increased to 39.8 per cent, while that of men rose to 38.5 per cent.<sup>17</sup>

207. Health insurance system. According to the 2009 report of the Social Security Council, there has been a steady upward trend in the number of male and female participants. The share of dependants in relation to total participants was 54.1 per cent at the end of 2006 and 61.2 per cent in June 2009, with a dependency rate of 1.5 (dependants per participant) in 2008. This trend has benefited women, whose share of participation in both the contributory and subsidized regimes has slowly increased; it rose in the former from 49.5 per cent in 2007 to 51.5 per cent in 2009, while in the latter it represented a 56.7 per cent share, disaggregated by gender, in 2009.<sup>18</sup> In absolute terms, a total of 3,499,451 persons (1,800,508 women and 1,698,943 men) were covered in 2009.

208. In the contributory regime, the proportion of female wage earners who paid into the system increased from 39.2 per cent in 2003 to 43.3 per cent in 2009, whereas men showed a downward trend, from 60.8 per cent to 56.7 per cent during the same period, which reflects a narrowing of the gender gap, in percentage points, from 35.6 per cent to 23.6 per cent.<sup>19</sup>

209. Old age, disability and survivors' insurance schemes, in the contributory regime, became operational in mid-2003, and showed a significant annual growth; the number of contributors increased by 6.8 per cent from 2007 to 2008. The ratio of active contributors in 2003 was 58.47 per cent, compared to 49 per cent by mid-2009, representing a drop of 9.47 per cent. Of those who pay into the contributory regimen, 70 per cent earn less than 10,000 pesos, and 42 per cent of these are women.

210. The Social Cabinet. Chaired by the Vice-President of the Republic, it coordinates the Government's social safety net. It runs the Solidarity Programme, which was created by Decree No. 536-2005 as a political strategy aimed at overcoming poverty in a low-income population initially estimated at 1,600,000. This programme includes the subprogrammes "Eating Comes First", School Attendance Incentive, "Dominicanos/as con Nombre y Apellido" ("Given Names and Surnames for All Dominicans") and subsidized family health insurance.

211. In 2009, the Solidarity Programme covered 651,905 members; the proportion of women who benefited from each subprogramme, according to SIUBEN records, was as follows: "Eating Comes First", 64 per cent; School Attendance Incentive, 69 per cent of female heads of household; gas subsidy, 66 per cent of female heads of household; and Training and Co-responsibility, 92 per cent.

212. The implementation of the Solidarity Programme in the Dominican Republic has firmly boosted school attendance and the nutritional levels of boys and girls. The total impact of the Programme on school attendance has been positive and significant for children from 6 to 16 years of age. A review of the Programme has shown that mothers tend to spend more of their resources on supporting the well-being of their families.

<sup>17</sup> Ministry of Women, *Mujer Dominicana en Cifras*, 2010, database of the Office of the Superintendent for Labour Health and Risks (SISALRIL).

<sup>18</sup> *Ibid.*

<sup>19</sup> *Ibid.*

213. This finding indicates that parents do not necessarily show preference for male children when it comes to school attendance, but that the opportunity cost for boys to attend school is greater than it is for girls, since boys' earnings are higher, and therefore it costs the household more to send boys to school. For this reason, the Programme has had a 14 per cent greater impact on boys aged 14 to 16.

214. The socio-educational programme "Progresando" ("Moving forward"), being executed by the Office of the First Lady, makes direct visits to low-income families in order to empower them in their overall development process.

215. Remittances are an important source of income for the support of households and families. Remittances from abroad contribute to poverty reduction. The amounts of remittances, and the percentage of families receiving them, are lower among poor families. The richest families receive 40 per cent of total remittances, while the poorest 20 per cent of households receive only 14 per cent. About 78 per cent of remittances go to urban areas. Nonetheless, remittances are a vital source of income for poor families if they do receive them: they represent 66 per cent of their income, compared to only 30 per cent of the income of the richest recipients. It has been reported that 22 per cent of female-headed households and 14 per cent of male-headed households receive remittances.<sup>20</sup>

216. As in many other developing countries, the financial volume of remittances sent to the Dominican Republic has quadrupled in the past 10 years, and now represents 13 per cent of the gross domestic product (GDP), or the equivalent of four times the total amount of foreign direct investment in the country.<sup>21</sup>

217. Micro, small and medium enterprises (MSMEs). Of total jobs, 43 per cent are created by MSMEs. The bigger the enterprise, however, the lower the proportion of female owners. Women's share of this sector is 33 per cent. A progress report for the period January-June 2010 issued by the National Council for the Promotion and Support of Micro, Small and Medium Enterprises (PROMIPYME) states that, of a credit portfolio of 972 million pesos, 544.3 million pesos were disbursed to businesses run by women.

## **N. Article 14. Rural women**

218. Council on Food Security. By Decree No. 243-08, the State created the Council on Food Security, whose function is to design and execute public policies to enable the country to produce enough high-quality, affordable food. In addition, it seeks to generate food surpluses as contingency reserves and for export.

219. Another of the Council's objectives is to consolidate and strengthen the Dominican social safety net to guarantee the right to food and nutrition for all people, especially the poorest and most vulnerable and those living in rural areas, giving priority to children, pregnant or nursing mothers and older persons.

220. The National Gender Equality and Equity Plan 2007-2017 promotes the economic empowerment of rural women, by connecting them on equal terms with investment and development programmes in the agricultural sector, as well as by improving their access to and control of basic, high-quality services, such as health

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<sup>20</sup> ONE, National Multi-purpose Survey, 2007.

<sup>21</sup> Ibid.

care, education, drinking water, housing and electricity. The Plan also supports the right to land ownership, offers training programmes on savings and investment and recommends that a revolving fund should be set up to finance agroforestry projects for women living in areas suffering from deforestation.

221. Support Programme for Rural Women (PADEMUR). This Programme is coordinated by the Office of the First Lady, with the participation of the Ministry of Women and all the institutions in the rural sector. It carries out continuous, comprehensive training activities for rural women and technical staff in the agricultural sector in gender awareness and management. It also offers support to federations of rural women producers in setting up cooperatives in order to improve their ability to market their products.

222. Community Technology Centres (CTC). These centres are operated by the Office of the First Lady; they offer rural residents access to information and communications technologies (ICT).

223. Access to adequate health-care services, including information, advisory assistance and family planning services. The Dominican Republic has an extensive system of primary health-care units, municipal hospitals, rural clinics and a network of health supervisors and promoters. The primary health-care units constitute the functional base for supplying health services; they serve as the gateway to the national health system; help integrate the Basic Health Plan at the first level of care; and provide referrals to other levels of the system, in order to monitor and guarantee the health of all Dominican families through interventions in given geographical or population areas.

224. In rural areas, 45.1 per cent of households have access to water only through facilities located outside the home; 89.1 per cent have access to electricity; 17.3 per cent do not have adequate solid waste disposal services; 7.5 per cent of dwellings have dirt floors; and 24 per cent of households use firewood or charcoal as their primary cooking fuel.

225. The health indicators for rural women show significant differences from those of urban women: greater fertility (2.8 per woman in rural areas versus 2.4 per woman in urban areas). Rural teenagers have a higher incidence of pregnancy and births (26 per cent) than urban teenagers (18.3 per cent); the use of contraceptives is more prevalent among rural women (74 per cent) than urban women (72 per cent).

226. Physical violence against rural women is estimated at 21 per cent, and 7.2 per cent of them have suffered physical attacks during pregnancy. Of married women, 30.3 per cent have experienced some form of emotional, physical or sexual abuse.

227. The proportion of rural women who have received no education is 13.8 per cent, more than triple that of urban women (4.2 per cent).<sup>22</sup>

228. Moreover, according to the ENDESA 2007 survey, 35.2 per cent of rural women are employed, while 8 per cent do not hold paying jobs.

229. Female heads of household represent 29.7 per cent of rural families. According to estimates provided by the National Planning Office (ONAPLAN), 41.5 per cent of female-headed households are living in poverty, compared to male-headed households (36.7 per cent). There is a 13.4 per cent probability that a female-headed

<sup>22</sup> DSPMRD, Ministry of Women, 2010.

household will be poor, and this probability increases to 15.8 per cent for female-headed rural households, in other words, 2.4 per cent higher than the national probability.<sup>23</sup>

230. Impact of land reform on rural women: The goal of this programme is the equitable distribution of land, the improvement of living and working conditions for rural men and women and the augmentation of production to meet the needs of families. Act 55-97 provides that women and men have access to land on an equal basis. Women represent 26 per cent of the beneficiaries of land reform. According to the Dominican Agrarian Institute (IAD), in the period 2001-2004 a total of 1,813 women received parcels of land, and in the period 2005-2007, the land reform provided land to 3,417 women.

#### **O. Article 15. Legal and civil equality**

231. Under the Constitution, Dominican women have the same rights as men. Our founding document provides that all persons are born free and equal before the law, and that Dominican women and men have the right to enjoy freely and fully, on an equal footing, their rights as citizens in all aspects of life.

#### **P. Article 16. Equality in marriage and the family**

232. In relation to the topic of equality in marriage and the family, the Dominican Republic has also made considerable progress in the new Constitution, which serves as the basis of full equality between women and men.

233. The new Constitution has made a significant step forward by recognizing that raising a family is not the sole responsibility of women, but also of men, as provided for in article 55:

“The family is the foundation of society and the fundamental setting for the full development of all persons. It is constituted by natural or legal ties, through a free choice by a man and a woman to marry or their responsible commitment to form a family.

(1) Everyone has the right to form a family and, in the formation and development thereof, women and men have equal rights and obligations and owe each other mutual understanding and respect;

[...]

(5) The unique and stable union between a man and a woman who are free of any impediments to marriage and who form a de facto family creates rights and obligations concerning their personal relations and their property, in accordance with the law;

(6) Maternity, notwithstanding the social or marital status of the mother, shall enjoy the protection of the public authorities and shall create a right to public assistance in case of need;

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<sup>23</sup> ONAPLAN 2003.



(7) All persons have the right to be recognized as individuals by their given name and the surnames of their father and mother, and to know the identity of their parents;

[...]

(9) All children are equal before the law, have equal rights and obligations and shall enjoy the same opportunities for social, spiritual and physical development. No mention of the civil status of the parents shall be made in the civil registry or in any identification document;

(10) The State shall promote responsible parenthood. The father and mother, even after separation and divorce, shall have the shared and unavoidable duty to feed, raise, train, educate, support, protect and assist their sons and daughters. The law shall establish the necessary and appropriate measures to ensure the enforcement of these obligations [...].”

234. With regard to the protection of minors, article 56 of the Constitution provides that “The family, society and the State shall give preference to the best interest of the child and adolescent; shall assist and protect them to ensure their balanced and full development and the full exercise of their fundamental rights under this Constitution and the laws”.

**Q. Article 17. Violence against women (General Recommendation No. 19 of the Committee)**

235. The Dominican State has undertaken to prevent, combat and eradicate violence against women through compliance with international conventions and agreements and the Dominican Constitution, together with specialized procedural laws on the subject, such as the Convention on the Elimination of All Forms of Discrimination against Women and the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (Convention of Belém do Pará) and the Optional Protocol thereto; other relevant laws are Act 24-97, on violence against women and domestic violence, and Act 88-03, which provides for safe houses and shelters.

236. Nonetheless, a high level of violence against women persists in the Dominican Republic, and combating and eradicating it remains a priority for the Government.

237. In addition to the Constitution and the above-mentioned laws, the National Gender Equality and Equity Plan 2007-2017 (PLANEG II) establishes that it is a priority “to eradicate all forms of violence against women through every stage of their lives”, considering that violence against women is a violation of the human rights of women and a public health problem, and that it diminishes and undermines the quality of life of women, people in general and, in particular, the lives of their children.

238. Thus, the Ministry of Women, together with the National Commission to Prevent and Combat Domestic Violence (CONAPLUVI), have launched a process of evaluation and reform of the National Model for the Prevention and Mitigation of Violence against Women and Domestic Violence, in order to assess the results of its application on the prevailing models; the aim is to make a joint, comprehensive,

multidisciplinary and cross-cutting effort to enhance the effectiveness of the programmes developed thus far.

239. This process has led to the following results:

(a) Strengthening of the guiding role of the Ministry of Women in the definition, elaboration and validation of procedures and protocols for the implementation, follow-up and monitoring of the model, and in seeking to train specialized human resources in the field of violence against women and human rights;

(b) Enhancement of the role of the Office of the Attorney General of the Republic in investigation and prosecution by establishing units for the prevention of violence and for the comprehensive care of its victims. There are now 14 of these units;

(c) Training programme for judges, run by the Ministry of Women in coordination with the Supreme Court of Justice;

(d) Implementation of the Act on Safe Houses and Shelters, creating women's shelters throughout the country;

(e) Creation of the first Therapeutic Centre for the Rehabilitation of Aggressors;

(f) Establishment of the Network for a Life without Violence (REDAVI), composed of relevant stakeholders in public institutions and civil society having responsibilities and commitments in this area;

(g) Creation of the Statistics Unit in the Office of the Attorney General of the Republic, which maintains a current database on femicide and violence against women detected by the system at the national level;

(h) Adoption by the Supreme Court of Justice of a number of decisions aimed at improving the way violence against women and domestic violence are dealt with, including: (a) Resolution 3860-2006, on the battered woman syndrome; (b) Resolution 1924-2008 of 19 June 2008, creating a commission to coordinate, monitor and report on compliance with the actions adopted in the framework of the gender equality policy of the Dominican judiciary; (c) Resolution 116-2010 of 28 February 2010, governing the procedure for obtaining statements from vulnerable persons, including victims and witnesses, in interview centres;

(i) Growing violence against women: according to data from the National Statistics Office (ONE), violence has again increased in the Dominican Republic, as it has in the rest of the region, despite the normative and institutional network now being strengthened.

240. In the period 2006-2009, the number of reported physical attacks reached 40,555: of these, 34,600 were against women and 5,955 were against men. The most frequent type of violence against women in the Dominican Republic is psychological and verbal aggression, followed by physical violence. During the same period, the prosecuting authority has recorded that 95 per cent of the reports resulted in charges being brought, while 5 per cent did not. Of these, 83 per cent of those accused were convicted, whereas the charges were dismissed in 17 per cent of cases.

241. In terms of counselling and social rehabilitation, there is a greater trend towards individual therapy (87 per cent) rather than group therapy (12 per cent).

242. Spousal violence, according to the ONE Gender Section, has increased in the past five years from 27.6 per cent to 29.8 per cent. The highest proportion of female victims of violence is found among those between 15 and 49 years of age, representing 66.2 per cent of total victims.

243. The annual index of femicide has remained between 170 and 200; these are concentrated in the large urban centres. There appears to be a direct relationship between the incidence of femicide and the rate of general criminality in the country.

244. In order to reduce this figure, a joint project has been launched by the State, civil society organizations and the private sector, through a comprehensive model that includes treatment together with the protection and guarantee of women's rights. A community of specialized professionals on the topic, such as attorneys, psychologists and nurses, has been formed.

245. Many awareness-raising campaigns have been launched by the Ministry of Women, the Office of the Attorney General of the Republic and the National Congress in order to arrive at a collective commitment by all citizens to deal with this problem.

246. The remaining challenges involve, fundamentally, the definition and development of effective strategies to promote the building of values, attitudes and beliefs in order to ensure that women and men live together in peace as equals, which will imply deep-seated changes at the level of education, the family, and society in general.

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