

## DOMINICAN REPUBLIC

### Special Decisions or Action Taken Re: Reporting

CESCR E/1992/23

#### Chapter VI

#### CONSIDERATION OF ADDITIONAL INFORMATION SUBMITTED BY STATES PARTIES PURSUANT TO THE COMMITTEE'S REQUEST

...

330. At the same meeting, the Committee, having noted that the Government of the Dominican Republic had not responded to its request for the submission of additional information made at its fifth session (E/1991/23, para. 250), decided to adopt the following decision:

“The Committee on Economic, Social and Cultural Rights draws the attention of the Government of the Dominican Republic to the concluding observations which it adopted at its fifth session, which included the following statement:

‘The information that had reached members of the Committee concerning the massive expulsion of nearly 15,000 families in the course of the last five years, the deplorable conditions in which the families had had to live, and the conditions in which the expulsions had taken place were deemed sufficiently serious for it to be considered that the guarantees in article 11 of the Covenant had not been respected.

The Committee consequently requested an additional report on those issues which called for more detailed development as well as answers to those questions which had been kept pending.’

The Committee notes that its request for an additional report on those issues has not yet evoked a response from the Government. It notes that in the meantime it has received additional information from several sources, including that contained in document E/C. 12/1991/NGO/1, which, if accurate, would give rise to serious concern on the part of the Committee. The Committee thus requests the State party to suspend any actions which are not clearly in conformity with the provisions of the Covenant, and requests the Government to provide additional information to it as a matter of urgency.

The Committee requests the Secretary-General of the United Nations to inform the Government of the Dominican Republic of the Committee's decision as soon as possible.”

331. In that connection, the Committee emphasized that the Government of the Dominican Republic might wish to avail itself of the advisory services available from the Centre for Human Rights to assist it in relation to efforts to promote full compliance with the Covenant in the case of the large-scale evictions referred to in the Committee's reports (see also chapter I, draft decision III).

Chapter VI

**CONSIDERATION OF ADDITIONAL INFORMATION SUBMITTED BY STATES PARTIES  
PURSUANT TO THE COMMITTEE'S REQUEST**

...

201. At the 23<sup>rd</sup> meeting, the Committee, having noted that the Government of the Dominican Republic had neither responded to its request for the submission of additional information made clearly at its fifth session (E/1991/23, para. 250) nor to its offer made at the sixth session (E/1992/23, para. 331), and subsequently endorsed by the Economic and Social Council in its decision 1992/261 of 20 July 1992, to send one or two of its members to advise the Government in relation to efforts to promote full compliance with the Covenant in case of the large-scale evictions referred to in the Committee's reports, decided to adopt the following decision:

“The Committee notes again that the additional information referred to in its report on the sixth session, if accurate, gives rise to serious concern on the part of the Committee. The Committee thus repeats its request to the State party to avoid any actions which are not clearly in conformity with the provisions of the Covenant and also repeats its request for the Government to provide additional information to it as a matter of urgency.

“The Committee requests the Secretary-General to inform the Government of its decision as soon as possible.”

**CESCR E/C.12/1994/SR.28**

COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Tenth session

SUMMARY RECORD OF THE 28th MEETING

Friday, 20 May 1994, at 3 p.m.

...

CONSIDERATION OF REPORTS (agenda item 4) (continued)

(a) REPORTS SUBMITTED BY STATES PARTIES IN ACCORDANCE WITH ARTICLES 16 AND 17 OF THE COVENANT

...

Dominican Republic

52. Mr. SIMMA said that the situation in the Dominican Republic was far from satisfactory. The Committee had written to the authorities after its ninth session inviting experts to attend the tenth session. In response, the Government had sent a letter denying that there had been any large-scale evictions amounting to violations of the Covenant. However, information provided by a non-governmental organization flatly contradicted that assertion.

53. The CHAIRPERSON said that the Committee had received an undertaking that experts would be sent. However, elections in the Dominican Republic had intervened, making it impossible. The Committee had therefore agreed to defer the matter until the eleventh session. He suggested that a general statement should be sent to the Government saying that the Committee had noted the information provided and in particular the undertaking to send an expert to address the Committee at its eleventh session and that the Committee had requested that account should be taken of the additional information received by members of the Committee during the course of the tenth session, a copy of which would be attached. A more substantive approach should not be made to the Government of the Dominican Republic in view of its undertaking.

54. Mr. SIMMA said that in its communication, the Committee should add that, in the meantime, it urged the Government to desist from the planned evictions of more than 20,000 families in the capital, Santo Domingo. The matter was of the utmost urgency and a failure to impress that on the Government may mean that by the eleventh session it would be too late to prevent the forced evictions from taking place.

55. The CHAIRPERSON said that the Committee should state that it was concerned at information it had received and requested the Government to do everything possible to ensure full protection of the right to adequate housing.

56. Mr. ALVAREZ VITA said that the communication should emphasize the Committee's insistence on the right to housing particularly as media reports had been received on how the elections had adversely influenced the situation in the Dominican Republic. A new Government was

about to take office and the general and universal need to protect the right to housing should be stressed to pre-empt accusations by the new Government that the situation was the fault of its predecessor. The communication should therefore be addressed to the State itself and not a particular Government.

57. The CHAIRPERSON said that if there was no objection, he would take it that the Committee wished to proceed in that way.

58. It was so decided.

...