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13th Session of the Human Rights Council

Item 6: Universal Periodic Review, Dominican Republic, March 17, 2010 – Statement by Action Canada for Population and Development (ACPD)

Mr. President,

My organization is pleased to make this statement on behalf of the Sexual Rights Initiative, a global coalition of which my organization is a member, as well as our national partner, La Colectiva Mujer y Salud¹, a women's rights organization from the Dominican Republic. We wish to highlight a number of issues raised during the review of the Dominican Republic and to stress the importance of a number of recommendations made therein.

To begin, we would like to welcome the Government's acceptance of a large number of UPR recommendations, many of which relate to the human rights of women in the country and the elimination of violence against women. We also recognize the progress that has been made during the last decade by the State in terms of the responsibility it has taken to guarantee the enjoyment of human rights.

In implementing a number of recommendations found in paragraph 87 of the Working Group report, we call upon the Government to assign a greater budget to public policies aimed at the promotion of women's rights, through the effective implementation of the National Plan for Gender Equity – Planeg II – which was designed in 2004 and reviewed in 2007, and has not yet been implemented.

We wish to underscore the importance of recommendation 26 of paragraph 88, and urge the government to ensure it uses a wide and dynamic interpretation of article 37 of the New Constitution, dealing with the right to life from conception to death. We stress that this article of the Constitution must be interpreted in accordance with the Dominican Republic's human rights obligations, as identified by UN treaty-bodies as well as the jurisprudence of the Inter-American human rights system. At a minimum, in conformity with its obligations under CEDAW and other human rights treaties, in the New Penal Code currently being considered by the Chamber of Deputies, the Dominican Republic must ensure that it includes exceptions to the criminalization of abortion at least in cases where the life or health of a woman is in danger or in cases of pregnancy resulting from rape or incest. Such exceptions will contribute to decreasing maternal mortality and to protecting women's right to health.

In implementing recommendation 25 of paragraph 88, we call upon the Government to ensure that judicial measures of due process – including investigation, punishment and redress – are applied to cases of discrimination against, physical attacks on, and murders of gay, lesbian, transgender and transsexual people (GLBT).

¹ Non-governmental organization engaged in the promotion of women's rights – in particular sexual and reproductive rights – in the Dominican Republic for over twenty years.