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## **Draft report of the Working Group on the Universal Periodic Review\***

### **Dominican Republic**

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\* The final document will be issued under the symbol A/HRC/26/15. The annex to the present report is circulated as received.

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## Introduction

1. The Working Group on the Universal Periodic Review (UPR), established in accordance with Human Rights Council resolution 5/1 of 18 June 2007, held its eighteenth session from 27 January to 7 February 2014. The review of the Dominican Republic was held at the 15th meeting on 5 February 2014. The delegation of the Dominican Republic was headed by Alejandra Liriano de la Cruz, Vice minister of Foreign Relations. At its 18th meeting held on 7 February 2014, the Working Group adopted the report on the Dominican Republic.
2. On 15 January 2014, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of the Dominican Republic: Gabon, India and Peru.
3. In accordance with paragraph 15 of the annex to resolution 5/1 and paragraph 5 of the annex to resolution 16/21, the following documents were issued for the review of the Dominican Republic:
  - (a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/18/DOM/1);
  - (b) A compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/18/DOM/2);
  - (c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/18/DOM/3).
4. A list of questions prepared in advance by Belgium, the Czech Republic, Germany, Liechtenstein, Mexico, the Netherlands, Norway, Slovenia, Spain, and the United Kingdom of Great Britain and Northern Ireland, was transmitted to the Dominican Republic through the troika. These questions are available on the extranet of the UPR.

## I. Summary of the proceedings of the review process

### A. Presentation by the State under review

5. In its introductory remark, the delegation of the Dominican Republic welcomed compliments to the distinguished Members of the Human Rights Council and the Working Group of the UPR in the presentation of its Follow-Up Second Cycle Report, and extended a greeting to the States represented, International Organizations and NGOs present.
6. Regarding the Dominican domestic legal framework, the delegation reported that since 2010, the State is governed by a new Constitutional text which develops more broadly fundamental including civil, political, economic, social and cultural, collective and environmental rights, among others. It also states, the constitutional block, which consists of provisions of equal hierarchy emanating from the Constitution, constitutional law, and international law.
7. The delegation mentioned a number of laws and regulations regarding development and the rights of persons with disabilities, and referred to several normative advances such as: the amendment to the Dominican Penal Code (addressing aspects such as crimes against humanity, Domestic Violence, Femicide, Forced Disappearance, Racial Segregation and Slavery, among others); the ratification of the CAT (December/2011); adherence to the Protocol to the American Convention on Human Rights aimed to Abolish the Death Penalty (December/2011). It also stated that while the OP-CRC-AC is pending signature of

approval by the Senate, the Deputy Chamber has sent ILO Convention 169 to the Senate for approval, and ICCPR-OP 2 is under study.

8. In relation to institutional progress, the delegation referred to, inter-alia, the creation of the Human Rights Unit of the Attorney General's Office, the election of the Ombudsperson, and the establishment of the Dominican Constitutional Court, in order to ensure the supremacy and protection of constitutional rules and principles of international law and fundamental rights and freedoms.

9. The delegation informed about institutional advances in both the Health and Education System, including the Program to attend Early Childhood "Quisqueya Empieza Contigo", which will impact more than 90,000 children aged 0 to 5 years and their families.

10. Changes within the Organic Law of the National Police were highlighted by the delegation, explaining that for specific cases of excessive use of force, discrimination and corruption, independent commissions will be established to evaluate the actions of law enforcement agents. It also underscored that equally important was the fact that the draft bill also lays down minimum rules for the use of force, in line with the basic principles that should govern it.

11. On the recommendations of Bosnia and Herzegovina, Colombia, United Kingdom of Great Britain and Northern Ireland and Germany, the delegation reported that the Dominican Model Prison continues its development, where there are currently 17 Correctional Centre's to benefit more than 10,000 inmates. It added that there was joint work carried out to integrate prisons functioning under the old model to the New System, with the ultimate goal of reintegrating into society people who are deprived of liberty, when their sentence has expired.

12. The delegation made observations about a recent Constitutional Court judgment concerning an amparo legal action that attracted the attention of the international community because of the effect it may have on the rights of those born to foreign parents under irregular conditions living in the Dominican Republic.

13. The delegation stressed they had listened different opinions and recommendations and studied in depth the legal alternatives available and that according to this, they have worked to provide the best solution to the challenges faced by the Dominican Republic regarding the registration and documentation of its citizens on one hand and on the other the immigration control of foreign citizens.

14. The delegation recalled that under Article 184 of the Constitution of the Republic, the Constitutional Tribunal is "to ensure the supremacy of the Constitution, defence of the constitutional order and the protection of fundamental rights" also providing that its decisions "are final and irrevocable and constitute binding precedent for the public powers and all State organs".

15. The government expressed its respect for the Court's decision and its independence, therefore abiding the judgment from the strictest respect for institutionalism. However, at the same time, President Danilo Medina expressed its firm decision to preserve the fundamental rights and the rights acquired by all people living in the Dominican Republic. The delegation expressed that since the beginning of his administration, the government of Danilo Medina has been committed to provide the country with a modern and transparent management regarding migration and to facilitate documentation of its nationals, with the aim of responding to the historical shortcomings afflicting the country.

16. It stated that, aware of this need that has been postponed for decades, and of the attention that the judgment has brought to this issue on the international agenda, the Government has taken this task responsibly and launched in record time, the most ambitious and comprehensive plan in the history of the country in this regard. It added that

the objective of this initiative is to document and ensure a regular status to each and every one of the people living in Dominican Republic territory, thus protecting their fundamental rights and reducing their vulnerability. In just three months, a clear roadmap has been established and actions have initiated that should provide a response to the different documentation requirements presented in the country and affecting both nationals and foreigners, a response that is comprehensive, inclusive and consistent with international standards. The delegation added that this process is being carried out with full respect for the laws and institutions of the Dominican Republic, but also of international human rights law, and underscored that the plan consists of two pillars.

17. The delegation explained that the first pillar is the National Plan for the Regularization of Foreigners in Irregular Migration Situation, which will render positive effects on the conditions of foreigners residing irregularly in the country. The plan provides for the possibility that the foreigners in irregular situation acquire one of the immigration categories set out under by the law, according to the circumstances of each individual, provided it meets the requirements set for them.

18. The delegation declared that with this plan only, the Dominican Republic could normalize in the next 14 months the migration status of a few thousand people coming from over 100 countries, who find themselves under an irregular situation in the country, thus ending their uncertainty and irregularity. It specified that the cases which will be brought to these regularization or documentation procedures are only those that relate to people who have not been properly documented so far and who therefore must now process their corresponding status according to their situation.

19. The delegation communicated that from the first week of February local province Offices will be operational throughout the territory to give service to both the beneficiaries of the regularization process, as well as to those seeking to benefit from the special law. It said that in order to ensure fair and transparent processes, each of the cases filed will be studied individually, according to clear requirements, under expedited procedures and minimum costs.

20. The delegation added that the Government is committed to allocate sufficient human, technical and material resources, for the State and its administration to develop the two pillars of the plan as quickly as possible and with full guarantees for the State and for those affected. It highlighted that among these, there are irregular immigrants who work and study in the country, to whom the government has promised to give priority in granting work and study visas.

21. The delegation informed that target population will be duly informed of the plan, through a comprehensive program of dissemination starting this February. The delegation added that the Government will have the support of civil society, churches, community organizations and other institutions, both in the process of accompaniment as well as in the process of identification of the beneficiaries of the plan. The government of the Dominican Republic has shown its full readiness regarding the observation and collaboration of the international community in this process.

22. The delegation asserted that through Presidential Decree No. 327-13 dated November 29, 2013, the Dominican Republic ensured that deportations will be suspended during the implementation of the regularization process for those who choose to benefit from the Plan. It added that the authorities are strictly observing this decree.

23. The delegation stated that the Government ensured that no person having Dominican nationality would be stripped of it. That is why the second pillar announced by the Government is to submit to Congress a law to solve the irregular situation in which the children of undocumented immigrants registered in Dominican Republic and their descendants are.

24. The delegation asserted that the Dominican Republic is not the only country facing major challenges in migration planning and documentation and that it has taken advantage of many experiences and contributions which are appreciated and have allowed the Dominican Republic to build a coherent and effective road-map which they hope will also be valuable for other countries in similar situations.

25. Referring to the implementation of the recommendations made in 2009 by the Holy See, Slovenia, Italy, Spain and Uruguay, the delegation stated that the elaboration of a Standard against " Child Abuse " continued through the "Guide on Comprehensive Health Care for Children and Adolescents Victims of Violence and Abuse", and that a strategic framework proposing a Roadmap for the Dominican Republic to be free from child labour in 2020 and from its worst forms by 2015 is being implemented.

26. The delegation asserted the Dominican Republic has started running multiple programs working to prevent teen pregnancy through the National Commission on preventing and Combating Domestic Violence, supported by sections of the Ministries of Health, Education and Youth, the Office of the First Lady and the Vice Presidency .

27. It informed that, in accordance with the recommendations of Canada regarding the rights of persons with disabilities, the Dominican Republic has signed agreements aimed at their protection , and has carried out an intense campaign in 2013 to promote their social inclusion, together with workshops aimed at their insertion in the productive national labour market.

28. A concern on this topic was raised by the delegation previously stated in the Dominica Republic's intervention during the 51st Commission on Social Development held in February 2013 at the United Nations headquarters in New York, regarding the situation of disabled persons who are not yet reflected as vulnerable group in the area of HIV/AIDS at the United Nations, which should be included in order to increase international cooperation in combating this evil in favour of people who are affected with the disease.

29. Taking into account the recommendations of Cuba, Azerbaijan, the Holy See , Switzerland , Chile, Italy, Egypt, Norway, the Netherlands and the United Kingdom of Great Britain and Northern Ireland, the delegation mentioned that the protection of women is enshrined in its new Constitution of 2010, and that there are advances regarding the rights of women, including those related to the right to equality in political participation, affirming that currently the Dominican Republic has women deputies and senators, mayors, councilors and for the second time a woman has been elected as Vice President of the Republic.

30. Regarding Racial Discrimination, in accordance with the recommendations of Algeria, Belgium, the United Kingdom of Great Britain and Northern Ireland, Nigeria, and Ghana, the delegation asserted the Government has been implementing a series of internal measures such as the Attorney General's order to avoid any discrimination in access of people to court and to prosecute any kind of discrimination in social amenities throughout the country.

31. The delegation affirmed that a Specialized Attorney General against Smuggling and Trafficking in Persons was created in 2013 among the efforts made against these crimes, and all members of the Public Ministry were instructed to take immediate and forceful action against pimping and human trafficking.

32. Regarding the Right to Social Security and Adequate Standard of Living the delegation reported continued hard work aimed at the elimination of poverty and food insecurity of the most vulnerable. It informed that from 2012 the Central Government has provided for the implementation of various affirmative actions including the fusion of Progressing Program and the Community Technology Centres, calling it " Progressing with

Solidarity ", with the aim of taking out of extreme poverty more than 400,000 households, uplift 1,500,000 poor to middle class and integrate 200,000 new families to the Solidarity card.

33. The delegation underscored that the country had the privilege of being recognized at the end of 2013 by the United Nations Food and Agriculture Organization, among the 20 countries which in 2012 have had significant success in the fight against hunger and in the fulfilment of MDG number one.

34. On the recommendations made by the delegations of Cuba and Colombia, the delegation reported that the Health Sector is currently in a process of reform and modernization , which resulted in the implementation of Plan 2012 , based on lines of action set out in the National Development Strategy , the Millennium Goals, the Ten-Year Health Plan , the multiannual National Public Sector Plan 2011-2014 , the Strategic Health Agenda , international commitments , and the strategic agenda of the National Board of Health and Operational Plans made by each of the units of the institution.

35. The delegation noted that the strategies and interventions were aimed at meeting the health demands of the population focused primarily on Maternal Mortality, Infant Mortality, Vaccine Preventable Diseases, Dengue, Malaria, Tuberculosis, HIV, and Zoonosis. It was based on strengthening Primary Health Care, ensuring effective levels of immunization coverage, and access to medicines to the population. It added that thirteen per cent of the 2012 budget was directed only to attend Haitian people, regardless of their immigration status, which included services in the Dominican health centres.

36. The delegation referred to the increase in affiliations to the Social Security System and the Old Age, Disability and Survivors of the Contributory Scheme, together with the increase in the incorporation of workers of the informal sector the Social Security System (by 122.7% as of February 2013).

37. The delegation mentioned measures to ensure access of all children and adolescents in different schools at the public level, without the presentation of an identity document, ensuring enrolment of foreign children regardless of their immigration status. It informed that the National Literacy Plan "Quisqueya Aprende Contigo ", which aims to teach writing and reading to all people above 15 years old under equal conditions, in order to bring the illiteracy rate among the young and adult population to zero in a period of 2 years.

38. The delegation noted that great progress had been achieved with the provision that granted 4% of GDP to the annual budget of the Ministry of Education, responding to the claims of Dominican society in 2012, in line with the General Law on Education and its amendments and in compliance with the Ten-Year Plan for education previously cited in the 2009 Universal Periodic review. It added that 0.5% of GDP was assigned to higher education.

39. The delegation informed that following the adoption of resolution 01-14 of the National Migration Board, the Dominican government will proceed to implement a new visa for seasonal workers, in order to regularize their immigration status.

40. The delegation stated that one of the mayor challenges the State has to overcome is the socio-economic differences, as it is by guaranteeing a stable economic and educational development that needs are lowered and delinquency and antisocial acts are limited.

## **B. Interactive dialogue and responses by the State under review**

41. During the interactive dialogue, 48 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

42. Morocco commended measures to meet the needs of the population, especially Act No. 1-12 on the National Development Strategy, and requested further information on the national plan referred to therein. It welcomed efforts to combat corruption. It noted the provision of human rights training and asked whether the implementation of a general framework for human rights education was envisaged. Morocco made recommendations.
43. The Netherlands noted that despite efforts to establish gender equality and equity, gender-based violence was prevalent and would remain so as long as it was excluded from the Criminal Code. It expressed concerns about maternal mortality rates and discrimination against LGBT persons. The Netherlands made recommendations.
44. Nicaragua noted reforms to the Criminal Code and the adoption of new legislation, including the General Migration Act. It acknowledged measures aimed at resolving the irregular situation of migrants and encouraged the country to continue working in that area, while recognizing the challenges faced in that respect. Nicaragua made recommendations.
45. Norway welcomed the creation of the position of the Ombudsman. It was concerned about the Constitutional Court ruling to revoke citizenship rights of, and in some cases expel, descendants of migrants residing in the country and high incidences of violence against women. It reminded that the Government had accepted during its first review recommendations to end discrimination against LGBT persons. Norway made recommendations.
46. Paraguay welcomed amendments to the Criminal Code, in particular the criminalization of torture and forced disappearances, and penalties for domestic violence and femicide. It applauded the appointment of an Ombudsman, the introduction of a strategic framework to address child labour and efforts to ensure birth registration of all children. It noted initiatives for the prevention and prosecution of domestic violence. Paraguay made recommendations.
47. The Philippines acknowledged legislative changes to enhance the rights of children, women and persons with disabilities. The National Council for Migration would contribute to strengthening migrants' rights and it encouraged the periodic review and enhancement of related programmes. Efforts to combat trafficking in persons should continue. The Philippines made recommendations.
48. Portugal welcomed the commitment to improve the human rights situation in the country, the appointment of an Ombudsman, the willingness of the Government to consider requests from Rapporteurs to visit the country, and measures taken concerning the regularization and naturalization of migrants in an irregular situation. Portugal made recommendations.
49. Singapore noted efforts to promote gender equality, illustrated through the high number of women in political office, to strengthen protection of women against domestic violence, and the establishment of a helpline and reception centre in that regard. It noted the creation of the Special Prosecutor's Office to Combat Trafficking and Smuggling in Persons and the enforcement of anti-trafficking regulations. Singapore made recommendations.
50. Slovenia welcomed measures to combat violence against women. It noted the concerns raised by the CESCR and HR Committee about racial discrimination and regretted the difficult situation of Haitian migrants and Dominican nationals of Haitian descent. It expressed concern at the Constitutional Court ruling to revoke the citizenship of Dominican nationals of Haitian descent. Slovenia made recommendations.
51. Spain commended the Dominican Republic for directly incorporating international treaty obligations into its current Constitution. Spain made recommendations.

52. Switzerland was concerned about the situation of persons of Haitian descent, who had been stripped of their nationality right following a Constitutional Court ruling. It expressed concern about violence against women. In light of reports of human rights violations committed by the police, it commended steps to establish a committee to reform the national police. Switzerland made recommendations.

53. Thailand commended efforts to strengthen domestic legislation and institutions, particularly narrowing socio-economic gaps and increasing access to basic services for vulnerable groups. It noted the ongoing reform of the public health sector. Efforts to enhance women's role in economic and political spheres were commendable, but traditional stereotypes remained a challenge in that regard. Thailand made recommendations.

54. Trinidad and Tobago recognized the challenge in combating trafficking in persons and commended progress made in addressing the problem. The Constitutional Court ruling which stripped many Dominicans, mostly of Haitian descent, of citizenship violated international obligations and should be redressed without delay. It noted that, despite the recent steady economic growth, levels of poverty and inequality remained high. It made recommendations.

55. Turkey commended the adoption of the National Development Strategy. It noted developments concerning women's rights and the focus on the elimination of violence against women. It noted the adoption of a policy to invest in young people, the planned road map to eradicate child labour and cooperation with both civil society and UNICEF. Turkey made recommendations.

56. Ukraine commended ratification of the CAT and noted the appointment of an Ombudsman. It expressed concerns about the conformity of migration legislation with international standards on nationality and encouraged the Government to abstain from applying the General Migration Act retroactively and to enable those with Dominican nationality from birth to maintain it. Ukraine made recommendations.

57. The United Kingdom of Great Britain and Northern Ireland encouraged further security services reform to address the unacceptable number of extrajudicial killings by the national police. It was concerned by corruption within the judicial system. It expressed concern at racial discrimination, which should be eliminated, particularly regarding the issue of identity documents. It welcomed the appointment of an Ombudsman and prison reform. It made recommendations.

58. The United States of America commended the appointment of an Ombudsman. It urged the Government to consult with international partners and civil society to address concerns regarding the Constitutional Court ruling on citizenship. It expressed concerns about labour-related violations, shortcomings in labour inspection, and the use of excessive force and unlawful killings by the national police, despite efforts towards reform. It made recommendations.

59. Uruguay commended the ratification of the CAT and the CRPD. Cases of statelessness remained a concern. It nevertheless appreciated efforts to confront the problem and encouraged the Dominican Republic to step up such efforts through coordination with the United Nations system. Uruguay made recommendations.

60. Venezuela (Bolivarian Republic of) noted the "Progress with Solidarity" development programme; investment in education and the "Quisqueya learns with you" programme; and penitentiary reforms which sought to reintegrate prisoners into society and process complaints against prison officials. It requested further details on measures to combat domestic violence. It made recommendations.

61. Viet Nam commended institutionalization of national human rights mechanisms, strengthening of domestic legislation and accession to international human rights

instruments, including the CAT. It noted measures to tackle racial discrimination and trafficking in persons, and to protect vulnerable groups. Viet Nam made recommendations.

62. Algeria welcomed ratification of the CRPD and the CAT. It noted the National Development Strategy, which it hoped would improve citizen's enjoyment of their human rights. It encouraged the Government to follow up on commitments through programmes for vulnerable groups. The country would benefit from technical assistance. Algeria made recommendations.

63. Angola commended progress in human rights especially in the areas of health and education, the latter having received 4 per cent of GDP. It asked what concrete measures had been taken to protect and integrate persons with disabilities into society and what results were envisaged. It requested information on the policy to end violence against women. Angola made a recommendation.

64. Argentina commended progress made since the first UPR cycle, including ratification of the CAT and creation of the Human Rights Unit in the Attorney General's Office. It noted efforts to protect the rights of migrants and encouraged further steps to resolve the situation of persons of Haitian descent and their children. Argentina made recommendations.

65. Australia acknowledged progress on gender-based violence and inequality. It expressed concern regarding human rights violations by law enforcement officials, and the Constitutional Court ruling of September 2013 which introduced a retroactive and restrictive interpretation of nationality provisions that largely affected persons of Haitian origin. It was concerned by the treatment of migrant workers through the deportation process. Australia made recommendations.

66. Belgium commended the Dominican Republic for reopening dialogue with Haiti on the issue of migration. However, many challenges remained in that regard, particularly concerning combating all forms of discrimination. Welcoming legislation on the prevention and eradication of violence against women and provision of affordable medical care, it remained concerned by the incidence of sexual violence. Belgium made recommendations.

67. The Plurinational State of Bolivia noted the establishment of the Constitutional Court, Human Rights Unit in the Attorney General's Office, National Directorate for Victims Services, and Office for the Legal Representation of Rights of Victims, to improve access to justice. Efforts to strengthen human rights institutions, legislation and policies should continue. It made recommendations.

68. Brazil noted ratification of the CAT and applauded the reduction in fatalities resulting from domestic violence. It commended efforts to eradicate poverty. While the Bilateral Dominican-Haitian Commission had been reinstated, the Constitutional Court ruling that affected the nationality of persons of Haitian descent should be addressed. Suspension of deportation of Haitian migrants was a positive step. Brazil made recommendations.

69. Canada requested details on the status and impact of measures, agreed in 2010, to combat and penalize human trafficking, including the number of prosecutions. It welcomed legislative initiatives to assist persons with disabilities, enabling social inclusion and more productive life and respect for their rights. Canada made recommendations.

70. Chile commended promulgation of a new Constitution; ratification of CAT and CRPD; and progress in combating human trafficking and sexual exploitation. It noted prioritization of universal access to education and health care, the latter to reduce maternal and infant mortality. It acknowledged the explanation of the Constitutional Court ruling on nationality, and noted efforts to legalize foreigners. Chile made recommendations.

71. Colombia applauded the new Constitution; appointment of an Ombudsman; implementation of Act No.1-12 on the National Development Strategy, Criminal Code, Organic Act on the National Police, national action plan against trafficking in persons, and law to eradicate violence against women; and progress made in the health sector. Colombia offered assistance in implementing the recommendations it had made. Colombia made recommendations.

72. Cuba commended Act No.1-12 on the National Development Strategy, which promoted rights related to education, childhood, adolescence, women, social development, life, persons with disabilities and the elderly. It acknowledged improvements in health-related services and infrastructures. Construction of new schoolrooms and expansion of educational programs would improve the education system. Cuba made recommendations.

73. The Democratic People's Republic of Korea commended progress made regarding recommendations accepted during the first UPR cycle, particularly the implementation of a strategic framework to eradicate child labour, and development of provisions to combat child abuse, including corporal punishment and to support child and adolescent victims of violence. It made a recommendation.

74. Djibouti acknowledged creation of the supreme centre within the public prosecutors service of the Human Rights Unit there by contributing to implementation of human rights-related decisions and directives. It noted steps taken to support vulnerable groups, and commended the National Development Strategy, which focused on enjoyment of fundamental human rights. Djibouti made a recommendation.

75. Ecuador recognized progress made in the promotion and protection of human rights, especially efforts to improve the quality of life and rights of persons with disabilities. It noted the significant investment in education, the programme for early childhood care, the System of Statistical Indicators for Children and Adolescents, and programmes to prevent teenage pregnancy. Ecuador made recommendations.

76. Egypt noted progress made since the first UPR cycle; including improving citizens' access to human rights institutions. A resolution of the Supreme Council of the Public Prosecution Service had led to the establishment of the Human Rights Unit, which operated under the Attorney General's Office. Egypt made recommendations.

77. Estonia positively noted the involvement of the civil society in the preparation of the report. It welcomed accession to the Rome Statute and ratification of the CAT, which should be implemented. Commending efforts to promote women's rights, guarantee gender equality and combat violence against women and girls, which remained a concern, it urged the full implementation of related legislation. Human rights violations by police and security forces should be investigated and prosecuted. It encouraged efforts towards universal free primary education. Estonia made recommendations.

78. France welcomed the efforts made by the Dominican Republic to implement several of the recommendations made during the first cycle of the UPR in 2009. It commended ratification of the CAT. France made recommendations.

79. Germany commended the progress made since the first UPR cycle. It expressed concern regarding the discrepancy between the country's legal standards and their implementation, with particular regard to violence against women and excessive use of force by police officers. Discrimination faced by migrants, especially families of Haitian descent, was of concern. Germany made recommendations.

80. Guatemala noted Act No.1-12 on the National Development Strategy and the creation of the National Register for the Assessment and Certification of persons with disabilities, which would facilitate development of appropriate policies; the Human Rights Unit in the Attorney General's Office; and the National Council for Migration. It reiterated

concerns regarding legislation on nationality and migration, particularly affecting Haitians born in the country. Guatemala made a recommendation.

81. Indonesia acknowledged the consolidation of human rights principles into domestic legislation, Act No.1-12 on the National Development Strategy, the review of Act No.42-00 on disability, establishment of the Human Rights Unit in the Attorney General's Office, appointment of the Ombudsman and establishment of the Constitutional Court. It commended efforts to protect women's rights and improve access to education. Indonesia made recommendations.

82. Iraq welcomed implementation of the National Development Strategy, establishment of the Human Rights Unit in the Attorney General's Office, and improved access to human rights institutions for citizens. It noted campaigns to end violence against women, and measures to combat poverty and improve access to education for all children, despite their legal status. Iraq made a recommendation.

83. Ireland noted steps to tackle gender-based violence, including provision of protection and access to information for victims. It remains concerned with the continued incidents of high killings of women. The Criminal Code should adequately punish such acts. Constitutional Court ruling TC0168/13 could result in statelessness for many, particularly persons of Haitian descent. Welcoming prosecution of freedom of expression violations, it expressed concern regarding threats against journalists and human rights defenders who have opposed the decision of the Constitutional Court. The Government should cooperate with the Special Rapporteur on the situation of Human Rights Defenders. Ireland made recommendations.

84. Italy welcomed ratification of the CAT, encouraging its implementation, and measures to improve human rights education. Despite steps taken, gender-based violence remained a concern. It asked what steps had been taken to combat exploitation of children, such as prostitution, pornography and domestic work. It noted the policy to "clean up" national institutions, and police and security forces. It expressed concern regarding the Constitutional Court Ruling on nationality. Italy made recommendations.

85. Jamaica noted the prioritization of persons with disabilities and the strengthening of National Council for the Disabled, establishment of the Human Rights Unit in the Attorney General's Office, and implementation of a strategic framework and national road map to eliminate child labor by 2020. The discriminatory Constitutional Court ruling TC0168/13 would render many persons of Haitian descent stateless, which was of concern. It welcomed the resumption of dialogue with Haiti in seeking to address this issue. It urged the Government to resolve the issue of citizenship rights of Dominicans of Haitian descent and other affected nationals.

86. Malaysia noted legislative and institutional measures to protect and promote human rights. It commended steps to advance women's rights, and mechanisms to combat violence against women and provide assistance to victims of abuse. It noted efforts to protect children's rights, particularly to improve the quality of education. Malaysia made recommendations.

87. Somalia commended the progress identified in the National Report. It noted that 74 of the 79 recommendations made during the first UPR cycle had been accepted, and that the implementation of many of those had begun. Somalia made recommendations.

88. Montenegro welcomed the ratification of the CAT, and asked how it would be implemented, notably in cases of excessive use of force by law enforcement officials especially in prisons. It requested details of the measures taken following the recommendations made by CEDAW. Noting decriminalization of abortion in some cases, it

asked whether legislation would be amended in cases of rape, incest or fetal malformation. Montenegro made recommendations.

89. Mexico noted Criminal Code reform in areas such as domestic violence, slavery and racial segregation. It commended the establishment of the Constitutional Court and the Human Rights Unit in the Attorney General's Office. It applauded the ratification of the CAT and other efforts to combat torture, and urged cooperation with the Special Rapporteur on torture. Mexico made recommendations.

90. Regarding the question raised by Liechtenstein and the Netherlands on the Kampala Amendments, the delegation informed that these are under internal consultations, but that in the Penal Code draft law under consideration by Congress, all grave crimes of the Rome Statute including the crime of aggression are established as criminal offences.

91. Regarding the question raised on LGBT community, the Dominican Republic informed that it guarantees their rights, in accordance to articles 8 and 39 of the Constitution regarding the right to equality for all. The delegation asserted that the draft Penal Code also includes norms against discrimination, that the Dominican Republic co-sponsored the Declaration that looks to fight against discrimination based on sexual orientation and that there were no restrictions on public activities such as the Caravan of Gay Pride.

92. Regarding the questions raised on the ruling of the Constitutional Court by several delegations, the delegation stated that in the Dominican Republic all persons including foreigners have access to the rights to health, education and work. The delegation asserted that the decision of the Constitutional Court does not affect any person who has born in the Dominican Republic with a valid birth certificate. It added that those who were born in the Dominican Republic and who were inscribed in the Civil Register with irregular documentation, as long as it was not obtained by fraudulent means, might be able to be covered by a special law which will allow them to acquire Dominican Nationality. Those who do not wish to apply under this standard may appeal to the Court.

93. The ruling of the Court says that nobody may be deprived of documentation by an administrative process but that this procedure must be in line with the Court Procedures. In a first survey of the Civil Register 53.847 children of foreigners from whom 24.392 were registered irregularly. In order to attend these cases the Government proposes a special draft bill that will recognize these persons as citizens of the Dominican Republic, as they don't have links or roots in any other country. The President will hand this proposal to Congress once the next regular Legislative period starts.

94. The delegation affirmed that as a result of sentence 168/13 of the Constitutional Court no one has lost their nationality and no person has been affected. It explained that the sentence only determines that any person that has been proved to be irregularly registered, not in compliance with the law in force at the time of their birth, will be individually subject to a nullification process before the competent courts, which will decide on the validity of his documents.

95. The delegation added that the sentence says that from 1929 to today all persons born in Dominican Republic are nationals of the country with two exceptions: the children of accredited diplomats, in line with the Vienna Convention, and the children of persons in transit, of foreigners who are irregularly in the country. Therefore, the delegation concludes that this sentence cannot be retroactive, as the sentence only refers to laws that have been in force since 1929.

96. Regarding Germany's question on the support to persons that don't have documents to prove their migratory status, the Government established by Presidential Decree 327-13 the National Plan for Regularization of Foreigners in an Irregular Migratory Status seeks to

regularize those foreigners living without a legal status. It added that an easy and free of charge procedure has been established so that in the next 18 months those interested may register and present documents showing they have links with Dominican society and they have economic roots. According to the 2012 immigrants survey, there are nearly half million foreigners, with a majority not having legal status and more than half do not have identity documents of their country of origin. It added that as a guarantee for foreigners, during this Regularization Plan the Government has forbidden any deportations for those who have requested to be covered by the plan.

97. The delegation finally expressed its satisfaction for the presentation of the report and assured that all the recommendations will be taken into account, trusting that with the assistance of the countries the Dominican Republic can ensure that human rights are established definitively as the main guide for a life with dignity.

## **II. Conclusions and/or recommendations**

**98. The following recommendations will be examined by the Dominican Republic which will provide responses in due time, but no later than the 26<sup>th</sup> session of the Human Rights Council in June 2014:**

**98.1. Consider ratifying those international human rights instruments to which it is not yet a State party (Nicaragua);**

**98.2. Ratify those international human rights instruments to which it is not yet a party, such as the Second Optional Protocol to the Covenant on Civil and Political Rights, the International Convention for the Protection of All Persons from Enforced Disappearance and the Optional Protocol to the Convention on the Rights of the Child of 1989 (Spain);**

**98.3. Ratify the Optional Protocol to the ICESCR; the Second Optional Protocol to the ICCPR; the Optional Protocol to the UN Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment; the International Convention for the Protection of All Persons from Enforced Disappearance; and, finally, the Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure (Portugal);**

**98.4. Consider accession to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Ukraine);**

**98.5. Ratify the OP-CAT and to take policy measures to prevent torture and ill treatment (Estonia);**

**98.6. Consider signing and ratifying the Convention for the Protection of the Rights of Migrant Workers and Their Families (Mexico);**

**98.7. Consider ratifying the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Paraguay);**

**98.8. Consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Uruguay);**

**98.9. Analyse the possibility of ratifying the 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Ecuador);**

**98.10. Continue efforts to foster unity in a diverse society, including to migrants, through considering the ratification of ICRMW (Indonesia);**

- 98.11. Continue efforts made to achieve ratification of the International Convention for the Protection of All Persons from Enforced Disappearance and the acceptance of the competence of its Committee (Argentina);
- 98.12. Accede to the International Convention for the Protection of All Persons from Enforced Disappearance (Iraq);
- 98.13. Ratify the International Convention on the Protection of all Persons against Enforced Disappearance as well as the Second Optional Protocol to the International Covenant on Civil and Political Rights which aims to abolish the death penalty (France);
- 98.14. Consider ratification of ICCPR-OP2 (Montenegro);
- 98.15. Consider ratifying the conventions on stateless persons (Nicaragua);
- 98.16. Consider acceding to the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness (Uruguay);
- 98.17. Accede, as early as possible, to the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness (Brazil);
- 98.18. Take urgent steps to ensure full respect for the right to a nationality, and ratify the August 1961 Convention on the Reduction of Statelessness, which it signed in December 1961 (Ireland);
- 98.19. Consider ratifying ILO Convention 189 on Decent Work for Domestic Workers (Uruguay);
- 98.20. Ratify the Convention on the Prevention and Punishment of the Crime of Genocide (Estonia);
- 98.21. Ratify the Kampala Amendments to the Rome Statute (Estonia);
- 98.22. Take the appropriate measures to develop the position of the Ombudsman into an independent human rights institution in line with the Paris Principles (Norway);
- 98.23. Ensure the full independence of the Office of the Ombudsman in accordance with the Paris Principles on Independent National Human Rights Institutions (Portugal);
- 98.24. Ensure the independence of the Office of the Ombudsman in accordance with the Paris Principles (Ukraine);
- 98.25. Ensure compliance of the Ombudsman's institution with the Paris Principles (France);
- 98.26. Take measures to provide the Office of the Ombudsman with adequate resources (Ukraine);
- 98.27. Prioritise the adequate resourcing and staffing of the Ombudsman's Office, ensure that State institutions, including the National Police, collaborate fully with the Office and consider a public campaign to demonstrate to Dominican citizens how this institution can help protect and guarantee their human rights (United Kingdom of Great Britain and Northern Ireland);
- 98.28. Develop a national human rights plan (Paraguay);

- 98.29. Redouble its efforts to enforce more effectively the specific existing legislation and fully implement, among others, the Strategic National Plan for the Reduction of Maternal and Child Mortality, the National Plan for the Prevention of teenagers' pregnancy, and the Strategic Plan for the Prevention, Detection, Attention and Punishment of Violence against Women and Domestic Violence. In particular, the Dominican Republic could provide adequate resources to the relevant Ministries to ensure an effective assistance to victims (Spain);
- 98.30. Continue its efforts in the fight against corruption (Morocco);
- 98.31. Extend an open invitation to the United Nations special procedures (Portugal);
- 98.32. Extend a standing invitation to all thematic Special Procedures (Montenegro);
- 98.33. Issue a standing invitation to all special procedures of the Human Rights Council (Uruguay);
- 98.34. Work with the media and civil society organizations in changing attitudes and combat discrimination against women (Thailand);
- 98.35. Continue supporting the efforts to empower women in social and public life, including by providing adequate financial and human resources to implement policies and programmes afforded to them (Malaysia);
- 98.36. Take further steps to combat racial discrimination and human trafficking (Viet Nam);
- 98.37. Pursue its policy to protect the most vulnerable persons who are victims of racial discrimination (Angola);
- 98.38. Continue working on strengthening the protection and the necessary guarantee for all victims of racism or other forms of discrimination (Bolivia (Plurinational State of));
- 98.39. Introduce awareness-raising activities with the aim of eliminating conditions and attitudes perpetuating discrimination against Haitian migrants as well as the Dominicans of Haitian descent (Slovenia);
- 98.40. Continue taking the appropriate measures to better integrate and fully recognize persons of African descent as an important part of the Dominican society (Somalia);
- 98.41. Take the necessary measures to prevent arbitrary detentions based on discriminatory criteria of any kind, particularly those related to phenotype or those directed against LGBT persons (Mexico);
- 98.42. Adopt legislation to protect LGBT persons against gender-based violence and discrimination (Netherlands);
- 98.43. Strengthen its efforts and establish and implement policies and measures to address discrimination based on sexual orientation and gender identity (Norway);
- 98.44. Establish enforced disappearances and extrajudicial executions as criminal offenses under the Penal Code (Mexico);
- 98.45. Establish an independent body responsible for investigating possible police abuses (Spain);

- 98.46. Investigate all allegations of the use of excessive force, including killings, by law enforcement agents and ensure that they receive training on the appropriate use of force so as to prevent unnecessary casualties (Canada);
- 98.47. All law enforcement be conducted in accordance with international human rights standards and that the Dominican Republic undertakes prompt independent investigations into all alleged violations by officials (Australia);
- 98.48. Ensure the respect of human rights by law enforcement bodies and strengthen efforts to guarantee the impartiality of investigations and prosecution of police officers involved in acts of violence (France);
- 98.49. Expedite the comprehensive reform of the police (Spain);
- 98.50. Integrate a human rights based approach in the presidential commission for the reform of the police, establish an independent governance mechanism to investigate violations of human rights and ensure access to justice for victims (Switzerland);
- 98.51. Bolster mandatory human rights training for the security forces and strengthen mechanisms to investigate alleged abuses committed by security forces (United States of America);
- 98.52. Increase its efforts to ensure effective investigation into the high number of homicides and into the abuse of power by police officials and to hold those responsible accountable (Germany);
- 98.53. Launch an open dialogue with the civil society with a view to identifying and adopting further measures aimed at preventing possible abuses committed by police and security forces, and ensure that the victims and their relatives have access to fair and independent justice (Italy);
- 98.54. Continue incorporating into its national legislation measures to protect the rights of women and girls, and punish violence against women (Nicaragua);
- 98.55. Study amending its Penal Code, by incorporating the criminalization of all forms of violence against women (Uruguay);
- 98.56. Ensure that the Ministry of Women, the Ministry of Health, the Office of the Prosecutor General and other institutions with a role in preventing and addressing cases of gender-based violence are adequately resourced (Norway);
- 98.57. Take the necessary measures in order for the Ministry of Women to have adequate resources to strengthen the policies for women victims of domestic violence (Paraguay);
- 98.58. Continue to enhance the protection of women against domestic violence and further promote gender equality in its society (Singapore);
- 98.59. Implement the Strategic Plan for the prevention, detection, and repression regarding violence against women, and ensure that relevant departments have adequate resources to implement the Plan (Switzerland);
- 98.60. Allocate the necessary resources to the campaigns, plans and programs which were launched with the aim of strengthening the strife of preventing violence against women (Turkey);

- 98.61. **Implement the strategic plan for the prevention, identification, support and prosecution of acts of violence against women and domestic staff (Belgium);**
- 98.62. **Strengthen the national action plan for the protection of women and girls against gender based violence (Belgium);**
- 98.63. **Strengthen the implementation in practice, of the law on the eradication of violence against women, particularly through the implementation of strategic action plans and the establishment of units for comprehensive care to victims, with emphasis on regions and localities (Colombia);**
- 98.64. **Keep running multiple programmes to combat against the domestic violence supported by the Ministry of Health and the Ministry of Women (Democratic People's Republic of Korea);**
- 98.65. **Pursue efforts to promote the rights of women and adopt all necessary measures to fight against violence against them (France);**
- 98.66. **Take more effective measures to reduce violence against women, especially in the domestic sphere, to eliminate the occurrence of ‘femicidios’ and to reduce gender inequality (Germany);**
- 98.67. **Step up its efforts in order to prevent gender-based violence, punish perpetrators and provide the victims with adequate remedies, inter alia by enhancing the resources devoted to the Ministry of Women and establishing the Units for the Integrated Assistance for Victims in all provinces (Italy);**
- 98.68. **Continue its work to prevent the forced labour of women especially in the sugar cane plantations (Trinidad and Tobago);**
- 98.69. **Finalize and implement the road map “free from child labour by 2020 and from its worst forms by 2015” in the near future (Turkey);**
- 98.70. **Continue the efforts directed towards eliminating child labour (Ecuador);**
- 98.71. **Continue to strengthen its domestic framework and institutions to combat human trafficking (Singapore);**
- 98.72. **Intensify its efforts to combat human trafficking (Trinidad and Tobago);**
- 98.73. **Intensify its efforts to combat human trafficking (Algeria);**
- 98.74. **Strengthen efforts to combat smuggling and trafficking in persons, in order to eradicate this crime (Bolivia (Plurinational State of));**
- 98.75. **Consider the recommendations on reforms to the justice system made by the President of the Supreme Court in his speech of 7 January and identify improvements which will help to guarantee the human right of access to justice. This should include thorough investigation of malpractice and a zero tolerance approach towards corruption (United Kingdom of Great Britain and Northern Ireland);**
- 98.76. **Take all necessary measures to provide effective birth registration (Belgium);**

- 98.77. Ensure effective investigation of human rights violations against journalists and human rights defenders and prosecution of the individuals responsible (Ireland);
- 98.78. Decriminalize defamation in line with international standards (Estonia);
- 98.79. Strengthen labour law enforcement by providing training to labour inspectors and conducting outreach campaigns to inform workers of their internationally recognized worker rights (United States of America);
- 99.80. Pursue efforts aiming towards putting an end to social inequality (Algeria);
- 99.81. Continue to promote the social and human development of the Dominican population by devising public policies and taking affirmative actions aimed at eliminating remaining social inequalities (Philippines);
- 99.82. Continue to give priority to the fulfilment of the basic rights of its citizens, particularly to food and to an adequate standard of living, by intensifying the implementation of comprehensive poverty-alleviation programs (Philippines);
- 99.83. Heighten the action to mitigate and eventually eliminate extreme social inequalities within the country thereby ensuring equal access by all persons to health care, education and housing (Trinidad and Tobago);
- 99.84. Continue strengthening its social plans in the area of the reduction of poverty and social exclusion (Venezuela (Bolivarian Republic of));
- 99.85. Continue consolidating the successful measures established to ensure food security and the welfare of its people (Venezuela (Bolivarian Republic of));
- 99.86. Provide access to adequate and affordable housing for everyone (Egypt);
- 99.87. Establish and implement strategies to achieve all MDGs by 2015, especially goals related to the rights of women and children (Viet Nam);
- 99.88. Strengthen services aimed at protecting women, children and other marginalized or vulnerable groups (Australia);
- 99.89. Consider adopting legislative measures to facilitate access of women in rural areas to land ownership; to ensure that poverty reduction and income generating strategies include provisions relating to rural women; and to ensure access by rural women and girls to education (Egypt);
- 99.90. Continue strengthening the Dominican social security system and the implementation of the Comprehensive Law for the national development strategy until 2030, which was issued on January 25, 2012 (Somalia);
- 99.91. Ensure universal access to health for all, by providing adequate funding in undertaking such a policy and allowing sufficient training for health personnel (Thailand);
- 99.92. Continue the current efforts to increase health-care expenditures and ensure universal access to health and adequate training of health personnel (Egypt);

- 99.93. Continue the efforts of the Government to ensure the improvement of their health system, as well as progress in other socio-economic and cultural rights (Cuba);
- 99.94. Adopt a plan to reduce maternal mortality and to equally decriminalize abortion in cases of incest or rape (Netherlands);
- 99.95. Ensure sufficient funds to effectively lower the pregnancies in adolescents, also by launching awareness-raising activities (Slovenia);
- 99.96. Take all necessary measures for the effective implementation of the national strategic plan to reduce maternal mortality 2012-2016 (Belgium);
- 99.97. Strengthen the National Strategic Plan for the Reduction of Maternal Mortality 2012-2016 and the National Plan for the Prevention of Adolescent Pregnancy (Colombia);
- 99.98. Guarantee full and effective recognition of sexual and reproductive rights (France);
- 99.99. Continue its efforts with a view to adopting HIV/AIDS care programs, including support services and effective prevention campaigns (Chile);
- 99.100. Continue taking measures that guarantee the right to education of its population (Cuba);
- 99.101. Take legislative measures to guarantee in the law universal access to primary and secondary schooling for all children without discrimination (Belgium);
- 99.102. Continue strengthening education policies to ensure the schooling of all children (Chile);
- 99.103. Encourage the authorities to strengthen educational policies in order to provide for full school enrolment of all children (Djibouti);
- 99.104. Continue its current efforts to provide access to quality education without discrimination for the school-age population throughout the country (Egypt);
- 99.105. Continue the efforts in the field of education including providing a high quality of education system that is inclusive, universal and free (Indonesia);
- 99.106. Continue to focus on the overall improvement in the quality of education provided, including by continuing to provide human rights education, training and courses to students, civilian populations and law enforcement officials (Malaysia);
- 99.107. Ensure that its migration policies adopt a human rights based approach and respect the fundamental rights of migrants (Morocco);
- 99.108. Ensure the protection and promotion of the rights of migrants, in particular the safeguarding of the interests of children and adolescents (Colombia);
- 99.109. Introduce effective measures to prevent discriminatory practices linked to the process of granting citizenship and civil status registration (Norway);

- 99.110. Undertake all necessary measures to immediately recognize citizenship to those who had it at the time of their birth (Slovenia);
- 99.111. Apply promptly and in a non-discriminatory manner the Plan for the Regularization of Foreigners and consider, for these effects, the recommendations of the Inter-American Commission on Human Rights following its visit to the country on December 6, 2013, stating that the process, as a whole, be made in accordance with its international human rights obligations (Spain);
- 99.112. Respect every person's nationality in accordance with the recommendations of the Inter-American Commission on Human Rights and the judgment of the Inter-American Court on Human Rights (Mexico);
- 99.113. Maximize its efforts to resolve the cases of statelessness, in coordination with UNHCR and with the support, among others, of the United Nations and Inter-American multilateral systems, strengthening a national civil registration system, so as to ensure that all the inhabitants of the Dominican Republic enjoy their rights (Uruguay);
- 99.114. Strengthen measures to guarantee the right to a nationality and include necessary safeguards to prevent statelessness of those born in the territory of the Dominican Republic (Argentina);
- 99.115. Ensure that international standards on nationality and statelessness continue to be fully applied in the country to all individuals without discrimination (Italy);
- 99.116. Seek the technical advice of the United Nations High Commissioner for Refugees to identify, prevent and reduce statelessness, protect stateless persons and address the statelessness situation (Brazil);
- 99.117. Ensure that its treatment of all affected persons is in line with its international human rights obligations and that it seek the technical advice of the United Nations High Commissioner for Refugees to identify, prevent and reduce statelessness (Germany);
- 99.118. Adopt measures to ensure that Dominicans of foreign descent keep their Dominican nationality, avoiding possible cases of statelessness (Chile);
- 99.119. The Naturalization law include all persons of foreign descent proving birth in the Dominican Republic before 2010, whether registered or not, be given state identity documents (Australia);
- 99.120. Ending mass arbitrary expulsion of migrant workers and to ensure that their human rights are respected in all deportation processes (Australia);
- 99.121. Collaborate with the Haitians authorities on migration issues (Belgium);
- 99.122. Effectively follow up the guidelines adopted by the Dominican Republic and Haiti Joint Commission on concrete measures to safeguard the fundamental rights of people of Haitian origin (Brazil);
- 99.123. Continue the dialogue with Haiti and the efforts made to date, with the support of the international community, in order to deal with the migration problems affecting the Dominican Republic (Guatemala);
- 99.124. Take measures to ensure that deportations are conducted in compliance with existing international obligations, and that immigration and

law enforcement officials receive the necessary training to ensure the human rights of deportees are respected (Canada);

99.125. Take steps to ensure protection of the fundamental rights of all individuals born in the Dominican Republic, including the offspring of undocumented foreigners who may be at risk of becoming stateless as a consequence of Constitutional Tribunal ruling 168/13 (Canada);

99.126. Seek the technical advice of the United Nations High Commissioner for Refugees to identify and prevent statelessness, and protect stateless persons, to address the challenges created by the ruling of the Constitutional Court (Norway);

99.127. Give a special attention to children affected by the Constitutional Court ruling ensuring the provision of their basic rights, such as education, health and protection (Portugal);

99.128. Avoid the retroactive application of the norms that could result from the execution of the Constitutional Court's judgment 168/13 and generate situations of statelessness for citizens holding the Dominican citizenship (Spain);

99.129. Take all possible measures to improve the situation of the persons whose rights have been adversely affected by the decision of the Constitutional Court of 23 September 2013, and to ensure compliance with its obligations under international law (Switzerland);

99.130. Take the necessary political, legislative, judicial and administrative steps to redress most urgently the unacceptable humanitarian situation created by the Constitutional Court ruling (Trinidad and Tobago);

99.131. Implement a regularization process, in accordance with its international obligations, to prevent the arbitrary deprivation of nationality, avoid deportations of populations affected by the Tribunal's ruling, and ensure a non-discriminatory process for the acquisition of nationality by individuals born in the Dominican Republic and their descendants for whom documentation is not accessible (United States of America);

99.132. All rights be restored retroactively to those affected by the Constitutional Court judgment and that they be given prompt and non-discriminatory means to acquire their Dominican Republic citizenship (Australia);

99.133. Take all necessary measures to prevent statelessness and allow all residents to fully enjoy their fundamental rights in particular persons of Haitian's descent who have been affected by the ruling of the Constitutional Tribunal of the 23rd of September 2013 (France);

99.134. Continue the current efforts to consider the strengthening of environmental legislation and policies, and that the establishment of legal advisory and enforcement capacity on environment should be considered as priority needs and actions (Egypt).

99. All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.

## Annex

### Composition of the delegation

The delegation of Dominican Republic was headed by Alejandra Liriano de la Cruz, Vice minister of Foreign Relations, and composed of the following members:

- Rhadys Abreu de Polanco, Ambassador, Head of the Human Rights Section of the Ministry of Foreign Relations;
  - Josue Fiallo, Ambassador, Technical Advisor for the Ministry of Presidency;
  - Pablo Medina, Counsellor Minister, Head of Business Affairs a.i. of the Permanent Mission to the United Nations and other International Organizations;
  - Katherine Urbáez, Counsellor Minister, Head of the Human Rights Subject of the Permanent Mission to the United Nations and other International Organizations.
-