

2RP: Responses to Recommendations & Voluntary Pledges

DOMINICAN REPUBLIC

Second Review Session 18

Review in the Working Group: 5 February 2014

Adoption in the Plenary: 20 June 2014

Dominican Republic's responses to recommendations (as of 18.08.2014):

| In the Report of the Working Group: | In the Addendum: | During the plenary: | Summary: |
|-------------------------------------|--|------------------------------------|---|
| No response, all pending | 84 recs are accepted, 29 "have been taken under advisement" (n°1-21, 31-33, 114, 115, 119, 126, and 127) and 21 "do not have [their] support" (n°45, 68, 89, 94, 98, 110-113, 116-118, 120, 124, 125, and 128-133) | No additional information provided | Accepted: 84 Noted: 50 Total: 134 |

Paragraph headers are as in the Report of the Working Group, but the nature of responses to recommendations may have subsequently been changed.

List of recommendations contained in Section II of the Report of the Working Group A/HRC/26/15:

98. The following recommendations will be examined by the Dominican Republic which will provide responses in due time, but no later than the twenty-sixth session of the Human Rights Council in June 2014

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

N - 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);

N - 98.3. Ratify the Optional Protocol to the ICESCR; the Second Optional Protocol to the ICCPR; the Optional Protocol to the 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);

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

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

N - 98.6. Consider signing and ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Mexico);

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

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

N - 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);

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

N - 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);

N - 98.12. Accede to the International Convention for the Protection of All Persons from Enforced Disappearance (Iraq);

N - 98.13. Ratify the International Convention for the Protection of All Persons from Enforced Disappearance as well as the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at abolition of the death penalty (France);

N - 98.14. Consider ratification of ICCPR-OP2 (Montenegro);

N - 98.15. Consider ratifying the conventions on stateless persons (Nicaragua);

N - 98.16. Consider acceding to the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness (Uruguay);

N - 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);

N - 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);

N - 98.19. Consider ratifying ILO Convention 189 on Decent Work for Domestic Workers (Uruguay);



N - 98.20. Ratify the Convention on the Prevention and Punishment of the Crime of Genocide (Estonia);

N - 98.21. Ratify the Kampala Amendments to the Rome Statute (Estonia);

A - 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);

A - 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);

A - 98.24. Ensure the independence of the Office of the Ombudsman in accordance with the Paris Principles (Ukraine);

A - 98.25. Ensure compliance of the Ombudsman's institution with the Paris Principles (France);

A - 98.26. Take measures to provide the Office of the Ombudsman with adequate resources (Ukraine);

A - 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);

A - 98.28. Develop a national human rights plan (Paraguay);

A - 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);

A - 98.30. Continue its efforts in the fight against corruption (Morocco);

N - 98.31. Extend an open invitation to the United Nations special procedures (Portugal);

N - 98.32. Extend a standing invitation to all thematic Special Procedures (Montenegro);

N - 98.33. Issue a standing invitation to all special procedures of the Human Rights Council (Uruguay);

A - 98.34. Work with the media and civil society organizations in changing attitudes and combat discrimination against women (Thailand);

A - 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);

A - 98.36. Take further steps to combat racial discrimination and human trafficking (Viet Nam);

A - 98.37. Pursue its policy to protect the most vulnerable persons who are victims of racial discrimination (Angola);

A - 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));

A - 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);

A - 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);

A - 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);

A - 98.42. Adopt legislation to protect LGBT persons against gender-based violence and discrimination (Netherlands);

A - 98.43. Strengthen its efforts and establish and implement policies and measures to address discrimination based on sexual orientation and gender identity (Norway);

A - 98.44. Establish enforced disappearances and extrajudicial executions as criminal offenses under the Penal Code (Mexico);

N - 98.45. Establish an independent body responsible for investigating possible police abuses (Spain);

A - 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);

A - 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);

A - 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);

A - 98.49. Expedite the comprehensive reform of the police (Spain);

A - 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);

A - 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);

A - 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);

A - 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);

A - 98.54. Continue incorporating into its national legislation measures to protect the rights of women and girls, and punish violence against women (Nicaragua);

A - 98.55. Study amending its Penal Code, by incorporating the criminalization of all forms of violence against women (Uruguay);

A - 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);

A - 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);

A - 98.58. Continue to enhance the protection of women against domestic violence and further promote gender equality in its society (Singapore);

A - 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);

A - 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);

A - 98.61. Implement the strategic plan for the prevention, identification, support and prosecution of acts of violence against women and domestic staff (Belgium);

A - 98.62. Strengthen the national action plan for the protection of women and girls against gender based violence (Belgium);

A - 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);

A - 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);

A - 98.65. Pursue efforts to promote the rights of women and adopt all necessary measures to fight against violence against them (France);

A - 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);

A - 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);

N - 98.68. Continue its work to prevent the forced labour of women especially in the sugar cane plantations (Trinidad and Tobago);

A - 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);

A - 98.70. Continue the efforts directed towards eliminating child labour (Ecuador);

A - 98.71. Continue to strengthen its domestic framework and institutions to combat human trafficking (Singapore);

A - 98.72. Intensify its efforts to combat human trafficking (Trinidad and Tobago);

A - 98.73. Intensify its efforts to combat human trafficking (Algeria);

A - 98.74. Strengthen efforts to combat smuggling and trafficking in persons, in order to eradicate this crime (Bolivia (Plurinational State of));

A - 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);

A - 98.76. Take all necessary measures to provide effective birth registration (Belgium);

A - 98.77. Ensure effective investigation of human rights violations against journalists and human rights defenders and prosecution of the individuals responsible (Ireland);

A - 98.78. Decriminalize defamation in line with international standards (Estonia);

A - 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);

A - 98.80. Pursue efforts aiming towards putting an end to social inequality (Algeria);

A - 98.81. 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);

A - 98.82. 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);

A - 98.83. 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);

A - 98.84. Continue strengthening its social plans in the area of the reduction of poverty and social exclusion (Venezuela (Bolivarian Republic of));

A - 98.85. Continue consolidating the successful measures established to ensure food security and the welfare of its people (Venezuela (Bolivarian Republic of));

A - 98.86. Provide access to adequate and affordable housing for everyone (Egypt);

A - 98.87. Establish and implement strategies to achieve all MDGs by 2015, especially goals related to the rights of women and children (Viet Nam);

A - 98.88. Strengthen services aimed at protecting women, children and other marginalized or vulnerable groups (Australia);

N - 98.89. 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);

A - 98.90. 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);

A - 98.91. Ensure universal access to health for all, by providing adequate funding in undertaking such a policy and allowing sufficient training for health personnel (Thailand);

A - 98.92. Continue the current efforts to increase health-care expenditures and ensure universal access to health and adequate training of health personnel (Egypt);

A - 98.93. 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);

N - 98.94. Adopt a plan to reduce maternal mortality and to equally decriminalize abortion in cases of incest or rape (Netherlands);

A - 98.95. Ensure sufficient funds to effectively lower the pregnancies in adolescents, also by launching awareness-raising activities (Slovenia);

A - 98.96. Take all necessary measures for the effective implementation of the national strategic plan to reduce maternal mortality 2012-2016 (Belgium);

A - 98.97. Strengthen the National Strategic Plan for the Reduction of Maternal Mortality 2012-2016 and the National Plan for the Prevention of Adolescent Pregnancy (Colombia);

N - 98.98. Guarantee full and effective recognition of sexual and reproductive rights (France);

A - 98.99. Continue its efforts with a view to adopting HIV/AIDS care programs, including support services and effective prevention campaigns (Chile);

A - 98.100. Continue taking measures that guarantee the right to education of its population (Cuba);

A - 98.101. Take legislative measures to guarantee in the law universal access to primary and secondary schooling for all children without discrimination (Belgium);

A - 98.102. Continue strengthening education policies to ensure the schooling of all children (Chile);

A - 98.103. Encourage the authorities to strengthen educational policies in order to provide for full school enrolment of all children (Djibouti);

A - 98.104. Continue its current efforts to provide access to quality education without discrimination for the school-age population throughout the country (Egypt);

A - 98.105. Continue the efforts in the field of education including providing a high quality of education system that is inclusive, universal and free (Indonesia);

A - 98.106. 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);

A - 98.107. Ensure that its migration policies adopt a human rights based approach and respect the fundamental rights of migrants (Morocco);

A - 98.108. Ensure the protection and promotion of the rights of migrants, in particular the safeguarding of the interests of children and adolescents (Colombia);

A - 98.109. Introduce effective measures to prevent discriminatory practices linked to the process of granting citizenship and civil status registration (Norway);

N - 98.110. Undertake all necessary measures to immediately recognize citizenship to those who had it at the time of their birth (Slovenia);

N - 98.111. 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);

N - 98.112. Respect every person's right to 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);

N - 98.113. 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);

N - 98.114. 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);

N - 98.115. Ensure that international standards on nationality and statelessness continue to be fully applied in the country to all individuals without discrimination (Italy);

N - 98.116. 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);

N - 98.117. 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);

N - 98.118. Adopt measures to ensure that Dominicans of foreign descent keep their Dominican nationality, avoiding possible cases of statelessness (Chile);

N - 98.119. 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);

N - 98.120. Ending mass arbitrary expulsion of migrant workers and to ensure that their human rights are respected in all deportation processes (Australia);

A - 98.121. Collaborate with the Haitians authorities on migration issues (Belgium);

A - 98.122. 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);

A - 98.123. 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);

N - 98.124. 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);

N - 98.125. 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);

N - 98.126. 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);

N - 98.127. 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);

N - 98.128. 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);

N - 98.129. 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);

N - 98.130. 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);

N - 98.131. 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);



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N - 98.132. 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);

N - 98.133. 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);

A - 98.134. 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).

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