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Freedom in the World 2009 - Dominican Republic

Capital: Santo Domingo
Population: 9,900,000

Political Rights Score: 2
Civil Liberties Score: 2
Status: Free

Overview

In 2008, President Leonel Fernandez of the Dominican Liberation Party won another four-year term in a convincing electoral victory, but the worsening economic situation threatened to undermine progress on security as violence flared along the border with Haiti.

After achieving independence from Spain in 1821 and from Haiti in 1844, the Dominican Republic endured recurrent domestic conflict, foreign occupation, and authoritarian rule. The assassination of General Rafael Trujillo in 1961 ended 30 years of dictatorship, but a 1963 military coup led to civil war and U.S. intervention. In 1966, under a new constitution, civilian rule was restored with the election of conservative president Joaquin Balaguer. His ouster in the 1978 election marked the first time an incumbent president peacefully handed power to an elected opponent.

Since the mid-1990s, Dominican politics have been defined by competition between the Dominican Liberation Party (PLD) and the Dominican Revolutionary Party (PRD), although Balaguer's Social Christian Reformist Party (PRSC) remained an important factor. Leonel Fernandez of the PLD was first elected president in 1996, but term limits prevented him from running in 2000. He was succeeded by the PRD's Rafael Hipolito Mejia Dominguez, a former agriculture minister whose campaign appealed to those left behind by the country's overall economic prosperity.

In 2003, a major bank scandal that cost the equivalent of 15 percent of gross domestic product (GDP) triggered an economic collapse, leading to months of protests and leaving the government widely reviled. Mejia in 2001 had successfully enacted a constitutional change to allow a second consecutive presidential term, but he decisively lost his 2004 reelection bid to Fernandez.

While his 1996-2000 presidential term had featured substantial economic growth, Fernandez returned to face a ballooning \$6 billion foreign debt, a 16 percent unemployment rate, annual inflation of some 32 percent, and a deep energy crisis.

Within a short period, however, inflation had been brought into the single digits, and macroeconomic stability had improved dramatically, with the economy posting a 9 percent growth rate in 2005. In return for International Monetary Fund (IMF) financing, the government agreed to cut subsidies on fuel and electricity and reduce the bloated government payroll. In July 2005, the U.S. Congress ratified the regional free-trade agreement known as DR-CAFTA, which included Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, and the Dominican Republic.

The PLD, capitalizing on the president's successful economic management, won a majority in both houses of Congress in May 2006. In the Senate, the PLD took 22 seats, while the PRD won only six and the PRSC won four. In the Chamber of Deputies, the PLD won 96 seats, the PRD won 60, and the PRSC took 22. The Organization of American States (OAS) observation mission declared the elections to be free and fair.

In August 2006, Fernandez named 13 judges to head a commission of experts that would formulate and review constitutional reform proposals, which could include allowing Dominicans residing abroad to run for elected office. The panel presented its findings in September 2008, generating debate as the opposition called for a constituent assembly to handle the reform process. Also during the year, Fernandez oversaw the completion of an underground mass-transit system in the capital. The project had drawn criticism due to its high costs, frequent delays, and concerns about ongoing energy shortages.

In the May 2008 presidential election, Fernandez secured a third term with 54 percent of the vote. His opponent, the PRD's Miguel Vargas Maldonado, garnered just over 40 percent. Political violence associated with the balloting led to three deaths, but Fernandez called for a national celebration, dubbing the election a "democratic fiesta."

Political Rights and Civil Liberties

The Dominican Republic is an electoral democracy. The 2008 presidential election and the 2006 legislative elections were determined to have been free and fair. The constitution provides for a president and a bicameral National Congress, both elected to four-year terms. The Congress consists of the 32-member Senate and the 178-member Chamber of Deputies. The three main political parties are the ruling PLD, the opposition PRD, and the smaller PRSC.

Official corruption remains a serious problem. Fernandez, whose first term in the 1990s was marred by a scandal involving the disappearance of \$100 million in government funds, made fighting corruption a central theme of his 2004 election campaign. In his inaugural address, he pledged fiscal austerity and promised large cuts in the borrowing, hiring, and heavy spending that had characterized the outgoing administration. Still, the corruption problem has not improved much during his tenure, and the Dominican Republic was ranked 102 out of 180 countries surveyed in Transparency International's 2008 Corruption Perceptions Index. The government in 2008 remained dogged by problems stemming from illegal contracts awarded as part of the Sun Land case, in which Fernandez authorized a \$130 million loan to a private company for its public works projects, without congressional approval. More positively, the public agencies in charge of customs and taxes, once riddled with corruption, underwent significant reforms during the year.

The law provides for freedom of speech and of the press, and the government generally respects those rights. There are five national daily newspapers and a large number of local publications. The state-owned Radio Television Dominicana operates radio and television services. Private owners operate more than 300 radio stations and over 40 television stations, most of them small, regional broadcasters. In March 2005, Fernandez signed implementation rules for a 2004 freedom of information law. Internet access is unrestricted but not widely available outside of large urban areas; the Fernandez government has worked to improve access to technology in rural areas.

Constitutional guarantees regarding religious and academic freedom are generally observed.

The government upholds the right to form civic groups, and civil society organizations in the Dominican Republic are some of the best organized and most effective in Latin America. Labor unions are similarly well organized. Although legally permitted to strike, they are often subjected to government crackdowns. In 2003 and 2004, general strikes triggered by the government's handling of the economic crisis resulted in several deaths and mass arrests. Leaders from the transportation unions called two general strikes in 2007 to protest low wages and high fuel prices. In 2008, the union representing public hospitals confronted the government with claims that its demands for higher wages had not been met, and public hospital doctors engaged in several one-day strikes. In general, while some unions enjoy favorable public opinion, many are viewed with distrust due to their corrupt practices. Peasant unions are occasionally targeted by armed groups working for major landowners.

The judiciary, headed by the Supreme Court, is politicized and riddled with corruption, and the legal system offers little recourse to those without money or influence. However, reforms implemented in recent years, including measures aimed at promoting greater efficiency and due process, show some promise of increasing citizen access to justice. In 2004, a new criminal procedures code gave suspects additional protections, and a new code for minors improved safeguards against sexual and commercial exploitation.

Extrajudicial killings by police remain a problem, and low salaries encourage endemic corruption in law enforcement institutions. However, the Fernandez administration has undertaken serious police reform efforts and has begun to refer cases of military and police abuse to civilian courts instead of nontransparent police or military tribunals. Prisons suffer from severe overcrowding, poor health and sanitary conditions, and routine violence that has resulted in a significant number of deaths. A 2005 riot at a badly overcrowded detention center in Higuey led to a fire that killed at least 134 inmates. New initiatives launched in 2005 as part of Fernandez's democratic security plan included a crackdown on illegal weapons, tougher policing measures, and a curfew on alcohol sales. The overall security situation has improved as the rate of homicides and other violent crimes has declined, but the worsening economic situation in 2008 threatened to set back progress in fighting crime. In 2008, the homicide rate in the Dominican Republic fell to 20.8 per 100,000, the lowest rate since 2003, though still higher than the regional average for Latin America and the Caribbean.

The Dominican Republic is a major transit hub for South American drugs, mostly cocaine, headed to the United States. Local, Puerto Rican, and Colombian drug smugglers use the country as both a command-and-control center and a transshipment point. The government estimates that some 20 percent of the drugs entering the country remain there as "payment in kind." The government has sought the right to shoot down planes that drop unauthorized packages onto its territory, but the United States opposes the measure.

The mistreatment of Haitian migrants continues to mar the Dominican Republic's international reputation, but no strategy has been adopted to handle this growing problem. In 2007, a small, center-right political party filed a court case to strip citizenship from Sonia Pierre, a Dominican-born activist for Haitian rights, but backed down under international pressure. Several violent incidents against Haitians flared in Dominican towns close to the border in October 2008, with civilians chasing and beating Haitians – resulting in a number of deaths – despite the authorities' efforts to protect some of the migrants. The situation is exacerbated by poor economic prospects in the Dominican Republic, which has intensified competition for work among local and migrant populations.

Violence and discrimination against women remain serious problems, as do trafficking in women and girls, child prostitution, and child abuse. Domestic violence is particularly problematic; approximately two-thirds of women killed in the Dominican Republic in 2008 were killed by their domestic partners. The government has created the post of secretary for women's issues, and women regularly serve in Congress and at the cabinet level. In 2008, several women's health groups continued to push for legalized abortion, but they were stymied by concerted opposition from large segments of the population

and the Roman Catholic Church.

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