

Freedom in the World 2015 - Dominican Republic

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2015 Scores

Status: Free

Freedom Rating (1 = best, 7 = worst): 2.5

Civil Liberties (1 = best, 7 = worst): 3

Political Rights (1 = best, 7 = worst): 2

OVERVIEW

The Dominican Republic enacted new legislation in May 2014 to open pathways to citizenship for residents of Haitian descent. The move was a step toward resolving international and domestic political fallout following a 2013 Constitutional Court ruling in favor of revoking citizenship for tens of thousands of Dominicans of Haitian descent, many of whom were born to illegal migrant workers. Nevertheless, the outlook for those affected remains uncertain, as the requirements for naturalization for many – including legal documents, identification, and registration processes – are daunting.

POLITICAL RIGHTS AND CIVIL LIBERTIES

Political Rights: 30 / 40

A. Electoral Process: 10 / 12

The Dominican Republic's bicameral National Congress consists of the 32-member Senate and the 183-member Chamber of Deputies, with members of both chambers elected to four-year terms.

The Dominican Liberation Party (PLD) captured 31 of 32 seats in the 2010 Senate elections; the Social Christian Reformist Party (PRSC) took the remaining seat. In the Chamber of Deputies, the PLD secured 105 seats, the Dominican Revolutionary Party (PRD) won 75, and the PRSC took 3. The opposition subsequently presented allegations of electoral fraud to the Organization of American States (OAS), and international observers noted that campaigning resources were not equally distributed between government and opposition candidates. The OAS also noted irregularities, including vote buying, though it certified the results.

The PLD's Danilo Medina was victorious in the 2012 presidential election, winning 51 percent of the vote and defeating PRD candidate Hipólito Mejía. Former president Leonel Fernández of the PLD, who served two terms from 1996 to 2000 and 2004 to 2012, was barred by the constitution from seeking a consecutive term. Medina won on a platform to reduce poverty, improve the country's educational system, fight corruption, and expand infrastructure projects.

The country's 38th constitution, promulgated in 2010, removed restrictions on nonconsecutive presidential reelection. There is some disagreement about the interpretation of the constitution, as some argue that it bans reelection. However, Fernández continued throughout 2014 to gather support for a third presidential bid in 2016. Meanwhile, others in the PLD moved to reform the constitution in order to allow for consecutive presidential reelection, which would allow the popular Medina to run again in 2016.

B. Political Pluralism and Participation: 11 / 16

There are many active political parties and they are able to freely participate in debate and discussions, but Dominican politics have been defined by competition between the PLD, the opposition PRD, and the smaller PRSC since the mid-1990s.

Haitians do not have full political rights. Recent legislative debacles, especially the 2013 revocation of and subsequent flawed processes for reinstating citizenship for Dominicans of Haitian descent born in the country, are indicative of the extent of discrimination.

C. Functioning of Government: 9 / 12

Corruption remains a serious, systemic problem for the country at all levels of the government, judiciary, security forces, and the private sector. As an accepted part of governance, it is institutionalized. Despite active anticorruption campaigns, largely led by nongovernmental organizations (NGOs) and the media, corrupt officials largely continue their practices with impunity. Graft is linked to the country's sharp increase in drug trafficking. In 2014 alone, drug cartels paid out \$140,000 per month to local police officers, allowing drug traffickers to use the country as a production and transit hub. Corruption also extends to diplomatic postings: as of May 2014, the Dominican Republic listed 77 people as working with the United Nations in well-paid diplomatic posts, while the official United Nations count for the Dominican Republic stood at 37.

Civil Liberties: 43 / 60

D. Freedom of Expression and Belief: 15 / 16

The law guarantees freedoms of speech and press for all, but journalists face intimidation and violence when investigating certain issues such as drug trafficking and corruption. A reporter for *El Nacional* newspaper investigating the drug trade narrowly escaped a shooting attempt in July; his house was also hit with tear gas grenades days earlier. Three journalists were injured in September while covering clashes between police and demonstrators over the shooting death of a man of Haitian origin.

Five national daily newspapers and a large number of local publications work alongside state-owned Radio Televisión Dominicana (RTVD). There are more than 300 privately owned radio

stations and more than 40 television stations. Internet access is unrestricted and roughly 48 percent of the population is online, though telecommunications infrastructure is still lacking in rural areas.

Constitutional guarantees regarding religious and academic freedom are generally observed. Private discussion is unrestricted.

E. Associational and Organizational Rights: 10 / 12

Freedom of assembly is usually respected, but authorities were heavy handed in 2014. Police fired tear gas to quell a fierce demonstration demanding road repairs in San Cristóbal in September, and weeks later a protest over a police shooting led to clashes between demonstrators and police. Freedom of association is constitutionally guaranteed, but is limited for public servants. The government upholds the right to form civic groups.

Labor unions are well organized. Major labor protests in 2014 included ongoing domestic and international protests against the Dominican Republic's citizenship ruling by a coalition of the National Council of United Trade Unions (CNUS), the Domestic Workers Association (ATH), the International Trade Union Confederation (ITUC), and other Haitian and Dominican unions. Unions representing sugar cane cutters also organized several protests aimed at the Haitian government, demanding it provide identification documents to its workers free of charge so they could regularize their immigration status in the Dominican Republic.

F. Rule of Law: 8 / 16

The judiciary is politicized and plagued by corruption. The legal system offers little justice to those without the resources to offer bribes.

The country ranked the fifth most dangerous out of 21 Latin American and Caribbean countries, according to the 2014 Gallup Citizen Safety Index, which takes into account incidents of robbery, trust in the local police, and public perceptions. However, 2014 saw a sharp decline in the murder rate to its lowest point in 10 years, from 18.6 cases per 100,000 to 16.2 per 100,000.

Extrajudicial killings by police remain a serious problem; at least 87 were recorded in the first half of 2014. According to a 2012 Amnesty International report, police are involved in 15 percent of all killings in the country.

Prisons have been undergoing reform for the past decade to correct serious problems of overcrowding, poor sanitation, and violence. In a move away from corrections, the focus has shifted to inmate rehabilitation, education, and reintegration into society. Classes from primary to university level are being offered to prisoners at 18 of the country's 35 prisons in order to empower inmates to succeed outside prison walls. While costs of running the country's 18 rehabilitation-focused facilities are double those of traditional models, the new system boasts a 5 percent recidivism rate, compared to 50 percent for traditional prisons.

Haitians face persistent systematic discrimination, including obstacles to attending school and university, obtaining legal employment, and securing legal documents such as identification, birth certificates, and marriage licenses.

While same-sex sexual activity is legal in the Dominican Republic, the LGBT (lesbian, gay, bisexual, and transgender) community still faces discrimination and even violence. Members of the LGBT community are often blamed for high levels of HIV/AIDS in certain areas of the country. Same-sex relationships, as well as other gender identities, are still considered taboo in the country. In December 2014, the country's first same-sex marriage occurred under the Vienna Convention at the Dominican Republic's British Embassy between a Dominican man and a British man. LGBT individuals are barred from certain public sector jobs such as in the police force and armed forces.

G. Personal Autonomy and Individual Rights: 10 / 16

The mistreatment of Haitian immigrants and Dominicans of Haitian descent continues to mar the Dominican Republic's international reputation in the wake of its 2013 Constitutional Court ruling that a 2010 law limiting Dominican citizenship to children born to legal immigrants could be retroactively applied. The decision threatened to strip four generations of Dominicans of Haitian descent – an estimated 210,000 Dominicans – of their citizenship. Under international and domestic pressure from human rights critics, the country enacted new legislation in May 2014 that opened pathways to citizenship for residents of Haitian descent. However, the outlook for the affected Dominicans remains uncertain pending a February 2015 cutoff date and requirements for naturalization for many, including legal documents, identification, and registration processes. Meanwhile, authorities continue to police the Haiti-Dominican Republic border in order to stop the influx of refugees seeking to enter the Dominican Republic. The country's bid to join the Caribbean Community (CARICOM) was suspended in 2013 on the grounds that the citizenship ruling was in violation of the American Convention on Human Rights.

The Dominican Republic is making an effort to make women more visible in public and private spheres. The country still maintains an absolute ban on abortion, even in cases of rape, risky pregnancies, pregnancies where the mother is at risk, and in cases of an unviable fetus. A legislative effort in 2014 aimed to decriminalize abortion if the mother's health is at risk.

Trafficking in women and girls, child prostitution, and child abuse are major concerns. The government, in association with the United States, is making serious strides to combat trafficking. In August 2014, for example, the takedown of a prostitution ring saved 25 children and resulted in eight arrests.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

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