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Freedom in the World 2010 - Dominican Republic

Capital: Santo Domingo

Population: 10,090,000

Political Rights Score: 2 *

Civil Liberties Score: 2 *

Status: Free

Trend Arrow ↓

The Dominican Republic received a downward trend arrow due to the revelation through several major scandals of the level of drug traffickers' penetration of Dominican police and legal institutions, as well as new constitutional bans on abortion and gay marriage that are among the strictest in the world.

Overview

In 2009, support for President Leonel Fernandez of the Dominican Liberation Party began to wane amidst a worsening economic climate, as well as several major scandals involving collusion between drug traffickers and the police. The new constitution ratified in October included some of the toughest restrictions on abortion and gay marriage in the world.

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 2001, Mejia 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 financing, the government agreed to cut subsidies on fuel and electricity and reduce the bloated government payroll.

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 6 and the PRSC took 4. In the Chamber of Deputies, the PLD won 96 seats and the PRD took 60, leaving the PRSC with 22. Fernandez secured a third term in the May 2008 election 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." Fernandez promoted a constitutional reform process that resulted in the ratification of the country's 38th constitution in October 2009. The new constitution has no restrictions on non-consecutive presidential reelection, which would allow Fernandez to run for president again in 2016.

The Dominican Republic faced new troubles in 2009 stemming from a wave of scandals involving the Dominican National Police, as well as a worsening economic climate. In February, 27 police officers, including two colonels, were charged with allowing drug dealers to operate in their districts with impunity. In August, another police unit was dismantled, and authorities launched an investigation into the alleged ties between nearly 200 officers and drug trafficking. Separately, lawyers and staffers in the government's legal department were fired in relation to allegations of malfeasance in the Central Electoral Board. Controversy also erupted over bloated government payrolls after new reports revealed that some Dominican ministries had 10 times as many staff as equivalent ministries in neighboring countries. The Central Bank claimed 3.5 percent growth during 2009, but some analysts and rating agencies viewed that figure as optimistic, especially considering initial projections of a 1 percent contraction during the year.

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. President Leonel 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 99 out of 180 countries surveyed in Transparency International's 2009 Corruption Perceptions Index. The uncovering in 2009 of bloated government payrolls in some ministries fueled charges of political patronage.

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 2009, peasant unions were occasionally targeted by armed groups working for major landowners, and the rights of Haitian workers were routinely violated.

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. The Fernandez administration's police reform efforts faced serious setbacks in 2009, including drug corruption scandals involving hundreds of officers and reported increases in the use of extortion and intimidation by police. In July, the National Commission on Human Rights documented more than 70 instances of police forcing onions into suspects' mouths in order to extract confessions. Prisons suffer from severe overcrowding, poor health and sanitary conditions, and routine violence that has resulted in a significant number of deaths.

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. More than 6,000 Haitians were forcibly deported from the Dominican Republic in 2009 in a practice that failed to meet minimal human rights standards. 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. The government has created the post of secretary for women's issues, and women regularly serve in Congress and at the cabinet level. In 2009, the new Dominican constitution included one of the most restrictive abortion laws in the world, making the practice illegal even in cases of rape, incest, or to protect the life of the mother. The measure was strongly opposed by Amnesty International and domestic women's rights groups, who feared the law would have severely negative consequences for women's health. The new constitution also defined marriage as solely between a man and a woman, making the country one of the few in the world to ban gay marriage at the constitutional level.

**Countries are ranked on a scale of 1-7, with 1 representing the highest level of freedom and 7 representing the lowest level of freedom.*

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