



**Congressional
Research Service**

Informing the legislative debate since 1914

Dominican Republic: Background and U.S. Relations

Clare Ribando Seelke

Specialist in Latin American Affairs

March 21, 2014

Congressional Research Service

7-5700

www.crs.gov

R41482

Summary

The Dominican Republic, a country of roughly 10.2 million people that shares the Caribbean island of Hispaniola with Haiti, is a close U.S. trade partner and political ally in Latin America. The United States is the Dominican Republic's main trading partner, with two-way trade totaling more than \$11.5 billion in 2013. In addition to trade, U.S. interest in the Dominican Republic has recently focused on anti-drug cooperation and governance/human rights issues, particularly as they relate to Haiti. U.S.-Dominican cooperation on bilateral and regional issues intensified during Leonel Fernández's last two terms in office (2004-2008 and 2008-2012), and has continued during the Danilo Medina Administration.

Led by former President Fernández and current President Medina, the center-left Dominican Liberation Party (PLD) has solidified its dominance over Dominican politics. In May 2010, the PLD captured two-thirds of the seats in the Dominican Congress; the party will remain in control of the legislature through May 2016. The PLD prevailed again in the May 20, 2012, presidential election when Danilo Medina soundly defeated former president Hipólito Mejía (2000-2004) of the populist Dominican Revolutionary Party (PRD).

Inaugurated on August 16, 2012, President Medina, a former member of the Dominican Congress and minister of the presidency, is seeking to build upon his predecessors' legacy while resolving lingering challenges related to the country's fiscal situation, energy sector, and education system. Analysts expected more continuity than change from the Medina government, particularly since Fernández's wife, Margarita Cedeño, is vice president, but Medina has implemented ambitious economic and social policies. This year, the Medina government has the difficult task of implementing a September 2013 Dominican Constitutional Tribunal ruling that many argue may place hundreds of thousands of Dominican-born persons, most of whom are of Haitian descent, at risk of statelessness. The ruling has been widely condemned by the international community and strained Dominican-Haitian relations.

In recent years, congressional interest in the Dominican Republic has focused on security, trade, and human rights issues. The United States is one of the largest bilateral donors to the Dominican Republic; in FY2014, assistance totaled some \$25.3 million. The Dominican Republic has also received at least \$32.5 million through the Caribbean Basin Security Initiative (CBSI), a regional initiative for which Congress appropriated \$327.0 million from FY2010-FY2014. For FY2015, the Obama Administration requested at least \$25.7 million for the Dominican Republic and \$56.5 million for the CBSI program. Bilateral trade and investment flows have expanded since the Dominican Republic-Central America-United States Free Trade Agreement (CAFTA-DR) entered into force for the Dominican Republic on March 1, 2007. Human rights issues, particularly the treatment of Haitians in the Dominican Republic, have also been of significant interest to Congress. Members of Congress have introduced a resolution (H.Res. 443) expressing concern that the aforementioned Tribunal ruling places hundreds of thousands of Dominican-born persons, most of whom are of Haitian descent, at risk of statelessness.

This report provides background information on political and economic conditions in the Dominican Republic, as well as an overview of some of the key issues in U.S.-Dominican relations.

Contents

Background.....	1
Political Situation.....	2
Fernández Administrations (2004-2012).....	2
May 2012 Presidential Elections.....	4
Medina Administration.....	4
Key Priorities.....	4
Ruling by the Constitutional Tribunal of the Dominican Republic.....	5
Relations with Haiti.....	7
Economic and Social Conditions.....	8
U.S. Relations.....	11
Foreign Aid.....	11
Security Cooperation.....	13
Trade and Related Labor Issues.....	14
Human Rights.....	16
Outlook.....	19

Figures

Figure 1. Map of the Dominican Republic and Haiti.....	2
Figure 2. Annual Gross Domestic Product (GDP) Growth in the Dominican Republic.....	9

Tables

Table 1. U.S. Bilateral Assistance to the Dominican Republic: FY2009-FY2015.....	12
Table 2. CBSI Appropriations by Foreign Aid Account: FY2010-FY2015.....	13

Contacts

Author Contact Information.....	19
---------------------------------	----

Background

The Dominican Republic is situated on the eastern two-thirds of the Caribbean island of Hispaniola, which it shares with Haiti (see **Figure 1**). A population of about 10.2 million occupies an area about the size of New Hampshire and Vermont combined. Between 900,000 and 1.2 million of the people currently living in the Dominican Republic are undocumented; many of them are Haitians or descended from Haitians.¹ With a per capita gross domestic product (GDP) of roughly \$5,470 (2012), the Dominican Republic is classified by the World Bank as an upper middle-income country. This stands in sharp contrast to neighboring Haiti, a low-income country with a per capita GDP of just \$760 that was struggling economically even before a devastating earthquake hit the country in January 2010.² The two countries had similar GDP per capita levels in 1960, but while growth in Haiti has stagnated and its per capita GDP has shrunk by half since that time, the Dominican Republic has posted one of the fastest growth rates in Latin America and its per capita GDP has quadrupled.³

After fighting to achieve its independence from Spain in 1821 and then from Haiti in 1844, the Dominican Republic embarked upon a bumpy road toward its current democratic form of government characterized by frequent coups, dictatorships, and U.S. interventions (including 1916-1924 and 1965-1966).⁴ Rafael Trujillo ruled the country as a dictator from 1930 to 1961, often employing violent tactics to quell political opposition. Despite his brutality, Trujillo's strong anticommunist stance earned him tacit support from the United States. His acolyte, Joaquín Balaguer, then served as president from 1960-1962, 1966-1978, and 1986-1996. As a result of the dominance of these *caudillo* (strongman) leaders, the Dominican Republic did not develop into a modern democracy until the 1990s. In 1994, an agreement commonly referred to as the "Pact for Democracy" removed the aging Balaguer from power and paved the way for the country's first truly free and fair elections to be held in 1996.⁵

Since the mid-1990s, the Dominican Republic has, for the most part, continued to post solid economic growth (see **Figure 2** below), and developed democratic institutions, albeit with very high levels of corruption. In 1996, Leonel Fernández of the center-left Dominican Liberation Party (PLD) succeeded Joaquín Balaguer as president and presided over a period of strong economic growth fueled by expansion in tourism and free trade zones. In the 2000 presidential elections, after top PLD officials were charged with misusing public funds, Hipólito Mejía (2000-2004), an agrarian engineer of the populist Dominican Revolutionary Party (PRD), defeated the PLD candidate, Danilo Medina. He lost support, however, by spending excessively and deciding

¹ U.S. Department of State, *Country Report on Human Rights Practices for 2013: Dominican Republic*, February 2014, available at <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2013&dlid=220439>. Hereinafter State Department, February 2014.

² For background on Haiti, see CRS Report R42559, *Haiti under President Martelly: Current Conditions and Congressional Concerns*, by Maureen Taft-Morales.

³ World Bank, *Haití, República Dominicana: Más Que la Suma de las Partes*, 2012.

⁴ After a period of instability in the country, the U.S. military intervened in 1916 ostensibly to restore order, but did not depart until elections were held in 1924. U.S. troops again occupied the Dominican Republic in 1965-1966 after a civil conflict erupted following the 1963 coup that ousted Juan Bosch, founder of the anti-Trujillo Dominican Revolutionary Party (PRD), from power.

⁵ For a history of the Dominican Republic, see Frank Moya Pans, *The Dominican Republic: A National History* (New Rochelle, NY: Hispaniola Books Corporation, 1995); Jonathan Hartlyn, *The Struggle for Democratic Politics in the Dominican Republic* (Chapel Hill, NC: University of North Carolina Press, 1998).

to bail out all deposit holders after three massive bank failures in 2003. Leonel Fernández defeated Mejía easily in 2004 to garner another four-year term.

Figure 1. Map of the Dominican Republic and Haiti



Political Situation

Fernández Administrations (2004-2012)

During his last two terms, Leonel Fernández restored confidence in the Dominican economy, enacted significant political reforms, and played a key role in regional politics. As a result of

sound economic management, record foreign investment, infrastructure spending, and a successful diversification of the economy, Fernández helped the Dominican Republic resume its position as one of the fastest-growing economies in Latin America (GDP growth averaged 7% per year from 2005-2011).⁶ Rapid growth combined with significant reductions in inflation helped reduce the percent of Dominicans living in poverty from 43% in 2004 to 34% in 2010,⁷ a rate that economists maintain is still rather high for the country's income level.⁸

Former President Fernández also scored a number of political victories that will likely ensure his party's dominance for years to come. In May 2010, Fernández's PLD party captured 31 of 32 seats in the Dominican Senate and 105 of 183 seats in the Chamber of Deputies. It will control both chambers through May 2016. In 2009, then-President Fernández secured congressional approval of a new constitution. The new constitution, which took effect in January 2010, allows presidents to complete one term and then serve again after sitting out of office for four years, making President Fernández eligible to run again in 2016.⁹

As president, Leonel Fernández maintained close ties with the United States, but also sought to diversify the Dominican Republic's trade relations and raise the country's international profile by mediating regional conflicts and supporting reconstruction efforts in Haiti. Fernández helped resolve disputes between Colombia and neighboring Ecuador and Venezuela, and supported efforts to negotiate a peaceful settlement to the 2009 political crisis that occurred in Honduras. Despite centuries of tension between the two countries, the Dominican Republic responded to the January 2010 earthquake in Haiti with an outpouring of public and private donations and emerged as a key supporter of international relief and reconstruction efforts.¹⁰

While some argue that Leonel Fernández passed a strong legacy on to his successor, others maintain that his government left major problems unaddressed. At the end of Fernández's two terms, the Dominican Republic still experienced persistent electricity shortages, high crime rates (the homicide rate stood at 25 per 100,000 people in 2011),¹¹ and corruption. In Transparency International's 2011 Corruption Perceptions Index, the Dominican Republic ranked 26th out of 28 countries in Latin America.¹² In addition, the Dominican Republic's weak education system, which ranked just above Haiti in a 2012 global competitiveness report, remained a major

⁶ GDP figures are from the Economist Intelligence Unit. (EIU).

⁷ World Bank, *World Development Indicators 2011*.

⁸ International Labor Organization (ILO), *Growth, Employment, and Social Cohesion in the Dominican Republic*, January 2013, available at http://www.ilo.org/wcmsp5/groups/public/—dgreports/—integration/documents/meetingdocument/wcms_204604.pdf.

⁹ The constitution also: made presidential and legislative elections coincide beginning in 2016 (the current Congress will serve until then); revamped the structure of the judiciary; and defined citizenship such that the children of immigrants residing in the country illegally (of whom there are currently an estimated 1 million Haitians) are ineligible to receive Dominican nationality.

¹⁰ For a history of Dominican-Haitian relations, see Michele Wucker, *Why the Cocks Fight: Dominicans, Haitians, and the Struggle for Hispaniola* (New York: Hill and Wang, 2000). For information on Dominican contributions to reconstruction in Haiti, see "Rebuilding Haiti," *Foreign Affairs*, vol. 89, no. 5 (September/October 2010).

¹¹ The homicide rate was 24.5 per 100,000 in 2004. See U.N. Office on Drugs and Crime (UNODC), "Homicide Statistics," available at <https://www.unodc.org/unodc/en/data-and-analysis/homicide.html>.

¹² Each year, Transparency International's Corruption Perception Index measures the perceived levels of public sector corruption in countries around the world. Countries are ranked on a scale from 10 (highly clean) to 0 (highly corrupt). The countries ranked at the top of the list have the lowest levels of perceived corruption. For more information, see http://www.transparency.org/policy_research/surveys_indices/cpi/2011/results.

impediment to an otherwise competitive economy.¹³ The Fernández government's decision to let a stand-by agreement with the International Monetary Fund (IMF) lapse rather than reducing electricity subsidies left the country in a precarious fiscal situation.

May 2012 Presidential Elections

On May 20, 2012, Danilo Medina, an economist, three-time congressman, and two-time minister of the presidency, secured a first round victory in the Dominican presidential election. Standing for the PLD, Medina defeated former President Hipolito Mejía of the PRD by a comfortable margin of 51.2% to 46.2%. A number of independent monitoring organizations certified the election results, even as allegations of vote-buying and excessive campaign spending plagued both parties.¹⁴ While Medina undoubtedly benefitted from his party's massive campaign spending and the outgoing Fernández government's largesse, he also garnered support from the popularity of then-First Lady Margarita Cedeño and voters' negative associations of Mejía with the economic crisis of 2003-2004. Mejía's candidacy was further weakened by the president of the PRD's refusal to support his candidacy.

Medina Administration

Key Priorities

Danilo Medina took office for a four-year presidential term on August 16, 2012. During his inaugural address, Medina emphasized the development goals of his administration: reducing poverty and inequality; increasing spending on education to 4% of GDP as mandated by the constitution; ending illiteracy; and creating 400,000 new jobs. Observers expect his policies to be guided by the country's National Development Plan 2010-2030, which sets specific targets for increasing education spending, boosting tax revenue, and increasing electricity production.¹⁵

Upon taking office, President Medina endorsed austerity and fiscal reform. He shepherded a fiscal reform through the Dominican Congress, enacting a variety of tax changes aimed at boosting revenue and reducing the country's fiscal deficit. Though unpopular among Dominicans, the reforms, combined with cuts in public spending, have been praised by the IMF for helping to restore macroeconomic stability in the country.¹⁶ Medina also dedicated more of the budget to social programs by, for example, increasing education funding to 4% of GDP in 2013.

Buoyed by a large congressional majority and high approval ratings (82%),¹⁷ President Medina has implemented a variety of new socioeconomic programs that have already yielded positive

¹³ The Dominican Republic ranked 143rd out of 144 countries on the quality of its education system. World Economic Forum, *Global Competitiveness Report 2012-13*, available at http://www3.weforum.org/docs/WEF_GlobalCompetitivenessReport_2012-13.pdf. Hereinafter WEF, 2012-2013.

¹⁴ Participación Ciudadana, *Informe Final de PC Sobre las Elecciones 2012*, Segundo Informe Sobre el Desarrollo de las Elecciones Presidenciales y de Diputados de Ultramar, Santo Domingo, May 2012, pp. 1-5.

¹⁵ A copy of the plan is available in Spanish at http://www.end.gov.do/download/Anteproyecto_de_Ley_de_END_RD_2010_2030.pdf.

¹⁶ IMF, "IMF Concludes Mission on the Article IV Consultation with the Dominican Republic," press release, March 17, 2014.

¹⁷ "Country Report: Dominican Republic," *Economist Intelligence Unit (EIU)*, February 2014. Hereinafter, *EIU*, (continued...)

results; his efforts to address crime and corruption remain works in progress. In his recent state of the nation address, Medina highlighted progress made in revitalizing the agricultural sector, which has generated some 35,000 jobs; health initiatives that are expanding access to vaccinations and hospitals; and education programs that have helped 500,000 people achieve literacy.¹⁸ Medina also reported progress in implementing his 2013 citizen security plan by citing figures on the number of additional police hired, equipment purchased, and prevention programs launched in the past year. He credited government efforts for contributing to a 13% reduction in homicides in 2013, but acknowledged that with a homicide rate of 20 homicides per 100,000 people, additional work needed to be done. Medina has been criticized by opposition forces for failing to punish corruption committed during the Fernández Administrations and for not mentioning that issue in his speech. He also failed to elaborate on his Administrations' efforts to repair strained relations with neighboring Haiti or to develop a plan to provide legal status to Dominicans of Haitian descent (see below).¹⁹

Ruling by the Constitutional Tribunal of the Dominican Republic²⁰

The Dominican government has long received criticism for its migration policies and general treatment of Haitians and Dominicans of Haitian descent living within its borders.²¹ A ruling in September 2013 by the Constitutional Tribunal of the Dominican Republic could render as stateless an estimated 200,000 Dominican-born persons, mostly of Haitian descent, many of whom have lived there for decades. With the ruling's retroactive effect, it has the potential to impact thousands born in the Dominican Republic.

The case involved Ms. Juliana Dequis Pierre, a 29-year-old Dominican-born woman and mother of four children whose Haitian migrant parents moved to the Dominican Republic decades ago. Although Ms. Dequis Pierre was registered at birth as a Dominican citizen, the Tribunal concluded she did not meet the criteria for the acquisition of Dominican nationality. The ruling essentially applied the criteria for acquiring Dominican nationality outlined in the 2010 constitution (as well as the 2004 General Law on Migration that was upheld by the Dominican Supreme Court in 2005) retroactively. As outlined in the State Department's *Country Report on Human Rights Practices* covering 2013, the 2010 constitution provides that anyone born in the country is considered a Dominican citizen, except children born to diplomats, parents who are "in transit," or parents who are in the country illegally.²² The Tribunal also requested Dominican authorities to identify similar cases of formally registered Dominicans of Haitian descent who

(...continued)

February 2014.

¹⁸ "Dominican Republic: Medina Neglects Thorny Issues in Annual Address," *Latin American Weekly Report*, March 6, 2014. A video of the speech is available in Spanish at <http://presidencia.gob.do/comunicados/danilo-medina-discurso-rendici%C3%B3n-de-cuentas-27-de-febrero-2014-video>.

¹⁹ *Latin American Weekly Report*, op. cit.

²⁰ Rhoda Margesson, Specialist in International Humanitarian Policy, and Maureen Taft-Morales, Specialist in Latin American Affairs, co-authored this section.

²¹ See, for example, Amnesty International, *Haitian Migrants at Risk in the Dominican Republic*, October 8, 2009; and *Dominican Republic: Challenging Discrimination in the Dominican Republic: Protecting the Rights of Haitian Migrant Workers and their Descendants*, November 9, 2008.

²² U.S. Department of State, *Country Report on Human Rights Practices for 2013: Dominican Republic*, February 2014, available at <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>.

would not meet the Tribunal's criteria for citizenship going back to 1929. The potential impact of such a process is that three generations of Dominicans of Haitian descent could become stateless.

Stateless Persons: Definition and Role of the U.N. High Commissioner for Refugees

An individual who is stateless is "a person who is not considered as a national by any State under the operation of its law."²³ Statelessness occurs for many different reasons, including discrimination against minority groups in nationality legislation, lack of birth registration, failure to include all residents as citizens when a state becomes independent, and conflicting nationality laws between states. The U.N. High Commissioner for Refugees (UNHCR) estimates that more than 10 million people are stateless in dozens of countries worldwide.²⁴ Statelessness does not allow an individual to participate fully in society and rights are often denied or violated, including the right to vote; the ability to obtain identity documents; access to education, health services, and employment; the right to travel; and the right to freedom in the case of detention.

UNHCR can play a key role in assisting stateless individuals. Specifically, the organization acts on behalf of stateless persons providing identification, protection, and prevention assistance, and helping reduce incidences of statelessness. Two U.N. conventions are the key legal instruments in the protection of stateless persons: the 1954 Convention Relating to the Status of Stateless Persons, which is the primary international legal instrument adopted to regulate and improve the legal status of stateless persons, and the 1961 Convention on the Reduction of Statelessness, which deals with the means of avoiding statelessness. Haiti has not signed or ratified either convention. The Dominican Republic has not signed or ratified the 1954 Convention and signed (but did not ratify) the 1961 Convention.

Dominican authorities argue that such people will not be stateless because they will qualify as Haitian citizens or will be given a path to Dominican citizenship. The Haitian constitution grants citizenship to children born of a Haitian parent, but does not address second and third generations descended from Haitian citizens. In addition, some argue there could potentially be thousands of other individuals affected who are not on Dominican registries. For decades, Dominican officials have reportedly denied birth certificates and other documents to many Dominican-born people of, or perceived to be of, Haitian descent.

On November 29, 2013, Dominican President Medina signed a decree "establishing the terms and conditions for the legalization of all foreigners currently living in the Dominican Republic under an irregular status."²⁵ Those affected by the ruling include mainly Haitian immigrants and those who lack legal documents. It includes those persons who entered the Dominican Republic illegally and have remained in the country, and those who may have entered legally but exceeded their allotted time to remain or violated the conditions that allowed for their admission. Any foreign person would have 18 months (until May 31, 2015) to apply. In order to be included in the Plan, foreigners living in the country must prove their ties to Dominican society (such as having children born in the Dominican Republic), know how to speak and write Spanish, live at a residential address, and not have a criminal record. Provisions also reportedly exist for property and bank account holders and those with specific jobs and skills. The time period for a decision on any application is not more than 45 days. The decree said that those who "choose not to adhere to the Plan" will have the choice of assisted repatriation or will be subject to deportation.²⁶

²³ Text of the 1954 Convention Relating to the Status of Stateless Persons, Chapter 1, General Provisions, Article 1, Definition of the term "stateless person."

²⁴ U.N. High Commissioner for Refugees (UNHCR)'s mandate is to protect refugees (and by legal definition, refugees have crossed an international border because of persecution or a well-founded fear of being persecuted). UNHCR also provides assistance and helps protect the rights of other groups, including stateless persons. Stateless persons may sometimes also be refugees, but the two categories are distinct.

²⁵ Information provided by the Embassy of the Dominican Republic, Washington, DC, on December 10, 2013.

²⁶ Manuel Jimenez, "Dominican Government Gives Details of Naturalization Plan for 'Foreigners,'" *Reuters*, November 30, 2013. The Plan is available in Spanish here: <http://www.mip.gob.do/Portals/0/docs/> (continued...)

President Medina did not mention the Plan in his state of the nation address on February 27, 2014, but Dominican officials have said that he will soon be submitting a related bill to the Dominican Congress to naturalize those born in the Dominican Republic. The bill would also “update the mechanisms on immigration and nationality with clear and consistent rules that will ensure the legal security of individuals that reside in the country.”²⁷

The Tribunal ruling runs contrary to a 2005 judgment by the Inter-American Court of Human Rights on the issue of nationality in the Dominican Republic.²⁸ It also goes against recommendations made by the U.N. system, Organization of American States (OAS), foreign leaders, and human rights groups that have challenged the Tribunal’s legitimacy out of concern that it violates international human rights obligations to which the Dominican Republic is party. The Inter-American Commission on Human Rights (IACHR) concluded that the Tribunal’s ruling “implies an arbitrary deprivation of nationality” and “has a discriminatory effect, given that it primarily impacts Dominicans of Haitian descent.”²⁹ The Caribbean Community (CARICOM) “condemn[ed] the abhorrent and discriminatory ruling,” and said it was “especially repugnant that the ruling ignores the 2005 judgment made by the Inter-American Court on Human Rights that the Dominican Republic adapt its immigration laws and practices in accordance with the provision of the American Convention on Human Rights.”³⁰ CARICOM then suspended the Dominican Republic’s request for membership.

Relations with Haiti³¹

The Tribunal ruling has strained relations between the Dominican Republic and Haiti (the country’s second-largest trade partner), arguably setting back progress that had occurred after the Dominican government provided support for post-earthquake relief and reconstruction efforts in Haiti. With the possibility that the Dominican Republic could render thousands of Dominicans of Haitian descent stateless and possibly deport some of them to Haiti, the potential impact on Haiti could be significant. Haiti has limited resources to deal effectively with an influx of large numbers of people. The Haitian government initially recalled its ambassador from the Dominican Republic in response to the Tribunal’s ruling. Relations were further strained when the Dominican Republic reportedly repatriated a number of Haitians in November 2013, after the murder of an elderly Dominican couple in a border town, which locals blamed on Haitians.³² The Dominican government has said it will suspend deportations for the time being.

(...continued)

PublicacionRegularizacion.pdf. Information provided by the Embassy of the Dominican Republic, Washington, DC, on December 10, 2013.

²⁷ Anibal de Castro, “Dominican Republic Immigration Plan Will Protect All,” *Miami Herald*, January 23, 2014.

²⁸ Together with the Inter-American Commission on Human Rights, the Inter-American Court of Human Rights makes up the human rights protection system of the Organization of American States (OAS), which serves to uphold and promote basic rights and freedoms in the Americas.

²⁹ Organization of American States, Inter-American Commission on Human Rights, “IACHR Wraps Up Visit to the Dominican Republic,” press release, December 2013.

³⁰ CARICOM Secretariat, “CARICOM Statement on Developments in the Aftermath of the Ruling of the Constitutional Court of the Dominican Republic on Nationality,” press release 265/2013, November 26, 2013.

³¹ Maureen Taft-Morales, Specialist in Latin American Affairs, contributed to this section. See also CRS Report R42559, *Haiti under President Martelly: Current Conditions and Congressional Concerns*, by Maureen Taft-Morales.

³² Jacqueline Charles, “U.S. Expresses ‘Deep Concern’ over Dominican Court Citizenship Ruling,” *Miami Herald*, December 18, 2013.

Haitian and Dominican officials are now convening monthly bilateral talks to address migration and a range of other topics; the first round occurred in January 2014. The Dominican government said it would not negotiate the Tribunal's decision or how it plans to implement it. Haiti reportedly recognized Dominican sovereignty on migration policy and the Dominican government assured Haiti that "concrete measures will be taken to safeguard the basic rights of people of Haitian descent" living in the country.³³ At the talks, Haitians also advocated for better treatment of Haitian migrant workers in the Dominican Republic, long a subject of concern.

A second round of talks on February 3, 2014, led to agreement on several immigration issues, according to the Dominican government, including a new type of Dominican visa for workers.³⁴ The Dominican Republic reviewed its rules and practices related to Haitian students. The Haitian government reportedly reaffirmed its commitment to expedite the issuance of passports and national civil registration cards at border posts and in consulates in the Dominican Republic.

Economic and Social Conditions

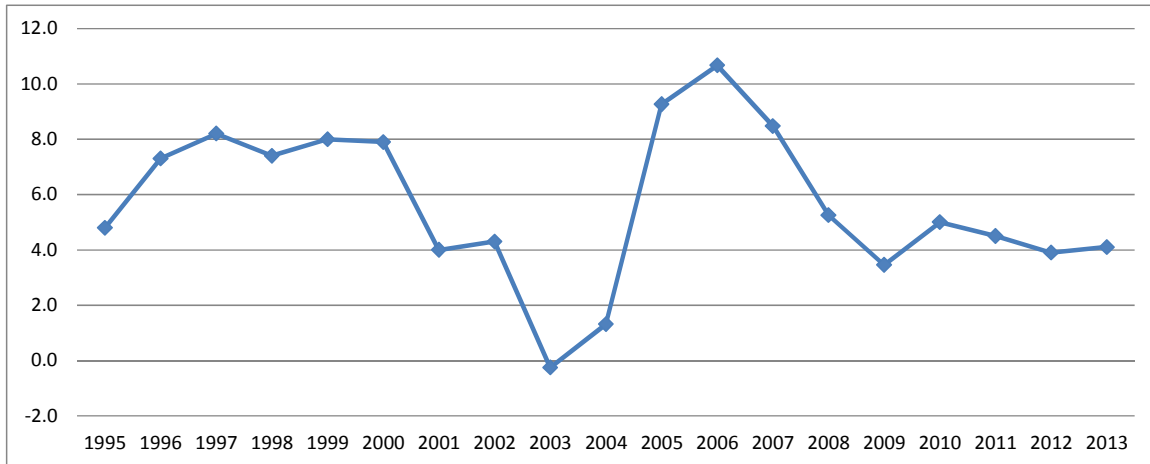
From 1995 through 2002, rapid expansion in both the tourism industry and free-trade zone (FTZ) sector that produces apparel and other nontraditional exports boosted average annual growth rates in the Dominican Republic to more than 6% despite a decline in agricultural exports (such as sugar). Remittances from Dominicans living abroad (who constitute perhaps 10% of the population) contributed \$1.5 billion per year to the country's stock of foreign exchange. Economic expansion was also facilitated by the passage of several market-friendly economic reforms in the late 1990s. One critical reform was a 1997 law allowing the partial privatization of unprofitable state enterprises. Economic expansion did not translate into significant reductions in poverty, however, as inequality and unemployment remained high.

In 2003, the Dominican economy, wracked by banking scandals, economic mismanagement, and an inability to compete with cheaper Asian apparel producers, contracted by 0.3% (see **Figure 2**). The country's public finances were placed under enormous strain after then-President Hipólito Mejía bailed out the country's third-largest bank, Banco Intercontinental (Baninter), which collapsed in May 2003, and two other banks. The Baninter scandal occurred after bank executives defrauded depositors of \$2.2 billion worth of account holdings. The country's precarious financial situation was exacerbated by the Mejía administration's failure to comply with IMF conditions.

³³ Ezra Fieser, "Can Haiti and Dominican Republic Repair Relations After Citizenship Ruling?," *Christian Science Monitor*, January 8, 2014.

³⁴ Embajada de la Republica Dominicana, Washington, DC, letter summarizing meeting of February 3, 2014, EDW-0076-14, February 4, 2014.

Figure 2. Annual Gross Domestic Product (GDP) Growth in the Dominican Republic 1995-2013



Source: The Economist Intelligence Unit.

Economic recovery occurred during Fernández's second term (2004-2008), as inflation decelerated, growth resumed, and the peso more than regained its pre-crisis value. In February 2005, President Fernández signed a \$665 million standby agreement with the IMF, which expired in January 2008. The IMF's review of the three-year package lauded the government's ability to bounce back from the economic crisis and efforts to bring public spending under control. During this period, even though the manufacturing sector declined, growth occurred in the construction, telecommunications, tourism, and other services sectors. However, the IMF also urged the government to reduce energy subsidies and broaden the tax base in order to have a better fiscal position and revenue available for targeted social programs.³⁵

The Dominican economy fared better than many other economies in Latin America during and after the 2008-2009 global financial crisis, with GDP growth of 3.5% in 2009 and 7.8% in 2010, but economic expansion slowed in 2011 and 2012. In November 2009, the Fernández government signed a \$1.7 billion stand-by agreement with the IMF that helped it implement a stimulus package involving investment projects and social safety net programs. High levels of foreign investment, strong performance in the mining and telecommunications sectors, and continued strength in tourism revenues boosted growth. The Dominican Republic has the largest stock of foreign direct investment and the most diversified export structure of any of the CAFTA-DR countries.³⁶ According to the Dominican Central Bank, remittances have exceeded \$3.0 billion each year since 2010. Nevertheless, the economy remains vulnerable to external shocks, which can cause declines in remittances, exports, or tourism inflows, or increases in energy and food prices. Recent increases in revenue from consumption taxes and tariffs on mining exports may give the government more room to maneuver in the event of future external shocks.³⁷

³⁵ "IMF Executive Board Completed Final Review Under Stand-by Arrangement with Dominican Republic," *U.S. Federal News*, February 4, 2008.

³⁶ CRS Report R42468, *The Dominican Republic-Central America-United States Free Trade Agreement (CAFTA DR): Developments in Trade and Investment*, by J. F. Hornbeck.

³⁷ *EIU*, February 2014.

Problems in the electricity sector have long constrained growth in the Dominican Republic, as electricity companies have struggled to provide adequate service to a populace angered by continued blackouts. Between 2008 and 2012, state distribution companies added a million paying customers to their client base, reduced electricity losses by 15%, and reformed their internal operations to reduce payroll costs, combat corruption, and improve customer service.³⁸ The government has also made an effort to target electricity subsidies only to the poorest households and to criminalize non-payment of electricity bills. Nevertheless, the grid remains fragile, electricity losses are still roughly 30%,³⁹ and blackouts continue to occur. The Dominican government continues to subsidize the state distribution companies at a cost of roughly \$1.5 billion each year.⁴⁰ In February 2012, the Fernández government let its IMF agreement lapse rather than reducing the subsidies to generating companies and letting electricity rates rise, as the Fund had been pressing it to do.⁴¹ President Medina also has yet to address the subsidy issue.

The high price of importing oil, still the source of just under half of the electricity produced in the country, has also proved challenging for the Dominican Republic. The country has been able to find some relief from high oil prices through PetroCaribe, an agreement promoted by Venezuela that provides oil to Central American and Caribbean nations at subsidized costs. The Dominican government received some \$600 million through PetroCaribe in 2013,⁴² but that funding may run out if Venezuela's current economic troubles continue.

The Dominican government has sought to reduce its dependence on foreign oil by increasing the percentage of energy it gets from renewable sources and, despite the associated environmental costs involved, investing in domestic coal-fired generating facilities. In 2007, the Dominican legislature passed legislation establishing a regulatory framework and tax incentives to promote energy production from renewable sources; the importance of fostering alternative energies is also enshrined in the 2010 constitution. The Dominican Republic has received significant foreign investment for solar power, biomass, and wind energy projects. Its first large-scale wind farm opened in 2011.⁴³ At the same time, the Medina government is in the process of investing \$1.9 billion to build two coal-powered generators to provide additional electricity to the grid.⁴⁴

The Dominican Republic has thus far been unable to translate rapid economic growth into significant reductions in poverty and inequality and improvements in education and health indicators.⁴⁵ Unemployment has remained in double digits, the highest of any CAFTA-DR country, with youth unemployment at particularly high levels. Economic mobility, the ability to improve one's income level/social status over time, remains much lower than the average for Latin America and the Caribbean.⁴⁶ Anti-poverty programs have, until recently, not been well

³⁸ E-mail from the Dominican Embassy in Washington, DC, October 9, 2012.

³⁹ Corporación Dominicana de Empresas Eléctricas Estatales [CDEEE], *Informe del Desempeño del Sector Eléctrico*, July 2012.

⁴⁰ "Medina Joins with Predecessors with Vow to Fix Electricity," *Dominican Today*, February 3, 2014.

⁴¹ "Dominican Republic: Break with the IMF," *EIU Business Latin America*, February 27, 2012.

⁴² *EIU*, February 2014.

⁴³ Stephan Nielsen, "Dominican Republic Baited \$770 Million of Wind Farms With Perks," *Bloomberg*, August 4, 2011.

⁴⁴ "Medina Joins with Predecessors with Vow to Fix Electricity," *Dominican Today*, February 3, 2014.

⁴⁵ World Bank, *Cuando la Prosperidad no es Compartida: Los Vínculos Débiles Entre el Crecimiento y la Equidad en la República Dominicana*, January 2014.

⁴⁶ World Bank, *op. cit.*

targeted, which has limited their effectiveness.⁴⁷ Since 2005, however, conditional cash transfers provided to impoverished families in exchange for compliance with health interventions and keeping their kids in school through the *Progresando con Solidaridad* or PROSOLI (Progressing with Solidarity) program have had positive results on nutrition outcomes and school attendance rates. In 2013, the program benefitted more than 930,000 families through various types of subsidies.⁴⁸ Between 2009 and 2012, the World Bank and the Inter-American Development Bank (IDB) provided \$370 million in loans and technical assistance to support PROSOLI.

As previously described, President Medina has made addressing past deficiencies in social policy a key goal of his Administration (see “Key Priorities”). In addition to increasing funding for education and healthcare, Medina has sought to promote employment and agricultural productivity through the provision of credit and subsidized loans to micro, small, and medium-sized businesses or MSMEs (which account for more than 90% of Dominican businesses and employ more than 2 million people).⁴⁹ With support from the IDB, the Medina government also seeks to boost the productivity of those companies and improve producers’ access to profitable markets.

U.S. Relations

The Dominican Republic enjoys a strong relationship with the United States, evidenced by extensive economic, political, and cultural ties. The Dominican Republic is one of the most important countries in the Caribbean for U.S. policy because of its large size, diversified economy, and close proximity to the United States. The United States has been a strong supporter of the democratic and economic development of the country, and is currently supporting the Dominican government’s efforts to strengthen governance, improve the provision of social services, boost competitiveness, and address citizen security. The ongoing implementation of CAFTA-DR is likely to also ensure close economic relations. Upon President Medina’s election, President Obama said that he looked forward to working with him on bilateral and regional issues of shared concern.⁵⁰ Obama Administration officials have expressed “deep concern,” however, about the aforementioned Tribunal ruling’s potential impact on the status of people of Haitian descent born in the Dominican Republic.⁵¹

Foreign Aid

The United States is one of the largest bilateral donors to the Dominican Republic, with U.S. assistance totaling an estimated \$26.4 million in FY2013 and \$25.3 million in FY2014 (see **Table 1** below). The Administration requested another \$25.7 million for the Dominican Republic in its FY2015 budget request.

⁴⁷ Manuel Agosin et al. *La Ruta Hacia el Crecimiento Sostenible en la Republica Dominicana* (Washington, DC: Inter-American Development Bank, 2009), p. 257.

⁴⁸ “Margarita Cedeño Supervisa Nuevos Ingresos Progresando con Solidaridad,” *El Día*, November 4, 2013.

⁴⁹ “IDB Supports Improved Productivity of MSMEs in the Dominican Republic,” press release, January 2, 2014.

⁵⁰ The White House, Office of the Press Secretary, “Readout of the President’s Call with President-elect Danilo Medina of the Dominican Republic,” June 4, 2012.

⁵¹ U.S. Department of State, “Daily Press Briefing by Marie Harf, Deputy Spokesperson,” press release, December 18, 2013, available at <http://www.state.gov/r/pa/prs/dpb/2013/12/218895.htm>.

U.S. foreign assistance is currently focused on helping the Dominican government improve transparency; combat drug trafficking and strengthen the rule of law; provide quality healthcare services, particularly for the prevention and treatment of people with HIV/AIDS; and protect the country from the effects of climate change. From FY2010 to FY2013, funding provided through the Development Assistance (DA) account to the Dominican Republic declined by half, while funding for global health programs (GHP) administered by the State Department and the U.S. Agency for International Development (USAID) has declined, but to a lesser degree. Bilateral law enforcement aid has also been phased out as regional funding for the Caribbean Basin Security Initiative (CBSI), which is discussed below, has increased.

Table 1. U.S. Bilateral Assistance to the Dominican Republic: FY2009-FY2015

Account	FY2009	FY2010	FY2011	FY2012	FY2013	FY2014 (est.)	FY2015 req.
DA	24.6	24.6	18.1	12.3	11.9	10.3	10.8
GHP (State)	11.0	9.3	9.3	9.3	7.1	8.4	8.4
GHP (USAID)	10.3	9.0	9.0	7.8	6.7	5.8	5.8
ESF	1.1	0.0	0.0	0.0	0.0	0.0	0.0
INCLE	3.7	4.5	0.0	0.0	0.0	0.0	0.0
IMET	0.7	0.8	0.6	0.8	0.7	0.8	0.8
FMF	0.4	1.0	0.0	0.0	0.0	0.0	0.0
TOTAL	51.8	49.2	37.0	30.1	26.4	25.3	25.7

Sources: U.S. Department of State, *Congressional Budget Justification for Foreign Operations FY2011-FY2015*.

Notes: DA = Development Assistance; GHP = Global Health Program; ESF = Economic Support Fund; INCLE = International Narcotics Control and Law Enforcement; IMET = International Military Education and Training; FMF = Foreign Military Financing.

In addition to bilateral assistance, in FY2009, the Dominican Republic received a total of \$5 million in assistance under the Mérida Initiative, an anticrime and counterdrug assistance package originally designed for Mexico and Central America.⁵² Mérida-funded projects in the Dominican Republic supported police professionalization programs, provided logistical support to interdiction units, and trained judicial authorities in implementing the criminal procedure code.

In FY2010, rather than continuing to receive this assistance through the Mérida Initiative, the Dominican Republic began to receive assistance through the Caribbean Basin Security Initiative (CBSI), a regional security initiative first announced at the April 2009 Summit of the Americas. CBSI is aimed at reducing illicit trafficking in the Caribbean, advancing public safety and security, and promoting social justice. From FY2010 to FY2014, Congress appropriated an estimated \$327.0 million for CBSI programs. The Obama Administration asked Congress for \$56.5 million in additional CBSI funding in its FY2015 budget request.

⁵² For more information, see CRS Report R40135, *Mérida Initiative for Mexico and Central America: Funding and Policy Issues*, by Clare Ribando Seelke.

Table 2. CBSI Appropriations by Foreign Aid Account: FY2010-FY2015

In millions of current U.S. dollars

Account	FY2010	FY2011	FY2012	FY2013	FY2014 (est.)	FY2015 req.	Total
ESF	14.0	17.0	17.0	18.8	29.2	28.0	124.0
DA	6.0	—	—	—	—	—	6.0
INCLE	27.3	37.5	30.0	30.0	25.0	22.0	171.8
NADR	—	6.4	2.0	2.0	1.8	1.5	13.7
FMF	14.5	16.5	15.0	9.5	7.5	5.0	68.0
Total	61.8	77.4	64.0	60.3	63.5	56.5	383.5

Sources: U.S. Department of State, *Congressional Budget Justification for Foreign Operations, Annex: Regional Perspectives, Fiscal Year 2012 to Fiscal Year 2014*; Joint Explanatory Statement accompanying the Consolidated Appropriations Act, 2014 (P.L. 113-76), <http://docs.house.gov/bills/thisweek/20140113/113-HR3547-JSOM-J-L.pdf>; U.S. Department of State, *Congressional Budget Justification for Foreign Operations, Fiscal Year 2015*.

According to the Government Accountability Office (GAO), CBSI aid to the Dominican Republic totaled roughly \$5.4 million in FY2010, \$15.2 million in FY2011, and \$11.9 million in FY2012.⁵³ Total CBSI appropriations to the Dominican Republic for FY2010-FY2012 amounted to some \$32.5 million (16% of all CBSI aid appropriated and the second-highest amount allocated to an individual country).⁵⁴ CBSI-funded programs in the Dominican Republic have supported training for military, police, and prosecutors (discussed below); at-risk youth programs; local programs to combat human trafficking; and weapons destruction.⁵⁵

Security Cooperation

On September 13, 2013, President Obama again designated the Dominican Republic as one of four major drug transit countries in the Caribbean. The Dominican Republic has also been designated a jurisdiction of primary concern for money laundering. According to U.S. government estimates, the majority of the roughly 6% of U.S.- and Europe-bound cocaine that transits Hispaniola passes through the Dominican Republic,⁵⁶ mostly using maritime routes to transship the drugs. High-profile arrests have pointed to an increasing presence of Mexican and South America traffickers in the Dominican Republic and laid bare ties between international traffickers and corrupt Dominican officials.⁵⁷

The Dominican Republic cooperates closely with the United States in counterdrug efforts through seizures, joint operations, and extraditions of drug trafficking suspects (including 31 in 2012). In 2013, the Dominican government improved coordination between police and military units

⁵³ U.S. Government Accountability Office, *Status of Funding, Equipment, and Training for the Caribbean Basin Security Initiative*, GAO-13-367R, March 20, 2013, available at <http://www.gao.gov/products/GAO-13-367R>.

⁵⁴ Jamaica received some \$34.7 million in CBSI aid for FY2010-FY2012.

⁵⁵ U.S. Department of State, "The Caribbean Basin Security Initiative: Dominican Republic," fact sheet, December 5, 2013.

⁵⁶ U.S. Department of State, *International Narcotics Control Strategy Report (INCSR)*, vol. 1, March 2014, available at <http://www.state.gov/documents/organization/222881.pdf>.

⁵⁷ "Dominican Republic Accuses 3 High-Ranking Police Officials with Helping Drug Traffickers," *Associated Press*, May 24, 2012.

engaged in efforts to combat drug trafficking and money laundering; seizures remained high as a result of those efforts. Port security remains a problem, however, as only one of the country's 16 ports is operating in compliance with U.S. Container Security Initiative (CSI) standards. Bilateral cooperation is particularly strong with the Drug Enforcement Administration through the vetted Sensitive Intelligence Unit (SIU) and with the U.S. Southern Command, which has provided \$1.5 million to build a small Dominican-manned naval base on an island in the southeast of the country for use in interdicting drugs and migrants.⁵⁸ Efforts to improve coordination with the Haitian National Police and other Caribbean partners have continued, particularly through the Cooperating Nations Information Exchange System. CBSI funding is helping train Dominican police (1,000 of whom will be trained by Colombians each year) and prosecutors in how to investigate and prosecute cases, create a money laundering agency, and improve port security.

Still, obstacles exist to greater U.S.-Dominican counterdrug and anticrime cooperation. As in previous reports, the State Department's most recent narcotics control strategy report asserted that corruption and impunity continue to adversely affect counterdrug efforts. Despite initiatives to root out corrupt officials, Dominican police and military personnel continue to be arrested for drug trafficking-related crimes.⁵⁹

For its part, the Dominican government has said that it, like many receiving countries in Latin America, is ill-prepared to absorb the volume of deportees with criminal records who are arriving from the United States.⁶⁰ In January 2014, the State Department and Department of Homeland Security (DHS) signed an agreement to expand a Criminal History Information Sharing (CHIS) program, which has been used to share information on certain criminal deportees with Mexican law enforcement officials, to the Dominican Republic and five other countries as well. The U.S. government does not assist the Dominican government with deportee reintegration.

Trade and Related Labor Issues

Since the 1980s, U.S.-Dominican trade and investment linkages have increased, first as a result of U.S. trade preference programs and then as a result of the Dominican Republic-Central America-United States Free Trade Agreement (CAFTA-DR).⁶¹ From the mid-1980s until 2000, the Dominican Republic benefitted from the Caribbean Basin Initiative (CBI), a unilateral U.S. trade preference program. From 2000 to 2007, the Dominican Republic received expanded trade preferences through the Caribbean Basin Trade Partnership Act (CBTPA) of 2000. Both the CBI and CBTPA have been replaced by CAFTA-DR. The Dominican government, along with the governments of Costa Rica, El Salvador, Honduras, Guatemala, and Nicaragua, signed CAFTA-DR with the United States on August 5, 2004. President Bush signed implementing legislation for the agreement into law on August 2, 2005 (P.L. 109-53, 119 Stat. 462). The Dominican Congress ratified the agreement in September 2005 and implemented it on March 1, 2007. Under CAFTA-

⁵⁸ Rachel Glickhouse, "U.S.-Funded Naval Base Sparks Controversy in the Dominican Republic," *Americas/Society*, February 27, 2012.

⁵⁹ "DR Military Personnel Arrested on Drug Links," *LatinNews Daily*, October 2, 2012.

⁶⁰ U.S. Congress, Senate Caucus on International Narcotics Control, *U.S.-Dominican Security Cooperation*, Statement of Ambassador Aníbal de Castro, Ambassador of the Dominican Republic to the United States, 112th Cong., 1st sess., February 1, 2011.

⁶¹ For historical background, see CRS Report RL31870, *The Dominican Republic-Central America-United States Free Trade Agreement (CAFTA-DR)*, by J. F. Hornbeck.

DR, 100% of U.S. industrial and consumer goods are to enter the Dominican Republic duty free by 2015, and nearly all U.S. agricultural exports are to enter duty free by 2020.

As a result of CAFTA-DR, the Dominican Republic has enacted a number of reforms to improve its tax structure, strengthen intellectual property rights, and facilitate trade flows through the country (customs reform). Perhaps partially as a result of these efforts, foreign investment to the Dominican Republic has steadily increased since 2009. The country is now a leader in manufacturing and Foreign Direct Investment, matched in the region only by Costa Rica. U.S.-Dominican trade, which reached record levels in 2008 (the year after CAFTA-DR took effect), continued to flow at relatively high levels in 2009. According to more recent statistics, however, the share of Dominican exports to the United States has declined, particularly in comparison to the shares of its regional competitors.

Nevertheless, the United States remains the Dominican Republic's main trading partner, with two-way trade totaling more than \$11.5 billion in 2013. Dominican imports from the United States are up 33% from 2006 (pre-CAFTA) levels. A significant percentage of that increase is due to increasing oil imports, but declining tariffs have also favored U.S. manufacturing and agricultural producers. Dominican exports to the United States are shifting, as apparel exports to the United States decline (from 55% of U.S.-Dominican trade in 2000 to 17.7% in 2013) and more technology-intensive exports and mining exports increase. High-tech exports to the United States include medical instruments and other electrical machinery goods. The Dominican Republic still exports agricultural goods, like sugar and tobacco, but those exports as a percentage of overall trade are declining. Although Dominican exports to the United States have diversified, they have also declined, as other sectors have not yet made up for declines in apparel exports.

In addition to influencing Dominican trade and economic policies, the labor chapter (Chapter 16) of CAFTA-DR seeks to ensure that there is increasing respect for internationally recognized labor standards in the Dominican Republic. Pursuant to Section 403(a) of the CAFTA-DR implementing legislation (P.L. 109-53), the Department of Labor (DOL) has produced two biennial reports to Congress on progress in implementing the labor chapter of the agreement and the results of U.S.-funded labor capacity building efforts.⁶² As outlined in a May 2012 version of that report, the Dominican Republic increased its Ministry of Labor's budget for enforcing labor standards by more than 40% between 2005 and 2010, resulting in an 84% increase in the number of workplace visits by labor inspectors.⁶³ Nevertheless, funding for labor courts declined and penalties for employers who had failed at least some labor standards, such as prohibitions on child labor, had rarely been imposed.⁶⁴ Along with sugar, other goods produced in the Dominican Republic—baked goods, coffee, rice and tomatoes—have been included on the DOL's International Labor Affairs Bureau's 2013 List of Goods Produced by Child or Slave Labor.⁶⁵

⁶² From 2005-2010, the U.S. government provided \$136 million to CAFTA-DR countries to improve respect for international labor standards as outlined in a "White Paper" developed and agreed to in 2005 by the Vice Ministers responsible for trade and labor in each of the CAFTA-DR countries. Since 2007, country compliance with the White Paper has been monitored every six months by the International Labor Organization (ILO) with financing from the U.S. Department of Labor (DOL).

⁶³ DOL, *Progress in Implementing Chapter 16 (Labor) and Capacity-Building under the Dominican Republic –Central America –United States Free Trade Agreement*, May 11, 2012, available at <http://www.dol.gov/ilab/2011-cfta-dr-rpt/2011-CAFTA-DR-REPORT.pdf>, pp. 19, 22.

⁶⁴ *Ibid.*, pp. 28-30, 34.

⁶⁵ The list is available at <http://www.dol.gov/ilab/reports/child-labor/list-of-goods/>.

The labor chapter of CAFTA-DR also includes a process by which individuals or groups can submit complaints (“submissions”) presenting evidence that a signatory country is not complying with the labor provisions of the agreement. In December 2011, DOL’s Office of Trade and Labor Affairs (OTLA) received a submission alleging that the Dominican Republic had violated the labor chapter of CAFTA-DR by allowing various labor abuses—including forced and child labor—to persist in the country’s sugarcane plantations.⁶⁶ The Dominican sugar industry vigorously rejected those allegations and presented evidence to the contrary. In September 2013, DOL issued its response to the submission in a report citing evidence of violations of labor law in the Dominican sugar sector such as payments below minimum wage, 12-hour work days and 7-day work weeks, lack of potable water for workers, an absence of safety equipment at work sites, child labor, and forced labor.⁶⁷ A majority of the workers on the sugarcane plantations are Haitians or Dominicans of Haitian descent, many of whom lack identity documents. DOL experts and Dominican officials have begun consultations on how to address the findings of the report.

Human Rights

According to the State Department, one of the most serious human rights problems prevalent in the Dominican Republic even before the September 2013 Tribunal ruling (addressed earlier) was “discrimination against Haitian migrants and their descendants, including the retroactive application of immigration policy resulting in de jure and de facto statelessness for persons who have lived in the country for generations.”⁶⁸ Other human rights abuses cited by the State Department in recent human rights reports have included violence against women (domestic abuse, rape, and femicide); abuses by police and other justice sector authorities; and trafficking in persons (TIP). While progress has been made in some areas (creating model prisons and prosecuting human trafficking cases), setbacks have occurred in others, including the treatment of Haitians and Dominicans of Haitian descent.⁶⁹

In recent statements and in the State Department’s *Country Report on Human Rights Practices* covering 2013, the Obama Administration has expressed concern about the potential impact of the Dominican Constitutional Tribunal’s ruling on the status of Haitians and Dominicans of Haitian descent living in the Dominican Republic (see “Ruling by the Constitutional Tribunal of the Dominican Republic”). On December 18, 2013, a State Department spokesperson stated that the Obama Administration had “deep concern” about the ruling’s impact on the status of people of Haitian descent born in the Dominican Republic.⁷⁰ On March 7, 2014, senior Administration

⁶⁶ A copy of the submission is available on DOL’s Office of Trade and Labor Affairs’ website, at <http://www.dol.gov/ilab/programs/otla/DRSubmission2011.pdf>.

⁶⁷ U.S. DOL, “US Labor Department Issues Report on Labor Concerns in Dominican Sugar Sector, Announces \$10 Million Project in Agriculture,” Press Release 13-1979-NAT, Sept. 27, 2013. U.S. DOL, *Public Review of U.S. Submission 2011-3 (Dominican Republic)*, September 2013, available at <http://www.dol.gov/ilab/programs/otla/20130926DR.pdf>. Hereinafter: DOL, *Public Review*.

⁶⁸ U.S. Department of State, *Country Report on Human Rights Practices for 2012: Dominican Republic*, April 2013, available at <http://www.state.gov/j/drl/rls/hrrpt/2012/wha/204446.htm>.

⁶⁹ For information on trafficking in persons, see U.S. Department of State, *Trafficking in Persons (TIP) Report*, June 2013, available at <http://www.state.gov/j/tip/rls/tiprpt/2013/>. Hereinafter: *TIP Report*, June 2013. For information on other human rights issues, including the treatment of Haitians and Dominicans of Haitian descent, see U.S. Department of State, *Country Report on Human Rights Practices for 2013: Dominican Republic*, February 2014, available at <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>. Hereinafter: State Department, *Human Rights Report*, February 2014.

⁷⁰ U.S. Department of State, “Daily Press Briefing by Marie Harf, Deputy Spokesperson,” press release, December 18, (continued...)

officials stated that “the United States has engaged with the Dominican Republic [on the issue of the ruling and] ... are hopeful that there will be a conclusion to this matter through legislation that will address those most affected.”⁷¹ Vice President Biden had been scheduled to raise that issue with President Medina during a meeting in the Dominican Republic on March 12, 2014, but his trip was cancelled.

Some Members of Congress have introduced a resolution (H.Res. 443) expressing concern that the ruling places hundreds of thousands of Dominican born persons, most of whom are of Haitian descent, at risk of statelessness.

Without proper identity documents, individuals living in the Dominican Republic can receive basic healthcare and education, but often encounter difficulty traveling; cannot register to vote; and have only limited access to formal sector jobs, property ownership, and secondary education. According to the State Department, police abuses are most often committed against “undocumented Haitian migrants in poor urban areas as well as along the country’s border with Haiti.”⁷² As expressed in other U.S. government reports, undocumented Haitians are at a high risk of trafficking in persons and labor abuses as well.⁷³

Violence against women is another major human rights problem identified by the State Department human rights report and international human rights organizations as pervasive in the Dominican Republic.⁷⁴ Despite laws criminalizing rape and domestic violence, both abuses continue to commonly occur but were rarely reported or punished. From January through November 2013, Dominican authorities received some 60,000 gender-based violence complaints.⁷⁵ According to the National Police, more than 1,117 Dominican women died as a result of gender-based violence between January 2008 and October 2013, few of whom had ever filed a complaint against an aggressor with Dominican authorities. In response, the Attorney General’s office has set up satellite offices with special services for victims of domestic violence, the police have created a female-led unit to respond to emergency calls, and the government opened two shelters.

The Dominican Republic is also a source, transit, and destination country for trafficking in persons. According to the U.N. Population Fund, tens of thousands of Dominican women have been trafficked around the world. Domestically, women have been trafficked into prostitution and the broader sex industry. Dominican children are also vulnerable to sex trafficking, particularly in tourist areas; forced begging; domestic servitude; and forced labor in agriculture. Labor trafficking has become evident in the construction, service, and agricultural sectors, with people of Haitian descent at a high risk of being victimized.⁷⁶

(...continued)

2013, available at <http://www.state.gov/r/pa/prs/dpb/2013/12/218895.htm>.

⁷¹ “Senior Administration Officials Hold News Briefing Via Teleconference on Vice President Biden’s Upcoming Trip to Chile and the Dominican Republic,” *CQ*, March 7, 2014.

⁷² State Department, February 2014.

⁷³ *TIP Report*, June 2013; DOL, *Public Review*.

⁷⁴ State Department, *Human Rights Report*, 2014; Amnesty International, *A Long Way Ahead: Reproductive Rights, Discrimination of Dominicans of Haitian Descent and the Reform of the Police: Amnesty International Submission to the UN Universal Periodic Review, January-February 2014*, October 10, 2013.

⁷⁵ The rest of this paragraph draws from: State Department, *Human Rights Report*, 2014.

⁷⁶ *TIP Report*, June 2013.

In June 2013, the State Department issued its 12th annual, congressionally mandated report on trafficking in persons (TIP). In addition to outlining major trends and ongoing challenges in combating TIP, the report categorizes countries into four “tiers” according to the government’s efforts to combat trafficking.⁷⁷ The report classified the Dominican Republic as a Tier 2 country. According to the report, the Dominican Republic maintained a Tier 2 ranking as a result of progress made in “prosecuting, convicting, and punishing a perpetrator of child sex trafficking as well as perpetrators of child forced begging.”⁷⁸ Despite the enactment of an anti-trafficking/anti-smuggling law in August 2003, the Dominican government had, until recently, struggled to arrest and prosecute those accused of human trafficking, particularly in cases involving public officials and labor trafficking. A lack of assistance and shelters for victims, as well as a failure to punish public officials complicit in trafficking, are two areas that the State Department identifies as needing further improvement.⁷⁹

In recent years, reforms of police tactics and increased punishments of officers accused of misconduct have led to a general decline in extrajudicial killings carried out by security forces. Police reportedly killed 117 people from January to September 2013 (on track to be down from the 194 people killed in 2012 and 233 killed in 2011).⁸⁰ It remains to be seen whether the Medina government’s decision to deploy 4,000 military officers to support police-led public security efforts will lead to increased abuses.

Despite laws against torture and inhumane treatment of detainees, and senior police officials’ commitment to comply with those prohibitions, the National Human Rights Council has reported that some Dominican police officers and prison officials still abuse suspects and prisoners. Prison conditions in general range from “fair to extremely harsh”; the 17 newer correctional and rehabilitation centers (CRCs) that the government has opened in recent years are “slightly better” than the traditional prisons.⁸¹ The government continued to implement its new criminal procedures code, which only allows suspects to be held for 48 hours without being formally charged, but pretrial detentions averaging three to six months are common for suspects who have been charged with a crime. Corruption remains a major obstacle to justice sector reform.

⁷⁷ Since 2001, the U.S. State Department has evaluated foreign governments’ efforts to combat trafficking in persons in its annual Trafficking in Persons (TIP) reports, which are issued each June. Countries are grouped into four categories according to the U.S. assessment of efforts they are making to combat trafficking. Tier 1 is made up of countries deemed by the State Department to have a serious trafficking problem but fully complying with the minimum standards for the elimination of trafficking. Those standards are defined in the Victims of Trafficking and Violence Protection Act of 2000 (P.L. 106-386) as amended. Tier 2 is composed of governments not fully complying with those standards but which are seen as making significant efforts to comply. Tier 2 Watch List, first added as a category in the 2004 report, is made up of countries that are on the border between Tier 2 and Tier 3. Tier 3 includes those countries whose governments the State Department deems as not fully complying with TVPA’s anti-TIP standards and not making significant efforts to do so. Tier 3 countries have been made subject to U.S. sanctions since 2003.

⁷⁸ *TIP Report*, June 2013.

⁷⁹ *Ibid.*

⁸⁰ State Department, *Human Rights Report*, 2014; U.S. Department of State, *Country Report on Human Rights Practices for 2012*, May 2014.

⁸¹ State Department, *Human Rights Report*, 2014; “A Journey Into Hell: Prisons in Latin America,” *The Economist*, September 22, 2012.

Outlook

The Dominican Republic continues to experience relative political stability and steady economic growth. With high approval ratings and a large congressional majority, most analysts predict that President Medina will be able to pass reforms rather easily through 2016. Implementing a naturalization program that will comply with the Constitutional Tribunal's ruling on nationality but also assuage concerns about the rights of Haitians and Dominicans of Haitian descent could prove difficult. If the Medina Administration is able to address the nationality issue while also addressing poverty, energy shortages, and corruption, then the PLD should have a good chance of securing another presidential term in May 2016. Medina is barred from seeking consecutive reelection, but could decide to run again in 2020. Relations with the United States are likely to remain strong due to the deep cultural, geographical, and economic ties between the two countries. Dominican-U.S. relations could become strained, however, due to U.S. concerns about human rights and labor issues.

Author Contact Information

Clare Ribando Seelke
Specialist in Latin American Affairs
cseelke@crs.loc.gov, 7-5229