

# Dominican Republic

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## Overview:

An October 2013 ruling by the Constitutional Court of the Dominican Republic threatened to retroactively strip thousands of Dominicans of Haitian descent of their citizenship; the move generated a substantial amount of international criticism and charges of xenophobia.

Although the Dominican Republic has experienced stronger economic growth than most Latin American countries, its growth decelerated in early 2013 to just about 1.6 percent. In July 2011, demonstrations against fiscal and economic measures, including tax increases and electricity tariffs, paralyzed transportation and trade.

## Political Rights and Civil Liberties:

**Political Rights:** 30 / 40 (-1) [ [Key](#) ]

### 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.

Leonel Fernández of the Dominican Liberation Party (PLD) was elected president in 1996 and reelected in 2004. Capitalizing on the Dominican Republic's economic growth during Fernández's presidency, the PLD captured 31 of 32 Senate seats in the May 2010 legislative elections, while 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 PLD also won a majority of the municipal elections. 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 certain irregularities, including vote buying, though it certified the results.

The PLD's Danilo Medina was victorious in the presidential election held on May 20, 2012, winning 51 percent of the vote and defeating PRD candidate Hipólito Mejía; Fernández was barred by the constitution from seeking another consecutive term. Medina took office in August, pledging to reduce poverty, improve the country's educational system, and expand infrastructure projects.

The country's 38th constitution, which was promulgated in January 2010, removed restrictions on non-consecutive presidential reelection, which would allow Fernández to run for president again in 2016.

### B. Political Pluralism and Participation: 11 / 16 (-1)

Since the mid-1990s, Dominican politics have been defined by competition between the PLD, the opposition PRD, and the smaller PRSC.

Haitians face persistent systematic discrimination in political and social life, and do not have full political rights. Thus, Dominicans of Haitian descent have been denied full participation in national life such as attending university, obtain legal employment or a marriage license.

### **C. Functioning of Government: 9 / 12**

Official corruption remains a serious problem. In December 2012, protestors in Santo Domingo demanded an end to government corruption and insisted on imprisonment for most of the officials in the Fernández administration. In October 2013, Dominican prosecutors froze the assets of former Public Works minister Víctor Díaz Rúa as part of an investigation into charges of fraud, money laundering and embezzlement. Rúa had generally been regarded as one of the Dominican Republic's "untouchables."

The Dominican Republic was ranked 123 out of 177 countries and territories surveyed in Transparency International's 2013 Corruption Perceptions Index.

Civil Liberties: 43 / 60 (-1)

### **D. Freedom of Expression and Belief: 15 / 16**

The law provides for freedoms of speech and the press, and the government generally respects these 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 which are small, regional broadcasters. Journalists reporting on possible collusion between drug traffickers and state officials have faced intimidation, and some have been killed. Internet access is unrestricted but not widely available outside of large urban areas.

Constitutional guarantees regarding religious and academic freedom are generally observed.

### **E. Associational and Organizational Rights: 10 / 12**

Freedom of assembly is generally respected. Freedom of association is constitutionally guaranteed, but is limited for public servants. 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 subject to government crackdowns. In November 2012, police used tear gas and fired guns on union-led demonstrators protesting tax reforms deemed to be unfavorable to the working class; several protestors were wounded.

### **F. Rule of Law: 8 / 16**

The judiciary 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 have included measures aimed at promoting greater efficiency and due process. The 2010 constitution sought to further modernize the judiciary, creating a Constitutional Court and Judiciary Branch Council, as well as mandating retirement for Supreme Court magistrates over the age of 75 years.

Extrajudicial killings by police remain a problem, and low salaries encourage endemic corruption in law enforcement institutions. According to the country's National Human Rights Commission, at least 290 people were killed by police in 2012. In November 2012, Amnesty International called for a reform to the nation's police services following the shooting by police of a university student during a demonstration against tax increases in Santo Domingo. Prisons suffer from severe overcrowding, poor sanitation, and routine violence.

The Dominican Republic is a major transit hub for South American drugs, mostly cocaine, en route 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. Involvement by elements in the Dominican Republic's police and army in drug smuggling remains a major concern. In 2013, Dominican police operations on the outskirts of Santo Domingo discovered for the first time in the Caribbean a cocaine-processing laboratory.

### **G. Personal Autonomy and Individual Rights: 10 / 16 (-1)**

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. The 2010 constitution removed the possibility of Dominican citizenship for children born of illegal Haitian migrants. Despite important advances in relations with Haiti, especially after the January 2010 earthquake, Dominican authorities continued to illegally deprive Dominicans of Haitian descent of their nationality, leaving them without access to health care, education, employment, or the right to vote. This virtual statelessness increases their chance of being subjected to arbitrary detentions and mass expulsion, without judicial review, and in violation of bilateral agreements with Haiti. In October 2013, the Constitutional Court ruled that a 2010 law limiting Dominican citizenship to children born to legal immigrants could be retroactively applied; the decision could strip four generations of Dominicans of Haitian descent—about 250,000 Dominicans—of their citizenship.

Recent proposals to reduce the recommended prison time for some acts of domestic violence and sexual abuse, such as sexual abuse of a minor, has led to an outpouring of protest from human rights and women's groups. The trafficking in women and girls, child prostitution, and child abuse are major concerns. The 2010 constitution includes 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 new constitution also defines marriage as solely between a man and a woman, making the country one of the few in the world to ban same-sex marriage at the constitutional level.

### **Scoring Key: X / Y (Z)**

**X = Score Received**

**Y = Best Possible Score**

**Z = Change from Previous Year**

[Full Methodology](#)