



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS
PALAIS DES NATIONS • 1211 GENEVA 10, SWITZERLAND
www.ohchr.org • TEL: +41 22 917 9000 • FAX: +41 22 917 9008 • E-MAIL: registry@ohchr.org

20 August 2019

Excellency,

I have been following the third cycle of the Universal Periodic Review (UPR) of the Dominican Republic and welcome the constructive engagement of your Government during the 32nd session of the UPR Working Group in January 2019.

As the final outcome report on the review of the Dominican Republic has been recently adopted by the Human Rights Council at its 41st session, I would like to take this opportunity to follow up on a number of areas raised in the two reports that my Office had prepared for the review of the Dominican Republic – the Compilation of United Nations information and the Summary of Stakeholders' submissions – which I consider in need of particular attention over the next four and a half years, until the next cycle of the UPR. In identifying those areas, I have considered the statements and/or recommendations made by 66 delegations and the presentation made and responses provided by the delegation of the Dominican Republic. I have also considered the actions taken by the Government to implement the 84 recommendations supported during the second cycle of the UPR. The aforementioned areas cover a range of issues, which appear in the annex to this letter.

I am encouraged by the recent adoption of the First National Human Rights Action Plan 2018-2022 resulting from a wide national consultation on human rights. I also welcome the process of strengthening the social inclusion and protection network through the implementation of the Progressing with Solidarity Programme, as well as by the development of the National Strategic Plan for the Reduction of Maternal Mortality, the National Plan for the Prevention of Teenage Pregnancy and the National Strategic Plan against Child Labour.

I encourage the Dominican Republic to strengthen and implement effectively its first national human rights action plan in order to achieve concrete results in the areas highlighted in the annex to this letter and to facilitate the preparations for the Dominican Republic's fourth cycle of the UPR. My advice to all Member States is to implement national action plans in close consultation and cooperation with all stakeholders, in particular the national human rights institution and civil society organizations and, where necessary, with the support of international organizations, including the Office of the United Nations High Commissioner for Human Rights (OHCHR) and other United Nations entities, under the leadership of the United Nations Resident Coordinator. Those plans should be directly linked to the recommendations of the UPR and other human rights mechanisms, which will help to guide the drafting and the implementation phases. Space of dialogue with stakeholders and especially civil society organizations should be permanent and should be maintained during the whole implementation of the plans to ensure a participatory approach and adequate information-sharing.

/..

H.E. Mr. Miguel Octavio Vargas Maldonado
Minister for Foreign Affairs
Dominican Republic



I also encourage the Dominican Republic to make further efforts to establish a national mechanism for comprehensive reporting and follow-up in relation to recommendations received from all international and regional human rights mechanisms and to treaty obligations, linking this to the Sustainable Development Goals. I strongly recommend the use of the OHCHR practical guide on this topic, which is available at:
http://www.ohchr.org/Documents/Publications/HR_PUB_16_1_NMRF_PracticalGuide.pdf.

Please, kindly note that I am sharing my advice with all Member States as they go through the third cycle of the UPR with a view to assisting them with the implementation of the recommendations, following the review. An important measure that can contribute positively to follow-up action is voluntary mid-term reporting. Therefore, I strongly encourage all Member States to submit a voluntary mid-term report two years after the adoption of the UPR outcome report. In this regard, I encourage the Dominican Republic to consider submitting a mid-term report on follow-up to the third cycle of the review, by 2021.

As stated by the Secretary-General in his 2017 report on the work of the Organization (A/72/1, paragraph 98): *“The Human Rights Council’s universal periodic review process is now entering a new cycle, with every Member State scheduled for a third round of scrutiny. We will work to strengthen the relevance, precision and impact of the Council’s recommendations, including by providing better support to Member States in implementation, stronger collaboration with United Nations country teams and the establishment of national mechanisms for human rights reporting and follow-up to link the universal periodic review to the implementation of the Sustainable Development Goals.”*

I look forward to continue discussing with you ways in which my Office may assist the Dominican Republic in relation to the areas identified in this letter and its annex.

Please, accept, Excellency, the assurances of my highest consideration.

Michelle Bachelet
High Commissioner for Human Rights

cc: H.E. Ms. Rhadys Abreu de Polanco
Director General for Human Rights
Ministry for Foreign Affairs
Dominican Republic

H.E. Dr. Flavio Darío Espinal
Legal Adviser of the Presidency
Dominican Republic

Annex

Scope of international obligations and cooperation with international human rights mechanisms and bodies

- Ratifying the following international treaties: International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the International Convention for the Protection of All Persons from Enforced Disappearance; the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights; the Optional Protocol to the Convention on the Rights of the Child on a communications procedure; the Convention relating to the Status of Stateless Persons (1954); the Convention on the Reduction of Statelessness (1961); and the Indigenous and Tribal People Convention, 1989 (No. 169) of the International Labour Organization.
- Extending a standing invitation to the Special Procedures mandate holders.

National human rights framework

- Enhancing the National Human Rights Institution in compliance with the Paris Principles.
- Establishing a National Mechanism for Reporting and Follow-up (NMRF), opened to the participation of civil society and mandated to coordinate and prepare reports, engage with international and regional human rights mechanisms, and coordinate national follow-up and implementation of the recommendations emanating from them.
- Including the third cycle accepted UPR recommendations into the National Human Rights Action Plan 2018-2022.

Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Cross-cutting issues

Equality and non-discrimination

- Approving a general law to address all forms of discrimination, including discrimination against lesbian, gay, bisexual, transgender and intersex persons.
- Enhancing policies and programmes to combat discrimination based on sexual orientation and gender identity.

Development, the environment, and business and human rights

- Adopting a national plan for business and human rights in line with the United Nations Guiding Principles on Business and Human Rights.

B. Civil and political rights

Right to life, liberty and security of person

- Enhancing measures to prevent excessive use of force and all forms of police violence, and to investigate cases of violence and abuse involving police officers.



- Adopting further measures to improve the conditions of prisons and other detention centres, including the implementation of the Prison System Humanization Plan.

Administration of justice, including impunity, and the rule of law

- Enhancing the independence of the judicial system at all levels, including through a permanent professional training programmes on human rights for judges.

Fundamental freedoms

- Further engaging with human rights defenders and in general with all civil society organizations, and adopting further measures to ensure space of dialogue with them, as well as their intervention during the adoption and implementation of public policies on the field of human rights.

Prohibition of all forms of slavery

- Adopting further measures to fight against trafficking in persons, in particular to combat sexual exploitation of women and children, including through the implementation of the Second National Plan of Action against Trafficking in Persons and Migrant Smuggling.

C. Economic, social and cultural rights

Right to work and to just and favourable conditions of work

- Adopting a comprehensive employment policy to further reduce unemployment and precarious working conditions, especially affecting women, young people, and people with disabilities.

Right to an adequate standard of living

- Adopting further measures to further strengthen the “Progressing with Solidarity Programme”, including through the incorporation of the UPR recommendations.

Right to health

- Enacting legislative measures to decriminalize abortion at national level, at least in cases where the pregnancy presents a risk to the life of the woman, the pregnancy is the result of rape or incest, or there are foetal malformations incompatible with life.
- Enhancing actions aimed to ensure access to safe and legal sexual and reproductive health services.
- Enhancing the National Plan for the Prevention of Teenage Pregnancy.

Right to education

- Adopting further measures to improve access to quality of public education for children and teenagers, especially for those living in rural areas.

D. Rights of specific persons or groups

Women

- Enhancing the normative and institutional frameworks to strengthen gender equality, and to prevent and combat all forms of discrimination and violence, including domestic violence against women and girls.

Children

- Approving further measures to strengthen the National Council for Children and Adolescents.
- Intensifying technical and financial measures to implement the National Strategic Plan against Child Labour.

Persons with disabilities

- Including actions and measures on persons with disabilities into the National Development Strategy for 2030.
- Harmonizing the legislation to fully respect the rights of people with disabilities, especially the right to employment, health and education.

Migrants, refugees and asylum seekers

- Enhancing measures to protect the human rights of migrants, refugees and asylum seekers, especially women and children; and adopting additional measures to prevent discrimination and violence against them.
- Adopting additional legal and administrative measures to strengthen the National Plan for the Regularization of Foreign Nationals.