

# **Dominican Republic 2024 Human Rights Report**

## **Executive Summary**

There were no significant changes in the human rights situation in the Dominican Republic during the year.

Significant human rights issues included credible reports of: arbitrary or unlawful killings; torture or cruel, inhuman, or degrading treatment or punishment; arbitrary arrest or detention; trafficking in persons; and existence of some of the worst forms of child labor.

The government sometimes took steps to prosecute and punish officials who committed human rights abuses, but inconsistent and ineffective application of the law often led to impunity.

## **Section 1. Life**

### **a. Extrajudicial Killings**

There were several reports the government, or its agents, committed arbitrary or unlawful killings during the year. The National Human Rights Commission reported members of the National Police killed 87 persons between January and October. While the Attorney General's Office prosecuted some cases of abuse by authorities, civil society representatives

asserted many killings and abuses went unreported due to the public's lack of faith in the government to investigate and pursue charges or due to fear of retribution by police.

In July, media outlets reported two members of the navy shot and killed Jonathan Montero Pimentel, age 14, after they struck Pimentel's brother with a firearm. Police arrested the two sailors and at year's end, they were in pretrial detention, charged with conspiracy to murder, murder, and illegal keeping and bearing firearms.

There were reports of unexplained deaths in custody that occurred during migration detention and deportation operations. In July, a Haitian woman died while being deported to Haiti, reportedly after suffering cardiac arrest due to high temperatures and overcrowding inside a migration truck. Observers reported General Directorate of Migration (DGM) agents ignored multiple requests for the woman to be removed from the truck. DGM agents initially detained the woman outside a hospital where she sought medical attention.

## **b. Coercion in Population Control**

There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

## **Section 2. Liberty**

### **a. Freedom of the Press**

The constitution provided for freedom of expression, including for members of the press and other media, and the government generally respected this right. Media expressed a wide variety of views, but the government, political parties, and large businesses frequently influenced the press. The concentration of media ownership, weaknesses in the judiciary, and political influence also limited media's independence.

#### **Physical Attacks, Imprisonment, and Pressure**

There were reports of isolated incidents in which authorities subjected journalists to violence, harassment, or intimidation due to their reporting.

#### **Censorship by Governments, Military, Intelligence, or Police Forces, Criminal Groups, or Armed Extremist or Rebel Groups**

Observers indicated the government exerted influence on the press, including through advertising contracts. Additionally, journalists practiced self-censorship, particularly when coverage could adversely affect the economic or political interests of government leaders or media owners.

## **b. Worker Rights**

### **Freedom of Association and Collective Bargaining**

The law provided for the right of workers, except for the military and police, to form and join independent unions, conduct legal strikes, and bargain collectively; however, it placed several restrictions on these rights. For example, the law restricted collective bargaining rights to unions that represented a minimum of 51 percent of the workers in an enterprise. In addition, the law prohibited strikes until lengthy mandatory mediation requirements were met. Formal strikes occurred but were not common.

Formal requirements for a strike to be legal included the support of an absolute majority of all company workers for the strike, written notification to the Ministry of Labor, and a 10-day waiting period following notification before the strike could proceed. Government workers and essential public-service personnel could not strike. The government adopted a broad definition of essential workers that included teachers, public-service workers in communications, and employees in pharmacies.

The law prohibited antiunion discrimination and forbade employers from dismissing an employee for participating in union activities, including being on a committee seeking to form a union. Trade union immunity was limited to 10 union officials, even in the case of large institutions with more than 400 employees, and fewer union officials at smaller institutions. Although

the Ministry of Labor had to register a union for it to be legal, the law provided for automatic recognition of a union if the ministry did not act on an application within 30 days. The law allowed unions to conduct their activities without government interference.

Public-sector workers could form associations registered through the Office of Public Administration if 40 percent of employees of a government entity agreed to join. According to the Ministry of Labor, the labor code applied to all workers, including foreign workers, those working as domestic workers, workers without legal documentation, and workers in the free-trade zones.

The government did not effectively enforce laws related to freedom of association and collective bargaining, and penalties were less than those for analogous violations such as civil rights violations. Penalties were rarely applied against violators. The process for addressing labor violations through criminal courts could take years, leaving workers with limited protection in the meantime.

In recent years, there were reports of employers intimidating, threatening, and blackmailing employees to prevent union activity. Some unions required members to provide identity documents to participate in the union even though the labor code protected all workers regardless of their legal status. Workers and civil society representatives reported companies resisted collective negotiating practices and union activities. Companies reportedly fired workers for union activity and blacklisted trade unionists, among other

antiunion practices. Some workers reported they had to sign documents pledging to abstain from participating in union activities. Companies also created and supported “yellow” or company-backed unions to counter free and democratic unions. Some workers, despite paying union dues, indicated enterprise-level unions did not represent their interests, advocate on their behalf, or involve them in union matters.

Although some companies had collective bargaining agreements, other companies created obstacles to union formation and used expensive and lengthy judicial processes to avoid independent unions and collective bargaining. Labor advocates pointed to insufficiently clear guidelines and regulations surrounding collective bargaining as a significant obstacle to initiating collective bargaining. Union representatives reported lengthy bureaucratic procedures could prevent unions from undertaking collective bargaining, despite meeting legal requirements such as membership of a majority of employees.

## **Forced or Compulsory Labor**

See the Department of State’s annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

## Acceptable Work Conditions

### Wage and Hour Laws

The law provided for a minimum wage that varied depending on the size of the enterprise and the type of labor. In 2023, the minimum wage for all sectors was above the per capita poverty line but, depending on the number of household members working, could be below the poverty line for households as defined by the *canasta familiar* (a basket of food products and services).

The law established a standard workweek of 44 hours, not to exceed eight hours per day on weekdays, and four hours on Saturdays before noon. Agricultural workers were exempt from this limit and could be required to work up to 10 hours each workday without premium compensation. Businesses in some sectors, such as mining and the textile industry, had “4x4” schedules in which employees worked 12-hour shifts for four consecutive days, followed by four days off.

The law covered different labor sectors individually. For example, the labor code covered workers in the free-trade zones, but those workers were not entitled to bonus payments, which represented a significant part of the income of most workers in the country.

Mandatory overtime was a common practice in factories, enforced through loss of pay or employment for those who refused.

## **Occupational Safety and Health**

The Ministry of Labor set occupational safety and health (OSH) regulations that were generally appropriate for the main industries in the country. By regulation, employers were obligated to provide for the safety and health of employees in all aspects related to the job. By law, employees could remove themselves from situations that endangered health or safety without jeopardy to their employment, but they could face other punishments for their action.

The law required the establishment of safety and health committees in workplaces with 15 or more workers, and safety and health coordinators in smaller workplaces. Ministry of Labor inspectors conducted both proactive inspections and inspections based on workers' OSH complaints.

## **Wage, Hour, and OSH Enforcement**

Ministry of Labor authorities conducted inspections but did not effectively enforce minimum wages, hours of work, and OSH standards. Penalties for violations were less than those for similar crimes such as fraud or negligence. The number of labor inspectors was not sufficient to enforce compliance. Inspectors had the authority to conduct unannounced inspections. Inspectors did not have the authority to assess penalties but could recommend sanctions to the Public Ministry, which was responsible for pursuing and applying penalties for labor violations uncovered by labor



inspectors. Penalties were rarely applied against violators.

Conditions for agricultural workers were poor. Many workers worked long hours, often 12 hours per day and seven days per week, and suffered from hazardous working conditions, including exposure to pesticides, long periods in the sun, and limited access to potable water. Some workers reported employers did not pay them the legally mandated minimum wage.

On May 26, state security forces responded violently to worker discontent regarding a pay disagreement at the Consorcio Azucarero Central sugar company. According to media and civil society reports, after workers refused to work and locked themselves inside their company-owned living complex, state security forces forcefully entered the complex and used guns equipped with pellets or rubber bullets to injure approximately 15 workers.

Some sugar and agricultural producers proactively worked with civil society and the government to address worker complaints and improve compliance with international legal standards.

Labor laws applied to both the formal and informal sectors, but the government seldom enforced them in the informal sector, which comprised approximately one-half of the workforce.

## **c. Disappearance and Abduction**

### **Disappearance**

There were no reports of enforced disappearances by or on behalf of government authorities.

### **Prolonged Detention without Charges**

The constitution prohibited arbitrary arrest and detention and provided for the right of any person to challenge the lawfulness of their detention in court. The government generally observed this requirement, but arbitrary arrests and detentions without judicial authorization remained a problem.

National Police made sporadic sweeps or roundups in low-income, high-crime communities during which they arrested and detained individuals without warrants. During these operations, police detained large numbers of residents and seized personal property allegedly used in criminal activity. Civil society groups stated police were often unable to provide evidence or show probable cause for the detentions. Police at times detained all suspects and witnesses to a crime.

Despite protections in the law for defendants, in some cases authorities held detainees beyond the legally mandated deadlines, even when there were no formal charges against the detainees. The length of such detentions occasionally equaled or exceeded the maximum sentence for the alleged

crime, with some detentions reportedly lasting years.

#### **d. Violations in Religious Freedom**

See the Department of State's annual *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

#### **e. Trafficking in Persons**

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

### **Section 3. Security of the Person**

#### **a. Torture and Cruel, Inhuman, or Degrading Treatment or Punishment**

The law prohibited torture, beating, and physical abuse, but there were credible reports DGM personnel and other government security forces subjected individuals, principally persons of Haitian descent, to degrading treatment and physical abuse.

International and local civil society organizations raised concerns that DGM and other security forces subjected undocumented Haitian migrants and stateless persons of Haitian descent to harsh and often degrading treatment during detention and deportation operations and at DGM detention centers

in Haina and Santiago. These concerns included arbitrary detentions; physical abuse of detainees; home entries without warrants; revocation or destruction of identity documents; theft of personal belongings; extortion; sexual violence; inadequate access to food, water, and health care in detention facilities and throughout the deportation process; the unlawful deportation of children, pregnant or lactating mothers, and the elderly; and other hostile or abusive treatment.

In August, media outlets reported a migration officer assaulted a U.S. citizen who was attempting to cross the border from Dajabon to Haiti. According to reports, the officer punched and slapped the U.S. citizen while demanding to see his passport. The Attorney General's Office was investigating the incident, but authorities had not formally charged the officer.

## **b. Protection of Children**

### **Child Labor**

See the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings/>.

### **Child Marriage**

Although the law prohibited marriage of persons younger than 18, the government did not effectively enforce the law. Civil society groups reported a general lack of knowledge of the law among authorities was a

barrier to enforcement and prosecution. It was common for girls to live with older men and marry once they attained legal age. Child marriage occurred more frequently among girls who had limited education, were poor, and lived in rural areas.

### **c. Protection to Refugees**

The government cooperated in a limited manner with the Office of the UN High Commissioner for Refugees and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, or asylum seekers, as well as other persons of concern.

#### **Provision of First Asylum**

Presidential decrees in the 1980s established a system for granting asylum or refugee status; however, the system was not codified in law, and the system for providing protection to refugees was not effectively implemented. Rejection rates for asylum claims were more than 90 percent, and asylum applications often remained pending for months or even years.

The National Commission for Refugees (CONARE), an interministerial body led by the Ministry of Foreign Affairs, was responsible for adjudicating asylum claims. The process required individuals to apply for asylum within 15 days of arrival in the country, and they could apply only at the National Office for Refugees in Santo Domingo. If an asylum seeker was in the

country for more than 15 days before applying for asylum, CONARE usually rejected the case on procedural grounds without analyzing the merit of the claim. CONARE also tended to reject any asylum application from an individual who was in, or who proceeded from, a foreign country where the individual could have sought asylum, considering it a “safe third country” even when there was no demonstration of the safety or availability of refugee protection procedures in such countries.

Asylum seekers received notice of inadmissibility decisions. The notice-of-denial letter was issued in Spanish, Creole, and English; however, details of the grounds for rejection were only issued in Spanish. Refugees recognized by CONARE were issued one-year temporary residence permits that could not be converted to a permanent residence permit and had to undergo annual re-evaluation of the person’s need for international protection.

Observers reported that a lack of due process in migration procedures, including prolonged delays in issuing temporary residence permits to recognized refugees, resulted in arbitrary detention of persons with no administrative or judicial review.

#### **d. Acts of Antisemitism and Antisemitic Incitement**

The Jewish community comprised approximately 350 persons. There were no reports of antisemitic incidents.