STATEMENT OF THE DOMINICAN REPUBLIC
ON EFFORTS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

MAY 23, 2011

The Government of the Dominican Republic (GODR) provides the following information to the U.S. Department of Labor (DOL) to assist in its preparation of the annual report required by the U.S. Trade and Development Act of 2000 [Pub. L. 106–200] on certain trade beneficiary countries' implementation of international commitments to eliminate the worst forms of child labor. The DOL will include information in that report on the Dominican Republic, required by the Department of Labor Appropriations, 2006, Conference Report, H.R. Rep. 109 –337 (2005).

The information provided is not a catalog of all GODR efforts (and the many NGO, private sector, and GODR-supported efforts) being undertaken in the country that address child labor issues. The GODR regularly meets with United States Government agencies and officials, and has provided information on its policies, procedures, programs and initiatives not only addressing child labor but also trafficking in persons, illegal trafficking of migrants, commercial sexual exploitation and the use of children in illicit activities. The DOL and other U.S. government agencies continued their cooperation with the GODR and other entities in the Dominican Republic during 2010.

The GODR and its agencies have no evidence of children being recruited for forced and hazardous labor. However, as part of the efforts to prevent these issues the GODR has reinforced the protection of children through existing and new laws that have been implemented in social programs and policies during 2010. As a result of the aforementioned, child labor was included in the DR National Strategy for Development 2010-2030 and a new illegal trafficking in migrants and trafficking in persons law is expected to be submitted to Congress shortly; a Roadmap for Achieving the Elimination of Child Labor and its Worst Forms 2010-2016 was launched; a report that verifies the implementation of the recommendations included in the White Book was elaborated; a module on child labor was included in the National Census 2010; and in the regional arena, it was elaborated the 2010 Protocol of Action to Protect Vulnerable Haitian Children as a Consequence of the Earthquake, as well as it was coordinated a Central American Congress on Commercial Sexual Exploitation of Children.

The ministries and agencies of the GODR are committed to protect children from abuse and exploitation, and to give them access to education, health and cultural development. For the GODR violations to children rights and inherent human rights are non-negotiable, and any person who violates such rights is held accountable. With regards to forced labor, it is categorically prohibited, under the Dominican legislation, to employ children under the age of sixteen, for jobs that are not appropriate for their age or condition, or that prevent them from receiving their mandatory schooling.

GODR firmly believes that Children are the future of our nation. It protects children and helps them meet their basic needs and expand their opportunities to reach their full potential.

LAWS AND REGULATIONS ON THE WORST FORMS OF CHILD LABOR:

What, if any, new laws or regulations were enacted during the reporting period in regard to the worst forms of child labor? Including the minimum age for admission to work, any exceptions to the minimum age law, minimum age for admission to hazardous work, any additional provisions regarding children's involvement in hazardous work

a) Laws promulgated on child labor, including the minimum age for admission to work, any exceptions to the minimum age law, minimum age for admission to hazardous work, any additional provisions regarding children's involvement in hazardous work.

- The newly promulgated (January, 2010) Constitution reform establishes of national interest in its Article 56 the eradication of the worst forms of child labor and protects children against slavery, servitude, and trafficking. Article 56 states that,

  "It is the highest interest of the Government the eradication of child labor and all kinds of mistreatment or violence against underage children. The Government will protect children from all form of abandonment, kidnapping, vulnerability, moral or sexual violence, labor and commercial exploitation, and forced labor."

- The GODR recently submitted to Congress on February 27, 2011, the National Strategy for Development 2010-2030. This important piece of legislation includes the eradication of child labor and aims that no children under 14 years old will be working by 2020.

- President Leonel Fernandez announced in his State of the Nation address on February 27, 2011, that the Administration will be submitting to Congress several modifications to the Law 137-03 on Illegal Trafficking in Migrants and Trafficking in Persons.

- Labor Code 16-92, articles 17, 245-254, 446, 720-724, prohibiting employment of children younger than 14 years, restricting employment of children ages 14-16, providing fines and legal sanctions against firms employing underage children.

- Labor Code Principle II, prohibiting forced labor, and Principle XI, restricting child labor.

- Law 136-03 (Code for Protection of Fundamental Rights of Children and Adolescents), legal obligations and responsibilities, design and execution of policies, services and assistance, obligations of GODR and families, participation of NGOs).

- Law 49-00, creating the Ministry for Youth, which represents the interests of young citizens ranging 15 to 35 years old in relevant GODR agendas.

- Law 24-97, against Family Violence (under the Minors Code, cases involving children under police or Public Ministry authority who fall within the definition of torture or barbarous acts to prosecution under this Code, Article 1).

b) Laws, Decrees and Resolutions promulgated on the worst forms of child labor such as forced child labor and trafficking or child prostitution and pornography, forms of child labor are prohibited and penalties for violations.

- Law 137-03, (Illegal Trafficking in Migrants and Trafficking in Persons), defines and prohibits all forms of trafficking, punishes trafficking with significant criminal penalties, and enhances sanctions for various aggravating circumstances. Penalties include up to 20 years of imprisonment and fines of up to 175 times the monthly minimum wage for trafficking. Enhanced penalties are authorized: when the victim is a child; when a victim suffers physical or mental injury, psychological disability, mental illness, or serious harm as a result; or when a perpetrator takes advantage of a vulnerable victim, is an organized group, or is a public person. Law 137-03 also provides criminal liability for organizations and corporations involved in trafficking in persons, authorizes fines, revocation of business license, closure of business, and prohibition of any activities by a legal entity.

- Labor Code, articles 410 and 411, criminalizing child prostitution and pornography, prescribes penalties for sexual abuse of children of 20 to 30 years imprisonment and fines from 100 to 150 times minimum wage (and specifically transfer of children for purposes of forced labor, commercial sexual exploitation or other degrading activities, in exchange for compensation).

- Law 136-03 (Code for Protection of Fundamental Rights of Children and Adolescents), which includes a chapter on labor (articles 34 to 44) and criminal penalties for restrictions on the liberty of children

- Law 53-07 (Technology Crime Law), criminalizes electronic distribution of child pornography and prescribes penalties of 2 to 4 years imprisonment for the purchase or possession of child pornography.

- Decrees 144-97, 566-01, 59-06 establishing and defining the responsibilities of the National Steering Committee against Child Labor.

- Resolution 37-05 (Provincial, Municipal and State Committees for Eradication of Child Labor); Resolution 30-93 (work by children without 14 years of schooling); Resolution 52-04 (dangerous and other unsuitable work for persons under age 18); Resolution 29-93 (light work); Resolution 31-93 (night work for minors in concerts and theatrical productions).

- ILO Convention 90 (Night Work by Young Persons (Industry)), 1957; ILO Convention No. 105 (Elimination of Forced and Compulsory Labor), June 1958; ILO Convention 77 (Medical examinations for minors (industry)), June 1973; ILO Convention 81 (Labor Inspection) (1981) and 1995 protocol; ILO Convention No. 138 (Minimum Age), June 1999.

- Hague Convention No. 28 on the Civil Aspects of International Child Abduction; Hague Convention No. 33 on Protection of Children and Co-operation in Respect of Inter-country Adoption, March 2007.

- UN Convention on the Rights of Children, 1991; UN Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, December 2006.

c) Minimum age for military recruitment and/or involvement in armed conflict

- Law of the Armed Forces 873, Article 31(b) establishes that the minimum voluntary and compulsory recruitment age for military service is 16 years, and recruits must have completed their education.

GOVERNMENT TASK FORCES ON COMMISSION ON CHILD LABOR

Has the government established any task forces or commissions to coordinate government efforts on issues of worst forms of child labor overall? Has the government established any such bodies to focus on a particular worst form of child labor, such as child trafficking or begging? If any of those bodies exist, please describe their composition and any activities undertaken in 2010.

National Steering Committee to Eradicate Child Labor (NSCECL)
Established in March 24, 1997, under decree 144-97. The NSCECL analyzes the child labor situation nationally and elaborates concrete plans against child labor within the framework of the agreement subscribed on January 16, 1997 by the Director General of the ILO and the Minister of Labor of the Dominican Republic.

The NSCECL is presided by the Ministry of Labor and the National Council for Children and Adolescents (CONANI) and is composed by the Ministry of Education, Social Policies Coordination Bureau, Ministry of Health, Ministry of Agriculture, Ministry of Sports, Ministry of Women, Ministry of Youth, Pastoral Juvenil in representation of the Civil Society, Office of the First Lady, the Family Institute, and Dev-Tech Systems.

The NSCECL attained the inclusion of a module on child labor in the National Census 2010. It is expected that with this achievement there will be updated and accurate information to elaborate statistics on the labor condition of children in the Dominican Republic. The results of this module will be release in June 2011.

The Committee elaborated during February-July 2010 a report that verifies the implementation of those recommendations included in the White Book. The report identified the pending issues in the Strategic Plan for the Eradication of the Worst Forms of Child Labor, the Action Plan to Eradicate Child Abuse and Commercial Sexual Exploitation and the National Plan against Trafficking in Persons and Illegal Trafficking in Migrants.

The Committee gathered four times and approved the methodology for the elaboration of the Operative Plan to the *Roadmap for Achieving the Elimination of Child Labor and its Worst Forms in the Dominican Republic 2010-2012* (see annex I).

Inter-Institutional Commission against Child Abuse and Commercial Sexual Exploitation
Established in 2001, under the authority of CONANI, co-chaired by the Ministry of Labor and composed by the Family Institute, Judiciary Branch, Attorney General's Office, Ministry of Tourism, Ministry of Education, Ministry of Health, Association of Hotels and Restaurants, Coalition of NGOs for Childhood, Ministry of Foreign Relations, National Police, Tourism Police, Grupo Mais-ECPAT, Proyecto Educativo Caminante, National Directorate of Shelters and Residences for Citizen Reeducation, and UNICEF and ILO as advisory organisms.

Within the framework of the Commission's work, it was elaborated the Action Plan to Eradicate Child Abuse and Commercial Sexual Exploitation (Plan de Acción de la República Dominicana Para Erradicar el Abuso y la Explotación Sexual Comercial de Niños, Niñas y Adolescentes 2009-2014) with the help of several NGOs and the technical advice of international organisms.

The Commission coordinated with the ILO five (5) national workshops during 2010 named "Use and Management of the DevInfoLAC ESC database." These workshops aimed to provide access to information and indicators on child abuse and commercial sexual exploitation in Latin America and the Caribbean. They also contributed to knowledge-building capacities that allowed developing, revising, and updating the actions undertaken against child abuse and commercial sexual exploitation.

Along with UNICEF, the Commission organized the sub-regional congress "*Commercial Sexual Exploitation of Children: Improvements and Challenges in Central America and the Dominican Republic."* This Congress aimed to promote the innovative practices and lessons learned in the fight against sexual commercial exploitation in Guatemala, El Salvador, Nicaragua, Honduras, Belize, Costa Rica, Panama and the Dominican Republic.

Among the agreements reached it was signed an agenda aiming to strengthen the government and civil society capacities in the fight against child abuse and commercial sexual exploitation by 2013; through establishing networks between Central American and Dominican Republic institutions to exchange successful information and initiatives; promotion of innovative practices and lessons to other interested institutions such as UN Women, ILO, SICA, etc.; exchange of the Central American experiences with other regions where UNICEF is working in favor of the protection of children rights.

Inter-institutional Commission against Trafficking in Persons and Illegal Trafficking in Migrants
Established in October 2007 to combat trafficking via interagency cooperation. It is composed by CONANI, Ministry of Foreign Affairs, Ministry of Interior and Police, Ministry of Education, Ministry of Tourism, Ministry of Health, Ministry of Women, Ministry of the Armed Forces, Attorney General's Office, National Police, National Directorate of Immigration, Tourism Police, and the Office of the First Lady.

During 2010, the Inter-institutional Commission against Trafficking in Persons and Illegal Trafficking in Migrants engaged in numerous activities focused in the prevention, sensibilization, victim protection and persecution of traffickers.

In coordination with the National School of Public Prosecutions (ENMP), the National School of Judicature and OIM, National District Prosecutor Jonathan Baró and external consultants

started a six-month investigation on the Justice Department and the criminal prosecution of trafficking in persons in order to collect empirical data and to determine the challenges that Dominican prosecutors face for successfully investigating and prosecuting trafficking cases in the Dominican Republic. They are also drafting the first Training Manual on trafficking in persons for prosecutors and judges. Contact information: Prosecutor Jonathan Baró (809) 753-0726.

The ENMP completed the workshop "Identifying Capacity Needs" in regards to Trafficking in Persons and Illegal Trafficking in Migrants (its execution was based on the creation of focus groups / surveys). The needs identified served as a starting point for the Attorney General's Office to sign an institutional cooperation agreement with the International Organization for Migration (IOM) for the purpose of designing and implementing a training plan for Public Prosecutors on trafficking and smuggling of persons. The implementation of the agreement initiated in December, 2010, and was followed by a Trafficking in Persons workshop for the members of the justice system in the second week of January 2011 with a participation of 40 members of the Judicial branch (including prosecutors, judges and others), together with the National Judicial College ENJ, the IOM and UNICEF.

INSTITUTIONS AND MECHANISMS FOR ENFORCEMENT OF LABOR LAWS REGARDING CHILD LABOR AND HAZARDOUS CHILD LABOR

What agency or agencies was/were responsible for enforcement of law relating to hazardous child labor?

The GODR has multiple agencies that oversee the implementation of child labor regulations in order to prevent the exposure of children to hazardous labor situations. The most relevant agencies are:

- Ministry of Labor (Ministerio de Trabajo)
- Judicial System (Sistema Judicial)
- Office of the Attorney General (Procuraduría General de la República)
- National Police (Policía Nacional)
- Ministry of Public Health (Ministerio de Salud Pública)
- Ministry of Education (Ministerio de Educación)
- National Council for the Children and Adolescents (CONANI)

If multiple agencies were responsible for enforcement, were there mechanisms for coordinating enforcement actions? If yes, please describe the coordination mechanism

Ministry of Labor:

- The Ministry of Labor has a Child Labor Unit with a multidisciplinary team that includes professionals in the areas of labor, social issues, psychology, statistics, communications, among others.
- The Dominican Social Security Institute (IDSS) sets workplace safety and health conditions; both IDSS and Ministry of Labor inspectors are in charge with enforcing labor standards;

- In 2010 the Ministry of Labor had 199 trained labor inspectors, all of whom have been hired through a competitive selection process, and are preferably holders of a law degree. Also, they are required to attend additional training on a continued basis;
- The Ministry of labor has established by resolution 37 local and municipal committees spread nationwide. The main purpose of foresaid committees is the social mobilization and awareness of child labor and to prevent the worst forms of child labor by overseeing the implementation of labor laws. In the Dominican Republic all forms of forced labor are prohibited and severely sanction by labor authorities including work contracts for children under the age of sixteen[1];
- In 2010 the Ministry of Labor launched a campaign called "Lets Hit a Home Run, Lets Eradicate Child Labor" (Demos un jonrón, erradiquemos el trabajo infanfil) against the worst forms of child labor within the framework of the World Day against Child Labor;
- Regional meetings with the municipal committees to discuss child labor issues and inspections;
- Conclusion of a project on commercial sexual exploitation taking place in the touristic community of Terrenas, Samana, sponsored by UNICEF, the Ministry of Labor and the Italian Cooperation.

Judicial System

- Specialized tribunals for cases involving children, such as Family and Juvenile Courts, with specially trained personnel on this matter;
- Labor and criminal judges have obtained the appropriate training in child labor through the National School of Judicature in order to sensibilize them and enhance their capabilities to uphold a fair decision in these cases.

Attorney General's Office

- Investigators trained in child labor issues;
- Informatics Crimes Investigation Division (e-crime investigation unit), with responsibilities on detection and prevention of child pornography and prostitution;
- Training teachers, students, children and other key actors in school facilities to raise awareness on child labors issues;
- Department for Victims of Abuse and Intra-family Violence. This department has a total of 14 established offices nationwide. These offices provide services to victims of gender, and domestic and sexual violence. Within the last three years the GODR has invested a total of $240 million pesos for the functioning of these offices which represent a steady investment of $80 million pesos per year[2];
- Office of Legal Representation of Victims (RELEVIC). This department is pioneer in the region providing pro bono orientation, assistance and legal representation to low income victims, who cannot afford a private attorney, from the beginning of their process until the indictment. It is staffed by 30 attorneys, medical doctors, social workers and family therapists, many of whom speak English. Since its creation in June, 2008 it has been

[1] Labor Code article 46(8) states that "it is prohibited to employ children under the age of sixteen in dangerous or unhealthy work places" and Labor Code Principle XI establishes: "It is prohibited to employ children in services that are not appropriate for their age or condition or that prevents them to receive their mandatory schooling."

[2] Data from the Attorney General's Office, in reference to the Department for Victims of Abuse and Intra-Family Violence (Unidades de Atención a Víctimas de Violencia de Género, Intrafamiliar y Delitos Sexuales) (see annex II).

expanded from the National District to the Duarte Province. It has also acquired notorious positive attention from NGOs, Government agencies and the U.S. Embassy in the Dominican Republic.

National Police

- Training for officials and development of technical tools in the areas of child labor and sexual and commercial exploitation;
- The Tourism Police (POLITUR), is trained to identify any children at risk of been used for street begging and to take the necessary steps to relocate them into CONANI's Temporary Safe Houses or NGO shelters.[3]

Ministry of Health

- The Ministry of Health is currently elaborating the norms for the proper implementation of the articles of the Social Security Law related to children;
- Implementation of vaccination, nutrition, epidemiology campaigns in observance to the requirements established in the General Health Law (Law 42-01).

Ministry of Education

- Its budget has risen steadily from $33,359 billion pesos in 2009 to $37,428 billion pesos in 2010 (10.87% increase) and $41,535 billion pesos for 2011 (9.88% increase).
- Strategic Development Plan for Education in the Dominican Republic 2002-2012, a tool to implement the Education Law and Law 136-03;
- Supports and executes programs that create alternative education for the prevention and eradication of the worst forms of child labor;
- Produced training materials for teachers, parents and others involved with programs of sexual education in primary school curriculums;
- Radio programming that includes education campaigns on child labor issues.

National Council for Children and Adolescents (CONANI)

- Temporary/Safe Houses Program gives temporary shelter to children that are neglected, victims of physical and psychological violence and other risks that could jeopardize their healthy development;
- Comprehensive Attention Program provides services to new born babies (45 days old) and children up to six years old. The main purpose of this program is to help families with scarce economic resources by increasing the quality of the social services in children. This program helps families in areas such as nutrition, health and physiological tutoring, which are essential for a healthy development and growth of children;
- Program on Policies and Protection of Street Children 2007-2012 (Lineamientos de políticas de protección integral de Niños, Niñas y Adolescentes en situación de calle en la República Dominicana 2007-2012) takes precautionary measures to ensure a reduction of the risks that could let children to be exposed to street work due to parental negligence, abandonment or other type of violence. This program gives CONANI the necessary

[3] The autonomous government agency National Council for Children and Adolescent - (Consejo Nacional para la Niñez y la Adolescencia – CONANI) through its programs of Temporary/Safe Houses (Hogares de Paso) gives shelter to children that are neglected, or that are victims of abuse or violence.

preventive tools to ensure that the children are not exposed to the worst forms of child labor in the modality of street labor;

- Participation in The Hague Global Child Labor Conference, Netherlands, in May 10-11, 2010. Its objectives were to achieve rapidly universal ratification of ILO Convention Nos. 138 and 182, to deliver the commitment to take immediate and effective measures to end the worst forms of child labor as a matter of urgency and to agree on significantly intensified efforts to reach the 2016 goal laid down in the Global Action Plan.

How many inspectors did the government employ to enforce child labor law?
The Government of the Dominican Republic has 199 trained inspectors at the Ministry of Labor, who have been selected through a competitive process. According to Article 433 of the Dominican Labor Code, inspectors have an obligation to verify that employers faithfully comply with labor laws and regulations whilst articles 36 and 42 of the Code for Protection of the Fundamental Rights of Children, establish that inspectors of the Ministry of Labor will periodically inspect work sites in order to ensure that employers do not hire underage children.

If children are found to perform work in a work site, the employer must show, by clearly convincing evidence, that he has fulfilled his obligations under labor laws and other regulations that mandate children rights protection. Moreover, the employer must demonstrate that he is in compliance with the especial labor requirements provided in the Dominican Labor Code which states that, "children are not allowed to work in labor or tasks prohibited by law" and must ensure that the children are not performing any type of work that could jeopardize their physical and mental health. Furthermore the employer needs to show evidence that the work does not preclude children from their mandatory schooling.

How many inspections involving child labor were carried out? Were inspections carried out in sectors in which children work? How many child labor violations were found?
Since 1951, the inspectors of the Ministry of Labor have a duty to oversee work sites on a regular basis in order to prevent violations of worker rights, including the protection afforded to children by the Dominican laws and labor regulations.

If a labor inspector were to find a child under the age of 16 in a worksite, the child is to be retired from the work site and the employer will face multiple liabilities. The Ministry of Labor may determine the culpability of an employer, who may receive severe fines, and could be found liable of criminal and civil charges.

The parents of under age victim children will have a cause of action against the employer in the civil, labor or criminal courts whichever jurisdiction is preferred by the victim's parents to recover damages. The monetary damages may go from $200,000 pesos up to $1,000,000 pesos depending on the severity of the damages; the employer may also face criminal charges.

The GODR conducted over 73,139 labor inspections through the Ministry of Labor's Department of Labor Inspection during January-November 2010. While 55,450 of these were regular inspections, 17,869 were special inspections requested by employers (see annex III).

There has been a considerable reduction of children found in work sites during the last seven years. The chart below illustrates the success of labor inspections in the retirement of children from work sites in the Dominican Republic:

CHILDREN FOUND AND RETIRED FROM WORK SITES
MINISTRY OF LABOR LOCAL AGENCIES
2005-2011

LABOR OFFICES & AGENCIES	2005	2006	2007	2008	2009	2010	2011*
Azua	5	85	0	37	0	-	-
Barahona	0	1	0	0	-	-	-
Bonao	46	4	2	0	3	-	-
Constanza	14	68	6	0	0	-	-
Cotui	4	0	4	0	3	-	-
Distrito Nacional	0	4	1	1	1	-	-
Duarte	32	0	0	0	0	-	-
El Seibo	-	9	-	-	-	-	-
Espaillat	1	-	-	-	-	-	-
Haina	-	3	-	-	1	-	-
Jarabacoa	10	2	2	9	1	1	1
La Romana	-	3	5	-	-	-	-
La Vega	5	1	-	-	-	1	-
Las Matas de Farfán	-	-	1	-	1	-	-
Las Terrenas	1	-	-	-	-	-	-
Maria Trinidad Sánchez	11	12	2	1	-	-	-
Pedernales	1	-	-	-	-	-	-
Peravia	1	-	1	1	-	-	-
Puerto Plata	-	-	2	-	-	-	-
Salcedo	20	-	-	-	-	-	-
San Cristóbal	5	3	-	-	-	-	-
San José de Ocoa	5	1	2	6	-	-	-
San Juan de La Maguana	-	1	-	-	-	-	-
Santiago	1	8	-	-	1	-	-
Santiago Rodríguez	-	9	1	4	1	1	-
Villa Altagracia	-	1	-	1	-	-	-
TOTAL	**162**	**215**	**29**	**60**	**12**	**3**	**1**

* The data for the year 2011 includes the month of January and February. During the month of January labor inspectors retired only 1 child from work and for February inspectors did not find any irregularities in regards to child labor at work sites.

INSTITUTIONAL MECHANISMS FOR EFFECTIVE ENFORCEMENT OF CRIMINAL LAWS ON CHILD FORCED LABOR/TRAFFICKING, COMMERCIAL SEXUAL EXPLOITATION AND USE OF CHILDREN IN ILLICIT ACTIVITIES:

The GODR is engaged in the effective prosecution, protection and prevention efforts to combat child labor, trafficking in persons, illegal trafficking in migrants, and commercial sexual exploitation.

During 2010 the GODR's efforts to combat trafficking particularly improved. In July 2010, a major consensus was reached between the Government, NGOs and International Organizations (e.g. International Organization for Migration -OIM- and International Labor Organization -ILO-IPEC-) in the creation of the roadmap that emphasizes concrete actions and benchmarks that will show efforts in the combat against trafficking from 2011 to 2014.

In May 2010, the Directorate of Migration (DGM) implemented a plan along with the Armed Forces, the Special Border Security Corps (CESFRONT), the Metropolitan Transport Authority (AMET) and CONANI, aiming to retire Haitian children from begging in the streets. The procedure also included experts provided by the United Nations Fund for Children (UNICEF). This Plan has been positively valued by members of the civil society and NGOs (e.g. Jesuit Refugee Service – contact information: Mr. Francisco Leonardo (829) 470-6221).

In the Dominican Republic prosecution related to child labor, trafficking in persons, illegal trafficking in migrants, and commercial sexual exploitation is a complicated and a sensible matter due to family pressures, credibility issues, and social stigmas. However, the numerous information campaigns launched by the GODR have helped the victims of these types of crimes to lose the fear to present formal accusation, as shown below:

In May 2010, a U.S. citizen was arrested on charges of running a child pornography ring in the northern province of Puerto Plata. According to the indictment, Williams Bonaparte recruited young girls and shot pornographic movies in exchange of $3,500 pesos per hour. The Prosecutor in charge of the proceedings is Ms. Luisa Marmolejos, from the Unit for Assistance to Victims of Domestic Violence, and Sexual Crimes of the Province of Puerto Plata. The indictment was held in November 30, 2010 on the charges of Commercial Sexual Exploitation of Children and Adolescents (articles 396, 408 and 410 the Code for Protection of Children and Adolescents) (see annex IV).

Ms. Marlene Guarte, Deputy Prosecutor for Crimes against Children and Adolescents in Boca Chica successfully identified an infant of Haitian origin trafficked into Dominican territory. According to the information provided by the General Prosecution's Office, the criminal proceedings against the traffickers were initiated in 2010. The victim is currently being psychologically treated by the COIN. Contact information: Ms. Marlene Guarte, Prosecutor of Crimes against Children and Adolescents in Boca Chica (809) 523 – 6273 / (809) 480 – 9450.

In August 2010, a 16 year-old victim of labor exploitation in Ecuador was rescued by the Embassy of the Dominican Republic and successfully returned home. This case was referred to the Attorney General's Office. In that same month, Dennis Alan Crawford Jr., a U.S. citizen

convicted for sexual abuse against minors in the United States was found in the Dominican Republic and extradited to the United States (see annex V).

In 2010, ten U.S. citizens were arrested as they attempted to take into the Dominican Republic thirty-three Haitian children without required permission or documentation. In this case, the GODR instructed the DR Ambassador in Haiti to coordinate the efforts between the two governments. In addition, Jose Anibal Torres Puello, the suspected legal adviser to those U.S. citizens was identified as being the leader of a trafficking ring involving Central American and Caribbean women and girls and was extradited to the U.S. in August to be prosecuted for those crimes (see annex VI).

A case of cross-border movement of illegal immigrants was detected in January 13, 2011. The Directorate of Army Intelligence, and the G-2, arrested two unmarked Chevrolet vans in the bordering Providence of Montecristi, carrying 56 illegal immigrants (41 men, 12 women and 3 children) (see annex VII).

In March 8, 2011, CESFRONT detained eight persons who kept nine Haitian children locked-up in a hotel in the Province of Dajabon, neighboring Haiti. CESFRONT informed that the children were rescued while they were with four women and men of Haitian nationality who supposedly would use them for forced labor activities (see annex VIII).

In March 22, 2011, Attorney General Radhames Jimenez Pena informed that through the 14 offices of attention to genre victims, intra-family victims, and sexual abuse victims, assistance was provided every day to around 850 women who receive legal advice, free of charge, as well as medical and psychological help. In the Santo Domingo province alone, 262 sentences were reached for intra-family violence and sexual/aggression crimes from 2006 to 2011. These sentences go from 3 to 20 years imprisonment. Attorney General Jimenez also declared that while in 2009 more than 40,000 accusations of genre violence and intra-family violence were received in 2010 the number of accusations increased to 60,000, representing a 50 percent increase (see annex IX).

In January 14, 2011, Deputy Attorney General Maria Hernandez informed that through the Office of Legal Representation of Victims (RELEVIC), 205 sentences were reached in 2010 of up to 30 years imprisonment and a total of $133,000,000 in monetary damages in favor to the victims. These indictments included homicide, rape, domestic violence, robbery, child support, among others. Deputy Attorney General Hernandez added that 30 percent of the victims who requested help were minors being 66 percent of those women. See as annex a catalog of 18 prosecutions of sexual abuse to minors who were afterwards legally represented by RELEVIC, this number does not represent the totality of all sentences reached in the reported period (see annex X).

GOVERNMENT POLICIES ON CHILD LABOR

Did the government have any policies or plans that specifically address child labor or any of its forms? Please describe.
Among the policies implemented to undertake such commitment we can mention the following:

2010 Constitutional Reform:
During the Constitution reform that took place in 2010, it was incorporated a new article that specifically addresses child labor protection. The new Article 56 (1) states that: "It is the highest interest of the Government the eradication of child labor and all kinds of mistreatment or violence against underage children. The Government will protect children from all form of abandonment, kidnapping, vulnerability, moral or sexual violence, labor and commercial exploitation, and forced labor."

Roadmap for Achieving the Elimination of Child Labor and its Worst Forms in the Dominican Republic 2010 - 2012:
The Ministry of Labor and CONANI launched the "Roadmap for Achieving the Elimination of Child Labor and its Worst Forms in the Dominican Republic 2010 - 2012" (Estrategia Regional de la Hoja de Ruta para hacer la República Dominicana un país libre de Trabajo Infantil) in coordination with the ILO's International Program on the Elimination of Child Labor (IPEC) with financing of the Inter-American Development Bank.

The Roadmap priority has been divided in six dimensions: 1) Social policy and poverty reduction, 2) Health policy, 3) Education policy, 4) Legal and institutional framework – integral protection of rights, 5) Awareness and social mobilization, and 6) Generation of knowledge and public policy monitoring mechanisms.

The Dominican Republic Roadmap implementation is a reassurance of the Government to achieve the ILO's constituent's goals on child labor: the elimination of the worst forms of child labor by 2015 and the elimination of all forms of child labor by 2020.[4]

National Strategy for Development 2010-2030:
The public policies aimed for the achievement of the National Strategy for the next twenty years will promote and reinforce the shared values of the Dominican nation, which favor the peaceful coexistence, social cohesion and the spirit of personal and collective development. The National Strategy includes efforts:

1. To promote a culture of respect of the fundamental rights of children and to eradicate the worst forms of child labor;
2. To strengthen the attention and protection services for homeless children and teenagers or survivors of any forms of violence;
3. To develop support mechanisms for families with children in social or personal risk situations;
4. To reduce extreme poverty from 11.8% in 2008 to 5% in 2020;
5. To increase elementary school assistance from 94.9% in 2007 to 100% in 2020;

[4] See ILO Convention No. 182 and ILO Convention No. 138.

6. To reduce youth of ages 15-19, unemployed and non-schooled, from 4.8% in 2008 to 1.5% in 2020 (see annex XI).

2010 Protocol of Action to Protect Vulnerable Haitian Children as a consequence of the Earthquake

CONANI developed a protocol of action to protect Haitian children receiving humanitarian assistance in the Dominican Republic after the catastrophic earthquake that hit Haiti. This protocol sets mandatory procedures for Governmental and Non-Governmental institutions providing support to Haitian children. The protocol bolster's the GODR's commitment to reassure that the children victims of the earthquake receive treatment with the utmost respect to their needs and rights. CONANI's most recent data shows that:

- 407 children and adolescents have been attended through the Protocol;
- 16 children and adolescents who have been attended remain in Dominican shelters;
- 06 children and adolescents have been attended through the Protocol and have departed voluntarily from the shelters;
- 385 children and adolescents who have been attended through the Protocol were sent back to Haiti to be reunited with their respective families and reinserted to their communities (see annex XII).

Program to Reinforce the Protection of Children and Adolescents in Condition of Risk

This program increases the level of protection to children who are vulnerable to street life. The program will reinforce strategies to be implemented in areas such as education, health and family council. The main purpose is to create an environment isolated from drugs and street risks and to have a follow-up program that monitors and counsels children and their families.

SOCIAL PROGRAMS TO ELIMINATE OR PREVENT CHILD LABOR

Did the Government have poverty reduction, development, educational or other social policies, such as Poverty Reduction Strategy Papers, etc. that did not explicitly address the worst form of child labor or any one of the worst forms of child labor, but that have had an impact on them?

Solidarity Program

Solidarity, part of the Government's Social Protection Network, is one of the strategic means to eradicate poverty by improving poor families' income with the goal of allowing them to invest in the education and health of their children through the provision of cash allowances. It includes, among other elements, a monetary transfer program for families suffering from extreme poverty, with the condition that children in those families should be removed from labor and enrolled in school.

In 2010 the World Bank's Board of Directors approved a US$150 million loan to fund social protection areas in the DR, mostly education and health. These funds are being used to support the social programs being executed through Solidarity guaranteeing access to education, health and nutrition for more than 600,000 poor families, this is an expansion from 531,000 beneficiary families at the beginning of 2010.

In January 2011, in the area of education the Solidarity coverage was expanded to those families enrolling their children in school. The age range to receive the Incentive for School Attendance (Incentivo a la Asistencia Escolar) is now available to families with children ages 4 to 21; previously it used to be available for children between ages 5 to 16. As a prerequisite, children must comply with a minimum of 80% of class attendance and pass the course requirements.

In the area of health Solidarity includes a children's nutritional pilot program called "Chispitas Solidarias", which achieved great success in the provinces of La Vega, Sánchez Ramírez and Monseñor Nouel. The program aims to improve children nutrition through a powder supplement of micro-nutrients added to solid meals in order to compensate for the lack of the necessary nutrients of the daily diet. In its first stage, the GODR invested US$80,000; for the second stage it is expected to increase to US$636,175 for its nationwide expansion, which will benefit an additional 50,000 children in the range of 6 months to 5 years old.

Other government programs that addressed child labor include:

- Agricultural Bank loan agreements include a clause that prohibits recipients from using child labor and guarantees that they send their children to school.
- National Plan on Gender Equality 2006-2016, coordinated by the Ministry of Women, includes programs for protection and promotion of the labor rights of women and the care of their children during childhood.
- National Development Plan for UN Millennium Development Goals, coordinated by Office of President.
- Program Progresando (coordinated by Office of First Lady), to provide income-generating opportunities to families of children at risk of commercial sexual exploitation.
- National Anti-Poverty plan (Plan Nacional para Combatir la Pobreza).
- Micro, Small and Medium Businesses (PROMIPYME), to improve the family incomes through mandating government agencies to do 20% of their purchases to these businesses that are directed by women.
- In 2010, the School Breakfast Program (which by definition requires children to be in school), had a budget increase of US$10,000,000 compared to last year.

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