

# Dominican Republic

## Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of the Dominican Republic has been a member of ILO-IPEC since 1997.<sup>780</sup> In December 1998, a successful, two-year pilot project was launched to eliminate and prevent child labor in Constanza.<sup>781</sup> The Dominican Republic is currently participating in two ILO-IPEC regional projects funded by USDOL to combat child labor in the coffee sector and the tomato sector.<sup>782</sup> With funding from the USDOL and technical assistance from ILO-IPEC's SIMPOC, the National Statistics Office also conducted a national child labor survey in 2000.<sup>783</sup> The Dominican Republic is now undergoing preparatory work for a national Timebound Program to eliminate the worst forms of child labor within a specific timeframe.<sup>784</sup>

Since 1992, government policy on education has been coordinated through its Ten-Year Education Plan (PDE).<sup>785</sup> In 1995, the World Bank, IDB, and local contributors funded a project entitled, "Basic Education Improvement Project" to improve school infrastructures, expand school nutrition programs, train teachers and improve monitoring and evaluation in the education sector.<sup>786</sup>

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<sup>780</sup> ILO-IPEC, *Preparatory Activities for the Elimination of the Worst Forms of Child Labour in the Dominican Republic*, project document (Geneva, September 2001) [hereinafter *Elimination of the Worst Forms of Child Labour*], 1.

<sup>781</sup> ILO-IPEC, *Combating Child Labour in High-Risk Agriculture Activities in Constanza*, project document (Geneva, March 2001).

<sup>782</sup> ILO-IPEC, *Prevention and Elimination of Child Labor in the Tomato Producing Sector in the Dominican Republic* (Geneva, 2000) [hereinafter *Elimination of Child Labor in the Tomato Producing Sector*], 3. See also ILO-IPEC, *Prevention and Elimination of Child Labor in the Coffee Industry in the Dominican Republic*, (Geneva, 1999) [hereinafter *Elimination of Child Labor in the Coffee Industry*].

<sup>783</sup> ILO, *SIMPOC: Central America*, project document, 1999 [document on file].

<sup>784</sup> *Elimination of the Worst Forms of Child Labour*.

<sup>785</sup> The main goal of the Ten-Year Education Plan (PDE) is to increase access to quality education by reforming curricula, improving teaching conditions, increasing community participation in education, enacting a new education law, and increasing resources for education. See *Elimination of the Worst Forms of Child Labour*.

<sup>786</sup> Inter-American Development Bank, *Basic Education Improvement Program*, at <http://www.iadb.org/exr/PRENSA/1995/cp23695e.htm> on 9/28/01.

## Incidence and Nature of Child Labor

In 1999, the ILO estimated that, in the Dominican Republic, 13.7 percent of children between the ages of 10 and 14 were working.<sup>787</sup> Children work as agricultural workers, street vendors and shoe shiners, and domestic servants.<sup>788</sup> Haitian children work on sugarcane farms in the Dominican Republic, particularly in the Barahona province.<sup>789</sup> Children from poor families are adopted into others' homes, often serving under a kind of indentured servitude.<sup>790</sup>

Sexual exploitation of children is reported to be a problem in urban areas, as well as in tourist locations throughout the country.<sup>791</sup> According to a study sponsored by UNICEF and the National Planning Office, 75 percent of minors involved in prostitution work in brothels, discos, restaurants, and hotels.<sup>792</sup> There are reports that women and children are trafficked to, from and within the Dominican Republic.<sup>793</sup> The Directorate of Migration has estimated that approximately 400 rings of alien smugglers, traffickers and purveyors of false documents operate within the country.<sup>794</sup>

Basic education is free and compulsory between the ages of 5 and 14.<sup>795</sup> The gross primary enrollment rate was 93.9 percent in 1996.<sup>796</sup> The repetition rate was 5.6 percent and the dropout rate was 14.4 percent for children enrolled in grades one to eight in 1999.<sup>797</sup> Primary school

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<sup>787</sup> *World Development Indicators 2001* (Washington, D.C.: World Bank, 2001) [hereinafter *World Development Indicators 2001*] [CD-ROM].

<sup>788</sup> Almost three quarters of working children are boys, and more children work in urban areas than in rural areas. See *Elimination of the Worst Forms of Child Labour* at 1.

<sup>789</sup> Agustin Vargas-Saillant, Domingo Jimenez, and Rufino Alvarez, Unitary Confederation of Workers (CTU and Futrazona), Dominican Republic, interview by USDOL official, August 29, 2000.

<sup>790</sup> They work long hours under the threat of punishment, in agriculture, domestic service, or industry. Some, especially the girls, are sexually abused. See *Country Reports on Human Rights Practices for 2000—Dominican Republic* (Washington, D.C.: U.S. Department of State, 2001) [hereinafter *Country Reports 2000*], Section 6c, at <http://www.state.gov/g/drl/rls/rpt/hrrpt/2000/wha/index.cfm?docid=761>.

<sup>791</sup> *Country Reports 2000* at Section 5.

<sup>792</sup> Mercedes Gonzalez, "La explotación sexual y laboral de niños," *El Siglo* (August 20, 2000).

<sup>793</sup> *Country Reports 2000* at Section 6f.

<sup>794</sup> *Ibid.*

<sup>795</sup> Children usually begin school at age 6 and complete it at age 13. See UNESCO, *Statistics: National Education Systems*, at [http://www.uis.unesco.org/statsen/statistics/yearbook/tables/Table3\\_1.html](http://www.uis.unesco.org/statsen/statistics/yearbook/tables/Table3_1.html).

<sup>796</sup> *World Development Indicators 2001*.

<sup>797</sup> *Elimination of the Worst Forms of Child Labour* at 6.

attendance rates are unavailable for the Dominican Republic. While enrollment rates indicate a level of commitment to education, they do not always reflect children's participation in school.<sup>798</sup> In rural areas, schools often lack basic furnishings and teaching materials and are far from children's homes. In many cases, school fees and the cost of uniforms, books, meals, and transportation make education prohibitively expensive for poor families.<sup>799</sup>

## Child Labor Laws and Enforcement

The Labor Code sets the minimum age for employment at 14 years, and places restrictions on the employment of youth between the ages of 14 and 16.<sup>800</sup> Youth may not work more than 6 hours a day, and must have a medical certificate.<sup>801</sup> They are restricted from performing night work during certain hours and working more than 12 hours daily. Youth are also prohibited from performing ambulatory work, delivery work, work in establishments that serve alcohol, and work that would harm their health and safety.<sup>802</sup> Article 254 of the Labor Code requires employers to ensure that minors may continue their schooling.<sup>803</sup>

Forced and bonded labor is prohibited under the Labor Code.<sup>804</sup> The Criminal Code prohibits trafficking in persons for the purpose of prostitution, but does not include other severe forms of trafficking. A migrant smuggling law can be used to prosecute traffickers; however, the penalties for trafficking in persons are not commensurate with penalties for rape, sexual assault, or severe forms of domestic violence.<sup>805</sup>

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<sup>798</sup> For a more detailed discussion on the relationship between education statistics and work, see *Introduction* to this report.

<sup>799</sup> *Elimination of the Worst Forms of Child Labour*.

<sup>800</sup> Código de Trabajo de la República Dominicana 1999 [hereinafter Código de Trabajo] [hard copy on file].

<sup>801</sup> Permission is needed from both the mother and father. If this is not possible, then authorization can be gained from the child's tutor. If there is no tutor, authorization can be granted by a judge from the child's area of residence. See Código de Trabajo, articles 247 and 248. See also Preguntas y Respuestas, Secretaria de Estado de Trabajo, Republica Dominicana, at <http://www.set.gov.do/preguntas/menor.htm>.

<sup>802</sup> Código de Trabajo, articles 246 and 249.

<sup>803</sup> *Ibid.* at Article 254.

<sup>804</sup> *Ibid.*

<sup>805</sup> U.S. Department of State, *Trafficking in Persons Report*, July 2001, Tier 2, Angola (Washington, D.C., 2001).

The Secretariat of Labor is responsible for enforcing child labor laws.<sup>806</sup> In 2000, the Government of the Dominican Republic had approximately 232 labor inspectors charged with enforcement of the minimum wage, child labor laws, and health and safety legislation. The Ministry of Labor has taken employers in violation of the law to court.<sup>807</sup>

The Dominican Republic ratified ILO Convention 138 on June 15, 1999 and ILO Convention 182 on November 15, 2000.<sup>808</sup>

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<sup>806</sup> U.S. Embassy—Santo Domingo, unclassified telegram no. 3919, September 2001.

<sup>807</sup> U.S. Embassy—Santo Domingo, unclassified telegram no. 2499, June 2000.

<sup>808</sup> ILO, Ratifications of ILO Conventions, at <http://ilolex.ilo.ch:1567/english/> on 11/20/01.

*NOTE: Hard copies of all Web citations are on file.*