

| UN CRC | Ratification Date | Care-Related Concluding Observations |
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| | 11 June 1991 | <p>CRC/C/DOM/CO/3-5 4 February 2015</p> <p>http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fDOM%2fCO%2f3-5&Lang=en</p> <p>III. Main areas of concern and recommendations</p> <p>D. Violence against children (arts. 19, 24, para.3, 28, para. 2, 34, 37 (a) and 39)</p> <p>Freedom of the child from all forms of violence</p> <p>31. The Committee notes the adoption of a National Roadmap for the elimination of violence against children as well as the statement made by the delegation of the State party that a special law to prohibit corporal punishment will be adopted. However, the Committee is concerned about the lack of a comprehensive law that addresses all forms of violence against children. It is also deeply concerned about:</p> <p>...</p> <p>(e) Reports that "transition homes" for victims of abuse are overcrowded, the staff providing psychological services are inadequately trained, and social workers to support those services and conduct home visits are lacking.</p> <p>32. In the light of its general comments No. 8 (2006) on the right of the child to protection from corporal punishment and other cruel or degrading forms of punishment and No. 13 (2011) on the right of the child to freedom from all forms of violence, the Committee recommends that the State party:</p> <p>...</p> <p>(e) Ensure the availability and quality of prevention, protection, access to justice, rehabilitation and reintegration programmes, including health services and psychosocial support, free helplines and adequate shelters for victims;</p> <p>...</p> |

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| | | <p>E. Family environment and alternative care (arts. 5, 9-11, 18 (paras. 1 and 2), 20-21, 25 and 27 (para. 4))</p> <p>Family environment</p> <p>39. The Committee regrets the insufficient measures taken to protect the family life of children in the context of migration, such as children of women who have emigrated to other countries for economic reasons or Haitian children whose parents have been deported back to their country. The high rate of adolescent mothers and the lack of programmes to support them is also a source of concern.</p> <p>40. The Committee reiterates its previous recommendation (CRC/C/DOM/CO/2, para. 49 and 51) and recommends that the State party:</p> <ul style="list-style-type: none">(a) Continue to evaluate the impact of social programmes for families, and improve their efficiency and provide them with adequate resources;(b) Do not to expel children who are in the care of their family in the State party and ensure children are not deported to a country where their protection is not guaranteed;(c) Strengthen its efforts to prevent separation of children from their parents, mothers and fathers, in the context of migration for economic reasons and ensure that those who left the country to work abroad, are able to meet their parental responsibilities, including through the provision of family counselling;(d) Design and implement programmes to support single-headed households, particularly those by adolescent girls, and ensure they have access to early childhood care, health and education. <p>Children deprived of a family environment</p> <p>41. Noting the new programme of foster families in five municipalities, the Committee regrets that insufficient measures have been taken to protect the rights of children deprived of a family environment. It is particularly concerned about:</p> <ul style="list-style-type: none">(a) The high number of children living in public and private institutions; Reports that children are admitted irregularly in institutions, without a court order or documents supporting their identity;(b) The deficient infrastructure of institutions and the lack of information on their functioning; |
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| | | <p>(c) The lack of national standards for alternative care of children;</p> <p>(d) The inadequate supervision of these centres by the National Council for Children and Adolescents (CONANI).</p> <p>42. Drawing the State party's attention to the Guidelines for the Alternative Care of children (General Assembly resolution 64/142, annex), the Committee emphasizes that financial and material poverty should never be the sole justification for removing a child from parental care, for receiving a child into alternative care or for preventing a child's social reintegration. In this regard, it recommends that the State party:</p> <p>(a) Strengthen all forms of support to families to prevent out of home placements and intensify measures to reunify children with their families if in the best interests of the child;</p> <p>(b) Ensure adequate safeguards and clear criteria, based on the needs as well as best interests of the child, for determining whether a child should be placed in alternative care, and monitor that all placements are made in accordance with a court order;</p> <p>(c) Ensure periodic review of the placement of children in foster care and institutions, and monitor the quality of care therein, including by providing accessible channels for reporting, monitoring and remedying maltreatment of children;</p> <p>(d) Evaluate the impact of the program of foster families and make it available in all municipalities, with a view to reducing the institutionalization of children, in particular of children under 3 years of age;</p> <p>(e) Ensure that adequate human, technical and financial resources are allocated to alternative care centres and relevant child protection services, in order to facilitate the rehabilitation and social reintegration of children resident therein;</p> <p>(f) Adopt national standards for alternative care of children including criteria for the authorization, functioning and services of care institutions. The Standards should be adopted in consultation with children and relevant child rights organizations;</p> <p>(g) Strengthen the capacity of CONANI to supervise and regulate the institutions of alternative care for children.</p> |
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| | <p>Adoption</p> <p>43. While recognizing the progress made with the establishment of the Adoptions' Department in 2008, the Committee is concerned about the lack of transparency in the adoption processes. The Committee is also concerned that the provisions in the Law 136-03 concerning international adoptions have not yet been modified to comply with international standards.</p> <p>44. The Committee recommends that the State party:</p> <p>(a) Review the Law 136-03 and the administrative and judicial procedures on international adoptions to ensure they comply with the Hague Convention on Protection of Children and Cooperation in Respect of Inter-Country adoption and only take place when national adoption is not possible and ensuring the best interests of the child as the paramount consideration;</p> <p>(b) Ensure transparency, accountability and compliance with international standards in the adoption processes, including by allocating adequate human, financial and technical resources to the Adoption's Department, monitoring its functioning, reporting on its results and providing training to their staff.</p> <p>Early childhood development</p> <p>45. The Committee welcomes the measures taken to promote early childhood development. It is, however, concerned about the insufficient implementation of the Comprehensive Early Childhood Protection and Care Plan and regrets the lack of information on how children in vulnerable and marginalised situations, such as those living in prison with their mothers, are being addressed.</p> <p>46. The Committee recommends that the State party evaluate the implementation of the Comprehensive Early Childhood Protection and Care Plan (2013), and ensure that adequate resources are allocated. The State party should ensure that all children, in particular children in vulnerable and marginalised situations, such as those who live with their mothers in prisons, benefit from the Care Plan.</p> <p>H. Special protection measures (arts. 22, 30, 32-33, 35-36, 37 (b)-(d), 38, 39 and 40)</p> <p>Asylum-seeking and refugee children</p> <p>61. The Committee is concerned that the inefficient functioning of the National Refugee Commission (CONARE) is greatly affecting the rights of asylum-seeking children and their families, the overwhelming majority of them</p> |
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| | | <p>being of Haitian nationality. The Committee is also concerned that the inadequate access to identity documents for child refugees and asylum seekers and/or their relatives put them at risk of detention and deportation and hamper their access to health care and education.</p> <p>62. The Committee recommends that the State party:</p> <ul style="list-style-type: none">(a) Ensure that children are not deported to a country where their rights are at risk of violation;(b) Ensure that the CONARE undertakes child refugee status determination (RSD) through a fair and efficient asylum procedure, in accordance with international standards and in cooperation with the UNHCR;(c) Ensure a speedy and free cost processing of temporary identity documents for child refugees and asylum-seekers and their relatives, including documentation certifying legal residency for those who were recognized under UNHCR’s mandate;(d) Provide access to education, health, shelter and other services to which child refugees and asylum-seekers are entitled pursuant to the Convention. <p>Children in situations of migration</p> <p>63. The Committee is concerned that a majority of child migrants, most of them from Haiti, lack legal residential permits and adequate access to services and are frequently victims of exploitation, discrimination and violence. It is also concerned that 881 children were deported to Haiti in 2013 with no information on the conditions and consequences of these deportations.</p> <p>64. The Committee recommends that the State party:</p> <ul style="list-style-type: none">(a) Strengthen efforts to provide unaccompanied migrant children with shelter, care and protection;(b) Continue its efforts and adopt coordination protocols between the authorities responsible for the protection of children at the border between the Dominican Republic and Haiti as well as protocols for the voluntary return of migrant children, with guarantees of due process. |
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| | | <p>Sale, trafficking and abduction</p> <p>69. The Committee, while welcoming the Action Plan on trafficking (2010-2014), is however concerned about the low implementation of this plan and about the high prevalence of child trafficking in the State party. The Committee is particularly concerned about:</p> <ul style="list-style-type: none"> (a) The number of Haitian children trafficked for forced labour which has increased since 2010; (b) Haitian children from poor families being given for adoption by their parents to Dominican families and working in these families in slavery-like conditions; (c) The general impunity attached to child trafficking as shown by the low number of prosecutions, while noting the establishment of a specialized prosecution unit on trafficking in 2013; (d) The lack of adequate rehabilitation programmes for child trafficking victims. <p>70. The Committee recommends that the State party:</p> <ul style="list-style-type: none"> (a) Evaluate the results of the Action Plan against Human Trafficking, review it and ensure its effective implementation including adequate resources, indicators, a gender perspective and a monitoring mechanism; (b) Ensure that the Action Plan includes effective measures to prevent child trafficking, investigate all cases, prosecute the alleged perpetrators and punish the convicted; (c) Provide protection, compensation, rehabilitation and reintegration programmes of quality for child victims of trafficking and ensure that all measures are taken to avoid their re-victimization and stigmatization; (d) Proactively investigate adoption cases of Haitian children from families living in poverty by Dominican families, and ensure that children are freed without delay from abusive situations and that all cases which may amount to sale of children are duly prosecuted; (e) Strengthen training programmes for border police and military, judges, lawyers and prosecutors, and raise awareness among teachers, families, children and population at large. <p style="text-align: center;">Country Report</p> <p>CRC/C/DOM/3-5</p> |
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| OPSC to CRC | Accession Date | Care-Related Concluding Observations |
| | 6 Dec 2006 | |
| OPAC to CRC | Ratification Date | Care-Related Concluding Observations |
| | 14 Oct 2014 | |
| ICCPR | Accession Date | Care-Related Concluding Observations |
| | 4 Jan 1978 | |
| ICESCR | Accession Date | Care-Related Concluding Observations |
| | 4 Jan 1978 | |
| CEDAW | Ratification Date | Care-Related Concluding Observations |
| | 2 Sep 1982 | |
| CRPD | Ratification Date | Care-Related Concluding Observations |
| | 18 Aug 2009 | CRPD/C/DOM/CO/1 17 April 2015 http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fDOM%2fCO%2f1&Lang=en |

| UPR | Date of Consideration | Link to Page |
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Acronyms and Abbreviations:

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| CEDAW | Convention on the Elimination of All Forms of Discrimination against Women |
| CRC | Convention on the Rights of the Child/Committee on the Rights of the Child |
| CRPD | Convention on the Rights of Persons with Disabilities |
| ICCPR | International Covenant on Civil and Political Rights |
| ICESCR | International Covenant on Economic, Social and Cultural Rights |
| OPAC to CRC | Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict |
| OPSC to CRC | Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography |
| UN | United Nations |
| UPR | Universal Periodic Review |