

# ASSESSMENT REPORT OF ANTI-TRAFFICKING IN PERSONS IN THE DOMINICAN REPUBLIC





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## **Cover photos:**

**Top left:** Staff from the NGO Caminante Proyecto Educativo in Boca Chica with a member of the Tourist Police, who patrols the beach tourist area of the city.

**Top right:** Assessment team meeting with staff of the Solidarity Center in Santo Domingo.

**Bottom left:** Marketplace in Dajabon, near border crossing point. Haitians regularly cross the frontier to shop here on the major market days each week. This demonstrates the limited control the authorities exercise at this border crossing point.

**Bottom right:** Looking across the green border from the Dominican Republic to Haiti, near the Dajabon Border Point Crossing.

**All photos taken by members of the assessment team.**

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# CONTENTS

Acronyms.....	i
Executive Summary .....	iii
I. Assessment Terms of Reference and Methodology .....	1
II. TIP and Exploitation of Migrant Labor in the DR .....	3
a. Trafficking in Persons, Smuggling of Migrants, and Child Sex Tourism .....	6
b. Dominican Citizens Trafficked and Smuggled Internationally.....	7
c. Prostitution and Sex Tourism in the DR .....	8
d. Trafficking and Exploitation of Children.....	9
e. Agriculture and Construction in the DR .....	11
f. Domestic Work and Service Industry.....	12
III. DR Legal Framework to Combat TIP .....	13
a. Strengths.....	13
b. Gaps .....	14
c. Legislation Versus Application .....	15
IV. Person-centered Approach to Combating TIP .....	17
a. What is Assistance? .....	17
b. Making Assistance Non-conditional.....	17
c. Social Assistance for Children (Prevention and Protection) .....	18
V. GoDR Capacities to Combat TIP .....	21
a. Ministry of Foreign Affairs .....	22
b. CITIM and NAP .....	23
c. Office of the First Lady of the DR.....	23
d. CIPROM .....	23
e. CONANI .....	24
f. General Directorate for Migration.....	24
g. National Police, Prosecutors, and the Judiciary .....	25
VI. Civil Society Capacities to Combat TIP .....	27
a. Child Protection .....	27
b. Women’s Organizations.....	27
c. Legal/Human Rights NGOs .....	28
d. Labor Rights and Organizing .....	28

VII. Intergovernmental Organizations .....	29
a. International Organization for Migration .....	29
b. UNICEF .....	29
VIII. U.S. Government Inputs to Date .....	31
IX. Key Challenges for Combating TIP in the DR .....	33
a. Promoting a Common Understanding of TIP in the DR .....	33
b. Moving from Policy and Planning to Implementation .....	33
c. Building Capacity of Law Enforcement, Prosecution, and Judiciary .....	34
d. Social Services Funding and Delivery Systems .....	34
e. GoDR Support and Capacity Building .....	34
f. Civil Society Support and Capacity Building .....	34
g. Enhancing Government-Civil Society Cooperation .....	35
X. Recommendations to Improve TIP Prevention, Protection and Prosecution.....	37
a. Justice Sector and Legislation .....	37
b. Child Protection .....	38
c. Social and Economic Services for Prevention and Reintegration of VoT .....	39
d. Raising Awareness .....	39
e. Coordination .....	39
XI. USAID and USG Program Recommendations .....	41
a. New Program Opportunities for USAID .....	41
b. Building on USAID's Existing Portfolio .....	42
c. USG Inter-agency Cooperation .....	44
Annex A. Assessment Team Schedule of Appointments .....	A-1
Annex B. Legislation, Reports, and Documents Reviewed .....	B-1
Annex C. Analysis of DR legislation Related to TIP .....	C-1
Annex D. Recommendations for Revision of DR Legislation and Increased Capacity of Justice Sector .....	D-1
Annex E. Coordination to Combat TIP .....	E-1
Annex F. Participatory Institutional Review .....	F-1
Annex G. Organizational Chart of the Dominican State .....	G-1
Annex H. Civil Society Organizations .....	H-1
Annex I. Types of TIP Work Done by GODR, NGO, and Intergovernmental Organizations with Which the Team Met .....	I-1

## ACRONYMS

ATTO	Anti-trafficking Task Order
CESFRONT	Cuerpo Especializado de Seguridad Fronteriza (Border Security Specialized Corps)
CITIM	<i>Comisión Interinstitucional contra la Trata de Personas y el Tráfico Ilícito de Migrantes</i> (Inter-agency Commission against Trafficking in Persons and Smuggling of Migrants)
COIN	<i>Centro de Orientación e Investigación Integral</i> (Center for Integrated Training and Research)
CONANI	<i>Consejo Nacional para la Niñez y la Adolescencia</i> (National Council for Children and Adolescents)
CRC	Convention on the Rights of the Child (United Nations)
CRS	Catholic Relief Services
CNUS	<i>Confederación Nacional de La Unidad Sindical</i>
CTOC	Convention against Transnational Organized Crime (United Nations)
DR	Dominican Republic
EGAT	Economic Growth and Trade (USAID office of)
DGM	<i>Dirección General de Migración</i> (General Directorate for Migration)
FINJUS	<i>Fundación Institucionalidad y Justicia</i>
GoDR	Government of the Dominican Republic
GTIP	U.S. Department of State Office to Monitor and Combat Trafficking in Persons
ICE	U.S. Department of Homeland Security, Immigration and Customs Enforcement
ILO	International Labor Organization
IOM	International Organization for Migration
NAP	National Action Plan
NAS	Narcotic Affairs Section, U.S. Embassy in the DR
SoM	Smuggling of migrants
TVPA	U.S. Trafficking Victims Protection Act of 2000
TIP	Trafficking in persons
UN.GIFT	United Nations Global Initiative to Fight Human Trafficking
UNODC	United Nations Office on Drugs and Crime
USG	United States of America Government
USAID	United States Agency for International Development

VoT	Victim of trafficking
V/WA	Victim witness advocate
WID	Women in Development (USAID office of)

## EXECUTIVE SUMMARY

The USAID Mission in the Dominican Republic (USAID/DR) and USAID's office of Women in Development (EGAT/WID) supported an assessment of trafficking in persons (TIP) in the Dominican Republic from January 24 to February 12, 2011. The Mission requested that the assessment team provide USAID with an in-depth analysis of the nature and scope of TIP in the Dominican Republic and provide recommendations to help guide USAID/DR and other stakeholders in their anti-TIP programming decision making. The results of this analysis will be used to help inform the development of an overall human rights strategy for the USAID/DR Mission. In June 2010, the U.S. Department of State Trafficking in Persons Report (TIP Report) downgraded the Dominican Republic to Tier Three, meaning that the country's government did not comply with the minimum standards set out to eliminate trafficking in persons (TIP). This tier ranking contributed to the decision to conduct this assessment.

The team held 39 interviews with 79 persons. These actors come from several different sectors of the Government of the Dominican Republic (GoDR) including the Ministry of Foreign Affairs, the National Police, the Prosecutor General, Migration Affairs, Customs, national schools for the judiciary and prosecutors, and the Department of Labor. For the U.S. government, the team met with USAID/DR, the U.S. Embassy political officer, the director and staff of the Narcotics Affairs Section, the country attaché for U.S. Immigration and Customs Enforcement, and the Department of State specialist for human rights, labor, and migration. Representatives from inter-governmental agencies as well as international and national nongovernmental organizations (NGOs) were also interviewed for the assessment. A complete list of interviews is found in Annex A. Site visits were conducted to Santiago, Dajabon, Puerto Plata, and Boca Chica in the DR, and Ouanaminthe in Haiti.

The Dominican Republic is a country with extensive migration flows — both of its own citizens to other lands and of nationals from other countries who migrate to the DR, primarily from Haiti. The IOM estimates that 4.2 percent of the Dominican population were immigrants in 2010 (approximately 430,000 people); 41 percent of these were women. An estimated 11 percent of the country's population (approximately 1 million people) is comprised of Haitians, the majority undocumented migrants and trafficked persons. Despite the significant migration of Dominicans to other countries, public perceptions about smuggling and trafficking of persons tend to focus on the presence of these “neighbors” from the other third of the island of Hispaniola. Both Dominican and Haitian migrants are generally perceived as having made the choice to migrate, leaving little consideration for the dynamics of trafficking within the larger flow of undocumented migrants in and out of the country.

In 2003 the Dominican Republic enacted Law No. 137-03, addressing the smuggling of migrants (SoM) and TIP. Within a single law, both trafficking and smuggling were criminalized. The definitions used were modeled after the TIP (Palermo) Protocol and the SoM Protocol. The Spanish text for the law uses the word *trafico* to denote smuggling and *trata* to denote trafficking.

Although the law differentiates *trafico* and *trata*, there is a marked tendency by the general public, media, and government officials to use the term *trafico* to cover both. Having a single law covering both phenomena exacerbates this confusion. Similarly, there is little agreement among government and civil society actors on the extent to which TIP is a problem in the Dominican Republic, due to both incomplete data sources and differences of application of definitions.

Trafficking of children was the predominate concern of NGOs interviewed by the assessment team. From their case work (some on both sides of the island's border), these NGOs have documented trafficking of children as *restavèks* (child domestic service), street vendors, beggars, and for agricultural work and sexual exploitation. However, anecdotal and survey data indicate that TIP is likely to be present in several sectors, affecting adults as well. Interviews with labor organizers and NGOs working with vulnerable communities indicate that TIP in the construction, agriculture, and service sectors is under-investigated and under-reported. Since 2003, National Police, IOM, and NGO service providers have identified over 250 cases of Dominican women and girls trafficked to other countries for sexual exploitation, using the DR's legal definitions of TIP. Many of those identified did not cooperate with law enforcement, so there is a significant difference between the number of cases attributed by civil society actors compared to GoDR data. Because prostitution is legal in the DR, the extent of TIP for sexual exploitation within the country is less clear. While trafficking of Dominicans overseas for sexual exploitation is better documented, more research and investigation is needed to establish the extent of trafficking in domestic prostitution and sex tourism.

The Dominican Republic has a fairly well-developed legal framework to address TIP. Trafficking in persons carries a maximum penalty of 15 to 20 years, a fine, or both; smuggling of migrants carries a penalty of between 10 and 15 years, a fine, or both. Victim assistance is also addressed. Immunity from prosecution is granted to victims if they cooperate with law enforcement and prosecution. Victim identity is protected from disclosure and judicial proceedings are confidential. Victims are to be accorded legal assistance as well as physical, psychological, and social support. However, as in many other countries, there is a substantial gap between the framework as it is written and its implementation.

The GoDR has a plethora of ministries and administrative entities with responsibilities to combat TIP. These include: the Ministries of Foreign Affairs, Interior and Police, Education, Labor, Tourism, and Public Health and Social Care; the Secretary of State for Women; the Attorney General's Office; National Police; Tourist Police; the General Directorate for Migration; the Navy; the National Council for Children and Adolescents (CONANI); and the Office of the First Lady. The National Commission to Combat Human Trafficking and People-Smuggling (CITIM) is a coordination body specifically mandated to address TIP. A National Action Plan against Trafficking in Persons and Smuggling of Migrants 2009-2014 was presented in June 2010 at a national conference made possible with U.S. government funds and is in the final stages of adoption.

The National Police and the Office of the General Prosecutor have units with specialized personnel dealing with TIP. The General Director for Migration (DGM) includes both an investigation and prosecution unit that also investigates TIP cases. The Border Security Specialized Corp (CESFRONT) is deployed along the land border between Haiti and the

Dominican Republic to maintain order and enforce the migration law and relevant international agreements, including the Palermo Protocol. However, this border remains notoriously porous, with insufficient patrolling by both Dominican and Haitian authorities.

While Dominican law vests the authority to establish pertinent regulations to enforce anti-TIP law with several institutions, no particular institution is generally recognized as wielding overarching responsibility for coordination. This presents a significant structural challenge to comprehensive, coordinated efforts to combat TIP.

In the Dominican Republic, U.S. government-funded programs have helped build the capacity of national institutions and local organizations to ensure good governance and bolster the country's young democracy. These include promoting institutional reforms in the justice and labor sectors and supporting greater government transparency to reduce corruption and prevent fiscal mismanagement. The U.S. government also has supported civil society participation in oversight of the Dominican government's efforts in these areas. U.S. government agencies have supported multisectoral programs to reduce risks of trafficking, unsafe migration, and exploitation among some of the country's most vulnerable groups.

There are several key challenges for combating TIP in the Dominican Republic. These include:

1. Establishing better data and analysis on the breadth and depth of the phenomenon in the country and for emigrant Dominicans
2. Increasing the implementation of GoDR legislation, policies, and frameworks
3. Extending TIP training to front-line workers, particularly in the law enforcement sector
4. Providing adequate social services and economic empowerment programs for vulnerable people

Recommendations to USAID/DR to assist Dominican government and civil society actors in meeting these challenges include:

1. Enable an independent, multisectoral study on the nature and scope of TIP to, from, and within the DR to encourage a common understanding and analysis regarding data on the phenomenon, among GoDR agencies as well as between government and civil society actors. Trafficking in persons in the DR should be studied within the wider context of irregular migration and exploited labor in the country. Commonly accepted data would enable development of baselines with which implementing actors could measure the impact of their efforts and hold one another mutually accountable.
2. Support a participatory institutional review by key GoDR ministries and departments to increase efficiency and implementation of TIP policies and practices. This institutional review should include internal reviews by individual agencies as well as assessment of the allocation or duplication of counter-TIP responsibilities among the different major GoDR entities, including CITIM, CONANI, the General Directorate for Migration, the National Police, and the Office of the Prosecutor General. Agencies should ensure that their front-line workers are included in the institutional review process.

3. Expand access to social services and economic empowerment programs for vulnerable people by establishing a grant program directed at civil society that enhances the network of prevention and protection services at the local community level.
4. Integrate TIP awareness-raising and education into programs within the current USAID portfolio, particularly those related to health, education, justice reform, anti-corruption, and economic growth.
5. Pursue opportunities for binational programming for between Haiti and the Dominican Republic to combat TIP, and improve identification and assistance for its victims.

Many people contributed to the success of this mission and assessment. Particular thanks go to Jennifer Renquist, Rosanna Medina, and Lissette Dumit at in the USAID/DR office, who went to great lengths to secure appointments for the team with GoDR representatives. From the U.S. Embassy, Alain Norman, political affairs officer, Donald Bruckschen, country attaché for the U.S. Department of Homeland Security, Immigration and Customs Enforcement (ICE), Arnold Sierra, director of Narcotics Affairs (NAS), Abelardo Arevalos, NAS special advisor, and Beatriz Averias, NAS police trainer, provided advice and support to the team throughout the mission, particularly for the team's site visit to the border. A wealth of GoDR officials and administrators gave generously of their time and knowledge, as did many representatives from civil society. Their names are found in Annex A of this report.

## I. ASSESSMENT TERMS OF REFERENCE AND METHODOLOGY

In June 2010, the U.S. Department of State Trafficking in Persons Report (TIP Report) downgraded the Dominican Republic (DR) to Tier Three, meaning that the country's government did not comply with the minimum standards set out to eliminate trafficking in persons (TIP). Several factors were identified as hampering the Dominican Republic's ability to effectively address TIP. These factors include: a weak judicial response to trafficking, limited identification and support of victims, and poor implementation of existing anti-trafficking mechanisms. To assist the USAID/DR Mission in supporting the Government of the Dominican Republic (GoDR) in addressing these concerns, the Mission requested that an assessment be supported by USAID's office of Women in Development (EGAT/WID) through the USAID funded Anti-Trafficking Task Order (ATTO). The objective of the assessment was to provide USAID and the GoDR with an in-depth analysis of the nature and scope of TIP in the Dominican Republic, and develop recommendations for increased U.S. government (USG) engagement in fighting TIP in the DR.

The purpose of the analysis is to develop clear anti-trafficking recommendations to help guide USAID/ DR and other stakeholders in their anti-TIP programming decision making. The assessment is also meant to further inform the development of an overall human rights strategy for the USAID/DR Mission.

The objectives of the activity included:

- Conduct an assessment of TIP in country through consultations with a broad range of actors to further inform USAID's knowledge of the scope and nature of the problem
- Review and analyze the effectiveness of the current approach of the GoDR, international organizations, NGOs, and other donors in addressing TIP issues
- Review and analyze short, medium, and long-term needs to improve the Dominican Republic's justice sector's response to TIP
- Provide recommendations for a strengthened justice sector response
- Provide recommendations to increase the effectiveness of TIP prevention efforts and initiatives to protect, rehabilitate, and reintegrate victims
- Conduct a careful analysis of the existing USG-funded anti-trafficking portfolio in the DR to identify gaps, potential overlap, and areas for complementary programming

Chemonics fielded a four-person assessment team, composed of Sarah Stephens, team leader; Susan Kreston, legal expert; Marjorie Bertrand Dumornay, regional expert; and Katherine Begley, ATTO staff member from Washington, D.C. Guillermina Nadal and Limary Gutierrez assisted the team with interpretation while the team was in the DR.

The core of the assessment activity was conducted during a three-week mission by the team to the Dominican Republic from January 24 to February 12, 2011. The methodology of the assessment consisted of: (1) desk review and analysis of relevant reports and Web sites on human trafficking in the Dominican Republic (done by the

technical experts before, during and after the field visit); (2) formal interviews with knowledgeable representatives of the GoDR, USG agencies and USAID/DR, inter-governmental agencies, and international and national NGOs; and (3) site visits and observations. A total of 39 formal interviews with 79 persons were conducted in Washington, D.C., and Baltimore, Maryland, in the U.S., Santo Domingo, Santiago, Dajabon, Puerto Plata, and Boca Chica in the Dominican Republic, and in Ouanaminthe, Haiti.

## II. TIP AND EXPLOITATION OF MIGRANT LABOR IN THE DR

During field work, it became evident that leaders in relevant sectors in the Dominican Republic were uncertain about the scope and magnitude of human trafficking. Throughout the three weeks of the field work, the team repeatedly heard such questions as “How much trafficking in persons do you think there is in the DR?” or “Do you really think this is a problem here?” The assessment team heard variations of these questions repeatedly, mainly from government officials. A common attitude was that most claims of trafficking cases that come to the attention of the authorities do not meet the legal definition of TIP. There was apparent widespread skepticism, particularly among GoDR law enforcement officials, about whether or not the volume of victims of trafficking (VoTs) is significant. In general, civil society actors asserted more firmly that TIP is a significant problem in the country, but it was not always evident that they were making a precise distinction between trafficking and smuggling.

One of the reasons there are questions on the scope and magnitude of trafficking in persons is that people find it confusing when trying to differentiate between smuggling of migrants (SoM), TIP, and irregular migration on the island of Hispaniola. This is hardly unique to the Dominican Republic. TIP has become a major international concern and recognized in its modern context in international law only since 2000, when the UN Convention against Transnational Organized Crime (CTOC) and its protocols was adopted by the UN General Assembly. Although the law was adopted in 2000, it has strong historical roots in previous international agreements and conventions.<sup>1</sup> The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, which is the TIP Protocol to the CTOC (also referred to as the Palermo Protocol), recognizes trafficking of persons for sexual exploitation, forced labor or services, slavery, and removal of organs. Precise knowledge of, and systems to address, TIP continue to be elaborated today in nations around the world.

Although the current legal definitions for TIP and SoM were initially defined within the context of the global effort to combat organized crime, TIP is increasingly analyzed and addressed within the wider context of the rights of documented and undocumented migrants.<sup>2</sup> Particular attention is also given to the severe abuse of women and children — within nations and across national frontiers — in the business of sexual exploitation.<sup>3</sup>

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<sup>1</sup> See: (1) International Agreement for the Suppression of the “White Slave Traffic,” 1904; (2) International Convention for the Suppression of the White Slave Traffic, 1910; (3) International Convention for the Suppression of the Traffic in Women and Children, 1921; (4) International Convention for the Suppression of the Traffic in Women of Full Age, 1933; and (5) Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, 1949.

<sup>2</sup> This approach is refuted by the Embassy of the Dominican Republic in the “Discussion Paper: Trafficking in Persons, the Dominican Republic, and the Government’s Anti-trafficking Commitment and Efforts,” March 2010. It states, “An assumption (explicit or implicit) that undocumented migration thus indicates a propensity for ‘trafficking’ skews estimates, particularly when economic, political, security or other factors drive undocumented migration.” p. 5. See also pages 14-17, which goes into more depth about assertions of TIP in specific labor sectors in the DR.

<sup>3</sup> The business of sexual exploitation includes profiting from the exploitation of another for prostitution, pornography, and child sexual abuse.

According to the Centro de Orientación e Investigación Integral (COIN), an NGO in Santo Domingo, TIP in the Dominican Republic includes both Haitians who are trafficked to the Dominican Republic (e.g., to work in sugar and coffee fields) and Dominican women who are trafficked to other Caribbean countries and Europe.<sup>4</sup> The IOM has also encountered a few cases of third country nationals being trafficked to or through the DR from Latin America and Asia. One of the key challenges to identifying and monitoring the problem in the Dominican Republic is the difficulty of identifying trafficked persons. As in many countries, reliable statistics on trafficking are scarce in the Dominican Republic, due to the crime's underground nature. Victims are generally reluctant to cooperate with law enforcement due to fear of retribution from traffickers, fear of deportation, lack of confidence in the legal system, and insufficient resources for assistance and protection. The general lack of understanding about human trafficking causes many victims to not recognize themselves as victims of these crimes. Some law enforcement officials assert that they also encounter persons who illegitimately represent themselves as VoTs to gain access to services or compensation.

As the Dominican Embassy in the U.S. notes, "Trafficking estimates vary widely."<sup>5</sup> While no reliable, comprehensive statistics yet exist on the extent of the TIP phenomenon in the Dominican Republic,<sup>6</sup> some case-based data does exist. Over 250 Dominican women victims of trafficking for sexual exploitation<sup>7</sup> were referred to COIN between January 2003 and April 2008. This is the base upon which an estimate was developed below to respond to the assessment team's responsibility, per its scope of work, to establish the scope of TIP in the DR.

The Dominican Republic is a country with extensive migration flows — both of its own citizens to other lands and of nationals from other countries who migrate to the country, primarily from Haiti. The IOM estimates that 4.2 percent of the Dominican population (approximately 430,000 people) were immigrants in 2010; 41 percent of these were women.<sup>8</sup> A discussion paper issued by the Dominican Embassy to the U.S. government in Washington, D.C., states that there are "between 800,000 and 1,000,000 [Haitians residing in the Dominican Republic], or up to 11% of the country's total population."<sup>9</sup> Despite the significant migration of Dominicans to other countries, Dominican public

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<sup>4</sup> Beyond Borders: Trafficking in the Context of Migrant, Labour and Women's Rights." GAATW 2010 International Congress and Conference Report, pg. 17.

<sup>5</sup> Embassy of the DR. "Discussion Paper" (previously cited), p. 4. This paper is a helpful presentation of the GoDR's perspective on the challenges and problems in establishing credible VoT/TIP data for the country (see the section subtitled Defining the Magnitude of "Trafficking.") It is interesting that this paper provides on pages 9-13 extensive details on prosecutions under Law 137-03 (the majority being smuggling cases), but presents no VoT case figures from GoDR sources. This may be an example of the problems created by the lack of coordination among the various GoDR agencies responsible for identification and assistance for VoTs and investigation of TIP.

<sup>6</sup> UNODC Global Report on Trafficking in Persons, February 2009. p. 139.

<sup>7</sup> Ibid. p. 139 – 40. See Fig. 71. The report notes "there is no official referral system, but the police and the Prosecutor's office refer adult victims of sexual exploitation, including victims of trafficking, to...COIN."

<sup>8</sup> IOM. "Dominican Republic: Facts and Figures." IOM Web site.

[www.iom.int/jahia/Jahia/activities/americas/the-caribbean/dominican-republic](http://www.iom.int/jahia/Jahia/activities/americas/the-caribbean/dominican-republic).

<sup>9</sup> Discussion Paper: Trafficking in Persons, the Dominican Republic, and the Government's Anti-Trafficking Commitment and Efforts, Embassy of the Dominican Republic, Washington, D.C., March 2010.

perceptions about smuggling and trafficking of persons tend to focus on the presence of “neighbors” from the other third of the island of Hispaniola. Both Dominican and Haitian migrants are generally perceived as having made the choice to migrate, leaving little consideration for the dynamics of trafficking within the larger flow of undocumented migrants in and out of the country.

Much of the debate on the volume of TIP in the DR rests in differences of opinions about the conditions of the up to one million Haitians in the country, who are mainly undocumented. Reports from law enforcement agencies, international organizations, and DR NGOs indicate that a small but significant percentage of Haitians coming to the DR as well as Dominican migrants to other countries have been trafficked. Many of these victims may begin their journey as undocumented migrants, only to find themselves becoming victims of trafficking after arriving in the DR. Their undocumented status makes them particularly vulnerable to being forced, coerced, or intimidated. To get some sense of the potential size of the problem, consider that if only 1 percent of the Haitian population in the DR was trafficked, this would still mean that 10,000 men, women and children are victims of the severe crimes of TIP.

Only a tiny minority of Haitians have regularized status in the Dominican Republic due to extremely limited access to birth certificates, residency, or citizenship (in either Haiti or the DR for children born in the DR of Haitian parents).<sup>10</sup> Without such recognition, children and adults do not have the right to work, nor the right to access education (past the 8th grade), health care, and other fundamental rights and social protection.

According to a report from the Minority Rights Group, published in 2003:

–The plight of Haitian cane-cutters in the Dominican Republic has been recognized since the 1970s, but much less is known about more recent forms of migrant labor, both Haitian and Dominican. This is largely because such labor is often illicit and undocumented. Neither the workers who live outside the economic mainstream nor the employers who benefit from their illegal status are keen to draw attention to the thriving informal-sector economy that exists alongside and supports the formal economy. Throughout the region, undocumented labor fuels a boom in construction, provides the bulk of domestic service, and accounts for much street vending and other small-scale commerce.”<sup>11</sup>

Given the vulnerable conditions in which many Haitians live and work in the Dominican Republic, it is quite possible that the number of Haitian VoTs is actually greater than previously suggested. Further research is needed to provide better data from which to draw precise estimates of the scope of TIP in the Dominican Republic. However, it is

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<sup>10</sup> According to the UNICEF Report on the State of the World’s Children 2011, 22 percent of children under the age of 5 years between 2000 and 2009 in the DR did not have birth certificates. In rural areas of the DR, the rate is 30 percent (see Table 9, p. 122). Inadequate access to birth certificates, identity cards, and nationality for vulnerable migrants was a key topic in the assessment team’s interview with staff of the IOM in Santo Domingo. This issue was also highlighted in the report of the U.S. Conference of Bishops –Mission Trip to Haiti and the Bahamas,” July/August 2010, and by representatives of all NGOs interviewed that work with migrant and street children.

<sup>11</sup> Ferguson, James, –Migration in the Caribbean: Haiti, the Dominican Republic and Beyond,” 2003. p .4.

clear that the answer to the questions posed at the opening of this section is: “Yes, TIP is a problem in the Dominican Republic.”

The following sections provide more detailed information on several different economic sectors of the country in which the greatest problems of labor exploitation and human trafficking exist. It begins by describing the differences between TIP, smuggling of migrants, (SoM) and child sex tourism.

### **A. Trafficking in Persons, Smuggling of Migrants, and Child Sex Tourism**

Trafficking in persons (TIP) and smuggling of migrants (SoM) are separate and distinct crimes, defined clearly by two different protocols to the United Nations Convention against Transnational Organized Crime (CTOC). See Annex C for the precise legal definitions of both, quoted from these protocols.

Trafficking in persons violates both fundamental human rights and criminal law. In other words, trafficking in persons is first and foremost a crime against the person. It is driven by the coercion and control of one person over another for the purpose of exploitation. It may occur within a country or across borders. But, as noted by the U.S. State Department, TIP need not involve movement. Consent is lacking in trafficking in persons cases, as trafficked adults have been coerced or deceived. Children cannot, by law, consent to being trafficked, as their age and developmental level precludes the required decision-making capacity.<sup>12</sup>

Smuggling of migrants (SoM) is a crime against the sovereignty of the state. It is the procurement of illegal entry for a person into a country of which that person is not a national or a permanent resident. Smuggling of migrants must be international and movement is required. In smuggling cases, the smuggled migrant knowingly consents to the international movement with the understanding she or he will be released upon arrival in the destination country.

What begins as a human smuggling case can turn into a case of trafficking in persons, i.e., when the smuggled migrant is not released once he or she has arrived in the country of destination. In such cases, the crimes against the person co-exist with crimes against the sovereignty of the state.

Child sex tourism is the sexual exploitation of children by adults who travel from one place to another and, at their destination, engage in sexual acts with a child or children, defined as anyone aged less than 18. Such travel is generally from a richer country to one that is less developed, but it also may be completely within sovereign boundaries.

With regard to the differences between adult commercial sex acts and sexual exploitation, a report issued by the Congressional Research Service clarifies that:

—The current U.N. definition of TIP assumes that there are at least two different types of prostitution, one of which is the result of free choice to participate in the prostitution business while the other is the result of coercion, vulnerability, deception, or other pressures. Of these, only the latter type is considered TIP under the U.N. definition. Based on the

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<sup>12</sup> See CTOC Protocol on TIP and internationally accepted concepts of restrictions on the capacity of children.

TVPA [U.S. Trafficking Victims Protection Act of 2000], as amended, sex trafficking is not considered a ‘severe form of TIP’ unless it is associated with commercial sex acts induced by force, fraud, or coercion, or in which the person induced to perform such acts is a minor.”<sup>13</sup>

## **B. Dominican Citizens Trafficked and Smuggled Internationally**

Some Dominican citizens who are initially smuggled out of the country in search of opportunities to improve their lives become victims of trafficking when forced into exploitive sexual and labor situations. Many of these are among the country’s poorest and most vulnerable, including female heads of households.<sup>14</sup> Dominican women and children, particularly girls, are victims of forced prostitution and involuntary domestic servitude in other Caribbean countries as well as in Latin America, Europe, Australia, and the United States. Major destination countries for women and girls who become victims of sex trafficking include Barbados, Curacao, Guadalupe, Puerto Rico, Trinidad and Tobago, Costa Rica, Panama, Surinam, Argentina, Brazil, Venezuela, Colombia, Peru, Spain, Italy, the Netherlands, Slovakia, and Greece. Dominican women and girls are also trafficked into Haiti for the purpose of commercial sexual exploitation, including in brothels frequented by United Nations peacekeepers.

Additionally, Dominican men and women have been subjected to forced labor in Argentina, Europe, and the United States.<sup>15</sup> According to the UN Office on Drugs and Crime, from January 2007 to April 2008 the Human Trafficking Division of Dominican National Police investigated five cases of TIP. Of these, two involved alleged trafficking of Dominican women to Europe; one involved allegations of trafficking of a Dominican woman to Central America; one was a trafficking case of two adult men to Central America for labor exploitation; and one was trafficking of a man to Europe (reason not stated).<sup>16</sup> From January 2003 to April 2008, 265 adult women and 7 adult men who were victims of trafficking were referred to COIN. Of these 272 cases, 254 were for sexual exploitation, 11 for labor, 5 for domestic servitude, and 2 for forced marriage.<sup>17</sup> COIN reports that in 2009-2010 the organization assisted 33 undocumented Dominican migrants who were returned to their country. All but one of these people were VoTs; 21 of them were sexually exploited.

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<sup>13</sup> Siskin, Alison, and Liana Sun Wyler, *Trafficking in Persons: U.S. Policy and Issues for Congress*, Dec. 23, 2010, Congressional Research Service, p. 38.

<sup>14</sup> The high preponderance of female-headed households was an issue raised by NGOs in several interviews as well as by the USAID health specialist, and linked to particular vulnerabilities for children. In 2007, 35.2 percent of Dominican households were female-led, according to the Encyclopedia of the Nations. [www.nationsencyclopedia.com/WorldStats/Gender-female-headed-households.html](http://www.nationsencyclopedia.com/WorldStats/Gender-female-headed-households.html)

<sup>15</sup> U. S. Department of State, *Trafficking in Persons Report*, Tenth Edition, June 2010, 134; Centro de Orientacion e Investigacion Integral, Inc. (COIN), *Centro de Acogida para Personas Objeto de Trata y Trafico (CAPOTT)*, Power Point Presentation by COIN staff, February 8, 2011; *Investigacion Tripartit sobre Trata de Mujeres: Brasil, Republica Dominicana y Surinam. Una Intervencion en Red*. Belem: Sodireitos, 2008, 127-171.

<sup>16</sup> UNOCD *Global Report on Trafficking in Persons*, February 2009. p. 139.

<sup>17</sup> *Ibid.* Figure 72.

### C. Prostitution and Sex Tourism in the DR

Adult prostitution<sup>18</sup> is legal in the Dominican Republic, although it is illegal to profit from the sexual exploitation of another (e.g., pimping or running a brothel). The Internet is an important tool for attracting clients for sex tourism. Numerous Internet Web sites portray the DR as a particularly attractive sex tourism destination, regardless of whether the site information is intended to promote or discourage such activity. For example, one Dominican Web site, Dr1.com, describes the prostitution and sex tourism business in the DR and possible underlying social factors for it:

–The prostitution rate per capita in the Dominican Republic is considered very high. Additionally, the Dominican Republic is statistically the 4th largest exporter of prostitutes in the world behind Brazil, Thailand and the Philippines. So why are the rates so high? Why are so many Dominican women prostitutes? Well, we can probably point to a number of social factors to answer that question.

First and foremost, the Dominican Republic suffers from a very high poverty rate. Over 25% of the Dominican population is said to be living below the poverty line.<sup>19</sup> Educational standards are very low and the majority of people living in the campo (countryside) stop attending school at a young age. The adult literacy rate is a low 87.8%.<sup>20</sup> For most, there is little or no opportunity. Unemployment is at a staggering 17%<sup>21</sup> and many, who do have jobs, work for very low pay.<sup>22</sup> There is also a very high rate of teenage pregnancy and fatherless families are extremely common.<sup>23</sup> It is not surprising with so little opportunity and so little hope of future opportunity that many Dominican women turn to prostitution.

The common misconception is that the majority of Dominican prostitutes work in tourist areas and caters to tourists, when in fact this is not the case. A percentage does but the majority of Dominican prostitutes' clients are Dominican men. The men visit brothels and massage parlors that litter the country and are filled with Dominican women. Sometimes, like immediately before Christmas, you will find more girls than normal working in these establishments in an effort to earn some quick money for the holidays. They will then go back to their normal lives."<sup>24</sup>

Government and civil society representatives interviewed by the assessment team echoed many of these observations. In particular, actors noted seasonal fluctuation in prostitution activity as related to increased household expense at the beginning of the school year

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<sup>18</sup> The age of majority in the DR is 18.

<sup>19</sup> The UNDP Human Development Report 2010, Table 5, p. 162, shows 48.5 percent of the Dominican population as below the national poverty line.

<sup>20</sup> Ibid. Table 13, p. 193, shows an 88.2 percent adult literacy rate for the DR.

<sup>21</sup> Ibid. Table 12, p. 89, indicates an unemployment rate in the DR of 12.3 percent for Dominicans with a primary or lower level of education and 35.3 percent for those with secondary level or higher education.

<sup>22</sup> Ibid. Table 12 lists 42.4 percent of the Dominican workforce in "vulnerable employment."

<sup>23</sup> This was reported also by the USAID/DR Health Specialist.

<sup>24</sup> [dr1.com/articles/prostitution.shtml](http://dr1.com/articles/prostitution.shtml)

and major holidays. Other factors that may affect a woman's decision to engage in commercial sex work include the problems of teenage pregnancy and single-headed families, as well as the low level of education.

The local business for prostitution is compounded by the widespread reputation of the Dominican Republic as a destination for sex tourism. The About.com Web site is a typical example of the mildest form<sup>25</sup> of "selling" sex tourism by Internet:

In the Dominican Republic, prostitution is also legal, and there are a number of resorts that cater to (male) tourists with the offer of willing female companionship along with a pool, beach bar, and other amenities." In tourist destinations like Sosua (Puerto Plata) and Cabarete, men and women alike may encounter prostitutes offering their services in nightclubs, bars, etc....Some women travel to the islands with the intention of seeking out a holiday fling with a "beach boy", and some local men are more than willing to accommodate them in exchange for gifts or money."

It is unclear to what extent there is trafficking of adults for sexual exploitation in the tourist industry of the Dominican Republic. However, the sheer number of unregulated prostitutes in the country makes it likely that a study would find notable numbers of sex workers are victims of trafficking. More research and investigation is needed to establish the extent of trafficking within the sector. It is not evident that there is systematic investigation into potential cases of TIP in these tourist areas. As one Tourist Police officer stated, "We are here to protect the tourists." While the team did find evidence of protection for the tourists, it was less clear what, if any, protection measures are available to investigate the abuse and trafficking for sexual exploitation — particularly children — in these beach resorts. Investigation may be hindered by the practice of some tourist resorts that use private security services and limit the access of the National Police to their premises.

#### **D. Trafficking and Exploitation of Children**

Two UNICEF studies in the last 10 years point to the existence of a set of factors in both the Dominican Republic and Haiti — political, cultural, and legal as well as socio-economic — that create the conditions for trafficking of children. The most well-known example of this is the *restavèk* practice of sending poor children off to be looked after by relatives or better-off families, with hope of securing them food, housing, and schooling. Disconnected from their nuclear families, *restavèk* children are particularly vulnerable to being subjected to involuntary servitude as well as physical and sexual abuse in the homes where they are placed. A National Labor Survey conducted in the DR in 2000 revealed that 436,000 children and adolescents in the country were working, 60 percent of them in farming and 74 percent under the age of 14.<sup>26</sup> Added to this internal phenomenon, the land border between Haiti and the DR is notoriously porous, enabling thousands of children, accompanied or not, to enter the DR without the knowledge of Dominican or Haitian authorities.

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<sup>25</sup> Other sites are far more graphic and offensive to the general reader.

<sup>26</sup> Carrasco, Sarah. "Dominican Republic: Child Protection from Violence, Exploitation and Abuse / Child Labor Exploitation," August 2009. Unicef.

In the aftermath of the January 12, 2010, earthquake that devastated the Haitian Republic, many Haitian children have migrated to the Dominican Republic through irregular movement (smuggling) organized by their own parents or relatives. Once there, with limited rights in the DR, they end up on the streets or in households away from their families, serving as *restavèk*, street beggars/vendors, or prostitutes. Once in these situations they have little or no opportunity to seek legal assistance or social help without being deported.

At its core, human trafficking is a business, fed by the combination of demand for services and availability of victims. Its victims are among the most vulnerable in society; they are recruited by force or false promises. During team's field interviews, several respondents identified the following factors as pivotal to creating vulnerability of children to TIP: poverty, parental neglect, maternal mortality, single-headed households, early pregnancy, child abuse, unemployment, and lack of access to documentation. The DR has a high rate of maternal morbidity,<sup>27</sup> leaving fathers at the head of many single-headed families. During interviews with child-protection NGOs and the USAID health specialist, anecdotal information was cited that indicates that such men are more likely to give away or sell their children than women who are single parents. This anecdotal information warrants more research.

Lack of birth registration and identity documentation is a major factor in children's vulnerability, particularly for Haitian children but also for impoverished Dominican nationals. To receive Dominican nationality, a child must have at least one Dominican parent. Children without birth certificates and nationality have no legal recognition and are therefore stateless. According to the laws of the state, they do not exist. This concern was raised in a report of the U.S. Conference of Catholic Bishops' Mission Trip to Haiti and the Bahamas in July — August 2010. The report states:

—This situation has been highlighted by a 2005 decision, the DR Supreme Court, combined with a broad interpretation of the DR Constitution by the government which denies Dominican nationality to children born to Haitian parents who are *in transit*. As a result, the government has retroactively stripped nationality from adults who were born in the Dominican Republic years ago because their parents — illegal Haitians — are now considered to have been *in transit* when they were born. These decisions have left an untold number of Haitians, some of whom have lived in the country for years, *de facto* stateless. Children born in the DR have been greatly impacted by this decision and it often results in their inability to continue their education, travel, and obtain necessary identify documentation."<sup>28</sup>

Article 18 of the 2010 Constitution defines who is and is not entitled to DR nationality. The law defines that those exempt from receiving DR nationality include children of foreigners who are in transit or children of foreigners who are residing illegally within the Dominican Republic.

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<sup>27</sup> Maternal mortality is estimated at 159/100,000 according to the USAID Dominican Republic Web site page *Investing in People: Health and Education*.

<sup>28</sup> U.S. Conference of Bishops *Mission Trip to Haiti and the Bahamas*, July/August 2010.

The U.S. Department of Labor report on the Worst Forms of Child Labor, 2009 further highlights the important of birth registration, stating the following:

–An estimated 13% of all children under age 15 in the Dominican Republic have no birth documents, and approximately 1 million undocumented immigrants, including children, live in the country.”<sup>29</sup>

Clients of prostitution seldom demonstrate an interest in confirming the age of the person being exploited, by, for example, asking to see an identity card. With the preponderance of local as well as tourist clients for prostitution, this leaves migrant and abandoned children especially at risk of being trafficked for sexual exploitation. CONANI reported 205 children were victims of sexual exploitation in 2007 alone. However, CONANI registered them as victims of sexual and labor exploitation, not human trafficking, even though service providers and international TIP laws define them as victims of trafficking (VoTs). All minor VoTs identified in 2006 and 2007 were DR citizens.<sup>30</sup>

### **E. Agriculture and Construction in the DR**

As the Dominican economy has broadened from dependence on sugar production, so too has the demand for cheap labor in other areas. Many Dominican agricultural laborers have left behind their traditional roles to work in the manufacturing and service sectors, especially in urban areas and tourism destinations around the country. In an effort to fill these roles, Dominican employers often hire Haitians, many without proper documents or formal contracts, to harvest rice, tobacco, coffee, cocoa, and vegetables. Many of these are victims of labor exploitation and trafficking, including forced labor and debt bondage.<sup>31</sup> There are reports that Haitian children are being trafficked into the Dominican Republic to work in the agricultural sector as well.<sup>32</sup>

In the construction sector, some male laborers have been victims of labor exploitation and trafficking. A recent survey of migrant construction workers conducted by an international NGO in partnership with one of the country’s largest labor unions found that over 20 percent of those interviewed (from among over 400 workers) had been trafficked at some point during their migration experiences. These experiences included physical abuse by authorities, incarceration, withholding of wages, threats of deportation, and debt bondage.<sup>33</sup> It has been reported that many Dominican building contractors favor hiring undocumented workers to complete difficult, sometimes dangerous work and to toil for long hours. In return these workers often receive low wages and no benefits.<sup>34</sup>

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<sup>29</sup> U.S. Department of Labor. Worst Forms of Child Labor Report 2009, p. 204.

<sup>30</sup> UNODC Global Report on Trafficking in Persons 2009. p. 140.

<sup>31</sup> One NGO interviewed estimated that 80 percent of construction and agricultural work in the Dominican Republic is done by poorly paid undocumented migrants vulnerable in some cases to being exploited. Interview with CEFASA, February 2, 2011. See also Henriette Lunde, Young Haitian Labor Migrants: Risks and Opportunities in Haiti and in the Dominican Republic. Norway: FAFO, 2010, 7; 47.

<sup>32</sup> United States Conference of Catholic Bishops. Mission Trip to Haiti and the Bahamas July/August 2010, 12.

<sup>33</sup> Solidarity Center. En Busca de Un Trabajo Decente. Las Experiencias Laborales de Los Trabajadores Inmigrantes en El Sector de La Construcción en La República Dominicana. Santo Domingo, República Dominicana: Confederación Nacional de La Unidad Sindical (CNUS), Solidarity Center, y Federación Nacional de Trabajadores de La Industria y de La Construcción (FENTICOMMC), 2010, 3; 14-17.

<sup>34</sup> Ibid, pp. 9-11.

## F. Domestic Work and Service Industry

In the Dominican Republic, domestic service is a socially and culturally accepted form of work. Many Dominican parents employ Dominican and Haitian women and adolescents to serve as caretakers for their children and to complete household chores. Some of them work without contracts in unregulated work places, increasing their vulnerability to exploitation and abuse. Some become victims of trafficking as their travel and identity documents are confiscated, wages withheld, and movement restricted.<sup>35</sup> Many victims are forced to work long hours with little or no time to rest and no opportunity to attend school. In addition, some Haitian and Dominican-Haitian children and adolescents are forced into involuntary domestic servitude by traffickers in both countries who deceive parents and relatives in the process of child recruitment.<sup>36</sup>

With the growth in tourism, the service industry has replaced agriculture as the leading employment sector in the Dominican Republic. Millions of tourists travel to the country annually to stay in one of its thousands of hotels and resorts, especially in the east and southeast. While thousands of Dominicans are formally employed in hotels, travel agencies, restaurants, and bars, many are employed informally as taxi drivers, tour guides, and vendors. A significant number of children and adolescents are employed in the service sector, many of them informally.<sup>37</sup> Staff of the NGO Caminante Proyecto Educativo, which works with street children in Boca Chica, emphasized that with the decline in the sugar industry in the region, prostitution and child sex tourism have become critical sources of revenue in the area. They also noted that among communities located in tourism sites, young women, children, and adolescents, including those engaged in prostitution and street-based activities, are especially vulnerable to sexual and labor exploitation as well as trafficking. These include young Haitians without family members living in the area who have been trafficked to the beaches and other tourist zones for forced labor and commercial sexual exploitation.<sup>38</sup>

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<sup>35</sup> A recent study of Haitian women irregular migrants traveling to the Dominican Republic in search of work has noted that cases of trafficking among domestic workers may go unreported because of the invisibility of this kind of work. See Bridget Wooding et al., *Mujeres en El Camino: La Trata de Mujeres Haitianas en Republica Dominicana tras El Terremoto en Haiti*. Santo Domingo, December 15, 2010, 3.

<sup>36</sup> A recent study by Jesuit Services to Refugees and Migrants (JRS) warned of a practice that is becoming normalized of Dominicans traveling to border areas to find Haitian children to serve as domestics. This practice may be fueling some of the efforts by smugglers and traffickers operating on both sides of the border. See Larissa Pumarol's *Trata y Trafico de Ninos, Ninas, y Adolescentes Haitianos/as en La Republica Dominicana, Estado de Situacion Post-Terremoto*. Borrador—Informe Preliminar. Servicio Jesuita a Refugiados/as y Migrantes, 2010, 9.

<sup>37</sup> Organizacion Internacional del Trabajo (OIT) and Understanding Children's Work (UCW). *Understanding Children's Work Programme Working Paper Series September 2010. Trends in Children's Employment and Child Labour in the Latin America and Caribbean Region. Country Report for the Dominican Republic*. Rome, Italy: OIT/UCW/UNICEF, 1; 5; 12-13.

<sup>38</sup> See *Trata y Trafico de Ninos, Ninas, y Adolescentes Haitianos/as en La Republica Dominicana*, 30-31; 33; 54.

### III. DR LEGAL FRAMEWORK TO COMBAT TIP

In 2003 the Dominican Republic enacted Law No. 137-03, addressing SoM and TIP. Within a single law, both trafficking and smuggling were criminalized. The definitions used were modeled after the Palermo Protocol and the SoM Protocol, cited *infra*. TIP carries a penalty of 15 to 20 years of imprisonment, a fine, or both; SoM carries between 10 and 15 years imprisonment, a fine, or both. Attempting, aiding, and abetting these acts are also criminalized, with penalties mirroring those accorded to the principals involved in the acts. Aggravating circumstances are set out to be taken into consideration at sentencing. While this law conforms to the Palermo Protocol, difficulties with implementation still exist and are addressed below.

Victim assistance is also addressed, with immunity from prosecution granted to victims if they cooperate with law enforcement and prosecution. Victim identity is protected from disclosure and judicial proceedings are confidential. Victims are to be accorded legal assistance as well as physical, psychological, and social support. This is to include housing, medical care, access to education, training, and employment opportunities. Victims are to receive psychological and other types of evaluations necessary for their protection, taking into account their age and gender.

Research, outreach campaigns, and economic and social initiatives to prevent and combat trafficking are called for in policy development. Fines established under this law for the crime of trafficking in persons are to be used to compensate victims for physical, moral, psychological, and material damages, and to implement plans, programs, and projects established in accordance with the law.

Several GoDR entities are vested with the authority to establish pertinent regulations for the law's adequate enforcement. These include: the Ministries for Women and for Foreign Affairs; the National Office of the Attorney General through the Department for Combating Trafficking in Women, Children, and Adolescents; the Immigration Bureau; and the Inter-institutional Committee for the Protection of Immigrant Women (CIPROM). Prevention initiatives include detection of false documents used in TIP. Assistance in implementing policies and programs to prevent and combat TIP may be sought from both international cooperation and civil society sectors. Public servants in charge of enforcing the law, as well as diplomatic, consular, immigration, police, and other related officials are to receive training and be updated on prevention, protection from, combating, and punishing human trafficking.

#### A. Strengths

The strengths of the anti-trafficking law include provisions for each of the “3 Ps” — prosecution, protection, and prevention. The prosecution component carries a penalty of 15 to 20 years of imprisonment, which is sufficiently stringent to reflect the crime's serious nature. Victim services include legal, physical, psychological, and social assistance, such as housing, medical care, education, and training for employment opportunities. Prevention initiatives include not only awareness raising and education, but also a call for research to better understand and prevent the crime. Training of many of the most important parties to an allied criminal justice professionals' anti-trafficking

initiative is provided. A multidisciplinary approach to combating trafficking is reflected in the inclusion of the Ministry of Women, the Ministry of Foreign Affairs, the National Office of the Attorney General, the General Directorate for Migration, and CIPROM within the laws' initiatives. Building on that, there is recognition of trafficking as a complex crime that requires specialized training and knowledge for those working in this field. This is addressed by ensuring that both the police and the prosecution have specialized units within their general hierarchy to better deal with this newly recognized crime. Finally, training on the law by the Ministry of Women, the Judicial School, and the Prosecutors School is a strong sign of commitment to raising awareness of the crime within these crucial professions. Training plays an important role in equipping front-line professionals with the skills and knowledge they need to best combat this crime through the criminal justice system.

## **B. Gaps**

The first point that must be noted is the confusion and conflation of the terms; this is not only found at many levels of government, but also within the general population. By using the word *trafico* to denote smuggling and *trata* to denote trafficking, there is a marked tendency to use the term *trafico* to cover both smuggling and trafficking. As a single law covers both crimes, this confusion is exacerbated.

Second, the protection that victims receive from prosecution is not commensurate with best practices, as set out in the UNODC Model Law on Trafficking in Persons. In the Dominican Republic, victims are only immune from prosecution if they cooperate with law enforcement. A better approach would be to grant victims absolute immunity for immigration-related offenses and crimes they were forced to commit as a direct result of being trafficked.

Third, victims need more service provisions, not simply to cover immediate needs, but also to address longer term ones, such as return (particularly if cross-border), reintegration, and follow-up. The implications of international cases for these items should also be thoroughly considered.

Fourth, evidentiary considerations and the code of criminal procedure should allow for introduction of the forensic interview of the victim at the trial. In so doing, the secondary trauma to the victim is lessened through only having to give a statement once. The prosecution may be able to move forward with a case even if the victim is not available to call at trial. This will have to be done in conjunction with the right of the defendant to cross-examine the witness.

Fifth, prevention initiatives focus on fraudulent document detection, cooperation (international and within the governmental and NGO sectors), and training. Prevention initiatives should also address the underlying cause of trafficking: the demand for trafficking victims by those who ultimately exploit them.

Finally, definitional problems are found within the law, such as distinguishing between “child” and “adolescent.” This is inconsistent with the Palermo Protocol and the Convention on the Rights of the Child (CRC), both of which the Dominican Republic has ratified. Victims are either adults or children. Children are defined in Article 3 (d) of the Protocol as persons under 18 years of age. Other issues include underscoring that

trafficking may be either internal (domestic) or international, and clarifying the role of consent in trafficking. In cases of trafficking of adults, deceit or coercion must be proven to show a lack of consent of the victim. Legally, however, children cannot consent to their own exploitation. In other words, in child trafficking cases, consent is irrelevant.

### **C. Legislation Versus Application**

Aside from any shortcomings or gaps in the legislation, the other area that must be examined is the difference between the law as written and its implementation. What emerged from the assessment was, first, that in many cases the trafficking law was not being used to charge and prosecute trafficking. On multiple occasions it was stated that more than five years after the law had come into effect, cases were still being prosecuted for only one dimension of the trafficking case. Examples included prosecution for a sex crime or a labor violation, when the appropriate charge was trafficking. Additionally, in cases where there had been labor violations, the prosecution of the trafficking case was conditional on the success of the labor violation proceedings. If the labor proceeding was dismissed or withdrawn, due to the victim's either being bribed, intimidated, or simply disappearing, the trafficking case was brought to a standstill. There is a need to ensure that the decision of whether or not a case is prosecuted depends solely on whether the case can be proved in court to the satisfaction of the trier of fact. Finally, the difficulty of successfully going forward with the case when evidentiary issues arose that might raise hurdles to prosecution, such as the victim's not wishing to cooperate in the investigation and prosecution, perhaps due to fear, was noted. Without testimony from the victim, the prosecution would have to move from testimonial-based prosecution to evidentiary-based prosecution, but this has not yet occurred.

Better implementation of legislation is mandated under existing international and regional conventions which the Dominican Republic has ratified. Ratification obliges signatory nations to develop and implement concordant legislation and policies to give meaningful effect to the document's realization. When a country ratifies a document, it formally commits itself in international law to do what the Convention requires — both in law and in practice. The relevant conventions and protocols at both the international and regional level that the Dominican Republic has ratified are listed in Annex D.



## IV. PERSON-CENTERED APPROACH TO COMBATING TIP

Investigating and prosecuting the crimes of TIP is very important. However, the grim reality is that the vast majority of victims of trafficking will never interface with the law enforcement system for a wide variety of reasons, such as fear of criminalization and deportation or intimidation by the trafficker. Even so, such people remain victims of severe crimes, in need of particular protection and assistance, even when they do not cooperate with law enforcement. Increased availability of programs and mechanisms for such assistance for vulnerable people and communities is an essential tool to prevent adults and children from being trafficked. The underlying socio-economic conditions of vulnerable people and communities must be addressed if TIP is to be effectively combated and its victims returned to healthy and productive lives. This defines a “person-centered approach” to combating TIP.

### A. What is Assistance?<sup>39</sup>

*Assistance* includes social assistance, psychological support, health care, legal assistance, and protection, as well as a reflection period to determine if a person is willing to cooperate in prosecuting his or her trafficker(s), etc.

*Legal assistance* is counsel provided to a person that is of a legal nature, for any length of time (short/mid/long term) and during any phase of restoring the victim’s life (emergency, stabilization, return, social inclusion/(re)integration). This may include: provision of legal advice and information about the legal process, preparation and submission of documents to courts, tribunals, or administrative bodies, and representation at court or other hearings.

*Social assistance* is any assistance provided to or for a person (other than legal assistance), for any length of time and during any phase of recovery. This includes, but is not limited to: accommodation/shelter, assessment services, counseling, psychological support, economic/financial, health/nutrition, language/literacy education, outreach, referrals, repatriation/return assistance, translation services, vocational training, etc.

### B. Making Assistance Non-conditional

*Non-conditional assistance* means that all trafficked persons have the right to assistance and protection from governments. Furthermore, this assistance is in no way conditional on the person’s providing testimony or other assistance or cooperation in prosecution.

Assistance is a crucial element in the prevention of TIP and prosecution of traffickers. It can stabilize a victim’s status and encourage them to provide testimony against traffickers. At the same time, cooperation with the legal process can place great emotional strain on individuals who may already be experiencing trauma, and may increase the risk of retribution against the person or his or her family.

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<sup>39</sup> Excerpted from the GAATW Web site FAQs sheet on Assistance, Protection and Prevention of Trafficking. [www.gaatw.org/index.php?option=com\\_content&view=article&id=453%3Aassistance-protection-and-prevention-of-trafficking&catid=158%3Afaq&Itemid=57](http://www.gaatw.org/index.php?option=com_content&view=article&id=453%3Aassistance-protection-and-prevention-of-trafficking&catid=158%3Afaq&Itemid=57)

Access to support and assistance in restoring their own lives is the first priority for victims of trafficking in all circumstances. Trafficked persons have the right to:

- Be treated with dignity and compassion at all times
- Present their views and concerns to be considered at appropriate stages of criminal, civil, or administrative proceedings against their suspected traffickers
- Have the procedures for obtaining remedies clearly explained to them in a language that she or he understands
- Compensation or other remedies for the violations they have suffered
- Procedures that are expeditious, fair, inexpensive, and accessible
- Receive proper assistance throughout the legal process, including legal counsel and access to the prosecutor
- Information on their role in criminal and civil proceedings, as well as on the scope, time, and progress of these and the disposition of their cases
- Be ensured physical and psychological protection of themselves, their families, and other witnesses throughout the process
- Privacy and confidentiality, within the bounds of the law
- Remain safely in the country in which the remedy is being sought for the duration of any criminal, civil, or administrative proceedings

When victims of trafficking are unwilling or unable to cooperate in the prosecution of their traffickers, it is contingent upon the police and prosecutor to build an evidentiary-based prosecution, rather than a testimonial-based case, to pursue the prosecution.

### **C. Social Assistance for Children (Prevention and Protection)**

There are two categories of services for children. The first range of services contributes to preventing TIP. These are general services that facilitate access to a child's fundamental rights regardless of color, sex, social origin, nationality, religion, etc. These rights should be guaranteed by each government through its legislation and administration. A few have been prioritized by the stakeholders but are also guaranteed by the Dominican legal framework, including the right to:

- Have an identity and a nationality
- Live within a familial structure, preferably with biological or adoptive parents;
- Education
- Be protected from all threats of violence, exploitation, and abuse
- Live in good health

The second category of services regroups those that should be provided to assist the children victims of trafficking. These include:

- Victim identification

- Family tracing
- Family reunification
- Shelter
- Schooling
- Health care
- Legal advice and representation
- Psychological assistance



## V. GODR CAPACITIES TO COMBAT TIP

The assessment team had the opportunity to meet with senior representatives of most of the ministries and offices within the Government of the Dominican Republic that carry responsibilities relevant to preventing and prosecuting TIP. (See Annex A for a complete list of persons interviewed by the assessment team.) It was encouraging to find that most of these senior-level officials have a solid understanding of the definitions and distinctions between trafficking of persons (*trata de personas*) and smuggling of migrants (*trafico ilicito de migrantes*). Most ably explained the responsibilities of their institutions as designated in the law and elaborated through each entity's administrative system. The breadth of knowledge and competency exhibited by these generally young<sup>40</sup> professionals is a strong resource for the continuing development of anti-TIP systems in the country.

The legal framework to combat TIP, and training of law enforcement, prosecutors, and judiciary for its implementation, is developing well. As discussed previously and as described in Annex C, the Dominican Republic has a comprehensive and extensive legal framework through which to confront human trafficking.

A significant step forward in the justice system is the inauguration of the *Centro de Entrevistas para Personas en Condicion de Vulnerabilidad Victimas o Testigos de Delitos*, a child-friendly space within the juvenile and family state judicial center, a unit of the General Directorate for Children, Adolescents and Families. This space, funded through the support of the British Government, aims at interviewing children victims or witnesses of sexual exploitation or abuses consistent with all minimum standards of child protection. To date, this initiative only exists in Santo Domingo. The government is waiting for additional international funding to develop the same structures in other regions of the country.

Legal experts from civil society interviewed by the team asserted that court cases are chronically slow and rarely achieve closure. They also expressed concern that there is a gap in the documentation and publication for cases that were successfully followed. These experts were not aware of any cases of prosecution based on trafficking of children or the use of children as unpaid domestic servants.

The GoDR has a plethora of ministries and administrative entities (see Annex G — Organization Chart of the Dominican State). Dominican law vests the authority to establish pertinent regulations to enforce anti-TIP law with several institutions,<sup>41</sup> but no particular institution is generally recognized as invested with overarching responsibility

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<sup>40</sup> The majority of the GoDR professionals interviewed by the team appeared to be of ages between late 20s and early 40s.

<sup>41</sup> These include: the Ministries for Women and for External Relations; the National Office of the Attorney General through the Department for Combating Trafficking in Women, Children, and Adolescents; the Immigration Bureau; and the Inter-institutional Committee for the Protection of Immigrant Women (CIPROM).

for coordination<sup>42</sup> This presents a significant structural challenge to comprehensive, coordinated efforts to combat TIP.

The Dominican Republic has a weak social safety net.<sup>43</sup> The team found no evidence of basic social work services as a concept,<sup>44</sup> much less a sector, in GoDR ministries or agencies or at the levels of local governance. Social work case management or support is provided primarily through civil society organizations that assist street children and other vulnerable populations. The Department of Labor is partially addressing one element of this gap with its development of regional vocational training centers, through a World Bank program.

Once TIP victims are identified, the referral processes for children and adults seem more *ad hoc* than formal. The NGO COIN receives Dominican VoTs who are referred through IOM's assisted voluntary return process for Dominicans deported from other countries and in some cases from CIPROM. CIPROM was the only agency interviewed by the team that described a network of NGO shelters that assist victims of domestic violence; VoTs are sometimes assisted in the same facilities. NGOs that provide services for children reported receiving calls from CONANI for cases of Haitian migrant children, but they lack systematic agreements for this process. National Police reported accommodating foreign VoTs in a secure facility until they were accompanied to their departing flight. The General Directorate for Migration, with the support of UNICEF and IOM, is establishing a shelter for unaccompanied migrant children.

## **A. Ministry of Foreign Affairs**

The main mandate of the Ministry of Foreign Affairs (MFA) is to serve Dominican citizens abroad. One its primary responsibilities is to ensure that Dominican passports and travel documents such as visas are properly designed and issued so they cannot be easily falsified.

The Dominican School of Diplomacy, which trains Dominican foreign service professionals, includes a four-hour training workshop on SoM and TIP. The MFA has also trained journalists on TIP.

The MFA encourages its staff to provide information to Dominican migrants on the risks of irregular migration and avenues through which to get assistance from Dominican embassies and consulates in countries of destination. The MFA cooperates with CESFRONT and the General Directorate for Migration on irregular migration issues, including monitoring TIP routes. It reports potential TIP cases to the Office of the General Prosecutor.

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<sup>42</sup> CITIM and CIPROM are inter-agency coordinating bodies with overlapping responsibilities concerning TIP. Neither body was widely referenced in assessment team interviews with either GoDR or civil society actors.

<sup>43</sup> International Monetary Fund. Fact Sheet –The IMF's Role in Helping Protect the Most Vulnerable in the Global Crisis," Nov. 4, 2010.

<sup>44</sup> CONANI is the GoDR entity most clearly tasked with social services responsibilities. It is possible that the team would have encountered better GoDR knowledge of, and systems for, social services to children and their families had it been able to interview CONANI representatives.

## B. CITIM and NAP

Presidential decree no. 575-07 established the National Commission to Combat Human Trafficking and People-Smuggling (CITIM)<sup>45</sup> in 2007. This commission, chaired by the MFA ambassador for the Division in Charge of Migration Affairs, has created *National Action Plan against Trafficking in Persons and Smuggling of Migrants, 2009-2014* (NAP), with the support of the International Organization for Migration. Its responsibilities include training, awareness-raising, legislative initiatives, recommendations for anti-TIP actions to member entities, and reporting on TIP to international bodies. The NAP was presented in June 2010 at a national conference made possible with USG TIP funds. It is in the final stages of adoption.

It was not apparent from team interviews that CITIM is active. It was seldom referenced by any of the actors interviewed. At the meeting with the Ministry of Foreign Affairs, which included the ambassador responsible for coordinating the commission, it was referenced in passing, but no specific activities or responsibilities were described.<sup>46</sup>

## C. Office of the First Lady of the DR

The Office of the First Lady is headed by Margarita Cedeño de Fernández, the wife of the current president of the Dominican Republic, Leonel Fernández. This office supports social and health programs for the development of families, women, and children. Cedeño de Fernández is a member of the Council of Women Leaders for the UN Global Initiative to Fight Human Trafficking (UN.GIFT). The Office of the First Lady is a member of CITIM.

## D. CIPROM

CIPROM<sup>47</sup> — the Inter-institutional Committee for the Protection of Migrant Women — was established in 1990 under the Ministry of Women. Its purpose is to develop action plans to strengthen government and NGOs for the protection of Dominican migrant women, especially those who are trafficked to other countries for sexual exploitation.

CIPROM was referenced by several actors interviewed. The *Centro de Orientación e Investigación Integral* (COIN), which runs a shelter for trafficked and exploited women, confirmed that it works closely with CIPROM for both case referral and policy development.

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<sup>45</sup> GoDR institutions represented were the following: the Ministries of Foreign Affairs, Interior and Police, Education, Labor, Tourism and Public Health and Social Care; the Secretary of State for Women; the Attorney General's Office; the National Police; the Tourist Police; the Navy; the National Council for Children (CONANI); and the Office of the First Lady.

<sup>46</sup> The team requested a follow-up meeting specifically to discuss the work of CITIM and the NAP, but were unable to secure this meeting prior to the end of the mission.

<sup>47</sup> Membership includes: General Directorate for Promotion of Women; Ministries for Foreign Affairs, Tourism, and Labor; Department of Migration; Oficina de Ordenador Nacional de Lomé IV; Oblate Sisters of the Holy Redeemer; IOM; COIN; CASCO; and National Association of Hotels and Restaurants (ASONAHORES).

## **E. CONANI<sup>48</sup>**

The National Council for Children and Adolescents (CONANI) was established in 2004 with the support of UNICEF. Its purpose is to administer a national system for protecting the rights of children and adolescents. It is responsible for regulating adoption of Dominican children and for the protection of orphaned, abandoned, or otherwise vulnerable children.

It is unclear to what extent CONANI considers migrant children, who are not Dominican citizens, to be within its population of concern and responsibility. However, CONANI was mentioned several times during interviews with various Catholic programs as a referral source for children assisted in their programs.

A delegation from the U.S. Conference of Catholic Bishops that visited the DR in August 2010 reported that while CONANI, in cooperation with several NGOs, has strengthened protection for minors, more needs to be done to proactively identify and rescue Haitian minors on the streets in the urban areas, along the border, and in agricultural areas [of the DR].<sup>49</sup> Because the DR does not have an elaborated government social services system, CONANI is heavily dependent on civil society agencies to provide actual assistance and support to children in need of protection.

## **F. General Directorate for Migration**

The General Directorate for Migration (DGM) is responsible for border management as well as investigation and prosecution of TIP and SoM cases. It manages four border crossing points along the 230-mile land border between Haiti and the DR. The DGM takes a multidisciplinary approach to investigation and prosecution. Its role ends when the case is delivered to the Office of the General Prosecutor.

Raising public awareness on TIP is part of the DGM mandate. The directorate has published and distributed safe migration information pamphlets targeted for migrating Dominican women. It has also conducted a campaign on children begging, encouraging the public to give them food rather than money.

The DGM is establishing a shelter for street children, with the support of UNICEF and IOM. However, according to a press report from the IOM dated February 25, 2011, the DGM is still dependent on the IOM to provide care and shelter for rescued trafficked Haitian children as well as for pursuing family reunification.<sup>50</sup>

Representatives of the DGM interviewed by the assessment team expressed a need for technical expertise to advise the DGM in the creation of a good witness protection program.

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<sup>48</sup> Despite repeated requests during the mission for an appointment for the team to meet with a CONANI representative, no interview was granted. Observations in this report are drawn from CONANI documentation and interviews with CONANI partners.

<sup>49</sup> U.S. Catholic Bishops Conference. "Mission Trip to Haiti, the Bahamas and the Dominican Republic, July/August 2010." p. 12.

<sup>50</sup> International Organization for Migration. "Haitian Child Victims of Trafficking in the Dominican Republic Rescued and Assisted," IOM Press Briefing Note, Feb. 25, 2011.

## **G. National Police, Prosecutors, and the Judiciary**

The national police, prosecutors, and judiciary are charged with investigation, prosecution, and adjudication of trafficking cases. Judges and prosecutors are selected through an open application process that seeks qualified candidates. Based on merit and numeric need, the applicants are screened and selected. They then attend judicial or prosecutorial school, where they are given initial training on relevant aspects of law, such as criminal law, criminal procedure, constitutional law, and human rights, as well as specialized courses, such as decision writing for judicial candidates. For prosecutors this course takes just under one year and for judges it is a two-year course. After successful completion of the courses, individuals are inducted into either prosecution or judicial positions. These schools also provide advanced and on-going training to their constituencies. In the judicial school, a train-the-trainers workshop on TIP was held in January of this year to launch the incorporation of trafficking and SoM into the school's initial curriculum. In the prosecutorial school, training on TIP and SoM was incorporated after the passage of the trafficking and smuggling law. The police also have a training school; police and prosecutors will often receive joint training. The judicial school also conducts joint trainings with prosecutors.

The National Police and the Prosecutor's offices are responsible for the investigation and prosecution of trafficking. Both these departments have specialized personnel units to deal with trafficking. The National Police has a Trafficking in Persons unit, established in 2008, with nine officers. The prosecution addresses trafficking within its Complex Crimes division.

Difficulties that both police and prosecution identify include lack of understanding of the problem outside the law enforcement community, as well as community skepticism regarding the criminal justice system as a whole. The police, in particular, were repeatedly reported as being viewed by members of the community as instruments of oppression and corrupt. This impairs the ability of the police to enlist the community in identifying possible cases of trafficking; it also affects police morale. Secondly, there is a need for front-line professionals that understand trafficking. That entails ensuring that all police officers, not simply those at the top of the seniority ladder, are aware of the specific dynamics and elements of this crime. With regard to prosecution, there is a need to ensure that prosecutors in more rural jurisdictions — not just in the large cities of Santo Domingo and Santiago — are prepared to bring a case successfully to court.

One of the most frequently cited difficulties for both investigation and prosecution of TIP is the lack of victim cooperation. The ability of the police to get a statement from the victim and pursue the case to trial is adversely affected when a victim may not be able to be called at trial because he or she has disappeared or does not wish to cooperate with the prosecution. Without victim cooperation, investigations and prosecutions are seriously impaired. Better victim services could do a great deal to improve this circumstance.

CESFRONT, established in 2006, is the Border Security Specialized Corp, deployed along the north-south Dominican border. One of its goals is to secure the Dominican border against foreigners who attempt border crossing by illegal means. This is to be achieved ~~not~~ only through the establishment of a military presence in the area, but also through the implementation of preventive actions by a corps that has been specifically

trained to maintain order and enforce the Migration Act and relevant international agreements.”<sup>51</sup>

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<sup>51</sup> UN Human Rights Council, Working Group on the Universal Periodic Review Sixth Session, Nov. 30-Dec. 11, 2009, “National report submitted in accordance with paragraph 15 (a) of the annex to Human Rights Council resolution 5/1\* Dominican Republic.” p. 9.

## VI. CIVIL SOCIETY CAPACITIES TO COMBAT TIP

The Dominican Republic has elements of an active and competent civil society, which contribute substantially to the promotion of human rights. Dominican and international NGOs also provide practical services to protect and improve the lives of vulnerable men, women, and children. All the civil society representatives interviewed by the assessment team demonstrated respect for, and a willingness to cooperate with, government institutions. The practical experience these agencies bring to identifying and responding to the breadth of basic needs and aspirations of both Dominican citizens and migrant populations provides a strong foundation of knowledge and skills on which to build better programs and strategies to combat TIP. Although Dominican law does call for a small portion of the national budget to be allocated for services for children and women who are victims, the reality is that the costs for assistance to victims are borne almost entirely by NGOs. A list of NGOs in the DR with mandates and capacities to contribute to TIP prevention, protection and prosecution is found in Annex G.

### A. Child Protection

NGOs provide the vast majority of protection and assistance services for vulnerable Dominican and migrant children in the Dominican Republic. Many are national or international faith-based agencies, predominately Catholic. They provide counseling, supplementary education, support for reintegration into schools, family tracing, shelter, and vocational training. However, these services are limited geographically and the beneficiaries vary with the mandate of each NGO. Currently many of these agencies focus on Haitian children as potential and actual victims of trafficking.

The team observed good collaboration between local government offices and two NGOs that work with and for street children — Caminante Proyecto Educativo in Boca Chica and Accion Callejera in Santiago. In Boca Chica, this includes almost daily referrals of children from the local office of the prosecutor. Both agencies receive referrals from CONANI.

### B. Women's Organizations

A number of organizations in the Dominican Republic promote policies and programs to achieve gender equity and development in the country. In addition, a small number of organizations focus on accompanying and protecting girls and women in commercial sex work.

All of these organizations work to combat trafficking, domestic violence, rape, and abuse against women and children. Several provide health education and health care focused on reproductive health and sexually transmitted diseases.

A limited number of shelters for trafficked and abused women exist in the Dominican Republic. The *Centro de Orientación e Investigación Integral* (COIN) in Santo Domingo has established a protocol with GoDR authorities for assistance for victims of trafficking in four of the regions of the country. The majority of assisted voluntary return cases of Dominican women are referred to COIN through the IOM-assisted voluntary return

program. There is also an agreement with immigration officials that a COIN lawyer may go to the airport/immigration office to provide assistance and information.<sup>52</sup>

### **C. Legal/Human Rights NGOs**

Several NGOs in the country conduct activities related to advocacy and expertise in human rights, governmental transparency, anti-corruption, and political reform. The NGO *Participacion Ciudadana* has established four *Casa Comunitaria des Justicias*<sup>53</sup> around the country to increase public access to justice, with the support of USAID. *Fundacion Institucionalidad y Justicia* (FINJUS) is another NGO active in promoting human rights in the DR.

Combating discrimination and xenophobia are important components of the fight against TIP. The Dominican Republic has a longstanding problem of discrimination in the country, rooted in its history. Discrimination and neglect toward Haitian migrants is widespread. Additionally, many Dominicans who migrate from rural to the urban areas of the country also face marginalization and discrimination.

These NGOs, working in areas of public awareness and legal support for disenfranchised Dominican and foreign men, women, and children, have a strong role to play in overcoming the societal and institutional obstacles to preventing and prosecuting TIP.

### **D. Labor Rights and Organizing**

The national labor law 16-92 provides for the freedom to organize labor unions and for all workers to form and join unions, except for members of the police and military. While the labor law does not prohibit regular or irregular foreign workers from joining a union, many do not have proper national identity cards, which are a prerequisite for joining. Domestic workers in the Dominican Republic also have few legal protections under the law. Few cases of labor exploitation and trafficking against employers have been prosecuted; those that have been investigated have been held up in the courts for years.<sup>54</sup>

Dominican labor organizations have focused their efforts on protecting the rights of workers in the formal and informal economy, regardless of nationality. These efforts have included educating workers on human and worker rights and legal instruments that address labor exploitation and trafficking. In 2007, one of the nation's largest labor confederations created a national network to document and speak out against trafficking. Participating members represent five sectors where workers are most vulnerable to labor violations and trafficking. Particular labor organizing efforts are being directed toward the largely undocumented and female work force in domestic work and in the tourism industry.

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<sup>52</sup> GAATW Global Conference Report, p. 18.

<sup>53</sup> Established with the support of USAID in Santo Domingo, Cienfuegos, Santiago and La Vega.

<sup>54</sup> Interview with Solidarity Center and Confederacion Nacional de La Unidad Sindical (CNUS), Santo Domingo, February 9, 2011. Interview with U. S. Department of State, Human Rights, Labor and Migration Specialist, Santo Domingo, February 9, 2011.

## VII. INTERGOVERNMENTAL ORGANIZATIONS

### A. International Organization for Migration

IOM seeks to support the efforts of the Government of the Dominican Republic to curb the incidence of irregular migration and combat both human smuggling and trafficking. It also encourages regularizing of the status of long-time foreign nationals resident in the Dominican Republic, whose status is still unresolved. IOM has been working closely with the Government of the Dominican Republic to enhance migration and security by providing the required expertise in border management and capacity building for immigration, law enforcement, and other government officials.

The IOM is the major inter-governmental actor with regard to development of GoDR programs and systems to counter TIP. IOM staff members were pivotal in the drafting of the Dominican *National Action Plan against Trafficking in Persons and Smuggled Persons*. IOM is the lead implementing agency in the process of assisted voluntary return for irregular migrants to and from the Dominican Republic. It is working with the General Directorate for Migration to develop a biometric-based identity card and database system to provide identity documentation for Haitian migrants.

Current programs include:

- Combating Trafficking in Persons in the Dominican Republic
- Strengthening Migration Management Capacity in the Caribbean Region to Enhance National and Regional Security
- Managing Migration to Protect and Assist Vulnerable Migrants
- Strengthening Migration Management
- Counter Trafficking in the Dominican Republic: Strengthening the Government's Response through Capacity Building for the Judiciary and Victim's Protection Assistance

### B. UNICEF

UNICEF established its program in the Dominican Republic in 1952. Since that time, it has worked closely with the GoDR (primarily CONANI) and other allies to guarantee the fulfillment and promotion of the rights of all children and adolescents in the country.

Current programs include:

- Young Child Survival and Development — providing essential health, nutrition, and water and sanitation programs for young children, and maternal care
- HIV/AIDS and Children — care and services for children orphaned and made vulnerable by HIV/AIDS
- Child Protection from Violence, Exploitation and Abuse — capacity strengthening
- Policy Advocacy and Partnerships for Children's Rights — putting children at the center of policy, legislative, and budgetary provisions

- Preventing and Responding to Emergencies — protection for women and children in emergency situations

## VIII. U.S. GOVERNMENT INPUTS TO DATE

The United States government (USG) uses a multipronged approach to combat TIP (prevention, protection, and prosecution), supporting programs that focus on selected areas that complement the anti-trafficking efforts of national and local governments. In the Dominican Republic, U.S. government-funded programs have helped build the capacity of national institutions and local organizations to ensure good governance and bolster the country's young democracy. These include promoting institutional reforms in the justice and labor sectors and greater government transparency to reduce corruption and prevent fiscal mismanagement. The U.S. government has also supported civil society participation in, and oversight of, the Dominican government's efforts in these areas.

U.S. government agencies have supported multisectoral programs to reduce risks of trafficking, unsafe migration, and exploitation among some of the country's most vulnerable groups. USAID's health programs have focused on preventing and treating communicable diseases as well as improving the quality of and access to primary care services, particularly for underserved or affected groups. USAID has helped vulnerable women gain access to quality reproductive and maternal care and their children to receive much-needed health services. USAID has also collaborated with educators, parents, and community members to improve the quality of basic education and has provided rigorous teacher training for public primary school educators in reading, writing, and mathematics. Other USAID-funded education programs have provided at-risk youth with vocational and life skills training to improve opportunities for gainful employment and established alternative education centers that offer a range of services, particularly for youth in crisis. The Department of Labor has funded a program aimed at combating child labor through educational and recreational activities, including events during the summer, that help students remain in school longer.<sup>55</sup>

The Department of Labor and Department of State have funded prevention programs within the labor sector. One of the programs supported by the Department of Labor helped establish centers to provide legal services to workers and strengthened the capacity of local organizations to engage in community outreach on human and labor rights, including the rights of children. Another Department of Labor-funded program assisted agricultural communities in developing and implementing action plans to promote labor law compliance by employers and disseminate information on occupational health and safety regulations.

Since 2008, the Department of State Office to Monitor and Combat Trafficking in Persons (GTIP) has provided funding for several intergovernmental organization and civil society programs to combat TIP. The GTIP grant fund supported efforts to help Dominican and Haitian workers in the construction sector. Through this program, workers learn about their rights and national and international anti-trafficking laws. Labor lawyers undergo training on proper investigation of trafficking cases and helping victims seek compensation from unscrupulous employers. The program has also supported efforts

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<sup>55</sup> Education Development Center, USAID/Dominican Republic Cross-Sectoral At-Risk Youth Assessment, August 2010. Newton, Mass., 23.

by Dominican labor unions to advocate for all workers in diverse economic sectors regardless of nationality. The GTIP grant program also supported the IOM in creating public awareness mechanisms. These projects include a telephone hotline whereby traffickers can be reported and VoTs may seek assistance, and training for the attorney general's office and the judiciary. Training areas focused on investigation and prosecution techniques, implementation of legislation, and strategies for victim identification and protection. The NGO *Fundacion Institucionalidad y Justicia* (FINJUS) received funding to coordinate and strengthen the capacity of civil society groups to monitor and provide feedback on the efficiency of government policies and practices related to trafficking.

## IX. KEY CHALLENGES FOR COMBATING TIP IN THE DR

Challenges and opportunities to combating TIP in the Dominican Republic have been discussed throughout the preceding text. This section summarizes the key challenges noted by the assessment team. Recommendations to address these challenges are discussed in subsequent sections and annexes. The government of the Dominican Republic faces a difficult budgetary situation, which has been compounded by several recent national disasters, particularly widespread flooding, that created emergency situations demanding urgent financial responses. This is a major factor that underlies many of the challenges highlighted.

### A. Promoting a Common Understanding of TIP in the DR

- GoDR entities tend to apply a precise, legal definition of TIP to their analysis of the phenomenon. Most GoDR TIP data is drawn from law enforcement sources; as a result; as a result, VoT data is comprised primarily of cases of victims who cooperate with law enforcement. This is aggravated by underlying assumptions that most of the problem is the flow of irregular migrants from Haiti, who are widely perceived in the Dominican Republic as coming by choice rather than as being exploited.
- Civil society actors that provide direct services to vulnerable communities tend to use broader, more integrated definitions of TIP and SoM. They assert that the social conditions that underlie the vulnerability of large numbers of Dominican and Haitian migrants force these men, women, and children to seek dangerous work and submit to conditions of labor exploitation, trafficking, and even slavery.
- There is no common source of TIP data and analysis in the Dominican Republic that is widely recognized and trusted by both GoDR and civil society actors.

### B. Moving from Policy and Planning to Implementation

- Senior GoDR officials and administrators demonstrated clear understanding of the distinctions between TIP and SoM as well as the policies and strategies related to combating TIP. However, it was reported that this understanding is seldom replicated more widely within their institutions and their front line workers.
- GoDR law, strategies, and policies reflect commitments to providing practical protection and assistance services for adult and child VoTs. However, such services seem to be provided almost exclusively by civil society.
- Many GoDR officials, particularly in law enforcement, expressed doubt that there is a significant volume of TIP cases in the country. They raised these concerns with regard to allocation of law enforcement resources. These attitudes inhibit identification of VoTs and investigation of possible cases of TIP.
- The GoDR does not systematically monitor its anti-trafficking efforts. It relies on an inconsistent, *ad hoc* approach that varies among the several implementing institutions identified by law and in the National Action Plan.

- The GoDR does not release human trafficking statistics to the general public, although it does provide statistics to international donor partners. The commitment of the GoDR to issue consolidated official data is likely to create political will for resolving the discrepancies among government agencies about their interpretations of the TIP phenomenon in the country. Such data would undergird a more objective debate among government agencies, between government and civil society, and in the media on the nature and extent of TIP in the DR. Such GoDR transparency would also provide a model and challenge to civil society actors to provide comparably credible data from their research and service activities.

### **C. Building Capacity of Law Enforcement, Prosecution, and Judiciary**

- National police and CESFRONT are vulnerable to corruption due to poor salaries and few incentives to resist bribery.
- Training on TIP is in the nascent stages for many law enforcement and prosecution personnel, as well as for the judiciary.
- Few cases of successful TIP investigation and prosecution exist, thereby limiting professional exposure to good practices from the front line.

### **D. Social Services Funding and Delivery Systems**

- The Dominican Republic has a weak social safety net.
- GoDR institutions responsible for social services focus more on policy and planning than direct service delivery.
- The centralized system of government in the Dominican Republic discourages development of local municipality and regional systems for social assistance to vulnerable populations.
- CIPROM and CONANI rely heavily on civil society agencies to receive referrals of vulnerable women and children, including victims of trafficking, in need of protection and assistance.
- A variety of civil society agencies provide the bulk of direct services (outside health and education) for vulnerable women and children. They have some tendencies to act autonomously and have erratic funding.

### **E. GoDR Support and Capacity Building**

- There are many able professionals in the ministries and offices of the DR. They need support in the form of political will and allocation of resources to enable them to carry out their responsibilities to combat TIP more effectively.
- Knowledge about counter TIP legislation, policies, and protocols needs to be transferred to front-line workers in the responsible ministries and directorates as well as to municipal managers and officials.

### **F. Civil Society Support and Capacity Building**

- Competent NGOs are functioning, mainly in the larger urban areas of the country. All of the NGOs visited by the team have modest facilities that reflect the limited

resources available. Most staff members demonstrated dedication, extensive knowledge of their communities, and practical efforts to respond to the needs of their beneficiaries.

- Dominican NGOs have good practices in protection and prevention of TIP to share with one another. It is important to look first to these solutions, since they reflect programs developed within the realities of the country's limited funding, infrastructure, and minimal government social service system.
- Labor organizing for migrants is an important tool for protection of exploited and vulnerable undocumented workers, both adult and child.

#### **G. Enhancing Government-Civil Society Cooperation**

- CIPROM and CONANI have the foundations in principle for strong collaboration between government and civil society.
- The protocols between government and civil society agencies for identification and referrals of VoTs need to be improved and applied more consistently.
- There is mutual skepticism between government and civil society actors concerning data on VoT and the volume and nature of TIP. Greater consensus about the application of the definitions for TIP and SoM as well as on the credibility of research and reports needs to be fostered between government and civil society actors.



## **X. RECOMMENDATIONS TO IMPROVE TIP PREVENTION, PROTECTION AND PROSECUTION**

### **A. Justice Sector and Legislation<sup>56</sup>**

- Ensure referral mechanisms for the victim to receive support are in place and used efficiently.
- Consider appointing a victim/witness advocate (VWA). The VWA would be attached to the office of the prosecutor and would act as the conduit between the victim/witness and the prosecutor. In many jurisdictions, this role is performed by NGO professionals. The job of the VWA is to assist the victim/witness in understanding the legal process and the victim/witness' role in that process. The VWA also ensures that basic information is properly conveyed, such as court dates and continuances, and can also answer questions the victim/witness may have about the case.
- Create a TIP-specific witness protection component to augment a more general witness protection plan. Witness protection programs should include components for protecting the victim's physical safety and that of his or her immediate family, based on the case's particular facts. As TIP is a serious/violent crime and also may have organized crime dimensions, it fits within the traditional purview of witness protection. Witness protection should be in operation full time to ensure that intimidated witnesses and related persons do not suffer harm and are removed from areas of danger. Areas within witness protection can include pro-active risk identification, witness assessment and management, court protection, and after care.<sup>57</sup>
- Conduct victim interviews using trained forensic interviewers. This will lessen the trauma to the victim and simultaneously record the victim's statement so that it can be shared electronically, rather than conducting multiple interviews of the victim.

### **Criminalization**

- Consistently define trafficking throughout the legislation.
- Define a "child" as anyone less than 18 years of age.
- Emphasize the fact that trafficking can be internal or international.
- Exert extraterritorial jurisdiction over citizens and permanent resident aliens if they commit TIP outside the Dominican Republic.
- Exert extraterritorial jurisdiction over TIP crimes where the victim is a Dominican national.

### **Protection**

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<sup>56</sup> See Annex D for a complete set of recommendations concerning Dominican legislation and the justice sector.

<sup>57</sup> For further information, the UN Handbook on Witness Protection is an excellent place to begin in designing witness protection programs that suit a designated jurisdiction, such as the Dominican Republic.

- Grant immunity for immigration related offenses and offences committed as a direct result of being trafficked.
- Give a period of recovery and reflection to the victim immediately after rescue.
- Enact mechanisms to give temporary or permanent residence permits to victims of trafficking.
- Make provision for return and repatriation of foreign victims of TIP when it is safe for them to return to their home countries, expanding the procedures already developed by MFA and IOM.
- Ensure victims can sue perpetrators for damages or compensation.

### **Prosecution**

- Require that specialized or specially trained person investigate and prosecute trafficking cases.
- Ensure investigation and prosecution is age- and gender-sensitive.
- Make provision for victim's forensic interview to be admitted in evidence, in lieu of live testimony.
- Create a specific TIP witness protection component to augment the more general witness protection plan.

### **B. Child Protection**

- Ensure access to birth certificates for, and increase registration of, all children born in the Dominican Republic.
- In light of the Inter-American Court decision regarding this issue, revisit the interpretation of the Dominican Constitution that children born to Haitian parents within the DR are not Dominican citizens, in order to increase and improve the regularizing of their status.
- Strengthen the capacity of CONANI and its partner NGOs along the Haitian-Dominican border to protect minors through increased presence of street social workers, shelter and day care facilities, reintegration with families of origin or placement with foster families, and access to education.
- Advocate establishing a protection role within the Tourist Police to identify and refer exploited women and children in the country's tourist districts.
- Support programs that pursue family tracing and reunification for vulnerable children.
- Expand programs that provide day center and shelter for street children to more regions of the country.
- Expand sharing of good practices and professional training for NGO service providers, drawing on practices in the DR as well as internationally.

### **C. Social and Economic Services for Prevention and Reintegration of VoT**

- Expand investment in labor force empowerment. While social assistance for VoTs is an important short to mid-term intervention, economic empowerment is fundamental to preventing TIP and enabling its victims to reduce their vulnerability.
- Include employment opportunities/job training/vocational skills training not only for victims, but also as part of a prevention campaign.
- Put prevention/education initiatives within the context of safe and unsafe migration and regular or irregular channels of travel.
- Expand programs that support vulnerable and trafficked women through counseling, health care, shelter, education, and economic empowerment.
- Expand support programs to more regions of the country, particularly rural areas.
- Expand sharing of good practices and professional training for NGO service providers drawing on practices in the DR as well as internationally.

### **D. Raising Awareness**

- Support public awareness campaigns that educate citizens on the differences between TIP and SoM and combat negative stereotypes about Haitian and Dominican migrants.
- Encourage TIP awareness-raising campaigns that place the issue within the broader context of safe migration. Avoid stigmatizing and “scare” messages. Provide information and tools for making good migration choices and life decisions.
- Train the media in good practices on investigating and reporting about TIP. Draw on the practical, case-based knowledge of NGOs to sensitize media professionals about how to research and report on TIP cases.

### **E. Coordination**

- Support independent research to investigate the breadth and volume of TIP in the Dominican Republic.
- Promote coordination not only among senior decision makers, such as the members of CIPROM and CITIM, but also among local representatives of these ministries, agencies, and NGOs, e.g., the front-line practitioners.
- Encourage the various GoDR entities that belong to CIPROM and CITIM to conduct participatory institutional reviews (see Annex F for a description of this process) to continue to improve their participation in these coordination bodies and in meeting their related institutions responsibilities, particularly concerning combating TIP and assisting its victims.



## XI. USAID AND USG PROGRAM RECOMMENDATIONS

### A. New Program Opportunities for USAID

1. Enable an independent, multisectoral study on the nature and scope of TIP to, from, and within the DR to encourage a common understanding and analysis regarding data on the phenomenon, both among GoDR agencies as well as between government and civil society actors. Commonly accepted data would enable the development of baselines with which implementing actors could measure the impact of their efforts and hold one another mutually accountable.

Such a study should:

- Consider TIP within the wider context of irregular migration and exploited labor in the country
- Capture data from informal channels to complement data gathered through law enforcement and border control systems
- Engage a wide variety of actors in discussion of TIP and SoM definitions
- Encourage buy-in for research and results by including key governmental and civil society actors on an advisory board to design and oversee the process
- Conduct research through Dominican institutions (academic, government, and NGO) rather than outside IO/ NGO/contractor
- Give particular attention to the gender and child dimensions of the issues
- Support a participatory institutional review by key GoDR ministries and departments to increase efficiency and implementation of TIP policies and practices. This institutional review should include internal reviews by individual agencies as well as assessment of the allocation or duplication of counter-TIP responsibilities among major GoDR entities, including CITIM, CONANI, the General Directorate for Migration, the National Police, and the Office of the Prosecutor General. Agencies should ensure that their front-line workers are included in the institutional review process. (See Annex F — Participatory Institutional Review.)
- Establish a grant program directed at civil society that enhances the prevention and protection service network at the local community level; make cooperation with government entities and local community leaders a requirement for grants. Promote multidisciplinary networks of government and civil society actors at the municipality/local community level to enable practical responses to preventing and combating TIP at the local community level.
- Support multidisciplinary training about TIP for police, prosecutors, and the judiciary.
- Create a TIP module for community health providers for use in training in USAID health activities.

- Support incorporation of TIP and safe migration information into life skills training programs for out-of-school and at-risk youth (ages 10-17) within targeted geographic areas. These areas may be those selected as part of the Caribbean Basin Security Initiative.
- Work with local NGO partners with a proven record of successfully engaging families in at-risk communities to provide community-based trainings for youth and other at-risk populations on TIP within the context of safe migration practices and risks of irregular migration.
- Explore the potential of replicating forensic interview techniques and facilities for victims of TIP within the larger context of vulnerable victims and witnesses (children, developmentally delayed, sexual abuse, etc.).
- Pursue opportunities for binational programming for all of the above between Haiti and the Dominican Republic, particularly to improve identification and assistance for victims of trafficking.

## **B. Building on USAID's Existing Portfolio**

- *Governing justly and democratically*
  - Increase access to justice for VoT through the offices of the Casa Comunitaria de Justicia of the NGO Participación Ciudadana. These offices can be used as points of service delivery for information on TIP prevention and education, including the rights that VoTs have under existing legislation and policy. Their staff members may also assist victims with on-site legal advice or through referral to other service providers.
  - Promote TIP awareness-raising through Democracy and Governance (D&G) network (governmental and civil society). The USAID D&G partners are well-positioned to promote an understanding of TIP within a human rights framework. USAID can encourage them to network with civil society social service providers that have practical, case-based knowledge of the challenges and needs of vulnerable populations in order to create trainings and awareness messages that strategically respond to these concerns.
  - Promote networking between D&G civil human rights partners and social service providers to create joint advocacy strategies and campaigns to promote Dominican public and GoDR recognition of the human rights of irregular migrants and VoTs.
- *Investing in people*
  - Direct social services and economic interventions for vulnerable populations (citizen and non-citizen) toward both prevention of TIP and reintegration of VoT through existing civil society organizations.
  - Promote the expansion of good practices in social services, economic empowerment and education for vulnerable populations (both Dominican and foreign). Such programs contribute to the prevention of TIP and provide an infrastructure for assistance and protection of VoTs. Draw first on good practices

- already being implemented in the country, particularly by encouraging Dominican NGOs to share their practices with one another. In some cases, it may also be important to support more experienced NGOs in expanding their programs and services to other regions of the country. Supplement such sharing of Dominican good practices by introducing GoDR and civil society actors to good practices in social services, education, vocational training, and economic empowerment to combat TIP from other USAID anti-TIP programs around the world- Advocate for full access to public education for undocumented Haitian children and adolescents living in the DR. Invest in supplementary education programs for vulnerable Dominicans and foreigners to increase the percentage of these children who complete secondary education. Staying in school longer has a direct link to decreasing the vulnerability of children and adolescents to TIP.
- Use education and health program partners for TIP and safe migration education/awareness raising (governmental and civil society).
  - Train health service providers to identify children and adult ‘at-risk’ and VoTs.
  - *Economic growth*
    - Promote increased access to regularized employment for vulnerable and impoverished men and women. This has a direct link to decreased vulnerability to TIP for both citizens and non-citizens.
    - Expand access to vocational and life skills training for vulnerable/poor youth to decrease their vulnerability to TIP.
  - *Justice sector reform*
    - Build on investment in professional schools for prosecutors, judges, and police with TIP-specific activities, in coordination with the USG ICE and NAS programs.
  - *Anti-corruption*
    - Encourage anti-corruption programs to increase public confidence in cooperating with law enforcement to combat TIP and decrease corrupt practices by government officials and front-line worker who enable TIP practices, in coordination with the USG ICE and NAS programs.
  - *Civic society*
    - Encourage civil society partners (e.g., Casa de Justicias, women/children/human rights advocates, and community health providers) with local community presence to cooperate as points of delivery for education/information on TIP, within a larger context of safe and unsafe migration.
    - Support civic society advocacy, especially from NGOs directly providing services to vulnerable citizens and non-citizens, to promote more effective and non-discriminatory programming to combat TIP and assist VoTs.
    - Integrate TIP and safe migration education/awareness-raising into the at-risk youth program.

### C. USG Inter-Agency Cooperation

The U.S. government's ICE and NAS programs have established strong relationships with Dominican law enforcement agencies. The training and advisory work already accomplished by these agencies is a good platform on which to build further capacity-building support for GoDR agencies specifically on combating TIP. USAID anti-trafficking programs have developed a number of training and manual resources, particularly for prosecutors and judges, which may provide good practices for replication in the DR. Areas for specific cooperation among U.S. government agencies in the DR include:

- Support the revision and expansion of training for police, prosecutors and judges on TIP drawing on “best practices” in other countries (e.g. U.S., Chile, Columbia, other Caribbean nations, etc.) documented through USAID and other USG programs.
- Expand knowledge of the differences between TIP and SoM beyond the senior officials and administrators to front-line workers in law enforcement (e.g., National Police and CESFRONT), prosecution, and the judiciary.
- Incorporate training on TIP into NAS trainings on drug trafficking investigation and prosecution.
- Advocate with GoDR to provide more professional incentives to these front-line workers to resist corruption.
- Provide multidisciplinary training on TIP investigation and prosecution.
- Support writing and publication of a judges' handbook on TIP and SoM.
- Support writing and publication of a prosecutors' manual on TIP and SoM.
- Support the forensic interviewing component of the General Directorate for Children, Adolescents and Families facility.
- Provide technical assistance to promote introduction of taped forensic interviews into evidence in lieu of live testimony.
- Provide technical assistance to develop a witness protection component within general witness protection programs.
- Provide support to those engaged in drafting the amendments to the existing TIP law.

## ANNEX A. ASSESSMENT TEAM SCHEDULE OF APPOINTMENTS

State Entity / NGO	Representative/s	Place	Date
1. Catholic Relief Services (CRS) (INGO)	Mary DeLorey, Strategic Issues Advisor for Latin America and the Caribbean Francisca Vigaud-Walsh, Sexual and Gender-based Violence Programming Manager	Baltimore	21 Jan.
2. Solidarity Center — Home Office (INGO)	Neha Misra, Senior Specialist, Migration and Human Trafficking Lauren Stewart, Program Officer, Americas	Washington, DC	21 Jan.
3. U.S. Department of State and U.S. Department of Labor	Amy Rofman, Foreign Affairs Officer Kathryn Chinnock, Office of Child Labor, Forced Labor and Human Trafficking, Bureau of International Labor Affairs	Washington, DC	21 Jan.
4. USAID D&G Team	Jennifer Renquist, Democracy and Governance Officer; Lisette Dumit, Rule of Law Specialist	Santo Domingo	25 Jan.
5. USAID D&G Portfolio Director	Robert Rhodes, Democracy, Governance, and Economic Opportunities Officer Lisette Dumit Jennifer Renquist	Santo Domingo	25 Jan.
6. USAID USG Counterparts	Alain Norman, Political Affairs Officer (DoS) Arnold Sierra, Director (NAS) Donald Bruckschen, Supervisory Special Agent/Country Attaché (ICE)	Santo Domingo	25 Jan.
7. USAID Acting Mission Director	James Watson Robert Rhodes Jennifer Renquist	Santo Domingo	25 Jan.
8. IOM DR Mission Office	Cy Winter, Mission Director Gina Gallardo, Programs Officer Zoe Stopak-Behr, Operations Officer Jean Philippe Antolin, Operations Director; Rosalia Giatu, Liaison Officer (IOM-Haiti)	Santo Domingo	26 Jan.
9. <i>Fundacion Institucionalidad y Justicia Inc.</i> (FINJUS) (NGO)	Carlos Villaverde Gomez, Projects Director	Santo Domingo	27 Jan.
10. Ministry of Foreign Affairs ( <i>Cancilleria</i> )	Vice-Minister Nelly Perez Amb. Kenia Angeles Caceres	Santo Domingo	27 Jan.
11. <i>Ninez &amp; Familia</i> (Forensic Interviewing)	Carmen Rosa Hernandez, Director	Santo Domingo	27 Jan.
12. National Police — Anti-TIP Unit	Coronel David Rodriguez	Santo Domingo	27 Jan.
13. <i>Mujeres en Desarrollo Dominicana, Inc.</i> (MUDE) (NGO)	Rosa Rita Alvarez, Executive Director	Santo Domingo	28 Jan.
14. UNICEF — Dominican Republic	Maria Elena Asuad, Child Protection Officer; Dorina Lopez Matias, Protection Officer	Santo Domingo	28 Jan.
15. Division of Migration Affairs	Anitra Sifres, Sub-Director General Capt. Felix Albuquerque, Head of Investigations Miriam Cordones, Prosecutor of TIP Cases	Santo Domingo	28 Jan.
16. <i>Participacion Ciudadana</i> (NGO)	Santiago Sosa, General Coordinator Javier Cabreja, Executive Director José Ceballos, Justice and Citizen Rights	Santo Domingo	31 Jan.
17. Catholic Relief Services — DR (NGO)	John Service, Country Representative Frankelly Martinez Gomez, Justice and Solidarity Manager Eric Gomez, Education Program Officer	Santo Domingo	1 Feb.
18. Jesuit Refugee Service (JRS) (NGO)	Fr. Mario Serrano, Director General	Santo Domingo	1 Feb.

State Entity / NGO	Representative/s	Place	Date
19. Office of the Prosecutor General	Frank Soto Sanchez, National Director for Prosecuting Narco-Trafficking and Complex Crimes Donald Bruckschen, USG ICE	Santo Domingo	1 Feb.
20. Prosecutor General's Office	Yeni Berenice Reyñoso, Santiago Prosecutor's Office Olga Dina, Prosecutor, Violence against Women and Children Division German D. Miranda Villalona, Office of Complex Crimes	Santiago	2 Feb.
21. Accion Callejera (NGO)	Bentodina Sinienez, General Coordinator; Cynthia Lora, Program Coordinator Lucia Lopez, Volunteer	Santiago	2 Feb.
22. Centro de Formacion y Accion Social y Agraria (CEFASA) (JRS) (NGO)	Fr. Jose Nuñez, Director Davide Sala, Program Officer	Santiago	2 Feb.
23. Solidaridad Fronteriza (JRS) (NGO)	Fr. Regino Martinez, Director & SF Colleagues	Dajabon	3 Feb.
24. CRS Dajabon (NGO)	Saintely Dubuisson, Director of Sub-Office	Dajabon	3 Feb.
25. Juanista Sisters Shelter for Children	Sabbat Kensley, Program Manager (CRS Ouanaminthe) Sr. Nidia Victoria Zulunga, Coordinator Louisanne Borgella, Director of Shelter; Guerda Benjamin, GBV Program Manager Altagrace Elie, Outreach Officer; Edmonde Pierre, Case Manager Marie Ronie Joseph, Promoter	Ouanaminthe Haiti	3 Feb.
26. Customs Office	Helvio Bejaran Alvares, Customs Official	Dajabon	3 Feb.
27. Governor's & Prosecutor's Offices	Eridania Libre Jimenez, Provincial Governor Coronel Cristobal Morales, North Regional Police Director, Department of Secret Service, National Direction of Drug Control Dr. Kenia Serrata Diaz, Regional Director of Migration Dr. Frank Salvador, Customs Collector for Puerto Plata Dr. Ney Placido, Assistant to Mayor of the Municipality	Puerto Plata	4 Feb.
28. Catholic Diocese and Caritas (NGO)	Monsignor Corniel Francisco Colón, Director Mildred Minaya Program Coordinator	Puerto Plata	4 Feb.
29. Caminate Proyecto Educativo (NGO)	Sr. Denisse Pichardo Rodriguez, Executive Director Luis Antonio Farrido, Street Educator Julio Luis Sanchez, Street Educator	Boca Chica	5 Feb.
30. Ministry School of Public Prosecutors	Ramon Emilio Nuñez, Director Orlidy Inoa, Deputy Director and Public Policy Investigation and Analysis Chief	Santo Domingo	7 Feb.
31. National Judiciary School	Gervasia Valenzuela Sosa, Director	Santo Domingo	7 Feb.
32. USAID Education Specialist	Jana Wooden	Santo Domingo	8 Feb.
33. Dept. of Labor — Youth & Employment Program	Douglas Hasbun Jose, Capacity-Building Manager and Program Coordinator	Santo Domingo	8 Feb.
34. Office of the Prosecutor General	Radhamés Jiménez Peña, Prosecutor General Frank Soto Sanchez, National Director for Prosecuting Narco-Trafficking / Complex Crimes	Santo Domingo	8 Feb.
35. Centro for Orientacion e Investigacion Integral (COIN) (NGO)	Santo Rosario Ramirez, Director Marianela Carvajal Dias, Investigations Assistant	Santo Domingo	8 Feb.

<b>State Entity / NGO</b>	<b>Representative/s</b>	<b>Place</b>	<b>Date</b>
36. <i>Comite Interinstitucional de Proteccion a la Mujer Migrante (CIPROM)</i>	Marie Ramos, Director, Quality Policies for the Ministry of Women (SEM) Ana Arabel Mejia, Technical Staff, Social Migration Policy & TIP	Santo Domingo	9 Feb
37. Solidarity Center (NGO) and <i>Confederacion Nacional de La Unidad Sindical (CNUS)</i>	Alexander Aleman, Director (Dominican Republic and Haiti) Edward Moreno, Program Officer Gina Familia, Vice President, CNUS	Santo Domingo	9 Feb.
38. U.S. Dept. of State	Stephanie Esquinal, Human Rights, Labor and Migration Specialist	Santo Domingo	9 Feb.
39. USAID Health Specialist	Maria Castillo	Santo Domingo	9 Feb.



## ANNEX B. LEGISLATION, REPORTS, AND DOCUMENTS REVIEWED

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## ANNEX C. ANALYSIS OF DR LEGISLATION RELATED TO TIP

### SYNOPSIS OF LEGAL FRAMEWORK

In 2003 the Dominican Republic enacted Law No. 137-03, addressing the Smuggling of Migrants (SoM) and Trafficking in Persons (TIP). Within a single law, both trafficking and smuggling were criminalized. The definitions used were modeled after the Palermo Protocol and the SoM Protocol, cited *infra*. TIP carries a penalty of 15-20 years maximum and a fine, or both; SoM carries between 10 and 15 years and a fine, or both. Attempt, aiding and abetting are also criminalized, with penalties mirroring exactly those accorded to the principles in the acts. Aggravating circumstances are set out to be taken into consideration at sentencing.

Victim assistance is also addressed, and immunity from prosecution is granted to victims if they cooperate with law enforcement and prosecution. Victim identity is protected from disclosure, and judicial proceedings are confidential. Victims are to be accorded legal assistance, as well as physical, psychological, and social assistance. This will include housing, medical care, access to education, training, and employment opportunities. Victims will receive psychological and other types of evaluations necessary for their protection, taking into account their age and gender.

Research, outreach campaigns, and economic and social initiatives to prevent and combat trafficking are called for under policy development. Fines established under this Law for the crime of trafficking in persons shall be used to compensate victims for physical, moral, psychological, and material damages, and to implement plans, programs, and projects established in accordance with the Law.

Prevention initiatives include detection of false documents used in TIP, and assistance may be sought from both international cooperation and civil society sectors in implementing policies, programs, and other sources to prevent and combat trafficking in persons. Public servants in charge of enforcing the law, as well as diplomatic, consular, immigration, police, and other related officials shall receive training and be updated on prevention, protection from, combating, and punishing trafficking in persons. The Ministry for Women, the Ministry of Foreign Affairs, and the National Office of the Attorney General through the Department for Combating Trafficking in Women, Children, and Adolescents; the Immigration Bureau; and the Inter-institutional Committee for the Protection of Immigrant Women (CIPROM) shall ensure full compliance with this law and are vested with the authority to establish any pertinent regulations for its adequate enforcement.

The Dominican Republic has ratified a number of international and regional conventions that are relevant to TIP legislative and implementation. Ratification of these conventions, listed below, obligates the GoDR to develop and implement concordant legislation and policies.

- The Optional Protocol to the Convention against Transnational Organised Crime to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (the Palermo Protocol). Palermo requires that states implement measures to prevent and punish trafficking, as well as measures to protect victims of trafficking.

- Convention on the Rights of the Child. Article 19 requires states to take all appropriate legislative, administrative, social, and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse. It also calls for prevention, investigation and follow-up on instances of child maltreatment, including judicial involvement.
- Convention on the Elimination of all forms of Discrimination against Women. Article 6 mandates that all states parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women.
- Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. Under Article 3 of this protocol, the sale of a child is synonymous with trafficking in children. Child prostitution is also synonymous with trafficking. It also calls for criminalizing these crimes against children. Article 9 specifically mandates implementing laws and social policies aimed at preventing these crimes, as well as promoting awareness of the crimes.
- ILO Convention No 182: On the Worst Forms of Child Labour. Article 3 defines the worst forms of child labour as being comprised of all forms of slavery or practices similar to slavery, such as the sale and trafficking of children and forced or compulsory labour. Article 6 states each state shall design and implement programmes of action to eliminate as a priority the worst forms of child labour. Article 7 states each state shall take all necessary measures to ensure the effective implementation and enforcement of the provisions giving effect to this convention, including the provision and application of penal sanctions or, as appropriate, other sanctions.
- The American Convention on Human Rights. Among rights enshrined in this document are the right to humane treatment, freedom from slavery, the right of a child to be protected by the state, and the right to equal protection of the law
- The Inter-American Convention on the Prevention, Punishment and Eradication of Violence Against Women. Article 2 of the Convention defines violence against women to include physical, sexual and psychological violence that occurs in the community and is perpetrated by any person, including, among other crimes, rape, sexual abuse, torture, trafficking in persons, and forced prostitution. Article 7 calls on the state to apply due diligence to prevent, investigate and impose penalties for violence against women.

## **ANALYSIS**

The strengths and gaps in the legislation will be assessed against two standards: the Palermo Protocol itself and the more recent (2009) UNODC Model Law on Trafficking in Persons (UN Model Law). The strengths and gaps of the trafficking law will be assessed against the “3 Ps” — prosecution, protection, and prevention.

## 1. Prosecution

Both Palermo and the UN Model Law require the criminalization of trafficking and the corollary crimes of attempt, accomplice to TIP, and organizing or directing TIP activities. In the Dominican law, TIP, attempted TIP and accessory to TIP are criminalized. There is no provision specifically addressing organizing or directing TIP, but this might be argued to be covered by the accomplice statute. This component carries a 15-20 year penalty, which is sufficiently stringent to reflect the serious nature of the crime.

The definition of trafficking in the Dominican law is fundamentally compatible with those given by the two reference documents. Law 137-03 at Art 1(a) defines trafficking as:

- a. Trafficking in persons: The recruitment, transport, transit, or receipt of persons through the use of threats, force, coercion, abduction, fraud, deceit, abuse of power or vulnerable circumstances, or the concession or receipt of payments or benefits to obtain the consent of a person with authority over another for the purpose of taking advantage of these persons through sexual exploitation, pornography, indentured servitude, forced labor or services, servile marriage, irregular adoptions, slavery and/or like practices, or the extraction of organs;
- b. Child: Any person from birth through 12 years of age inclusive;
- c. Adolescent: Any person between 13 years of age and adult age, i.e. 18 years.

There is no definition of ~~abuse of power or vulnerable circumstances.~~”

The definition of trafficking is not exactly what Palermo uses, as Palermo speaks of recruitment, transportation, transfer, harboring or receipt of persons. The Dominican definition is also slightly different from the language used in its criminalization article, Article 3, which speaks of ~~recruitment, transportation, movement, harboring, or receipt of any persons.~~” Definitions should be consistent throughout to avoid confusion and possible difficulties in interpretation. The definition of ~~child~~” in both Palermo and the Model Law is any person below the age of 18. The legislation should consolidate ~~child~~” and ~~adolescent~~” into the singular term ~~child~~” with the definition being someone under the age of 18. Abuse of power and vulnerable circumstances should also be defined, and might include language such as:

~~Abuse of power or a position of vulnerability means such abuse that the person believes he or she has no reasonable alternative but to submit to the labor or services demanded of the person, and includes but is not limited to taking advantage of the vulnerabilities resulting from the person having entered the country illegally or without proper documentation, pregnancy or any physical or mental disease or disability of the person, including addiction to the use of any substance, or reduced capacity to form judgments by virtue of being a child.~~”

By inclusion of the term ~~includes but is not limited to~~” space is left to accommodate and recognize new or different types of abuse of power that may arise.

The issue of consent is dealt with in Art 3, where the law states:

Any person shall be considered guilty of the crime of trafficking in persons if he or she engages in the recruitment, transportation, movement, harboring, or receipt of any

persons, especially children, adolescents, or women, through the use of threats, force, coercion, abduction, fraud, deceit, abuse of power or vulnerable circumstances, or the concession or receipt of payments or benefits to obtain the consent of a person with authority over another, in order to have these persons engage in begging, any type of sexual exploitation, pornography, indentured servitude, forced labor or service, servile marriage, irregular adoptions, slavery or similar practices, servitude, or the removal of organs, even with the consent of the person being victimized.

This seems to say that consent is never a defense to trafficking. However, under both Palermo and the UN Model Law consent is differently assessed. A child can never consent to his or her own trafficking, and an adult who has “consented” due to force or deceit, has not truly consented, and so they are victims of trafficking. However, if an adult is not tricked or forced into the exploitation, he or she is not a victim of trafficking. He or she may be victims of other crimes, but not trafficking. It is vital to keep the non-consensual nature of trafficking in its definition both to distinguish it from pure exploitation cases, and also to provide uniformity of definition across and between nations. This will ensure that international cooperation is not hindered by different jurisdictions defining crimes differently.

Note too the sudden insertion of the word “begging” before “any type of sexual exploitation.” This would be better left out, as it is contained within the concept of forced labor mentioned later in the text.

While Palermo does not mention aggravating factors, the Model Law does. The TIP law in the Dominican Republic does list a series of aggravating factors to be taken into consideration at sentencing. They are as follows:

- a. When the crime results in the death of a person or persons who are the object of or are involved in migrant smuggling or trafficking in persons, or when the victim endures temporary or permanent physical or psychological harm;
- b. When several of the perpetrators of the offenses are elected or unelected public officials from a central, decentralized, or autonomous government agency or members of the armed forces;
- c. When a criminal group is involved that could be defined as a domestic or transnational organized crime network because of its involvement in smuggling migrants or trafficking in persons;
- d. When there are multiple aggravating factors arising from the criminal acts;
- e. When these behaviors are committed against psychologically immature people or people suffering from mental disorders or temporary or permanent loss of their mental faculties;
- f. When the perpetrator is the spouse, domestic partner, or relative within the third degree of consanguinity or first degree of affinity;
- g. When the perpetrator(s) are repeat offenders of crimes of trafficking in persons or smuggling migrants;
- h. When a person creates, alters, produces, or falsifies travel or identity documents, provides or facilitates the possession of such documents, or uses these documents

or any other documents to encourage or illegally obtain a visa for him or herself or for another person.

Additions that might be contemplated include: (a) expanding the first factor to include where the victim commits suicide or is exposed to life-threatening illness or disease, including HIV/AIDS; (b) rewording the second factor as “when one or more” of the perpetrators...”; (c) expanding subsection (e) to include as examples children and the developmentally delayed. Special consideration might also be given to circumstances where the victim is physically impaired or is pregnant; expand (f) to include any position of power or authority, such as employers, teachers, religious leaders, or others similarly situated.

Specific liability of commercial carriers, such as airlines, ships, trucking companies, bus companies, etc, is called for under both Palermo and the Model Law where they fail to require and properly inspect all documents necessary for legal entry into another jurisdiction. Such a provision is missing in the Dominican law, although there is provision for legal entities being held liable for TIP. Carrier liability is not only limited to failing to inspect relevant documents, but also carries a fine and the allocation of costs, including those of the victim’s repatriation to their country of origin.

Extraterritorial jurisdiction should be asserted under both Palermo and the Model Law. Here, there is no assertion of jurisdiction beyond the territorial limits of the country. Extraterritorial jurisdiction should be asserted over Dominican citizens and permanent resident aliens who commit the crime of trafficking as defined by the Dominican law, outside of the Dominican Republic. This would allow for trying the Dominican citizen/permanent resident when he or she returns to the Dominican Republic, if the other country will not or cannot prosecute. Extraterritorial jurisdiction might also be asserted over any crime where the victim was a Dominican national.

Immunity or “non-punishment” of victims is called for under the Model Law, though this is not mentioned in Palermo. Immunity is generally held to be appropriate for the victim of trafficking for certain types of offences: specifically those involving immigration violations (e.g., entering or staying in the country illegally) and those committed as a direct result of being trafficked. This might include offences such as begging or other petty crimes. Language might mirror the following:

Trafficked persons shall not be detained, charged, or prosecuted for the illegality of their entry into or residence in countries of transit and destination, or for their involvement in unlawful activities to the extent that such involvement is a direct consequence of their situation as trafficked persons.

Currently Article 8 of the Dominican TIP law states:

“If the victim or person subjected to migrant smuggling or trafficking in persons cooperates or provides the correct identity of the persons responsible for organizing this activity or supplies information leading to their arrest, the Office of the Attorney General may order that such victim or person be granted immunity from criminal prosecution.”

This provides victims with too little protection, as it links their immunity exclusively to cooperation with law enforcement. Such a provision also plays in to the traffickers’ arsenal of threats that may be used to control a victim. Traffickers may threaten the

victim with prosecution if they are discovered, and under the law as currently written, that may be true.

Finally, there is the general difficulty of conflation and confusion of terms under the law. Since both smuggling of migrants (in Spanish *tráfico ilícito*) and trafficking (in Spanish *trata*) are both dealt with in one law, the possibility of confusing the terms is obvious, and often conflation occurs too.

It must also be noted that while neither Palermo nor the Model Law call for specialized personnel in police and prosecution per se, the Model Law does discuss the importance of specialization in investigation within the context of forensic interviewing. While the law does not call for this, in practice both prosecutors and police do have specialized personnel to work with this crime.

## **2. Prevention**

Prevention initiatives are listed as:

**Article 11.** The appropriate institutions shall be required to develop policies, plans, and programs to prevent and assist victims of trafficking in persons and, especially, to protect vulnerable groups, such as women, children, and adolescents, from the risk of being victimized again.

**Paragraph I.** Governmental institutions, in joint agreement with societal organizations working on this issue, shall engage in activities geared toward research, outreach campaigns, and economic and social initiatives to prevent and combat trafficking

**Article 12.** The institutions in charge of complying with this law and other competent authorities shall cooperate in the exchange of information with a view toward: determining the authenticity of travel documents, third-party documents, undocumented persons, types of documents, and the means and methods used by traffickers or trafficking groups, these groups' relationships, and the means for detecting them in order to guarantee the reliability, safety, and integrity of such documents.

**Article 13.** Assistance may be sought from both international cooperation and civil society sectors in implementing policies, programs, and other sources to prevent and combat trafficking in persons.

**Article 14.** Public servants in charge of enforcing the law, as well as diplomatic, consular, immigration, police, and other related officials shall receive training and be updated on prevention, protection from, combating, and punishing trafficking in persons. Likewise and pursuant to laws in this area, they shall safeguard full compliance at immigration checkpoints along the border as a means of combating trafficking in persons.

**Article 15.** The Ministry for Women, the Ministry of Foreign Affairs, and the National Office of the Attorney General through the Department for Combating Trafficking in Women, Children, and Adolescents; the Immigration Bureau; and the Inter-institutional Committee for the Protection of Immigrant Women (CIPROM) shall ensure full compliance with this Law and are vested with the authority to establish any pertinent regulations for its adequate enforcement.

Prevention initiatives are then seen as focusing on (1) research, education, and prevention initiatives, (2) fraudulent document detection, (3) international and civil society

assistance in implementing prevention policies and programs, (4) training and border control, and (5) the formation of a task force to oversee compliance.

Under the Model Law, the creation of a task force, with a monitoring mechanism is called for, as is cooperation, both within the governmental divisions and internationally. The Dominican law satisfies all the criteria of the Model Law. Under Palermo, in addition to the requirements noted in the Model Law, there is specific note of having to address the topic of discouraging demand within any prevention initiative. Often it is only victim-based prevention that is addressed, through concepts of poverty alleviation or employment opportunity. It is also necessary to address the demand side of the trafficking equation. The Dominican law could be improved by incorporating the concept of discouraging demand directly into its prevention components, though the general prevention initiatives noted in Article 11, which include economic and social initiatives, might be broad enough to include this aspect already. Finally, while outreach campaigns are listed in the legislation, the inclusion of the role of the media and a description of how it could assist in that endeavor would be a welcome addition under the Palermo doctrine.

It must also be emphasized that there is a difference between prevention and awareness-raising. The latter is important but serves only the function of bringing the event to the attention of the community or other target groups. True prevention lies in longer-term programs such as vulnerability reduction among at-risk populations, including poverty alleviation, education opportunities, and job creation for people at risk of becoming victims. While both are vital components of any anti-trafficking program, they must be recognized as two different entities. Both are provided for under the Dominican legislation

### **3. Protection**

Protection components of the law are set out as follows:

#### **Victim Assistance and Protection**

**Article 9.** The state, via the appropriate institutions shall protect the privacy and identity of trafficking in persons victims and shall ensure that judicial proceedings are confidential.

**Paragraph.** Legal assistance shall be provided to trafficking in persons victims, so that their opinions and concerns are presented and examined during criminal proceedings against the perpetrators and/or traffickers.

**Article 10.** Trafficking in persons victims shall receive physical, psychological, and social assistance, as well as advice and information regarding their rights. The appropriate government agencies shall provide this assistance in coordination with nongovernmental organizations and other civil society sectors.

**Paragraph I.** Trafficking in persons victims shall be guaranteed appropriate housing, medical care, access to education, training, and employment opportunities.

**Paragraph II.** Trafficking in persons victims, particularly women, children, and adolescents, shall be given psychological and other types of evaluations necessary for their protection, taking into account their age and gender.

**Art 11. Paragraph II.** Proceeds from the fines established under this law for the crime of trafficking in persons shall be used to compensate victims for physical, moral, psychological, and material damages, and to implement plans, programs, and projects established in accordance with this law.

Article 9 provides for victim privacy, precludes victim identification disclosure, and establishes closed court or confidential judicial proceedings. However, there is no penalty listed should an individual or legal entity, such as a media outlet, disclose the victim's identity. Legal assistance is also provided within the confines of ensuring that the victim's opinions and concerns are presented during criminal proceedings against the trafficker. All these are required under both Palermo and the Model Law.

Article 10 provides victim services as including legal, physical, psychological, and social assistance. As distinct from the legal assistance noted above, this is more inclusive and pertains to informing victims of their rights, which might reasonably include the possibility of seeking damages against the trafficker. The right to seek compensation, whether through court order or through civil suit, is required under both Palermo and the Model Law. Compensation is also provided for, at least within the context of court-ordered compensation, in Art 11, paragraph II. Additionally, a victim's fund is set up, in part funded by any fines levied after conviction. This is not required under either instrument, but it is an excellent idea for one source of subsidy for programs established pursuant to the legislation.

Victims are specifically guaranteed appropriate housing, medical care, access to education, training, and employment opportunities. A focus is then placed on women, children, and adolescents to be accorded psychological support, with due regard for their age and gender. All these factors are found in both the Model Law and Palermo.

However, there are two missing components within Victim Protection. First, the issue of physical protection generally, and witness protection in particular, must be examined. Witness protection covers both in-court protection and protection that may be needed in day-to-day living. While this might fall under either the physical assistance noted in Article 10, it might be better stated as victim/witness protection, which would also have an in-court dimension. While this is not called for under Palermo, it is under the Model Law.

Second, under both documents, the issue of both foreign victims and their safe repatriation is addressed. When a foreign national is found in the Dominican Republic, before there can be any question of repatriation, the victim's safety both during and after return must be evaluated. Concerns include the circumstances under which the victim came to be trafficked, and possible re-victimization if returned to their country of origin. A period of reflection and recovery is called for under the Model Law to allow victims the opportunity to process what has happened to them, including their rescue, and give them time to decide what they want to do next. Attendant issues of temporary and permanent residency for the victim in the country of destination are also not included in the legislation, though required by both international documents. The entire range of return, reintegration, and follow-up concerns for victims are not addressed in the legislation.

## **CONCLUSION**

While the Dominican law is strong on many of the points outlined in both Palermo and the more recent UNODC Model Law on Trafficking, there are still some areas where gaps are present or where clarification is required. Aside from the points made in this Annex, a full list of recommendations to address these issues is provided in Annex D.



## **ANNEX D. RECOMMENDATIONS FOR REVISION OF DR LEGISLATION AND INCREASED CAPACITY OF JUSTICE SECTOR**

The justice sector is obviously more robust in the investigation and prosecution phase of a trafficking case, but it can play an important part in prevention and victim assistance initiatives. The following recommendations are offered:

- Assist in awareness-raising and TIP education initiatives within the local community.
- Ensure referral mechanisms for the victim to receive support are in place and being used efficiently.
- Ensure the victim understands his/her role in the criminal justice system.
- Ensure the community knows where to report suspicions of trafficking that they may have through outreach programs
- Consider appointing a “victim witness advocate” within police and prosecution offices to keep close contact with victims and explain the criminal justice system, as well as keep up to date with the victim and his/her case as it progresses through the system.
- Create a TIP-specific witness protection component to augment a more general witness protection plan.
- Conduct victim interviews using trained forensic interviewers. This will lessen the trauma to the victim and simultaneously record the victim’s statement so that it can be shared electronically, rather than conducting multiple interviews of the victim.
- Investigations and prosecution should take into account the age of the victim(s).
- Incorporation of gender sensitivity into process of investigation and prosecution.

### **Criminalization**

- Consistently define trafficking throughout the legislation.
- Define a “child” as anyone less than 18 years of age.
- Define “abuse of power or vulnerable circumstances” to include a position of authority within the family, home, work place, schools; define vulnerable circumstances to include being a child, pregnancy, developmental delay, physical challenges, or substance abuse.
- Clarify Art 3 to emphasize that consent cannot be given, by law, by child victims. For adult victims, if their “consent” was obtained by force or fraud or deceit, there is no genuine consent and it is trafficking. However, if an adult knowingly consented to the exploitation, the crime of trafficking has not occurred.
- Ensure commercial carrier liability for failing to require and properly inspect documents necessary to enter a foreign jurisdiction.

- Emphasize the fact that trafficking can be internal or international.
- Aggravating circumstances article should be amended to include: under subsection (a) a victim commits suicide or is exposed to HIV/AIDS; under subsection (b) redefine initial segment as ~~one~~ "one or more" officials; include as examples in subsection (e) children and the developmentally delayed; expand subsection (f) to include ~~or~~ any position of trust, authority, or responsibility; include as an aggravating factor that the perpetrator used drugs, medication, or weapons in the commission of the crime.
- Exert extraterritorial jurisdiction over citizens and permanent resident aliens if they commit TIP outside the Dominican Republic.
- Exert extraterritorial jurisdiction over TIP crimes where the victim is a Dominican national.

### **Protection**

- Grant immunity for immigration-related offenses and offences committed as a direct result of being trafficked.
- Give a period of recovery and reflection to the victim immediately after rescue.
- Enact mechanisms to give temporary and/or permanent residence permits to victims of trafficking.
- Make provision for return and repatriation of foreign victims of TIP.
- Ensure victims can sue perpetrators for damages and compensation.

### **Prosecution**

- Require that specialized or specially trained person investigate and prosecute trafficking cases.
- Require the keeping of statistics within the act.
- Ensure investigation and prosecution is age-sensitive.
- Ensure investigation and prosecution is gender-sensitized.
- Make provision for victim's forensic interview to be admitted in evidence, in lieu of live testimony.
- Consider appointing a ~~victim~~ "victim witness advocate" within police and prosecution offices to keep close contact with victims and explain the criminal justice system, as well as keep up to date with the victim and his/her case as it progresses through the system.
- Create a specific TIP witness protection component to augment the more general witness protection plan.
- Conduct victim interviews using trained forensic interviewers. This will lessen the trauma to the victim and simultaneously record the victim's statement so that it can be shared electronically, rather than conducting multiple interviews of the victim.

## ANNEX E. COORDINATION TO COMBAT TIP

### What Is Coordination?

Coordination mobilizes the national and local “anti-trafficking community,” to utilize its resources and knowledge toward a common goal. Coordination promotes: sharing of information and techniques; clarification of roles and responsibilities among government actors, and between government and civil society; and more effective use of human, financial and institutional resources throughout the country. Unlike networking, coordination is decision-driven, creates programs, and assists individuals. In other words, it is first and foremost for operational purposes, although awareness-raising may be an auxiliary outcome.

Even more than a mechanism, coordination is a philosophy and an approach that has been appropriated enthusiastically by many anti-trafficking actors. This philosophy is grounded in the belief that a country has a substantial variety of willing and able government officials, NGO staff members, and community leaders who sincerely want to combat trafficking of the children and women in their country, and help support and reintegrate those who have become its victims.

### Coordination Tools

Coordination occurs through a variety of formal and informal mechanisms. A National Anti-trafficking Plan provides a national anti-trafficking framework that incorporates prevention, protection, and prosecution. These “tools” designate roles for government offices in partnership with civil society for public awareness-raising, prevention services for vulnerable populations, reintegration assistance for victims of trafficking, and investigation and prosecution of trafficking crimes.

In municipalities, local networks of government and NGO service providers can coordinate interventions to assist specific vulnerable individuals and families, as well as supporting reintegration of victims of trafficking. These networks also can support awareness-raising programs and advocacy to increase institutional support for anti-trafficking efforts in the community.

Perhaps most importantly, coordination links established through all of these fora create ongoing relationships of cooperation among government officials, NGO staff, and community leaders as they secure services to victims of trafficking and other vulnerable people and implement anti-trafficking projects in their communities.

Successful coordination relies on the dynamic interplay of research-based strategies, human and financial resources, and active networks. The following factors are essential for productive coordination of counter-trafficking efforts:

- National and local counter-trafficking strategies developed based on successful methodologies and credible data on the nature of human trafficking in the country, region, or community targeted.
- Clear assignment of roles and responsibilities for all anti-trafficking actors.
- All actors are familiar with these strategies and understand their responsibilities.

- Sufficient human and financial resources are allocated to achieve the responsibilities assigned.
- Retention of qualified government personnel and NGO staff in positions responsible for anti-trafficking coordination to enable strong relationships of cooperation to be established over time.
- Forums of coordination (e.g., municipality/regional committees, networks, and conferences) are convened regularly.
- Forums of coordination are conducted using collaborative methodology.
- Updated information such as analyses of changing trends in human trafficking, changes in legislation or administrative procedures, new training or education resources, and new institutional partners is disseminated to all actors in a timely and systematic fashion.

### **Defining Success And Measuring Impact**

Coordination occurs in both formal and informal ways. In the Dominican Republic, the CITIM is envisioned as promoting information-sharing as well as efficient allocation of responsibilities and resources among a wide variety of GoDR ministries and agencies. At the same time, cooperation for implementing programs and assisting vulnerable people often occurs through informal relationships of coordination between government and civil society actors who trust and support one another. The results of each of these efforts need to be determined in relationship to the specific type of coordination being pursued. The most important purpose for anti-trafficking coordination is to improve assistance to vulnerable children and women as well as to victims of trafficking.

## ANNEX F. PARTICIPATORY INSTITUTIONAL REVIEW

Building capacities of states agencies involved in the protection of human rights and other social protections has always been a great challenge. This challenge is even greater when it comes to help the state thwart complex forms of crime such as trafficking in persons.

Given that the first mission of any state is to guarantee the fundamental rights of its nationals, it is sensitive for a government to acknowledge its weaknesses in the fight against the severe violation of human rights posed by human trafficking, especially to countries that may evaluate its progress in the field.

USAID's approach should aim at breaking the cycle of dependency by encouraging a collaborative partnership that will help the Dominican government identify its own weaknesses as well as opportunities to tackle this organized crime.

Participatory institutional reviews (PIR) of key governmental agencies would stimulate self assessment among the GoDR entities to which the law and strategies to combat TIP assign specific responsibilities.

Each participatory institutional review would facilitate the ownership of any data collected on the issue. It would give the government a better sense of where it stands in terms of its capacities to face the new challenges posed by modern forms of criminality. Such reviews would also reduce the risk that analysis initiated by international and civil society actors could be refuted.

Once realized, an institutional review would provide policy makers with a tool by which to better orient strategic interventions. It would also serve as a document of reference for further partnership between the government and other stakeholders.

### **The institutional reviews should address a variety points, including the following:**

- a. Composition of the agency and its functioning, including fiscal budget, equipment, schedule, number of technicians/front-line employers
- b. Mission of the agency and its mandate
- c. Mechanisms of implementation (location; quality of services offered and accessibility; outreach, etc.)
- d. Relationship with other state entities
- e. Relationship with other stakeholders from the private sector and civil society
- f. Perceptions of employees, other state entities, and other stakeholders

**Forms of interview may include:** individual interviews (from policy makers to front-line employees); group interviews (by section or unit); and round tables with key stakeholders.

**Validation workshop:** Prior to the final editing of the review report, a validation session should be conducted by the state entity with key staff. This validation session will also contribute to raising the awareness of the staff on specific topics.

**The final editing and the report-out workshop are the final steps of the process:**

USAID could support a workshop during which the government presents its own review for its current and potential partners (stakeholders as well as donors). During the session, the government may also discuss the recommendations and build an action plan, with clear contributions from each actor.

Note: This diagnosis involves a process which will span a full three months. It should also include Dominican nationals. It is best if the state agency can nominate a focal point to accompany the institutional assessment team during the entire project.

## ANNEX G. ORGANIZATIONAL CHART OF THE DOMINICAN STATE

<b>Legend</b>	
Poderes del Estado	Branches of Government
Organismos Especiales	Special Organizations
Consejos y Organismos Asesores	Advisory Boards and Agencies
Secretarias de Estado y Organismos Con Nivel de Secretaria de Estado	State Secretariats and Organizations Acting As State Secretariats
Sub-Secretaria de Estado	Under-Secretariat of State
Organismos Adscritos a la Presidencia de la Republica	Organizations Attached to the Presidency of the Dominican Republic
Direcciones Generales, Oficinas Nacionales e Instituciones Dependientes de las Secretarias de Estado	General Agencies, National Offices and Institutions Under the Labor Secretariat
Organismos Decentralizados	Decentralized Organizations

<b>ORGANIGRAMA DEL ESTADO DOMINICANO</b>	<b>ORGANIZATION CHART OF THE DOMINICAN STATE</b>
<b>LA CONSTITUCION</b>	<b>THE CONSTITUTION</b>
<b>Line 1: Poder Legislativo</b>	<b>Line 1: Legislative Branch</b>
<b>HORIZ</b>	
Congreso Nacional	National Congress
Senado	Senate
Camara de Diputados	House of Representatives
Junta Central Electoral	Central Electoral Board
Consejo Nacional de Desarrollo	National Development Council
Poder Ejecutivo	Executive Branch
Presidencia de la Republica	Presidency of the Dominican Republic
Vice-Presidencia	Vice Presidency
Consejo de Gobierno	Government Council
Camara de Cuentas	Chamber of Accounts (Independent Auditor of the Central Government)
Tribunal Superior Administrativo	Higher Administrative Court
Poder Judicial	Judicial Branch
Suprema Corte de Justicia	Supreme Court
Direccion Nacional de Registro de Titulos	National Registry Agency
Direccion Nacional de Mensuras Catastrales	National Agency for Land Surveys
<b>LEV-01 COL-01</b>	
Consejo Para la Innovacion y Desarrollo Tecnologico	Council For Technology Innovation and Development
Consejo Nacional de Comercio Exterior	National Council for Foreign Trade
Consejo Superior Policial	High Police Council
Consejo Asesor del Presidente de la Republica Dominicana	Advisory Council to the President of the Dominican Republic
Consejo Nacional de Estancias Infantiles	National Council for Children's Affairs
Asesorias Especializadas	Special Advisors
Consejo Nacional de la Seguridad Social	National Social Security Council
Tesoreria de la Seguridad Social	Social Security Treasury
Direccion de Informacion y Defensa de Los Afiliados	Information and Protection Agency for the Affiliates
<b>LEV-01 COL-02</b>	
Consejo Nacional de Discapacidad (CONADIS)	National Disability Council
Consejo Nacional de la Persona Envejeciente	National Council for the Elderly
Consejo Nacional de la Proteccion Radiologica	National Council for Radiological Protection
Consejo Nacional Minero	National Mining Council
Consejo Nacional de Investigaciones Agropecuarias y Forestales	National Council For Agriculture, Cattle and Forestry Research
Consejo de Coordinacion de la Zona Especial de Desarrollo Fronterizo	National Council for the Coordination of the Special Border Development Zone

<b>ORGANIGRAMA DEL ESTADO DOMINICANO</b>	<b>ORGANIZATION CHART OF THE DOMINICAN STATE</b>
Consejo Nacional de Poblacion y Familia	National Population and Family Council
Consejo Nacional de Agricultura	National Agriculture Council
<b>LEV-01 COL-03</b>	
Consejo Nacional de Fronteras	National Border Council
Consejo Nacional de Medio Ambiente y Recursos Naturales	National Council for the Environment And Natural Resources
Consejo Nacional de Valores	National Securities Council
Consejo Nacional de Zonas Francas de Exportacion	National Duty Free Zones Council
Consejo Nacionalde la Vivienda Economica	National Council for Economic Housing
Consejo Nacional de Salud y Seguridad Ocupacional	National Occupational Health and Safety Council
Consejo Nacional de Promocion y Apoyo a la Micro, Pequena y Mediana Empresa	National Council for the Promotion and Support of Micro, Small And Medium Enterprises
Consejode la Medalla Presidencial Al Merito Civil	Concil for the Presidential Medal for Civil Merit
<b>LEV-01 COL-04</b>	
Consejo Nacionalde la Competitividad	National Competitiveness Council
Consejo Nacional de Deportes	National Sports Council
Consejo Nacional de Drogas	National Drug Council
Consejo Nacional de Educacion Superior, Ciencia y Tecnologia	National Council for Higher Education, Science and Technology
Consejo Nacional de Produccion Pecuaria	National Livestock Production Council
Consejo Nacional de Agricultura Ecologica	National Council for Ecological Agriculture
Consejo Nacional Para la Reglamentacion y Fomentode la Industria Lechera	National Council for the Regulation And Promotion of the Dairy Industry
Consejo Nacional de Reestructuracion Industrial	National Council for Industrial Restructuring
<b>LEV-01 COL-05</b>	
Consejo Nacional de Educacion	National Education Council
Consejo Presidencial del SIDA (COPRESIDA)	National AIDS Council
Consejo Nacional de Seguimiento A la s Asociaciones Sin Fines de Lucro	National Council for Monitoring Not-for Profit Organizations
Consejo Nacional de Reforma del Estado (CONARE)	National Council for State Reform
Consejo Nacional de Fomento Turistico (CONFOTUR)	National Council for the Promotion of Tourism
Consejo Nacional de Cultura	National Council for Culture
Consejo de Administracion y Regulacion de Taxis	Council for the Administration and Regulation of Taxis
Consejo Nacional de Seguridad	National Security Council
<b>TOPC06</b>	
Consejo Nacional de Zonas Financieras Internacionales	National Council for International Financial Zones
Consejo Nacional de Agricultura Organica	National Council for Organic Agriculture
Consejo Superiorde la Administracion Tributaria	Higher Council for the Administration of Taxes
Consejo de Asesores Economicos del Poder Ejecutivo	Council of Advisors to the Executive Branch
Consejo Asesor En Materia de Lucha Anticorrupcionde la Presidencia de la Republica	Advisory Council In Matters of the Fight Against Corruption of the Presidency of the Dominican Republic
Consejo Nacional Interinstitucional de Reforma y Modernizacionde la Educacion y Formacion Ternico Profesional	National Inter-Institutional Council for the Reform and Modernization of Education and Technical Professional Training
Consejo Nacionalde la Salud	National Health Council
Consejo Para la Seguridad Alimentaria	Council for Food Safety
<b>LEV-02 L-TO-R SUB-GRP 01</b>	
Secretaria de Estado de Administracion Publica-Sub-Secretarios	State Secretariat for Public Administration-Under-Secretaries
Subsecretaria de Estadode la Funcion Publica	Undersecretariat of State for Public Function
Subsecretaria de Estado de Fortalecimiento Institucional	Undersecretariat of State for Institutional Strengthening
Subsecretaria de Estado de Evaluacion del Desempeno Insitucional	Undersecretariat of State for the Evaluation of Institutional Performance
Instituto Nacional de Administracion Publica	National Institute for Public Administration
<b>LEV-02 L-TO-R</b>	
Consultoria Juridica del Poder Ejecutivo	Legal Council to the Executive Branch
Secretaria de Estado de Economia, Planificacion y Desarrollo-Sub-Secretarios	Under-Secretariat of State for Economics, Planning and Development-Under-Secretaries
Subsecretaria de Estado de Planificacion	Undersecretariat of State for Planning

<b>ORGANIGRAMA DEL ESTADO DOMINICANO</b>	<b>ORGANIZATION CHART OF THE DOMINICAN STATE</b>
Dirección General de Ordenamiento y Desarrollo Territorial	General Office of Land and Territory Planning
Dirección General de Desarrollo Económico y Social	Directorate-General for Economic and Social Development
Dirección General de Inversiones Públicas	Directorate-General for Public Investment
Centro de Capacitación en Planificación e Inversión Pública	Center For Training in Planning and Public Investment
Subsecretaría de Estado Técnico Administrativa	Technical-Administrative Under-Secretariat of State
Subsecretaría de Estado de Cooperación Internacional	Under-Secretariat of State for International Cooperation
Dirección General de Cooperación Multilateral	Directorate-General for Multilateral Cooperation
Dirección General de Cooperación Bilateral	Directorate-General for Bilateral Cooperation
Oficina Nacional de Estadística	National Statistics Agency
Procuraduría General de la República	National Prosecutor's Office
Dirección General de Prisiones	General Prison Agency
Dirección Nacional de Persecución de la Corrupción Administrativa	National Agency for the Prosecution of Administrative Corruption
Contraloría General de la República	Office of the General Controller of the Dominican Republic
Secretaría de Estado de la Presidencia-Sub-Secretarios	State-Secretariat of the Presidency-Under-Secretaries
Dirección de Información, Análisis y Programación Estratégica	Agency for Strategic Information, Analysis and Programming
Dirección General de Información, Publicidad y Prensa de la Presidencia	Directorate-General For Information, Advertising and Media of the Presidency
Dirección General de Desarrollo de la Comunidad	Directorate-General for Community Development
Centro de Información Gubernamental	Center for Government Information
Secretariado Administrativo de la Presidencia — Sub-Secretarías	Technical Secretariat of the Presidency-Under-Secretaries
<b>LINE 1</b>	
Dirección General de Desarrollo Fronterizo	Directorate-General for Border Development
Central de Apoyo Logístico Promese/Cal	Logistics Support Center Promese/Cal
Dirección General de Embellecimiento de Carreteras y Avenidas de Circunvalación	Directorate-General for the Beautification of Roads And Avenues
Oficina Metropolitana de Servicios de Autobuses	Metropolitan Office of Bus Services
Fondo Promoción Iniciativas Comunitarias	Fund for the Promotion of Community Initiatives
Oficina Presidencial de Iniciativas Democráticas	Presidential Office of Democratic Initiatives
Administradora de Subsidios Sociales	Administrator of Social Subsidies
Dirección General de Comunidad Digna	Directorate-General for Dignified Communities
Junta de Aviación Civil	Civil Aviation Board
Oficina de la Defensa Civil	Civil Defense Agency
Autoridad Metropolitana del Transporte de Santiago (AMETRASAN)	Metropolitan Authority of Transportation for Santiago
<b>LINE 2</b>	
Dirección Nacional de Control de Drogas	Directorate-General for Drug Control
Oficina Técnica de Transporte Terrestre	Technical Agency for Land Transportation
Centro de Apoyo a los Dominicanos Residentes en el Exterior	Support Center for Dominicans Residing Overseas
Despacho de la Primera Dama	Office of the First Lady
Oficina Presidencial de Tecnología de la Información y Comunicación	Presidential Agency for Information and Communication Technology
Consultoría de Cooperación, Educación, Ciencia y Tecnología	Cooperation Consultancy on Education Science and Technology
Oficina de Coordinación Presidencial	Office for Presidential Coordination
Oficina de Ingenieros Supervisores de Obras del Estado	Office of Engineering Oversight for Public Works
Oficina Nacional de Evaluación Sísmica y Vulnerabilidad de Infraestructura y Edificaciones	Oficina Para El Reordenamiento Del Transporte
Dirección General del Sistema Único de Beneficiarios (Siuben)	Directorate-General for the Single Beneficiary System
Comisión de Reforma de la Empresa Pública	Commission for the Reform of the Public Enterprises

<b>ORGANIGRAMA DEL ESTADO DOMINICANO</b>	<b>ORGANIZATION CHART OF THE DOMINICAN STATE</b>
<b>202</b>	
Secretaria de Estado de Interior y Policia-Sub-Secretarios	State Secretariat of the Interior and Police-Under-Secretaries
Direccion General de Migracion	General Directorate for Migration
Policia Nacional	National Police
<b>203</b>	
Secretaria de Estado de la s Fuerzas Armadas-Sub-Secretarios	State Secretariat of the Armed Forces-Under-Secretaries
<b>LINE 1</b>	
Jefatura de Estado Mayor de la Fuerza Aerea Dominicana	Headquarters of the General Staff of the Dominican Air Force
Jefatura de Estado Mayor de la Marina de Guerra	Headquarters of the General Staff of the Navy
Jefatura de Estado Mayor del Ejercito Nacional	Headquarters of the General Staff of the National Army
Direccion General de Promocion de las Comunidades Fronterizas	Directorate-General for the Promotion of Border Communities
<b>LINE 2</b>	
Direccion General de Reserva de las Fuerzas Armadas	Directorate-General for the Armed Forces Reserves
Instituto de Seguridad Social de la s Fuerzas Armadas	Social Security Institute of the Armed Forces
Instituto Militar de Educacion Superior	Military Institute of Higher Education
Instituto Cartografico Militar	Military Cartography Institute
<b>LINE 3</b>	
Instituto de Altos Estudios Para la Defensa y Seguridad Nacional	Institute of Higher Education for National Security and Defense
Instituto Militar de Los Derechos Humanos y Derecho Internacional Humanitario	Military Institute of Human Rights and International Humanitarian Law
Instituto Militar de Educacion Superior	Military Institute of Higher Education
Instituto Cartografico Militar	Military Cartography Institute
<b>LINE 4</b>	
Hospital Central de las Fuerza Armadas	Central Hospital of the Armed Forces
Departamento Nacional de Investigacion	National Investigation Department
Cuerpo Especializado Para la Seguridad del Metro de Santo Domingo	Specialized Organization for Metro Safety In Santo Domingo
Comedores Economicos	Economic Dining Halls
<b>204</b>	
Secretaria de Estado de Relaciones Exteriores-Sub-Secretarios	State Secretary of Foreign Affairs-Under-Secretaries
Direccion General de Pasaportes	General Passport Agency
<b>205</b>	
Secretaria de Estado de Hacienda-Sub-Secretarios	State Treasury Secretary-Under-Secretaries
Subsecretaria de Estado de Presupuesto, Patrimonio y Contabilidad	Undersecretary of State for Budgeting, Patrimony and Accounting
Direccion General de Presupuesto	General Budgeting Office
Direccion General de Contrataciones Publicas	General Office for Public Contracting
Direccion General de Bienes Nacionales	General Office for National Assets
Direccion General de Contabilidad Gubernamental	General Office of Government Accounting
Subsecretaria de Estado Tecnico Administrativa	Technical-Administrative State Under-Secretariat
Subsecretaria de Estado del Tesoro	State Treasury Under-Secretariat
Loteria Nacional	National Lottery
Tesoreria Nacional	National Treasury
Direccion General de Credito Publico	Directorate-General for Public Credit
Direccion General de Politica y Legislacion Tributaria	Directorate-General for Tax Policy and Legislation
Direccion General de Jubilaciones y Pensiones	Directorate-General for Pensions and Retirement Funds
Direccion General del Catastro Nacional	National Cadastre Agency
Centro de Capacitacion En Politica y Gestion Fiscal	Training Center In Tax Policy and Management
<b>206</b>	
Secretaria de Estado de Educacion-Sub-Secretarios	State-Secretariat for Education-Under-Secretaries
Sub-Secretaria de Estado de Asuntos Tecnicos Pedagogicos	State Under-Secretariat for Technical Educational Affairs
Sub-Secretaria de Estado Apoyo Administrativo	State Under-Secretariat of Administrative Support

<b>ORGANIGRAMA DEL ESTADO DOMINICANO</b>	<b>ORGANIZATION CHART OF THE DOMINICAN STATE</b>
Dirección General de Evaluación de la Calidad Educativa	Directorate-General for the Assessment of the Quality of Education
Dirección General de Participación Comunitaria	Directorate-General for Community Participation
<b>207</b>	
Secretaría de Estado de Salud Pública y Asistencia Social-Sub-Secretarios	State Secretariat of Public Health and Social Assistance-Under-Secretaries
<b>208</b>	
Secretaría de Estado de Deportes, Educación Física y Recreación	State Secretariat for Sports, Physical Education and Recreation-Under-Secretaries
<b>209</b>	
Secretaría de Estado de Trabajo-Sub-Secretarios	State Secretariat of Labor-Under-Secretaries
Dirección General de Empleos	General Employment Agency
Dirección General de Trabajo	General Labor Agency
Dirección General de Higiene y Seguridad Industrial	Directorate-General for Industrial Hygiene and Safety
<b>210</b>	
Secretaría de Estado de Agricultura-Sub-Secretarios	State Secretariat of Agriculture-Under-Secretaries
Sub-Secretaría de Estado Técnica de Investigación, Extensión y Capacitación Agropecuaria	Technical State Under-Secretariat of Agricultural Research, Outreach and Training
Sub-Secretaría de Estado de Producción y Mercadeo	State Under-Secretariat for Production and Marketing
Sub-Secretaría de Estado Técnica de Planificación Sector Agropecuario	Technical Under-Secretariat for Agriculture Sector Planning
Sub-Secretaría de Estado Técnica Administrativa y Financiera	Technical, Administrative and Financial State Under-Secretariat
Dirección General de Ganadería	General Stockbreeding Agency
<b>211</b>	
Secretaría de Estado de Obras Públicas y Comunicaciones-Sub-Secretarios	State Secretariat of Public Works and Communication
Dirección General Administrativa	General Administrative Agency
Dirección General de Edificaciones	General Building Agency
Dirección General de Control, Mantenimiento y Supervisión del Sistema de Peajes Nacionales	Directorate-General for the Control, Maintenance and Oversight of the National Toll System
Dirección General de Tránsito Terrestre	Directorate-General for Ground Transportation
Dirección General de Carreteras y Caminos Vecinales	Directorate-General for Roads and Minor Roads
Dirección General de Mantenimiento de Carreteras y Caminos Vecinales	Directorate-General for the Maintenance of Roads and Minor Roads
Dirección General de Supervisión y Fiscalización de Obras	Directorate-General for the Oversight and Control of Works
Dirección General de Planificación y Programación de Inversiones	Directorate-General for Investment Planning and Programming
Dirección General de Equipos de Transporte	Directorate-General for Equipment and Transportation
Dirección General de Reglamentos y Sistemas	Directorate-General for Regulations and Systems
<b>212</b>	
Secretaría de Estado de Industria y Comercio- Sub-Secretarios	State Secretariat of Industry and Trade-Under-Secretaries
Dirección General de Normas y Sistemas de Calidad	Directorate-General for Quality Standards and Systems
Dirección General de Minería	General Mining Agency
<b>213</b>	
Secretaría de Estado de Turismo-Sub-Secretarios	State Secretariat of Tourism-Under-Secretaries
<b>215</b>	
Secretaría de Estado de la Mujer-Sub-Secretarias	State Secretariat for Women-Under-Secretaries
Industria Nacional de la Aguja	National Needle Industry
<b>216</b>	
Secretaría de Estado de Cultura-Sub-Secretarios	State Secretariat for Culture-Under-Secretaries
Secretaría de Estado Técnica y Administrativa	Technical and Administrative State Under-Secretariat
Dirección General de Formación y Capacitación	Directorate-General for Education and Training
Subsecretaría de Estado de Patrimonio Cultural	State Undersecretariat for Cultural Patrimony
Dirección General de Bibliotecas	General Libraries Agency
Dirección General de Museos	General Museum Agency
Subsecretaría de Estado de Creatividad y Participación	State Undersecretariat for Popular Creativity and

<b>ORGANIGRAMA DEL ESTADO DOMINICANO</b>	<b>ORGANIZATION CHART OF THE DOMINICAN STATE</b>
Popular	Participation
Dirección General de Bellas Artes	Directorate-General of the Beautiful Arts
Secretaría de Estado de la Juventud	State Secretary for Youth
<b>218</b>	
Secretaría de Estado de Medio Ambiente y Recursos Naturales	State Secretariat for the Environment and Natural Resources-Under-Secretaries
Subsecretaría de Estado de Gestión Ambiental	State Undersecretariat for Environmental Management
Subsecretaría de Estado de Recursos Forestales	State Undersecretariat for Forestry Resources
Subsecretaría de Estado de Suelos y Aguas	State Undersecretariat of Soil and Water
Subsecretaría de Estado de Área Protegida y Biodiversidad	State Undersecretariat for Protected Areas and Biodiversity
Subsecretaría de Estado de Recursos Costeros y Marinos	State Recursos Naturales-Sub-Secretarios Undersecretariat for Coastal and Marine Resources
<b>219</b>	
Secretaría de Estado de Educación Superior, Ciencia y Tecnología-Sub-Secretarios	State Secretary of Higher Education, Science and Technology-Under-Secretaries
Subsecretaría de Estado de Educación Superior	State Undersecretariat of Higher Education
Subsecretaría de Estado de Ciencias y Tecnología	State Undersecretariat of Science and Technology
Subsecretaría de Estado Administrativa	Administrative State Undersecretary
<b>LEV-03</b>	
<b>Instituciones Financieras</b>	<b>Financial Institutions</b>
<b>L-TO-R</b>	
Instituciones No Financieras	Non-Financial Institutions
Organismos Reguladores	Regulatory Agencies
Instituciones de la Seguridad Social	Social Security Institutions
Empresas Públicas	Public Organizations
Liga Municipal Dominicana	Dominican Municipal League
Instituto de Dignidad Humana de la Policía Nacional	Human Dignity Institute of the National Police
Comité de Retiro de la Policía Nacional	Retirement Committee of the National Police
Museo Policial Dominicano	Dominican Police Museum
Instituto Especializado de Estudios Superiores de la Policía Nacional	Specialized Institute Or Higher Studies of the National Police
Dirección de Reservas de la Policía Nacional	Agency of National Police Reserves
Instituto de Seguridad Social de la Policía Nacional	Social Security Institute of the National Police
Instituto Especializado de Estudios Superiores de las Fuerzas Armadas	Specialized Higher Studies Institute of the Armed Forces
Fondo Patrimonial de las Empresas Reformadas (Fonper)	Equity Fund for Reformed Institutions
Banco de Reservas de la República Dominicana	Reserve Bank of the Dominican Republic
Banco Central de la República Dominicana	Central Bank of the Dominican Republic
Dirección General de Aduanas	General Customs Agency
Centro de Desarrollo y Competitividad Industrial (Proindustria)	Center for Industrial Development and Competitiveness
Superintendencia de Bancos	Banking Superintendency
Superintendencia de Seguros	Insurance Superintendency
Banco Nacional de la Vivienda	National Housing Bank
Caja de Ahorros Para Obreros y Monte de Piedad	
Autoridad Portuaria Dominicana	Dominican Port Authority
Dirección General de Impuestos Internos	General Tax Agency
Superintendencia de Valores	Superintendency of Securities
Instituto Nacional de Educación Física	National Institute of Physical Education
Instituto Nacional de Bienestar Infantil	National Institute for Child Welfare
Instituto Nacional de Formación y Capacitación del Magisterio	National Institute for Training and Education of Educators
Instituto Nacional de Bienestar Magisterial	National Institute of Welfare for Educators
Cruz Roja Dominicana	Dominican Red Cross
Consejo Nacional Para la Niñez y la Adolescencia	National Council for Children and Adolescents
Dirección de Atención a la Primera Infancia	Agency for First Childhood Care
Seguro Nacional de Salud	National Health Insurance

<b>ORGANIGRAMA DEL ESTADO DOMINICANO</b>	<b>ORGANIZATION CHART OF THE DOMINICAN STATE</b>
Consejo Nacional Para las Comunidades Dominicanas En El Exterior	National Council for Dominican Communities Abroad
Comision Nacional de Regulacion de Practicas Desleales de Comercio y Medidas de Salvaguarda	National Commission for the Regulation of Unfair Trade Practices and Safeguard Measures
Instituto de Aviacion Civil	Civil Aviation Institute
Fondo de Pensiones y Jubilaciones de Los Trabajadoresde la Construccion	Pension and Retirement Fund for Construction Workers
Caja de Pensiones y Jubilaciones Para Choferes	Pension and Retirement Box for Drivers
Superintendencia de Salud y Riesgos Laborales	Superintendency of Health and Labor Risks
Instituto de Formacion Tecnica Profesional	National Institute for Technical Professional Training
Fondo de Pensiones y Jubilaciones de Los Trabajadores Portuarios	Pension and Retirement Fund for Port Workers
Fondo Nacional de Jubilaciones de Los Trabajadores Metalmeccanicosde la Industria Metalurgica y Minera	National Pension Fund for Metal-Mehcanical Workers of the Metallurgy and Mining Industry
Superintendencia de Pensiones	Superintendency of Pensions
Instituto Dominicano de Seguros Sociales	Dominican Institute of Social Security
Banco Agricolade la Republica Dominicana	Agicultural Bank of the Dominican Republic
Instituto Nacionalde la Uva	National Grape Institute
Instituto de Desarrollo y Credito Cooperativo	Institute for Development and Cooperative Credit
Instituto Agrario Dominicano	Dominican Agrarian Institute
Instituto Azucarero Dominicano	Dominican Sugar Institute
Consejo Dominicano del Café	Dominican Coffee Council
Consejo Dominicano de Pesca y Acuicultura	Dominican Council for Fishery and Aquiculture
Instituto Nacional del Algodon	National Cotton Institute
Instituto del Tabacodel la Republica Dominicana	Tobacco Institute of the Dominican Republic
Consejo Estatal del Azucar	State Sugar Council
Ingenios Azucareros	Sugar Mills
Instituto de Estabilizacion de Precios	Price Stabilization Institute
Instituto Dominicano de Investigaciones Agropecuarias y Forestales (Idiaf)	Dominican Institute for Agricultural and Forestry Research
Instituto Nacionalde la Vivienda	National Housing Institute
Departamento Aeroportuario	Airport Department
Cuerpo Especializado de Seguridad Aeroportuaria	Special Airport Security Agency
Corporacion de Acueducto y Alcantarillado de Puerto Plata	Puerto Plata Aqueduct and Sewer Systems Corporation
Corporacion de Acueducto y Alcantarilladode la Romana	La Romana Aqueduct and Sewer Systems Corporation
Corporacion de Acueducto y Alcantarillado de Santo Dominggo	Santo Domingo Aqueduct and Sewer Systems Corporation
Instituto de Auxilios y Viviendas	Institute for Assistance and Housing
Instituto Postal Dominicano	Dominican Postal Institute
Instituto Dominicano de las Telecomunicaciones	Dominica Telecommunications Institute
Instituto Nacional de Aguas Potables y Alcantarillados	National Institute of Potable Water and Sewer Systems
Aeropuertos En Santo Domingo y En Interior del Pais	Airports In Santo Domingo and Within The Country
Corporacion de Acueducto y Alcantarillado de Moca	Moca Aqueduct and Sewer Systems Corporation
Corporacion de Acueducto y Alcantarillado de Santiago	Santiago Aqueduct and Sewer Systems Corporation
Corporacion del Acueducto y Alcantarilladode la Provincia Duarte	Duarte Province Aqueduct and Sewer Systems Corporation
Comision Nacional de Defensade la Competencia	National Commission To Defend Competition
Comision Nacional de Energia	National Energy Commission
Instituto Nacional de Proteccion de Los Derechos del Consumidor	National Institute for the Protection of Consumer Rights
Oficial Nacionalde la Propiedad Intelectual	National Agency for Industrial Property
Corporacion Dominicana de Empresas Estatales	Dominican Corporation of State Enterprises
Refineria Dominicana de Petroleo	Dominican Oil Refinery
Superintendencia de Electricidad	Superintendency of Electricity
Centro de Exportacion E Inversiode la Republica Dominicana	Export and Investment Center of the Dominican Republic
Instituto de Innovacion En Biotecnologia (Iibi)	Institute for Innovation In Biotechnology
Corporacion Dominicana de Empresas de Electricidad	Dominican Corporation of State Power Companies

<b>ORGANIGRAMA DEL ESTADO DOMINICANO</b>	<b>ORGANIZATION CHART OF THE DOMINICAN STATE</b>
Estatales	
Empresa de Transmision Electrica Dominicana	Dominican Power Transmission Company
Empresa de Generacion Hidroelectrica Dominicana	Dominican Hydroelectricity Generation Company
Empresa de Distribucion de Electricidad del Norte, S.A.	Northern Power Distribution Company
Empresa de Distribucion de Electricidad del Sur, S.A.	Southern Power Distribution Company
Unidad de Electrificacion Rural y Sub-Urbana (UERS)	Rural and Suburban Electrification Unit
Corporacion de Fomentode la Industria Hotelera y Desarrollo del Turismo	Corporation To Promote The Hotel Industry and Tourism Development
Instituto de Formacion Turistica del Caribe	Institute for Caribbean Tourism Training
Instituto Duarte	Duartian Institute
Corporacion Estatal de Radio y Television	State Corporation of Radio and Television
Archivo Generalde la Nacion	General Archive of the Nation
Fondo Nacional Para El Medio Ambiente y Recursos Naturales	National Fund for the Environment and Natural Resources
Museo Nacional de Historia Natural	National Museum of Natural History
Jardin Botanico Nacional	National Botanical Garden
Acuario Nacional	National Aquarium
Parque Zoologico Nacional	National Zoo
Instituto Nacional de Recursos Hidraulicos	National Institute of Hydrological Resources
Universidad Autonoma de Santo Domingo	Autonomous University of Santo Domingo

## ANNEX H. CIVIL SOCIETY ORGANIZATIONS

There are a number of nongovernmental organizations in the Dominican Republic that appear to have mandates and competencies related to combating trafficking of persons. Names and contact information of organizations are listed here for information only. Assessment of the capacities of NGOs was beyond the mandate of the assessment team. This is a suggestive — not a definitive — list of potential NGO partners in the country.

The assessment team appreciates the time that the staff of several of the organizations gave for interviews by the team as well as assistance in establishing additional contacts and interviews. These are noted with \* by the name of the organization.

### \* **Acción Callejera**

Address: Calle del Sol No. 131, Santiago  
Tel: +809 581-0050 / +809 971-6814 Fax: +809 580-1670  
Email: [accioncallejera@yahoo.com](mailto:accioncallejera@yahoo.com), [info@accioncallejera.com](mailto:info@accioncallejera.com)  
Website: [www.accioncallejera.org](http://www.accioncallejera.org)

### ASOCIACIÓN SOCIAL PARA LA PROMOCIÓN HUMANA Y CAMPESINA, INC.

Address: Av. Pte. Antonio Guzmán Km. 5 ½ La Herradura, Santiago de los Caballeros  
Tel: +809 54403790

### ASOCIACIÓN TÚ, MUJER

Address: Apdo. Postal 22248, San Carlos, Santo Domingo  
C/Huáscar Tejeda, N. 56, alto Santo Domingo  
Tel: +809 535 3233 / +809 535-3234 / + 809 236-8909 / + 809 597-88089 / +809 597-8088  
Fax: +809 532-5828 / +809 597-8088  
Email: [tumujer@verizon.net.do](mailto:tumujer@verizon.net.do)

### \* **BONÓ: ESPACIO DE ACCIÓN Y REFLEXIÓN**

Address: c/ Josefa Brea No. 65, Mejoramiento Social, Santo Domingo  
Tel: +809 682-4448 / 829 470-6227 Fax: +809 685-0120  
Email: [direccion@bono.org.do](mailto:direccion@bono.org.do) Website: [www.bono.org.do](http://www.bono.org.do)

### \* **CAMINANTE PROYECTO EDUCATIVO**

Address: Boca Chica  
Tel: +809 523 4143  
Email: [proyectocaminante@hotmail.com](mailto:proyectocaminante@hotmail.com), [silvia.ricardo@gmail.com](mailto:silvia.ricardo@gmail.com)

CARITAS — DOMINICAN REPUBLIC

Address: Apartado 254, Santo Domingo  
C. Coronel Rafael Fernández Domínguez, Esq. 51, Ensanch La Fé, Santo Domingo  
Tel: +809 565-7746 Fax: +809 565-3228  
Email: [cdrdofna@codetel.net.do](mailto:cdrdofna@codetel.net.do) Website: [www.caritas.org](http://www.caritas.org)

\* CARITAS / PUERTO PLATA DIOCESE

Tel: +809 244 4712 Fax: +809 399-1966  
Email: [caritaspp@yahoo.es](mailto:caritaspp@yahoo.es)

\* CATHOLIC RELIEF SERVICES / DOMINICAN REPUBLIC

Address: Calle Cnel. Fernández Dominquez Esq. 51, Apido. 1457, Santo Domingo  
Tel: +809 567 1271 Fax: +809 566 7776  
Website: [www.crsespanol.org](http://www.crsespanol.org)

\* CATHOLIC RELIEF SERVICES / DAJABON sub-office

Tel: +809 595 4039 Fax: +809 566 7776  
Email: [sdubuisson@lacro.crs.org](mailto:sdubuisson@lacro.crs.org) / [sdubuisson@yahoo.com](mailto:sdubuisson@yahoo.com)  
Website: [www.crsespanol.org](http://www.crsespanol.org)

CENTRO AMERICANO PALA LA SOLIDARIDAD

Address: Santo Domingo  
Tel: +809 221-0072 / +829 339-4670  
Email: [AAleman.SolidarityCenter@gmail.com](mailto:AAleman.SolidarityCenter@gmail.com) Website: [www.solidaritycenter.org](http://www.solidaritycenter.org)

CENTRO DE APOYO AQUELARRE (CEAPA)

Address: Calle Santa Rosa No. 4 A, El Millón, Santo Domingo, 3003  
Tel: +809 534-3871 Fax: +809 237 7478  
Email: [ceapa@codetel.net.do](mailto:ceapa@codetel.net.do) Website: [www.ceapa-dom.org](http://www.ceapa-dom.org)

CENTRO DOMINICANO DE ASESORÍA Y SERVICIOS LEGALS (CEDAIL)

Address: Avenida Mella 11 — D, Santa Bárbara, Santo Domingo  
Tel: + 809 686-9072 / + 809 686-8945 / + 809 682-4902 / + 809 686-8945  
/ + 809 682-4902 Fax: + 809686-2761 / + 809 686-2761  
Email: [cedail@codetel.net.do](mailto:cedail@codetel.net.do) Website: [www.cedail.redhjacquesviau.org.do](http://www.cedail.redhjacquesviau.org.do)

\* CENTRO DE FORMACIÓN Y ACCIÓN SOCIAL Y AGRARIA (CEFASA)

Address: Carretera Luperón, Km. 5½, No. 159, Gurabo, Santiago  
Tel: +809 736-8272 / +809 736-2992  
Email: [info@cefasa.org](mailto:info@cefasa.org) Website: [www.cefasa.org](http://www.cefasa.org)

CENTRO DE INVESTIGACION DE LA ACCION FEMENINA (CIPAF)

Address: C/ Hernan Suarez, No. 5, Bloque 3, Cacique II, Santo Domingo, D.N. 1744

Phone: 809-535-2696 Fax: 809-535-3599

Website: [www.cipaf.org.do](http://www.cipaf.org.do)

\* CENTRO DE ORIENTATION E INVESTIGACION INTEGRAL (COIN)

Address: Calle Anibal de Espinosa #352, Villas Agrícolas, Santo Domingo

Tel: +809 681-1515 / +809 538-8535

Email: [coin@codetel.net.do](mailto:coin@codetel.net.do) Website: [www.coin.org.do](http://www.coin.org.do)

FUNDACIÓN INSTITUCIONALIDAD Y JUSTICIA, INC (FINJUS)

Address: Av. Gustavo Mejía Ricart esq. Abraham Lincoln,

Torre Pintini 8vo. piso, Santo Domingo. D.N.

Tel: +809 227-3250 Fax: +809 227-3259

Email: [kfranco@finjus.org.do](mailto:kfranco@finjus.org.do) Website: [www.finjus.org.do](http://www.finjus.org.do)

MOVIMIENTO DE MUJERES UNIDAS (MODEMU)

Address: Calle 16 de Agosto Esquina Maria Nicolasa Billini, Apt 204 Plaza San Carlos, Santo Domingo

Tel: +809- 6896767 Fax: +809-6852759

Email: [modemu@codetel.net.do](mailto:modemu@codetel.net.do)

MOVIMIENTO PARA EL AUTODESARROLLO INTERNACIONAL DE LA SOLIDARIDAD (MAIS)

Address: Calle No.3, Sector La Limonera No.3, Puerto Plata

Email: [Mais\\_ecpat@hotmail.com](mailto:Mais_ecpat@hotmail.com)

NÚCLEO DE APOYO A LA MUJER (NAM)

Address: Apartado Postal 288, Santiago

Tel: +809 581-8301 Fax: +809 581-7678

Email: [nam@codetel.net.do](mailto:nam@codetel.net.do), [nam@verizon.net.do](mailto:nam@verizon.net.do)

ONÉ RESPE

Address: Apartado Postal 288, Santiago

Tel: +809 736 9303 Fax: +809 581-7678

Website: [www.onerespe.com](http://www.onerespe.com)

\* PARTICIPACION CIUDADANA

Address: Wenceslao Álvarez No. 8, Zona Universitaria, Santo Domingo

Tel: +809 685-6200 Fax: +809 685-6631

Website: [www.pciudadana.org](http://www.pciudadana.org)

RED NACIONAL CONTRA LA TRATA DE PERSONAS (RNCT-RD)

Address: Av. Constitución No. 147, San Cristóbal

Tel: +809 528-1717 / +829 339-4670

Email: [lizia\\_diaz@yahoo.com](mailto:lizia_diaz@yahoo.com) Email: [lizia\\_rnctp\\_rd@yahoo.es](mailto:lizia_rnctp_rd@yahoo.es)

RED DE RELIGIOSAS CONTRA LA TRATA / LAS HERMANAS ADORATRICES

Email: [santodomingo@adoratrices.com](mailto:santodomingo@adoratrices.com) or [enjimenez@adoratrices.com](mailto:enjimenez@adoratrices.com)

Website: [www.adoratrices.com](http://www.adoratrices.com)

For additional names and addresses of civil society organizations in the Dominican Republic, see the chapter on the Dominican Republic in the *Directory of Development Organizations, Volume VI.A / Latin American and the Caribbean*, Edition 2008.

[www.devidir.org](http://www.devidir.org)

## ANNEX I. TYPES OF TIP WORK DONE BY GODR, NGO, AND INTERGOVERNMENTAL ORGANIZATIONS WITH WHICH THE TEAM MET

GoDR Agencies / NGOs / Intergovernmental Organizations	TIP Prevention	TIP Prevention and VoT Protection							VoT Protection / TIP Prosecution		TIP Prosecution			All 3 "P"s	Notes
	Awareness raising	Supplementary education	Vocational training	Employment / micro-credit	Family tracing/ reunification	Counseling, health, etc.	Legal advice / representation	Day care / residential facilities	VoT Identification	VoT assist / reintegration	Criminal Investigation	Prosecution	Judiciary	Migration & TIP Research	
<b>LAW ENFORCEMENT / PROSECUTION / JUDICIARY</b>															
GoDR National Police									X	X	X			X	Has TIP unit & VoT & trafficker database info; investigates TIP independent from Mig. Affairs.
GoDR Prosecutor General												X	X	X	Prepares TIP and SoM cases for prosecution; works with National Police and Mig. Affairs; regional offices throughout DR.
GoDR General Directorate for Children, Adolescents and Families												X	X		Child-specific interviewing space and procedures to enable "video" testimony by children
GoDR School for Public Prosecutors	X											X			Trains public prosecutors; has TIP in curriculum.
GoDR National Judiciary School	X												X		Trains public judges; has TIP in curriculum.
<b>MIGRATION MANAGEMENT / BORDER CONTROL</b>															
Ministry of Foreign Affairs (GoDR)	X								X	X				X	Coordinates CITIM; cooperates with IOM for voluntary return of Dominican VoTs; drafted NAP with support of IOM; addresses TIP in

GoDR Agencies / NGOs / Intergovernmental Organizations	TIP Prevention	TIP Prevention and VoT Protection							VoT Protection / TIP Prosecution		TIP Prosecution			All 3 "P"s	Notes
	Awareness raising	Supplementary education	Vocational training	Employment / micro-credit	Family tracing/reunification	Counseling, health, etc.	Legal advice / representation	Day care / residential facilities	VoT Identification	VoT assist / reintegration	Criminal Investigation	Prosecution	Judiciary	Migration & TIP Research	
															context of irregular migration (child & adult).
General Directorate for Migration Affairs (GoDR)	X							X	X	X	X			X	Conducts TIP and SoM case investigations independent from National Police; has VoT & trafficker/smuggler database; addresses TIP in context of irregular migration (child & adult).
<i>Cuerpo Especializado de Seguridad Fronteriza (CESFRONT)</i> (GoDR)	X							X							Border Security Specialized Corps; GoDR agency that patrols the Haitian / DR land border.
International Organization for Migration (Intergovernmental organization)	X														Extensive support to GoDR institutions; manages assisted voluntary return of deported Dominican and foreign VoTs; addresses TIP in context of irregular migration (child & adult); capacity building & funding for local partners.
<b>CHILD PROTECTION</b>															
<i>Consejo Nacional para la Niñez y la Adolescencia (CONANI)</i> (GoDR)	X	X			X				X	X					National Council for Children and Adolescents; most services provided thru referrals to NGO partners

GoDR Agencies / NGOs / Intergovernmental Organizations	TIP Prevention	TIP Prevention and VoT Protection							VoT Protection / TIP Prosecution		TIP Prosecution			All 3 "P"s	Notes
	Awareness raising	Supplementary education	Vocational training	Employment / micro-credit	Family tracing/ reunification	Counseling, health, etc.	Legal advice / representation	Day care / residential facilities	VoT Identification	VoT assist / reintegration	Criminal Investigation	Prosecution	Judiciary	Migration & TIP Research	
Catholic Relief Services (CRS), national office, Santo Domingo (NGO)	X	X	X		X			X	X	X				X	Focus on Haitian children and families in DR; binational programming with Haitian partners; capacity building & fund raising for local partners
CRS Dajabon (NGO)	X				X				X					X	Cooperates with CONANI to return unaccompanied Haitian children home; works with Haitian migrants in Dajabon.
Juanista Sisters, Ouanaminthe, HAITI (NGO)		X			X	X		X	X	X					Partners with CRS Dajabon to receive returning Haitian unaccompanied minors and shelter until family reunification.
Accion Callejera, Santiago (NGO)	X	X			X			X	X	X					Cooperates with CONANI for identification of unaccompanied minors and family reunification.
Caritas, Puerto Plata (NGO)	X	X	X	X	X	X								X	Social services for vulnerable populations in Puerto Plata region.
Caminate Proyecto Educativo, Boca Chica (NGO)		X	X	X	X	X	X		X		X				Service program for street children; cooperates closely with local Prosecutor office.
Unicef (Intergovernmental organization)	X					X								X	Focus on capacity building and financial support to GoDR, primarily CONANI; focus on child

GoDR Agencies / NGOs / Intergovernmental Organizations	TIP Prevention	TIP Prevention and VoT Protection							VoT Protection / TIP Prosecution		TIP Prosecution			All 3 "P"s	Notes
	Awareness raising	Supplementary education	Vocational training	Employment / micro-credit	Family tracing/reunification	Counseling, health, etc.	Legal advice / representation	Day care / residential facilities	VoT Identification	VoT assist / reintegration	Criminal Investigation	Prosecution	Judiciary	Migration & TIP Research	
<b>GENDER / WOMEN'S RIGHTS</b>															development and rights.
Inter-institutional Committee for the Protection of Immigrant Women (CIPROM) (GoDR)	X								X	X				X	Coordinates work of 36 institutions including NGOs; provides training on TIP to CESRONT and parliamentarians; promotes orderly migration.
<i>Mujeres en Desarrollo Dominicana, Inc. (MUDE), Santo Domingo (NGO)</i>	X		X	X		X			X						Most work is prevention; they refer suspected VoT to other service providers.
<i>Centro for Orientacion e Investigacion Integral (COIN), Santo Domingo (NGO)</i>	X				X	X	X	X	X	X	X	X		X	Receives referrals from IOM's assisted voluntary return program; shelters women from violence & TIP; supports clients when they want to cooperate with law enforcement.
<b>LABOR PROGRAMS / RIGHTS</b>															
State Secretariat for Labor (GoDR)	X		X	X										X	Contracts with vocational training centers throughout country; majority of students are Dominican.
Solidarity Center, Santo Domingo (NGO)	X		X	X			X							X	Labor organizing, particularly for informal sector, including Haitians.
<i>Confederacion Nacional de La Unidad Sindical (CNUS),</i>	X		X	X			X							X	Labor organizing, particularly for informal sector, including Haitians;

GoDR Agencies / NGOs / Intergovernmental Organizations	TIP Prevention	TIP Prevention and VoT Protection								VoT Protection / TIP Prosecution		TIP Prosecution			All 3 "P"s	Notes
	Awareness raising	Supplementary education	Vocational training	Employment / micro-credit	Family tracing/reunification	Counseling, health, etc.	Legal advice / representation	Day care / residential facilities	VoT Identification	VoT assist / reintegration	Criminal Investigation	Prosecution	Judiciary	Migration & TIP Research		
Santo Domingo (NGO)															works closely with Solidarity Center.	
<b>HUMAN RIGHTS / MIGRANTS RIGHTS / LEGAL ASSISTANCE</b>																
<i>Participación Ciudadana</i> , Santo Domingo (NGO)	X						X							X	<i>Casa Comunitaria de Justicia</i> program	
<i>Fundación Institucionalidad y Justicia</i> Inc. (FINJUS), Santo Domingo (NGO)	X						X							X	Labor and gender law; citizens rights advocacy and legislation; Training of trainers database	
Jesuit Refugee Service (JRS) — Bonó Center, Santo Domingo (NGO)	X						X	X						X	Promotes binational relation between DR & Haitian local governments; addresses TIP in context of irregular migration (child & adult)	
<i>Centro de Formación y Acción Social y Agraria</i> (CEFASA) (JRS), Santiago (NGO)	X													X	Promotes community-based organizations, particularly in migrant communities; monitors border authority and law enforcement activities.	
<i>Solidaridad Fronteriza</i> (JRS), Dajabon (NGO)	X													X	Capacity building and support for migrant communities; monitors border authority and law enforcement activities.	