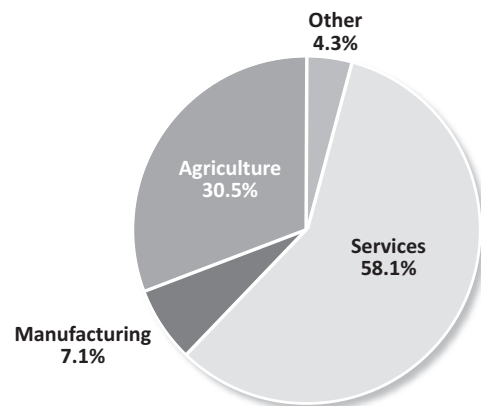


In 2012, the Dominican Republic made a minimal advancement in efforts to eliminate the worst forms of child labor. Despite some initiatives to address child labor, the Dominican Republic received this assessment because its birth certificate requirement limits educational opportunities for children, which increases their vulnerability to labor exploitation. In 2012, the Government expanded some of its social programs, including a pilot program that extends school hours to a full day, and the Vice President signed a letter of agreement with the ILO to provide technical assistance in support of the goals of the Roadmap Towards the Elimination of Child Labor in the Dominican Republic, which includes removing 100,000 children from exploitative work over the next 4 years. In addition, the Government approved allocating 4 percent of its gross domestic product (GDP) for primary and secondary education, which was an increase from 2.4 percent in 2011. However, the potential benefit from those steps may be undermined by the 2010 Constitution's citizenship provisions and Supreme Court decisions which deny Dominican citizenship and birth certificates to many children born in the Dominican Republic to parents who do not have resident status, effectively rendering them stateless. Since a birth certificate is required to receive a high school diploma, these provisions may discourage children from enrolling in or completing school and thereby further increase their vulnerability to labor exploitation. Children in the Dominican Republic continue to engage in the worst forms of child labor, including in dangerous activities in agriculture and in commercial sexual exploitation.



Working Children by Sector, Ages 5-14



All other data: Understanding Children's Work Project's analysis of statistics from ENHOGAR Survey, 2009.(2)

Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in the Dominican Republic are engaged in the worst forms of child labor in dangerous activities in agriculture and in commercial sexual exploitation.(3-6) In rural areas, children work in agriculture in the production of coffee, rice, sugarcane, and tomatoes and may apply harmful pesticides, use dangerous tools, carry heavy loads, and work long hours.(4, 5, 7-13) Although evidence is limited, children work in dangerous activities in the production of garlic and potatoes.(4, 8, 11, 14)

Children in urban areas work in the streets -- vending, shining shoes, and washing car windows. They are vulnerable to many dangers, including severe weather and vehicle accidents,

Statistics on Working Children and Education

Children	Age	Percent
Working	5-14 yrs.	12.0 (235,848)
Attending School	5-14 yrs.	95.8
Combining Work and School	10-14 yrs.	13.4
Primary Completion Rate		91.9

Sources:

Primary completion rate: Data from 2011, published by UNESCO Institute for Statistics, 2013.(1)

All other data: Understanding Children's Work Project's analysis of statistics from ENHOGAR Survey, 2009.(2)

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and are at risk for involvement in drug trafficking and other crime.(5, 6, 12, 15) Children work in dangerous conditions for long hours in landfills.(16) They also work in construction, which may entail carrying heavy loads and using dangerous tools.(7, 12, 17-19) The child labor module of the 2009-2010 National Household Survey found that children work in dangerous activities in the food service industry and in the production of baked goods (bread, cakes, and pastries).(18) Although evidence is limited, children are also subjected to dangerous conditions while mining for larimar, a blue rock often used for jewelry.(8, 11)

Children also work as domestic servants in third-party homes.(4, 6, 20) Children are sometimes sent to live with extended or wealthier families in the hope of attending school. However, these families sometimes exploit the children as domestic workers.(4, 21, 22) Some child domestic workers are trapped in forced labor or servitude, required to work long hours, and may be exposed to physical or sexual abuse.(4, 7, 17, 21, 23)

Haitian migration to the Dominican Republic is a longstanding phenomenon; although estimates vary, approximately 668,000 to 1.2 million Haitians and Dominicans of Haitian descent live in the Dominican Republic.(4, 19, 21, 24, 25) Many Haitians and Dominicans of Haitian descent, including children, live in villages known as *bateyes* that have traditionally housed sugarcane workers and lack adequate housing, medical services, and other basic services.(4, 8, 13, 26, 27) According to the CEACR, children work in sugarcane plantations alongside their parents, performing work that may involve collecting cut cane or clearing land; these children risk injury from carrying heavy loads, using dangerous tools, and being cut by the plants.(10, 11, 13, 26, 28, 29)

The commercial sexual exploitation of children occurs in tourist locations and major urban areas.(4, 21, 23, 30-33) The Dominican Republic is a source and destination country for trafficking of children, including for the purpose of commercial sexual exploitation.(30) Children are also trafficked internally for sex tourism and domestic service.(21, 33) The porous border between Haiti and the Dominican Republic has enabled children, accompanied or not, to be trafficked into the Dominican Republic without coming to the attention of authorities.(21, 34, 35) Some Haitian children who are trafficked to the Dominican Republic work in agriculture or are engaged in forced begging.(21, 36-38)

Laws and Regulations on the Worst Forms of Child Labor

The Labor Code sets the legal minimum age for employment in the Dominican Republic at 14.(39, 40)

International Conventions and Selected Laws on Child Labor and Education

	C138, Minimum Age	✓
	C182, Worst Forms of Child Labor	✓
	CRC	✓
	CRC Optional Protocol on Armed Conflict	No
	CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓
	Minimum Age for Work	14
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	18
	Free Public Education	Yes

The Resolution on Hazardous Work for Persons under Age 18 prohibits minors younger than age 18 from hazardous work, such as work involving hazardous substances, heavy or dangerous machinery, and heavy loads. Minors are also prohibited from selling alcohol, certain work at hotels, handling cadavers, and performing various tasks involved in the production of sugarcane.(12) The Resolution makes exceptions for children older than age 16 in apprenticeships and job training as long as the adolescent's health and safety is protected and the work is supervised by a competent adult.(12)

Under the Labor Code, special authorization is needed for minors to work in itinerant (travelling) sales.(39) Minors ages 14 to 16 are prohibited from working as messengers and delivering merchandise.(39) Children younger than age 16 cannot work at night or for more than 6 consecutive hours.(39)

The 2010 Dominican Constitution contains a specific prohibition on all forms of "slavery, servitude, and human trafficking" and reaffirms the Government's responsibility to protect minors from exploitation.(41) The Law Against

Trafficking in Persons and Migrant Smuggling prohibits all forms of human trafficking.(42, 43) The Code for the Protection of Children and Adolescents Law prohibits compensation for the transfer of a child to someone else for the purposes of forced labor; commercial sexual exploitation, including prostitution and pornography; or other degrading activities.(40, 43) The Technology Crime Law criminalizes the production, distribution, or possession of child pornography.(44) The Law on Drugs and Controlled Substances specifically prohibits the employment of minors in illicit drug trafficking.(45)

The 2010 Constitution declares the eradication of child labor as a national priority.(41) The Constitution guarantees free public education and sets the compulsory school age at 18.(6, 41, 46) However, in practice, associated school costs, such as transportation and books, and a lack of a birth certificate required to receive a high school diploma may discourage some children from attending or completing school.(27, 33, 47-49) Without the opportunity to receive a high school diploma or, as a result, pursue higher education, individuals without birth certificates have limited access to formal sector jobs at the legal working age, which increases their vulnerability of early entry into the worst forms of child labor.(4, 6, 21, 25, 27, 33, 49-51) Additionally, in practice, some primary or secondary schools deny access to children who cannot present birth certificates, putting stateless children in a precarious situation.(4, 10, 14) An estimated 13 percent of all children younger than age 15 have no birth documents.(4, 33) The lack of documentation also impedes age verification of working adolescents.(4, 14, 25)

Children of non-resident parents are particularly vulnerable.(4, 49, 53) The 2010 Constitution stipulates that children born in the Dominican Republic can receive Dominican citizenship if one of their parents is a Dominican citizen.(41) The Constitution adopted the 2004 Migration Law's definition of "in transit," meaning that anyone in the Dominican Republic without resident status would not qualify as a Dominican citizen, thus excluding from citizenship all those born on Dominican soil whose parents are without resident status.(41, 49, 52) This constitutional provision effectively rendered many Dominican-born children stateless because their Haitian parents and/or grandparents who lived and worked in the Dominican Republic for decades are now considered "in transit" and not legal residents.(4, 27, 48, 52, 53) Furthermore, on December 1, 2011, the Supreme Court upheld the Central Electoral Board's (JCE) Circular 17, which instructs Civil Registry officials to deny copies of birth certificates to children of "foreign parents" who lack resident status.(54-56) However, obtaining

birth certificates from other countries is also not always a viable option for many children born in the Dominican Republic, particularly if their parents are no longer citizens of another country or have lost ties with their country of origin as a result of their long-established presence in the Dominican Republic.(4)

Military service is not compulsory during times of peace under the Armed Forces Law; the voluntary age for military conscription is 16. In addition, minors must have completed their education prior to enlisting and are prohibited from participating in armed conflict.(16, 57)

Institutional Mechanisms for Coordination and Enforcement

The SET leads government efforts to eliminate child labor and established the National Steering Committee to Eradicate Child Labor (NSC) in 1997 to coordinate all child labor initiatives in the country.(6, 15, 17) The NSC convenes regularly and has established 36 local and municipal committees around the country to develop strategies to combat child labor.(15, 17, 58, 59) The ILO Committee of Experts has indicated that insufficient resources limit the effectiveness of the committees.(6, 14, 60) In coordination with the National Council for Children and Adolescents (CONANI), the SET is responsible for protecting minors against labor exploitation as well as promoting policies designed to improve the employability of young people and reduce barriers to entry into the labor market.(53, 61) The SET and CONANI also lead the Inter-Institutional Commission against Child Abuse and Commercial Sexual Exploitation, which includes representatives from various ministries, the National and Tourism Police, the Attorney General's Office, NGOs, and the Hotel and Restaurant Association, in addition to representatives of UNICEF and the ILO as advisors.(16, 58, 61)

The SET employs 192 labor inspectors, all of whom receive training to detect child labor.(16, 58, 61) The Government of the Dominican Republic reported that more than 68,000 labor inspections (or an average of 354 inspections for each SET labor inspector) were conducted in 2012 to verify compliance with labor laws, including child labor laws.(16, 58, 62) More than three-quarters of the inspections conducted were routine, preventive visits to areas vulnerable to child labor; about a quarter of all inspections were conducted at the request of employers and/or employees.(6, 58) In 2012, over 3,000 routine inspections were conducted in the agricultural sector, specifically targeting rice, tomato, and banana producing areas.(58) However, although the 2008 General Inspection

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Protocol and 2011 Inspection Protocol for Agriculture instruct inspectors to assess child labor violations by reviewing workers' identity documents, employers' records, observations and interviews, the lack of identity documents impedes inspectors and employers from verifying the ages of workers and guaranteeing that children under 18 are not participating in dangerous or unhealthy work.(14, 25, 63, 64) Further, it is unknown how the high number of inspections conducted by each SET inspector may impact the quality of such inspections. Additionally, the Ministry of Labor has indicated that improvements are needed in how inspectors conduct interviews, ask follow up questions, and use inspection data to strengthen the inspection system.(14)

In 2012, 61 labor inspections revealed child labor violations, resulting in the removal of children from work sites, evaluations of the children, and some referrals to CONANI shelters.(6, 16, 58) During the first half of 2012, the SET's inspections removed 17 minors from tomato plantations, 67 from rice fields, and two from construction sites; all the violators received sanctions.(16, 58) An additional 74 children were removed from rice fields in January 2013, resulting in the identification of 43 infractions against the landowners and the imposition of fines in all cases.(58, 65) In the first quarter of 2012, 77 children were removed from dangerous work in landfills and markets, resulting in sanctions against relevant employers.(16) Although some information on sectors and geographic areas in which inspections are conducted is available, specific information on sanctions imposed for violations and on whether the sanctions were ultimately collected was not available.(6, 58, 60, 61) During the reporting period, the SET worked to develop a new child labor monitoring and data system to address weaknesses in its current data collection systems, including tracking violations and fines issued.(6, 14)

The SET and the Secretariat of State for Education have an action plan that requires labor inspectors to report children not attending school.(28) In addition, the Ministry of Agriculture is required to report to labor authorities any information regarding children's employment in the agricultural sector.(16)

The Attorney General's Office trains its investigators on child labor issues and is responsible for prosecuting crimes involving children.(43) The National Judiciary has 33 district attorneys who are tasked with cases involving the worst forms of child labor.(66) However, complete and specific information on convictions and prosecutions related to the worst forms of

child labor is not systematically published.(8, 67) In 2012, the Government initiated prosecutions for four criminal cases involving the worst forms of child labor.(58) Three cases resulted in four prison sentences and one case remained pending as of February 2013.(58)

The National Police receive training to address child labor and commercial sexual exploitation and to refer child victims to the CONANI or shelters.(16, 43) During the reporting period, the Tourism Police identified two cases of trafficking of minors.(58)

The Government of the Dominican Republic reports that forced labor in the production of goods currently does not exist in the country and that, therefore, the Government takes no measures to prevent or combat it.(43) The Government provides anti-trafficking training to officials, including those posted overseas, on how to recognize and assist Dominican nationals in other countries who are trafficking victims.(30, 43) The Government assisted international investigations leading to the prosecution and sentencing of two foreigners found guilty of the commercial sexual exploitation of a minor.(58) The Government has a zero-tolerance policy for public officials who are complicit in trafficking or migrant smuggling activities. In 2012, the Government did not report any prosecutions or convictions of trafficking by complicit officials.(43, 61, 68, 69) The Government also reports investigations and prosecutions conducted under the Law Against Trafficking in Persons and Migrant Smuggling. However, the statistics are not disaggregated, which prevents an understanding of the extent of trafficking versus smuggling.(21, 30, 43)

CONANI and Haiti's Social Well-Being and Research Institute (IBERS) are working to improve coordination for the protection of Haitian and Dominican children, including at three transit points along the border.(16, 58) A 2011 raid conducted by the Dominican Directorate of Migration discovered 44 Haitian children who had been trafficked to the Dominican Republic to beg or work on the streets, leading to the 2012 conviction of two child traffickers who received 15-year prison sentences.(33, 37, 58, 70, 71)

During 2012, CONANI provided temporary shelter and care for 965 vulnerable children, unaccompanied minors, and child trafficking victims in need of protection, including 26 who were victims of commercial sexual exploitation.(16, 58, 71) Nonetheless, civil society organizations are the principal service providers assisting trafficking victims.(21)

Government Policies on the Worst Forms of Child Labor

CONANI is the primary entity responsible for creating policies to protect children from labor exploitation.(72) The Government of the Dominican Republic has a Strategic National Plan to Eradicate the Worst Forms of Child Labor (2006-2016) and an Action Plan for the Eradication of Abuse and Commercial Sexual Exploitation of Boys, Girls, and Adolescents (2009-2014).(22, 26, 60) The Government also uses its Program to Reinforce the Protection of Street Children (2007-2012) to reduce the risks contributing to children living and working in the streets.(61, 67) Each plan or program includes strategic measures for reducing poverty.(73) A 2010 ILO evaluation suggested that additional personnel are needed to implement these national strategies, but there is no evidence that such personnel have been hired.(74)

The Government of the Dominican Republic has collaborated with ILO-IPEC to create a Roadmap Towards the Elimination of Child Labor in the Dominican Republic, which lays out a plan to eliminate the worst forms of child labor in the country by 2015 and all other types of child labor by 2020.(6, 63, 75) In 2008, ILO-IPEC estimated that the Dominican Republic was not reducing child labor quickly enough to meet these goals.(7, 76) In September 2012, the Vice President signed a letter of agreement with the ILO for the ILO to provide technical assistance in support of the Roadmap's goals and to remove 100,000 children from exploitative work over the next 4 years.(63, 77)

The Government's 10-year Education Plan and 5-year Strategic Plan are coordinated and executed by the Ministry of Education and include child labor provisions. These plans have identified challenges, including inadequate classroom space, insufficient classroom time, and inadequate strategies to address the special educational needs of children who are behind in school because of work.(43, 78) A short school day prompts some parents to take their children to work rather than leave them unattended.(79) Deficiencies in the national education system have also been identified as contributing to children's engagement in the worst forms of child labor.(33, 80-83) UNESCO has reported that the percentage of children completing primary school has been declining and that the country will not likely meet the Education for All goal of universal primary enrollment by 2015.(81, 83, 84)

During 2012, the Ministry of Education expanded a pilot program from 21 to 96 schools that extends school hours to

a full day (8 a.m. to 4 p.m.). However, the program's impact on reducing the worst forms of child labor has not been assessed.(14, 16) In 2012, the Government approved allocating 4.0 percent of its GDP for primary and secondary education, which was an increase from 2.4 percent in 2011. Plans for the increased budget include constructing 29,000 additional classrooms, extending school hours, providing breakfast, improving teacher training, and raising the quality of education.(6, 14, 85-87)

Both the National Strategy for Development (2010-2030) and the National Anti-Poverty Plan include child labor provisions.(6, 16, 61) The National Plan on Gender Equality (2006-2016) promotes child care for working mothers.(61)

The Dominican Republic's Agricultural Bank includes a clause in its loan agreements that prohibits borrowers from using child labor and requires them to send their children to school.(14, 16, 61) In January 2012, this provision was implemented when labor inspectors found child labor violations in the tomato sector and the relevant producers were sanctioned for failing to comply with the loan agreements.(16)

In August 2012, the Government of Panama hosted the Meeting of Labor Ministers of Central America, Belize, and the Dominican Republic to highlight good practices and lessons learned to combat child labor.(33, 58, 88, 89) At the end of this meeting, the Ministers signed the Panama Declaration, committing themselves to specific actions by country to eradicate the worst forms child labor.(38, 58, 90) The SET highlighted the local and municipal committees to address child labor as a good practice and its intent to continue expanding these programs.(59, 90)

The Dominican Republic also is a member of the Regional Conference of Migration, which implements an Action Plan with a special focus on child migrants, who are especially vulnerable to labor exploitation.(91, 92)

Social Programs to Eliminate or Prevent the Worst Forms of Child Labor

In August 2012, the Government of the Dominican Republic announced a new initiative, Progressing with Solidarity, which combines the existing Solidarity Program and the existing Making Progress Program to promote the well-being of families living in extreme poverty through an integrated approach.(58, 61, 87, 93, 94) Progressing with Solidarity aims to increase the number of students who attend school and to reduce child labor by requiring that child beneficiaries

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attend school regularly and that parents protect their children from the worst forms of child labor. It assists the families of poor children ages four to 21 through the provision of funds for school supplies and food.(43, 58, 61, 84, 95, 96) The Solidarity Program/Progressing with Solidarity assisted more than 200,000 families during the 2012-2013 school year.(58) A study commissioned by the IDB indicates that the Solidarity Program increased school enrollment and attendance among beneficiaries.(58, 94) However, the Solidarity Program/Progressing with Solidarity requires participants to present identification documents in order to access program benefits, which would limit the participation of those individuals lacking such documentation, many of whom are the most vulnerable to child labor.(14)

In 2012, the JCE and the Ministry of Education launched a project to assist families in the process of obtaining birth certificates for 12,000 undocumented students and ensuring their continued enrollment in school.(58) Despite continued expansion of government social programs in 2012, the lack of legal identification remains an obstacle for the large population without identity documents.(6)

CONANI and the Ministry of Economy led a Roundtable for the Coordination of International Cooperation for Children and Adolescents to promote improved coordination among Dominican authorities and international efforts that assist children and adolescents.(16, 58, 94)

In recognition of the 2012 World Day Against Child Labor, the SET organized a national campaign with 500 child participants to bring attention to the need for quality education and protection against labor exploitation.(58)

The Government supports efforts that implement Spaces for Growth (EpC) and Homework Rooms, which are both educational models that prevent children from working by keeping them after school in a creative learning environment.(6, 14, 43, 58, 97) During the reporting period, the USAID-funded At-Risk Youth Initiative was launched to protect youth from crime and promote access to education, including participation in EpCs and other social services.(98)

The Government has committed to expanding the EpC model but has not yet allocated the resources needed to scale-up and sustain the program.(43, 74, 99)

The Government of the Dominican Republic also participates in a 4-year, \$8.4 million regional project funded by the Government of Spain to eradicate child labor in Latin America.(94, 100, 101)

During 2012, the Government of the Dominican Republic participated in the USDOL-funded, 4-year Global Action Program on Child Labor Issues project, which is active in approximately 40 countries. In the Dominican Republic, the project aims to build the capacity of the national Government to enforce its labor laws, develop strategic policies to address the elimination of child labor and forced labor, and improve the evidence base on child labor and forced labor through data collection and research.(102)

The SET participates in the Youth Development and the Youth and Employment Projects supported by the World Bank.(53, 58, 79) These projects work to improve the employability of disadvantaged, at-risk youth through training and internship opportunities that promote entrepreneurial and job-related skills.(53, 79) In 2012, 901 youth completed an entrepreneurship course that enabled over 40.0 percent of the participants to obtain a job or start a business.(58) During the reporting period, the First Lady's Office expanded the development of community centers to increase access to information technology and technical courses for youth and other community members.(58) The impact of these projects on the worst forms of child labor does not appear to have been systematically assessed.

Despite the efforts described above, current programs do not appear to be sufficient to adequately address the extent of the worst forms of child labor and trafficking in the Dominican Republic, particularly the commercial sexual exploitation of children and harmful work in agricultural areas.(21)

Based on the reporting above, the following actions would advance the elimination of the worst forms of child labor in the Dominican Republic:

Area	Suggested Actions	Year(s) Action Recommended
Laws and Regulations	Modify the legal framework to allow all children without birth certificates to obtain high school diplomas, thereby improving their opportunities in the job market.	2011, 2012
Coordination and Enforcement	Publish statistics on penalties imposed and collected, prosecutions, and convictions for child labor violations.	2009, 2010, 2011, 2012
	Disaggregate statistics on trafficking in persons and smuggling and disaggregate for cases involving children.	2012
	Strengthen enforcement of labor provisions that establish 14 as the minimum age for legal employment, limit the workday to six hours for children under 16, and ban dangerous and unhealthy work for children under 18 by <ul style="list-style-type: none"> • Establishing a system to verify the age of young workers in order to protect children without birth certificates or other legal documentation from exploitation. • Determining whether the inspection ratio for each SET inspector is appropriate to ensure the quality and scope of inspections. • Following the Ministry of Labor's 2008 General Inspection Protocol and 2011 Inspection Protocol for Agriculture in conducting child labor inspections and provide related training for labor inspectors on methods and best practices for identifying child labor. 	2012
Policies	Allocate additional personnel to support national plans and strategies to combat the worst forms of child labor.	2009, 2010, 2011, 2012
	Implement existing plans to use the increased 2012 budget for education to add classroom space, increase the amount of time that students are in school, improve teacher training, and raise the quality of education.	2010, 2011, 2012
	Assess the effectiveness of the Ministry of Education's extended hours pilot program on reducing the worst forms of child labor and scale-up, as appropriate.	2011, 2012
	Address deficiencies in the education system, increase school enrollment and meet Education for All goals, and take additional steps to reverse the decline in the percentage of students completing primary education.	2011, 2012
	Take measures to protect all children without birth certificates from exploitation, and in particular, enable access to education.	2009, 2010, 2011, 2012
Social Programs	Further expand social protection programs and increase their access by more impoverished families that rely on child labor.	2010, 2011, 2012
	Eliminate the requirement that individuals present Dominican identification documents to participate in social programs intended to combat child labor, including the Progressing with Solidarity program.	2012

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Area	Suggested Actions	Year(s) Action Recommended
Social Programs	Allocate resources to scale-up and sustain programs to eliminate child labor, such as the EpC and Homework Rooms, in more sectors and additional regions, including in agricultural areas and in tourist regions where commercial sexual exploitation is prevalent.	2009, 2010, 2011, 2012
	Assess the impact of the Youth Development and the Youth and Employment Projects on the worst forms of child labor.	2012
	Increase awareness-raising and other strategies to reduce child trafficking and the demand for child sex tourism.	2009, 2010, 2011, 2012

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