



Convention on the Rights of the Child

Distr.: General
18 October 2023

Original: English

Committee on the Rights of the Child

Concluding observations on the sixth periodic report of the Dominican Republic**

I. Introduction

1. The Committee considered the sixth periodic report of the Dominican Republic¹ at its 2732nd and 2734th meetings,² held on 5 and 6 September 2023, and adopted the present concluding observations at its 2756th meeting, held on 22 September 2023. In the present document, the Committee uses the term “child” to refer to a person who is under 18 years of age.

2. The Committee welcomes the submission of the sixth periodic report of the State party and the written replies to the list of issues,³ which allowed for a better understanding of the situation of children’s rights in the State party. The Committee expresses appreciation for the constructive dialogue held with the multisectoral delegation of the State party.

II. Follow-up measures taken and progress achieved by the State party

3. The Committee welcomes the progress achieved by the State party in various areas, including the ratification of or accession to international instruments, in particular the ratification, in 2014, of the Optional Protocol on the involvement of children in armed conflict. The Committee notes with appreciation the legislative, institutional and policy measures adopted to implement the Convention, in particular Act No. 1-21 prohibiting marriage for persons under 18 years of age under any circumstance; the efforts to strengthen the National Protection System to address the structural challenges faced in protecting children; and the creation of the Office for Children and Adolescents (Gabinete de Niños y Adolescencia) as an inter-agency and intersectoral body coordinating government policies, programmes and action concerning children. It also welcomes the National Development Strategy for 2030, focusing on child labour, pregnancy, the elimination of violence against women and of trafficking in persons, and the reduction of poverty, of social and territorial inequality and of discrimination.

III. Main areas of concern and recommendations

4. The Committee reminds the State party of the indivisibility and interdependence of all the rights enshrined in the Convention and emphasizes the importance of all the

* Second reissuance for technical reasons (10 November 2023).

** Adopted by the Committee at its ninety-fourth session (4–22 September 2023).

¹ [CRC/C/DOM/6](#).

² See [CRC/C/SR.2732](#) and [CRC/C/SR.2734](#).

³ [CRC/C/DOM/RQ/6](#).



recommendations contained in the present concluding observations. The Committee draws the State party's attention to the recommendations concerning the following areas, in respect of which urgent measures must be taken: non-discrimination (para. 16), right to a nationality (para. 22), violence against children (para. 25), sexual exploitation and abuse (para. 28), adolescent health (para. 35) and asylum-seeking, refugee and migrant children (para. 39).

5. The Committee recommends that the State party ensure the realization of children's rights in accordance with the Convention, the Optional Protocol on the involvement of children in armed conflict and the Optional Protocol on the sale of children, child prostitution and child pornography throughout the process of implementing the 2030 Agenda for Sustainable Development. It urges the State party to ensure the meaningful participation of children in the design and implementation of policies and programmes aimed at achieving all 17 Sustainable Development Goals as far as they concern children.

A. General measures of implementation (arts. 4, 42 and 44 (6))

Legislation

6. Noting the inadequacy of some laws and the insufficient implementation of legislation on children's rights, the Committee recommends that the State party:

(a) Take all measures necessary to implement its legislation in compliance with the Convention, in particular by expediting the adoption of decrees to establish mechanisms for the implementation of such legislation;

(b) Ensure that the human, technical and financial resources for the implementation of legislation providing for the rights of children are adequate and sufficient;

(c) Develop a comprehensive law on children's rights and continue to review its existing laws related to children's rights, in particular the revised Criminal Code, to ensure that they are in full compliance with the principles and provisions of the Convention.

Comprehensive policy and strategy

7. The Committee reiterates its recommendation⁴ that the State party prepare a comprehensive policy on children that encompasses all areas covered by the Convention and, on the basis of the policy, develop a strategy with the necessary elements for its application, supported by sufficient human, technical and financial resources.

Coordination

8. The Committee recommends that the State party:

(a) Ensure that the Office for Children and Adolescents has sufficient authority to coordinate all activities relating to the implementation of the Convention at the cross-sectoral, national, regional and local levels;

(b) Strengthen the Office for Children and Adolescents and ensure that it is provided with the necessary human, technical and financial resources for its effective operation throughout the country;

(c) Improve coordination between the ministries of education, health and social development, the National Council for Children and Adolescents and the Office for Children and Adolescents.

⁴ [CRC/C/DOM/CO/3-5](#), paras. 9 and 10.

Allocation of resources

9. Noting an increase in public investment in children, and with reference to its general comment No. 19 (2016) on public budgeting for the realization of children's rights, the Committee recommends that the State party:

(a) Define budgetary lines for all children, paying particular attention to those in disadvantaged or vulnerable situations (girls, children living in poverty, children with disabilities, children in situations of migration, children without legal documentation and lesbian, gay, bisexual, transgender and intersex children), who may require affirmative social measures, and make sure that those budgetary lines are protected even in situations of economic crisis, natural disasters or other emergencies;

(b) Increase the amounts allocated to social protection, health and protection from violence to adequate levels;

(c) Establish a transparent budgeting process that includes a child rights perspective and specifies clear allocations to children in the relevant sectors and agencies, with specific indicators and a tracking system;

(d) Establish accountability mechanisms to monitor and evaluate the adequacy, efficacy and equitability of the distribution of resources allocated to the implementation of the Convention.

Data collection

10. With reference to its general comment No. 5 (2003) on general measures of implementation of the Convention, the Committee recommends that the State party:

(a) Expeditiously improve its data-collection system. The data should cover all areas of the Convention and should be disaggregated by age, sex, disability, geographic location, racial/ethnic origin, nationality, migratory status and socioeconomic background in order to facilitate analysis of the situation of all children, particularly children in situations of vulnerability, including girls, children with disabilities, migrant children, children without legal documentation and lesbian, gay, bisexual, transgender and intersex children;

(b) Improve the generation of disaggregated, regular, high quality and gender-sensitive statistics and data on children, focusing particularly on all forms of violence against children, early childhood development, child poverty, child labour, the impact of climate change on children, humanitarian emergencies and water, sanitation and hygiene.

Independent monitoring

11. The Committee reiterates its previous recommendation⁵ and recommends that the State party:

(a) Take measures to establish expeditiously an independent mechanism for monitoring human rights, including a specific mechanism for monitoring children's rights that is able to receive, investigate and address complaints from children in a child-sensitive manner;

(b) Ensure the privacy and protection of child victims, and undertake monitoring, follow-up and verification activities for victims;

(c) Guarantee the independence of such a monitoring mechanism, including with regard to its funding, mandate and immunities, so as to ensure full compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).

⁵ [CRC/C/DOM/CO/3-5](#), para. 50 (c).

Dissemination, awareness-raising and training

12. The Committee recommends that the State party continue to invest in awareness-raising programmes, including in cooperation with civil society organizations, to ensure that the Convention and the Optional Protocols thereto are widely known by the general public, in particular by parents and children themselves, and provide training thereon to stakeholders, including human rights defenders.

Access to justice and remedies

13. The Committee recommends that the State party ensure that all children have access to:

(a) Confidential, child-friendly and independent complaints mechanisms in schools, alternative care settings, foster care systems, mental health settings and in detention for reporting all forms of violence, abuse, discrimination and other violations of their rights. The Committee also recommends that the State party raise awareness among children of their right to file a complaint under existing mechanisms;

(b) Legal support and representations and remedies, including by removing barriers faced by children in disadvantaged situations and expanding the types of support provided under the legal aid budget;

(c) Officials working with children in the justice system who have been adequately trained on children's rights and child-friendly proceedings.

Children's rights and the business sector

14. With reference to its general comment No. 16 (2013) on State obligations regarding the impact of the business sector on children's rights, the Committee recommends that the State party establish and implement regulations to ensure that the business sector complies with international and national human rights, labour, environmental and other standards, particularly with regard to children's rights. In particular, it recommends that the State party:

(a) Examine and adapt its civil, criminal and administrative legislative frameworks to ensure the legal accountability of business enterprises and their subsidiaries operating in or managed from the State party's territory, especially in the tourism industry;

(b) Establish monitoring mechanisms for the investigation and redress of violations of children's rights, with a view to improving accountability and transparency;

(c) Require companies to undertake assessments, consultations and full public disclosure of the environmental, health-related and children's rights impacts of their business activities and of their plans to address such impacts;

(d) Conduct awareness-raising campaigns with the tourism industry and the public at large on the prevention of sexual exploitation of children in the context of travel and tourism and widely disseminate the World Tourism Organization Global Code of Ethics for Tourism among travel agents and in the tourism industry.

B. General principles (arts. 2, 3, 6 and 12)**Non-discrimination**

15. While noting progress in normative and public policies on social inclusion and equal opportunities, the Committee is seriously concerned about:

(a) Racial discrimination, in particular against Haitians and Dominicans of Haitian descent;

(b) Discrimination on the grounds of sexual orientation and gender identity;

(c) Bullying in schools of pregnant girls and adolescent mothers, lesbian, gay, bisexual, transgender and intersex children and migrant children;

(d) Multiple gender-based discrimination from the earliest stages of girls' life and throughout their childhood.

16. Taking note of targets 5.1 and 10.3 of the Sustainable Development Goals, the Committee urges the State party:

(a) To expeditiously approve the draft general law on equality and non-discrimination and ensure its full alignment with the Convention and Act No. 136-03 to protect all children against discrimination on the grounds of race, colour, sex, age, gender, socioeconomic status, disability, national, ethnic or social origin, migration status, sexual orientation and gender identity;

(b) To review the Criminal Code to include protection against discrimination on the grounds of sexual orientation and gender identity;

(c) To develop policies in schools to end discrimination against and bullying of pregnant adolescents, adolescent mothers and girls who do not possess birth certificates, lesbian, gay, bisexual, transgender and intersex students and refugee and asylum-seeking children, to ensure that they can successfully complete their education;

(d) To implement affirmative actions with a gender perspective and with sufficient resources to tackle intersecting discrimination and reduce inequalities affecting the most marginalized and excluded groups, paying particular attention to poor, rural and less educated girls, children with disabilities, migrant children, children without legal documentation, children of Haitian descent and lesbian, gay, bisexual, transgender and intersex children;

(e) To develop and implement comprehensive national and local strategies for attitudinal change aimed at transforming social norms and gender stereotypes that fuel all forms of discrimination, with the participation of children, civil society, families, communities, the private sector and mass media;

(f) To promote awareness-raising campaigns and initiatives to address racial discrimination and xenophobia, particularly against children of Haitian descent, who experience a high degree of intersectional discrimination.

Best interests of the child

17. With reference to its general comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration, the Committee recommends that the State party:

(a) Strengthen its efforts to ensure that the right of the child to have his or her best interests taken as a primary consideration is appropriately integrated and consistently applied in all legislative, administrative and judicial proceedings and decisions, and in all policies, programmes and projects that are relevant to or have an impact on children;

(b) Make efforts to finalize the draft judicial policy on children;

(c) Further develop procedures and criteria to provide guidance and regular training to all relevant persons in authority on determining the best interests of the child in every area as a primary consideration.

Right to life, survival and development

18. The Committee recommends that the State party guarantee the full and effective implementation of Act No. 342-22 and that, in particular, it:

(a) Address the poverty and structural inequalities underlying the high rate of child mortality in the State party;

(b) Strengthen its efforts to reduce infant and child mortality, addressing child malnutrition, the prevention and treatment of HIV/AIDS, the high levels of

violence and promoting children's and mothers' health, taking note of target 3.2 of the Sustainable Development Goals on ending the preventable deaths of newborns and children under 5 years of age;

(c) Prevent child mortality by ensuring that all women are afforded appropriate services related to pregnancy and refrain from targeting pregnant women and women who are breastfeeding and from carrying out migration control operations in hospitals and health centres;

(d) Expand the coverage and improve the quality, applicability and inclusion of services for early childhood development, including initial education, to benefit all children under the age of 5 years, especially those from the most vulnerable households and children with disabilities.

Respect for the views of the child

19. With reference to its general comment No. 12 (2009) on the right of the child to be heard, the Committee recommends that the State party:

(a) Consider reviewing and harmonizing article 21 of the Constitution with article 12 of the Convention in order to recognize the right of children to participate in all matters that affect them and to have their views be given due weight;

(b) Create and institutionalize innovative mechanisms at the national, sectoral and local levels to guarantee the meaningful participation of the diversity of children in all decision-making relating to their rights, including legislative, policy and budgeting processes;

(c) Conduct research to identify the issues that are most important to children, to hear their views on those issues and to find out to what extent their voices are heard in family decisions affecting their lives and the channels through which they currently and potentially have the most influence on national and local decision-making.

C. Civil rights and freedoms (arts. 7, 8 and 13–17)

Birth registration

20. Taking note of target 16.9 of the Sustainable Development Goals and the progress made in the State party in registering children before they turn 1 year old and the positive impact of the placement of birth registration outreach workers in priority hospitals, the Committee recommends that the State party:

(a) Continue its efforts to ensure that all children born on its territory are registered immediately and issued, free of charge, with an official birth certificate, especially those living in rural areas, not born in a hospital, from poor households, of adolescent mothers and of foreign parents, particularly babies of Dominican-Haitian couples and Dominican-born babies of Venezuelan descent;

(b) Accelerate efforts to approve the amendment of Act No. 659-44, which eliminates the judicial process for late registration and provides for an electronic civil registry;

(c) Strengthen the Inter-Agency Coordination Committee and ensure the proper implementation of Act No. 4-23 and the Inter-Agency Cooperation Framework Agreement for the Timely and Late Registration of Births in the Dominican Republic;

(d) Ensure that the lack of a birth certificate does not deny children's access to education.

Right to nationality

21. The Committee is deeply concerned about the:

(a) Thousands of Dominican-born children of Haitian descent who continue to have irregular status and no State-issued documentation proving their legal identity and/or nationality;

(b) Impact the lack of legal documentation has on the risk of becoming a victim of violence, as it poses a barrier to access to basic rights, such as social protection, and access to certification of completion of secondary education.

22. **The Committee urges the State party:**

(a) **To remove legal provisions and administrative practices that prevent the birth registration and access to nationality of children of Haitian descent, including by reviewing articles 3 and 4 of the Naturalization Act of 1948 and the General Migration Act;**

(b) **To ensure that women are granted equal rights to men to confer Dominican nationality on their children;**

(c) **To prevent statelessness at birth and statelessness caused by collective deprivation of nationality and ensure that every child has the right to a nationality;**

(d) **To guarantee that immigrant and Dominican-born children of Haitian descent who are beneficiaries of Act No. 169-14 have the right to acquire nationality by expediting the implementation of that Act and of the National Plan for the Regularization of Foreigners, regularize or restore the nationality of children affected by Constitutional Court judgment 168-13 and provide access to legal documentation to acquire a nationality without discrimination;**

(e) **To adopt a protocol to extend the migratory status provided for in the normalization plan for Venezuelans to all children born in the State party of parents of Venezuelan nationality, enabling them to access provisional legal documentation and nationality;**

(f) **To eliminate barriers and guarantee immigrant and Dominican-born children of foreign descent who have no legal documentation equal access to, and full and effective exercise of, all rights, especially the rights to health, education, social protection and protection from violence;**

(g) **To consider ratifying the Convention relating to the Status of Stateless Persons of 1954 and the Convention on the Reduction of Statelessness of 1961.**

Access to appropriate information and digital inclusion

23. **Recalling its general comment No. 25 (2021) on children's rights in relation to the digital environment, the Committee recommends that the State party:**

(a) **Continue its efforts to guarantee access for all children to information, communication technologies and the Internet, and its projects to eliminate the existing disparity between urban and rural areas;**

(b) **Continue its efforts to implement the objectives of the Digital Agenda 2030 nationwide;**

(c) **Ensure that draft laws and regulations on access to information and the digital environment adequately protect children from harmful content, materials and online risks, and provide for mechanisms to prosecute violations;**

(d) **Continue to improve access to online information and services for children in disadvantaged situations, including by providing accessible and affordable online services and connectivity, while ensuring that public services remain accessible to children who do not use or have access to digital technologies.**

D. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)

24. The Committee is seriously concerned about the significant challenges the State party faces in protecting children from all forms of violence, including the:

- (a) Delay in the enactment of a comprehensive law that addresses all forms of violence against children, in all settings, including violent forms of discipline in the home and within the family;
- (b) Lack of a comprehensive national strategy to prevent and respond to all forms of violence against children, especially in the social, health, education and justice sectors;
- (c) Lack of full harmonization of the criminal framework with the highest international standards on children's protection from violence;
- (d) Use of violence against children by police officers.

25. **With reference to its general comment No. 13 (2011) on the right of the child to freedom from all forms of violence, and taking note of target 16.2 of the Sustainable Development Goals on ending all forms of violence against children, the Committee urges the State party:**

- (a) **To adopt a comprehensive law to address all forms of violence against children in all settings, including violent discipline in the home, and to develop a comprehensive national strategy to prevent and respond to all forms of violence against children;**
- (b) **To ensure that the bill establishing a comprehensive system for the prevention of violence against women and the provision of assistance for victims fully addresses the links between all forms of violence against women and children and applies a child rights-based approach to guarantee specialized protection to girl victims of gender-based violence;**
- (c) **To review and reform Act No. 136-03 to establish a specialized child protection system, with the necessary institutional framework, competencies, technical capacities, specialized human resources, protocols, services and adequate budget;**
- (d) **To ensure that girls have access to medical, psychosocial and legal assistance and to victim and witness protection and response service programmes;**
- (e) **To establish mechanisms to investigate and determine the responsibilities of police officers involved in acts of violence against children;**
- (f) **To encourage the development of community-based programmes aimed at preventing and tackling domestic violence, child abuse and neglect, including by involving former victims, volunteers and community members and providing them with training.**

Corporal punishment

26. **With reference to its general comment No. 8 (2006) on the right of the child to protection from corporal punishment and other cruel or degrading forms of punishment, the Committee urges the State party:**

- (a) **To prohibit explicitly and to eliminate corporal punishment in law and in practice in all settings, including the home, alternative care settings and day care;**
- (b) **To establish policies, protocols and procedures to respond with appropriate action when corporal punishment takes place;**
- (c) **To consolidate a national system of data collection and analysis of corporal punishment;**
- (d) **To promote positive, non-violent and participatory forms of child-rearing and discipline.**

Sexual exploitation and abuse

27. The Committee is deeply concerned about the:

- (a) Absence of a minimum legal age of sexual consent;
- (b) Resultant large number of cases of sexual exploitation and abuse of children;
- (c) Sexual exploitation of children in the context of tourism and travel, and the lack of effective responses, including the low number of judicial investigations and condemnations;
- (d) Barriers to the prosecution of clergy and employees of the Catholic Church who have committed sexual exploitation and abuse.

28. **The Committee urges the State party:**

- (a) **To establish a minimum age of sexual consent in its domestic legislation;**
- (b) **To ensure that the new Criminal Code comprehensively defines the crime of sexual exploitation of children in all settings (urban, border, streets, tourism, online, schools) and imposes penalties for the promotion, offer and sale of children for sexual exploitation in the State party;**
- (c) **To align Act No. 137-03 on migrant smuggling and human trafficking with international standards and to regulate the extraterritorial application of Dominican law to prosecute sexual offences against children;**
- (d) **To develop a national policy for sustainable and responsible tourism that explicitly addresses the prevention and protection of children from violence, abuse and sexual exploitation;**
- (e) **To provide adequate human and financial resources and training for law enforcement officials, prosecutors and judges to combat child sexual exploitation in all settings, and to increase the number of interpreters, especially of Haitian Creole, to assist in victim identification and referral to care;**
- (f) **To guarantee effective access to justice and compensation for all children who are victims and survivors of sexual exploitation;**
- (g) **To continue to increase the provision of psychological and emotional support to victims of sexual exploitation and trafficking;**
- (h) **To ensure that all children who are victims or witnesses of violence have prompt access to child-friendly and multisectoral remedies and comprehensive support and that they are not subjected to secondary victimization;**
- (i) **To consider as standard procedure the acceptance of audiovisual recordings of child victims' testimony without delay and to ensure that, if needed, cross-examination is conducted in a child-friendly manner and avoids revictimization;**
- (j) **To conduct awareness-raising activities to combat the stigmatization of victims of sexual exploitation and abuse, including incest, and to ensure accessible, confidential, child-friendly and effective reporting channels for such violations;**
- (k) **To strengthen gender-sensitive services for children facing sexual violence, domestic violence and other forms of abuse;**
- (l) **To repeal any legal or administrative provisions that may be conducive to impunity in cases of sexual exploitation and abuse of children, including the privileges of religious employees of the Catholic Church.**

Harmful practices

29. While welcoming the steps taken to prevent child marriage, the Committee is deeply concerned about the continuing prevalence, in practice, of child marriage and early de facto unions, particularly in rural areas and among persons living in poverty. With reference to the joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the

Committee on the Rights of the Child (2019) on harmful practices, the Committee urges the State party to abolish early and de facto unions and child marriage in practice. It also recommends that the State party:

- (a) Establish mechanisms to detect, protect and provide the services and support necessary to victims of child marriage and de facto unions, combat the harmful practices of child marriage and de facto unions involving children and strengthen its efforts to prevent them;
- (b) Allocate adequate human and financial resources to implement the national plan concerning prevention, assistance, protection and political advocacy with regard to the eradication of child marriage and early de facto unions;
- (c) Develop awareness-raising campaigns and programmes on the new law, the minimum age of marriage and the harmful effects of child marriage on the physical and mental health of girls and their lack of access to education and social services, targeting households, local authorities, religious leaders and judges and prosecutors, and provide the implementing agencies with an adequate budget;
- (d) Establish protection schemes for victims of child marriage and early de facto unions who file a complaint.

E. Family environment and alternative care (arts. 5, 9–11, 18 (1) and (2), 20, 21, 25 and 27 (4))

Children deprived of a family environment

30. Drawing the State party's attention to the Guidelines for the Alternative Care of Children,⁶ the Committee recommends that the State party:

- (a) Urgently review its practices and alternative care policies, which continue to promote family separation and institutionalization of children, particularly in cases of violence, sexual abuse, poverty, disease and disability, and adopt a plan to deinstitutionalize children;
- (b) Ensure that policies and practices are guided by the principle that financial and material poverty – or conditions directly and uniquely attributable to such poverty – should never be the sole justification for removing a child from parental care, for receiving a child into alternative care or for preventing a child's social reintegration;
- (c) Develop policies, plans and programmes aimed at strengthening care in the family environment with a view to progressively reducing institutionalization, support and facilitate family care for children, including children from single-parent families, whenever possible, and establish a foster care system for children who cannot remain with their families, with a view to reducing their institutionalization;
- (d) Ensure that adequate safeguards and clear criteria, based on the needs and best interests of the child, are in place to determine whether a child should be placed in alternative care;
- (e) Ensure periodic review of the placement of children in foster care and institutions, and monitor the quality of care therein, including by providing accessible channels for reporting, monitoring and remedying maltreatment of children;
- (f) Investigate and redress the violations of children's rights, including corporal punishment and use of injections, perpetrated by public officials and employees of private alternative care facilities subsidized by the State party;
- (g) Ensure that adequate human, technical and financial resources are allocated to alternative care centres and relevant child protection services, in order to facilitate the rehabilitation and social reintegration of children resident therein to the greatest extent possible.

⁶ General Assembly resolution 64/142, annex.

F. Children with disabilities (art. 23)

31. With reference to its general comment No. 9 (2006) on the rights of children with disabilities, the Committee urges the State party to adopt a human rights-based approach to disability, to develop a comprehensive strategy for the inclusion of children with disabilities and:

- (a) To organize the collection of data on children with disabilities and develop an efficient system for diagnosing disability, which is necessary in order to be able to put in place appropriate policies and programmes for children with disabilities;
- (b) To take immediate measures to ensure that children with disabilities have access to health care, including early detection and intervention programmes;
- (c) To develop a comprehensive national policy for the prevention, care, rehabilitation and social inclusion of children with disabilities, devising indicators and establishing monitoring mechanisms to measure progress, and to develop public policies and programmes that effectively include children with disabilities in practice;
- (d) To guarantee the establishment at the highest level possible, including by legal provision, of the national fund for children and adolescents with disabilities;
- (e) To ensure that all children with disabilities have access to inclusive education in integrated classes and that they have access to and benefit from quality, inclusive and accessible national and local services for health, birth registration, social protection, early childhood development, childcare and protection from violence;
- (f) To train and assign specialized teachers and professionals in integrated classes providing individual support and all due attention to children with learning difficulties;
- (g) To conduct awareness-raising campaigns aimed at government officials, the public and families to combat the stigmatization of and prejudice against children with disabilities and to promote a positive image of such children.

G. Basic health and welfare (arts. 6, 18 (3), 24, 26, 27 (1)–(3) and 33)

Health and health services

32. While welcoming the National Strategic Plan for the Reduction of Maternal and Child Mortality, the Committee is concerned at the high maternal mortality rate, the increase in the rate of mother-to-child HIV transmission and the prevalence of obstetric violence in the State party. With reference to its general comment No. 15 (2013) on the right of the child to the enjoyment of the highest attainable standard of health, the Committee recommends that the State party:

- (a) Increase investment in maternal and neonatal health care, strengthen its efforts to reduce maternal and neonatal mortality, including of pregnant mothers seeking abortion, and implement policies and programmes to reduce and eliminate those mortality rates and the preventable morbidity of children under 5 years of age;
- (b) Take measures to reduce the number of babies born with low birthweight;
- (c) Increase training programmes for health personnel in monitoring, preventing and managing various forms of malnutrition;
- (d) Strengthen centres and hospitals offering medical services to children with growth and development disorders and pregnant women;
- (e) Strengthen programmes for the prevention of mother-to-child transmission of HIV/AIDS;
- (f) Increase treatments for HIV patients and protect their right to non-discrimination;

(g) **Strengthen immunization campaigns to address disparities in coverage, prioritize hard-to-reach population groups and include children in awareness-raising campaigns concerning immunization.**

Mental health

33. **Taking note of target 3.4 of the Sustainable Development Goals, the Committee recommends that the State party develop a specific programme in schools to improve mental health and prevent suicide.**

Adolescent health

34. The Committee is seriously concerned about the:

(a) Persistently high rates of child and adolescent pregnancy, which remain among the highest in Latin America and the Caribbean;

(b) Ban on abortion, which contributes to preventable maternal deaths and disproportionately harms girls from low-income and rural areas;

(c) Harmful consequences on adolescent health of the State party's total ban on abortion, including when a pregnancy is life-threatening, unviable or the result of sexual violence or incest.

35. **With reference to its general comments No. 4 (2003) on adolescent health and development in the context of the Convention and No. 20 (2016) on the implementation of the rights of the child during adolescence, the Committee urges the State party:**

(a) **To adopt a comprehensive sexual and reproductive health policy for adolescents, taking note of target 5.6 of the Sustainable Development Goals and paying particular attention to preventing early pregnancy and sexually transmitted infections and ensuring that reproductive health services are widely available;**

(b) **To identify factors contributing to unintended and early pregnancies and to investigate barriers to access to, and consistent use of, the contraceptive methods provided free of charge by the National Health System, in order to modify national health policies, as needed;**

(c) **To develop an essential and specialized services package for pregnant adolescents who are victims of rape to reduce revictimization and the rate of early pregnancies;**

(d) **To amend the Criminal Code to legalize abortion, at least in cases of rape, incest and threats to the life and health of the pregnant woman, and decriminalize it in all other cases by removing all criminal penalties for abortion from the Code, and to ensure access to safe abortion and post-abortion care services for adolescents, ensuring that their views are always heard and given due consideration as a part of the decision-making process.**

H. Children's rights and the environment (arts. 2, 3, 6, 12, 13, 15, 17, 19, 24 and 26–31)

36. **Recalling the Committee's general comment No. 26 (2023) on children's rights and the environment, with a special focus on climate change, and target 13.3 of the Sustainable Development Goals, concerned about the negative effects of polluted air, water and soil and electromagnetic pollution on children's health and the insufficient measures taken to address those challenges, and taking note of targets 3.9 and 13.b of the Sustainable Development Goals, the Committee recommends that the State party:**

(a) **Conduct an assessment of the effects of polluted air, water and soil and electromagnetic pollution on children's health as a basis for designing a well-resourced strategy to remedy the situation, and regulate the maximum concentrations of air and water pollutants;**

- (b) Finalize and implement national legislation and policies for sustainable safe water supplies, with a view to increasing access to sufficient safe drinking water, in particular in the places most affected by the Punta Catalina thermoelectric power plant;
- (c) Assess fully the impact of the Punta Catalina thermoelectric power plant on the rights to life, survival and development and put in place measures to ensure that children do not die owing to high concentrations of particulate matter and toxic gases;
- (d) Take measures to protect children's health from the environmental harm caused by the transboundary and cumulative effects of atmospheric, water and soil pollution;
- (e) Increase children's awareness and preparedness for climate change and natural disasters by incorporating them into the school curriculum and teacher training programmes.

I. Education, leisure and cultural activities (arts. 28–31)

Education, including vocational training and guidance

37. Welcoming the State party's commitment to full free secondary education for all children and at least one year of free pre-primary education, while remaining concerned at the low learning outcomes, the Committee recommends that the State party:

- (a) Ensure that all children complete free, equitable and quality primary and secondary education that leads to relevant and effective learning outcomes;
- (b) Strengthen, monitor and improve current measures to ensure that all pre-primary and early primary school students achieve good initial levels of literacy in Spanish and of numeracy through innovative pedagogical practices and processes;
- (c) Take the measures necessary to improve accessibility and the quality of education, and provide quality training for teachers, adequate facilities and educational materials, with particular emphasis on rural areas;
- (d) Implement early warning systems to detect children already out of school or at risk of dropping out, and ensure that all schools have gender-sensitive strategies for school retention and reintegration;
- (e) Ensure that pregnant adolescents and adolescent mothers are supported and assisted in continuing their education in mainstream schools;
- (f) Ensure that sexual health education is part of the mandatory school curriculum and is targeted at adolescents;
- (g) Develop and promote quality vocational training to enhance the skills of children and young people, especially those who drop out of school;
- (h) Allocate sufficient financial resources for the development and expansion of early childhood education, based on a comprehensive and holistic policy of early childhood care and development;
- (i) Eliminate barriers, provide alternatives and expand options for children with irregular status to obtain certification of secondary education.

J. Special protection measures (arts. 22, 30, 32, 33, 35, 36, 37 (b)–(d) and 38–40)

Asylum-seeking, refugee and migrant children

38. The Committee is extremely concerned at the:

- (a) Tightening of discriminatory migratory policies and the introduction of practices that violate the human rights of migrants and their descendants born on Dominican territory;

- (b) Reports of deportations of unaccompanied children;
- (c) Increasing deterioration in the situation, and the vulnerability, of the large number of unaccompanied migrant children from Haiti.

39. With reference to joint general comments No. 3 and No. 4 (2017) of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families/No. 22 and No. 23 of the Committee on the Rights of the Child (2017) on the human rights of children in the context of international migration and the Committee's general comment No. 6 (2005) on treatment of unaccompanied and separated children outside their country of origin, the Committee urges the State party, with immediate effect:

- (a) To halt the detention, deportation and arbitrary expulsion of Haitian migrant children, paying particular attention to unaccompanied children, ensuring that public authorities fully comply with the principle of ensuring that the best interests of the child are the primary consideration in all decisions in order to prevent family separation, promote family reunification and cease forced institutionalization and guarantee that children have effective access to refugee status determination procedures and to international protection;

- (b) To improve screening capacities at entry points and borders and to ensure that claims submitted by children are properly considered in the refugee status determination process and that the process is child-friendly and age-sensitive;

- (c) To improve bilateral coordination and increase cooperation efforts to design, adopt and implement a binational protocol for child protection in the areas along the border with Haiti;

- (d) To prevent and suspend immigration enforcement actions that violate the human rights of the Haitian and Haitian-descendant population, including children;

- (e) To ensure access to basic services, including education, housing, health care and justice, and the provision of free legal aid, particularly for unaccompanied and separated children;

- (f) To accelerate the adoption of laws against smuggling and human trafficking and to strengthen and fully implement relevant programmes, such as the National Action Plan against Human Trafficking and Migrant Smuggling for 2022–2024.

Economic exploitation, including child labour

40. While noting the national strategic plan to eradicate child labour, the action plan and training campaigns carried out by the National Steering Committee on Combating Child Labour and the National Protection System, and the overall commitment to end child labour by 2025, the Committee remains concerned at the prevalence of child labour, the considerable number of children between the ages of 5 and 15 who work and the high number of children aged 14 to 17 who are engaged in hazardous work. The Committee recommends that the State party:

- (a) Redouble its efforts to adopt effective measures to prevent and combat the economic exploitation of children, including by amending domestic legislation to prohibit the employment of children under 15 years of age, paying particular attention to farming and domestic work;

- (b) Guarantee a multisectoral approach to ending child labour, encompassing policies and programmes in the education, social protection and child protection sectors that have sufficient funding and are effectively coordinated, and ensure that strategies incorporate specific actions to eliminate hazardous child labour with a focus on the most exposed and vulnerable groups, including migrant children and children without legal documentation;

(c) Enforce legal provisions on child labour, strengthen child labour inspection services and ensure that all cases of exploitation are thoroughly investigated and that those responsible for such exploitation are held to account;

(d) Reintegrate children exposed to labour exploitation in educational institutions, in line with its national strategic plan to eradicate child labour;

(e) Prohibit and eliminate hazardous labour practices where child workers are exposed to environmental risk factors, promote safer alternatives and ensure monitoring of the children affected.

Children in street situations

41. The Committee is concerned at the limited support provided to children in street situations and, with reference to its general comment No. 21 (2017), recommends that the State party assess the number of children living and/or working on the streets, update studies on the root causes of their situations, stop the use of security personnel to remove them and ensure that there are programmes in place to support them.

Sale, trafficking and abduction

42. While noting the State party's efforts to combat trafficking, the Committee is concerned at the persistence of trafficking involving children in vulnerable situations, such as those of Haitian origin, and the lack of resources available to victims. It recommends that the State party bring perpetrators to justice, and that victims and persons at risk of trafficking, including children, regardless of their legal migratory status, be ensured access to protection and assistance.

Administration of child justice

43. With reference to its general comment No. 24 (2019) on children's rights in the child justice system, the Committee urges the State party to continue its efforts to bring its child justice system fully into line with the Convention and other relevant standards. In particular, the Committee urges the State party:

(a) To ensure that all children benefit from child-friendly court facilities and procedures provided with adequate human, technical and financial resources, and to ensure that specialized judges and prosecutors for children receive appropriate education and training;

(b) To continue to ensure the provision of qualified and independent legal aid to children alleged to have, accused of or recognized as having, infringed criminal law, at an early stage of the procedure and throughout the legal proceedings;

(c) To promote non-judicial measures, such as diversion, mediation and counselling, for children accused of criminal offences and, wherever possible, the use of non-custodial sentences for children, such as probation or community service;

(d) To ensure that detention is used as a measure of last resort and for the shortest possible period of time and that it is reviewed on a regular basis with a view to its withdrawal;

(e) To ensure, in the exceptional situations where deprivation of liberty is justified as a measure of last resort, that children are not detained together with adults, including before trial, and that detention conditions are compliant with international standards, including with regard to access to education and health services.

K. Ratification of the Optional Protocols to the Convention

44. The Committee recommends that the State party ratify the Optional Protocol on a communications procedure.

L. Ratification of international human rights instruments

45. The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, consider ratifying the following core human rights instruments:

(a) The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;

(b) The International Convention for the Protection of All Persons from Enforced Disappearance.

46. The Committee urges the State party to fulfil its reporting obligations under the Optional Protocol on the involvement of children in armed conflict and the Optional Protocol on the sale of children, child prostitution and child pornography, given that the related reports have been overdue since 14 November 2014 and 6 January 2009, respectively.

M. Cooperation with regional bodies

47. The Committee recommends that the State party cooperate with the Organization of American States (OAS) on the implementation of the Convention and other human rights instruments, both in the State party and in other OAS member States.

IV. Implementation and reporting

A. Follow-up and dissemination

48. The Committee recommends that the State party take all appropriate measures to ensure that the recommendations contained in the present concluding observations are fully implemented. The Committee also recommends that the sixth periodic report, the written replies to the list of issues and the present concluding observations be made widely available in the languages of the country.

B. National mechanism for reporting and follow-up

49. The Committee recommends that the State party continue to strengthen its national mechanism for the coordination and preparation of reports to and engagement with international and regional human rights mechanisms and to coordinate and track national follow-up to, and implementation of, treaty obligations and the recommendations and decisions emanating from the mechanisms. The Committee emphasizes that the mechanism should be adequately and continuously supported by dedicated staff and should have the capacity to consult systematically with the Inter-institutional Commission for Human Rights and with civil society.

C. Next report

50. The Committee will establish and communicate the due date of the combined seventh and eighth periodic reports of the State party in due course, in line with the envisaged predictable reporting calendar based on an eight-year review cycle, and following the adoption of a list of issues and questions prior to reporting, if applicable, for the State party. The report should be in compliance with the Committee's harmonized treaty-specific reporting guidelines⁷ and should not exceed 21,200 words.⁸

⁷ [CRC/C/58/Rev.3](#).

⁸ General Assembly resolution 68/268, para. 16.

In the event that a report exceeding the established word limit is submitted, the State party will be asked to shorten the report. If the State party is not in a position to review and resubmit the report, translation thereof for the purposes of consideration by the treaty body cannot be guaranteed.
