



A
PROJECT
OF



May 16, 2024

The Honorable Mario Diaz-Balart, Chairman
The Honorable Barbara Lee, Ranking Member
Subcommittee on State, Foreign Operations and Related Programs
House Committee on Appropriations
1036 Longworth House Office Building
Washington, D.C. 20515

The Honorable Christopher Coons, Chairman
The Honorable Lindsay Graham, Ranking Member
Subcommittee on State, Foreign Operations and Related Programs
Senate Committee on Appropriations
304 Dirksen Senate Office Building
Washington, D.C. 20515

Dear Chairman Coons, Chairman Diaz-Balart, Ranking Member Graham, and Ranking Member Lee:

On behalf of the Dominican Justice Initiative, a project of the Hispanic Leadership Fund, I want to respectfully express serious concerns that the proposed [FY 2025 State and USAID Budget Request allocations](#) related to the Dominican Republic will directly contribute to human rights violations there.

The [2023 State Department Country Report on Human Rights Practices](#) issued on April 22 detailed a serious deterioration of human rights over the past year in which the government of President Luis Abinader “*did not take credible steps to identify and punish officials who may have committed human rights abuses.*”

According to the text of the State Department’s report, the following human rights abuses have been documented in the Dominican Republic, and corroborated by credible public reporting cited below:

- “*Harsh and life-threatening conditions in old-model prisons, such as overcrowding, violence, physical abuse, and poor living and sanitary conditions.*” Dramatic examples this year alone include [the tragic fire at the La Victoria national penitentiary](#) in March that killed 11 people, followed by [a fire at the overcrowded Higüey prison](#) in April and [a riot at the Santa Barbara de Samaná prison facility](#) on May 7 that killed three. The

Dominican government [halted completion of the “new model” Las Parras prison](#) designed to address these violations, despite [experts doubting President Abinader’s public justifications](#) for preventing its completion.

- *“Arbitrary arrests and detentions without judicial authorization remained a problem.”* This was [extensively documented](#) last November by the United Nations Working Group on Arbitrary Detention (WGAD) in a condemnation of the DR Public Ministry, including prosecutors Yeni Berenice and Wilson Camacho.
- *“Many suspects endured long pretrial detention. A judge could order detention lasting between three and 18 months.... with some detentions reportedly lasting years.”* This has been fully documented by Dominican civil society organizations like the [National Commission on Human Rights \(CDNH\)](#) and [presented before the Inter-American Commission on Human Rights](#).
- *“During detention operations and at detention facilities, migration officials did not have access to a centralized database to verify nationality or residency status of detained persons”.* This has raised [official concern from the U.S. Congress](#), since the State Department has issued [a warning that U.S. nationals are being targeted by detention operations](#) and there is no accounting of how many U.S. nationals are being wrongfully detained by Dominican officials.
- *“The law provided for the right to a defense in a fair and public trial; however, the judiciary did not always enforce this right.”* This was [documented by the United Nations](#), but the subsequent persecution of a Dominican judge [provoked a scandal in the Dominican legal community](#) and added grounds for [an investigation by the UN Special Rapporteur on Arbitrary Detention](#).
- *“Child pornography was rampant and growing due to the ease of online exploitation”* over the government’s failure to *“enforce the law effectively.”* This follows [the downgrade of the Dominican Republic](#) in June 2023 to the Tier 2 Watch List for the Abinader government’s failure to address human trafficking throughout the country. The [June 2023 Trafficking in Persons \(TIP\) Report](#) specifically called out the Dominican government’s failure to strengthen laws *“that would remove the requirement to prove force, fraud, or coercion in sex trafficking cases involving child victims.”*

The FY 2025 Request as currently written will reward the government of the Dominican Republic for its worsening human rights record over the past year and its failure to take action to reverse it. If the Dominican Republic continues to get U.S. taxpayer money allocated for human rights and justice programs, it must be contingent on human rights violators being identified and held accountable by the DR government. Otherwise, such funding should be suspended.

There are specific items in the FY 2025 Request that raise troubling questions:

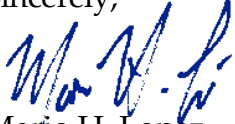
- For USAID's \$18.1 million in programs (page 258), the Request references the Dominican Republic as "a Democracy Delivers focus country" and seeks an allocation of \$6.9 million "for programs that promote democracy, strengthen the rule of law, and advance human rights." *Are these funds for improving "transparency, efficiency and inclusivity of anti-corruption policies and regulations" going to bring accountability for officials that violate human rights and due process? The Request as written allows for U.S. taxpayer-funded impunity.*
- Under the DR allocation for the Caribbean Basin Security Initiative (CBSI) (Page 310), the Request states these U.S. taxpayer dollars "will increase transparency and effectiveness of criminal justice systems" and "improve the quality of criminal prosecution, increase access to justice, and strengthen public demand for effective justice" in the Dominican Republic. However, there is no requirement that the human rights abuses in the criminal justice system documented by the State Department be halted or that violators be identified and punished. *So long as it is silent on compliance with human rights under Dominican and international law, U.S. taxpayers will be underwriting the worsening human rights abuses there.*
- On Page 523 of the Request, the line item for "Democracy, Human Rights and Governance" allocated to the Dominican Republic is nearly \$7 million, which is triple what FY 2023 estimated. *Is the government of the Dominican Republic being rewarded for what has been a worsening year on human rights as documented by the State Department?*

It is also a critical moment, as the 2024 Trafficking in Persons (TIP) report is expected to be issued shortly and the worsening of child sexual exploitation in this year's Report on Human Rights Practices supports arguments in favor of a downgrade of the Dominican Republic to Tier 3. The FY 2025 Request should not be at cross-purposes with this important report.

The U.S. must require that human rights violations in the Dominican justice system be stopped and officials responsible for those violations be identified and punished as conditions for this funding to proceed. Otherwise, U.S. taxpayers will be subsidizing human rights abusers in the Dominican Republic.

We look forward to being a resource in support of accountability and integrity in the appropriations process.

Sincerely,



Mario H. Lopez

Hispanic Leadership Fund / Dominican Justice Initiative

