

Dominican Republic

Western Hemisphere / **Caribbean**

CAPITAL Santo Domingo	TERRITORY 48,310 km²	POPULATION (2020) 10,847,904.00	GDP TOTAL (2020) \$78.84B USD	GDP PER CAPITA (2020) \$7,268.19 USD	INCOME GROUP Upper middle income
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Convention Implementation



In progress

23rd of 31 western hemisphere
6th of 11 Caribbean countries

Prevention



Core-deficient

Criminalization and law enforcement

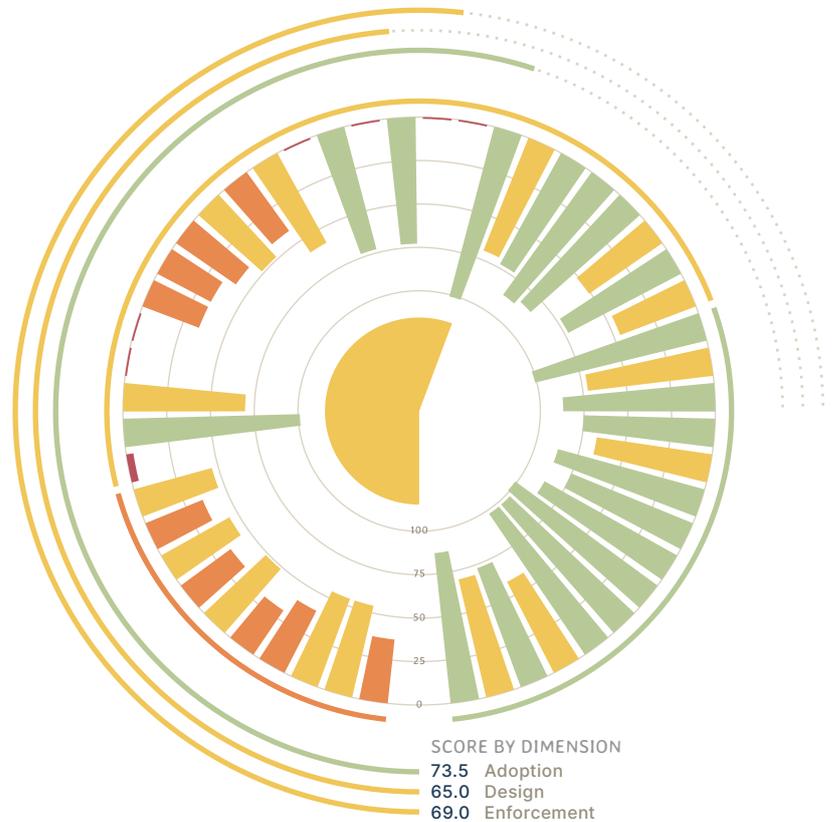


In progress

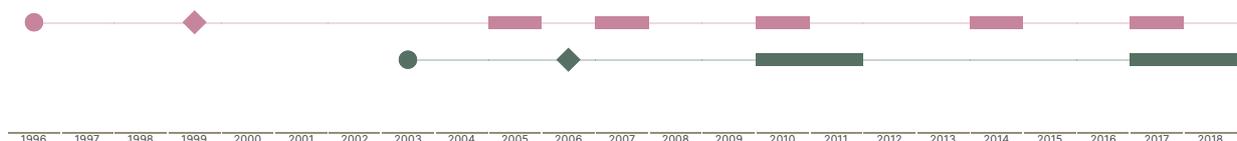
International cooperation



Implemented



Anti-corruption conventions timeline



CONVENTIONS

- IACAC - Inter-American Convention Against Corruption
- UNCAC - United Nations Convention against Corruption
- OECD Anti-Bribery Convention

KEY EVENTS

- Signed
- Ratified/ acceded
- Review rounds

Prevention

Core-deficient

41.6

✓ Adoption 82.5 ✎ Design 58.3 ⌚ Enforcement 60.0

Standards of Conduct Core-deficient 35.9 ✓ 50.0 ✎ 50.0 ⌚ 66.7	Enforcement of Standards of Conduct In progress 53.1 ✓ 100.0 ✎ 66.7 ⌚ 66.7	Training of Public Officials In progress 53.1 ✓ 100.0 ✎ 66.7 ⌚ 66.7	Asset and Conflicts of Interests Declarations Core-deficient 39.1 ✓ 100.0 ✎ 33.3 ⌚ 83.3	Transparency in Government Contracting Core-deficient 29.7 ✓ 100.0 ✎ 50.0 ⌚ 33.3
Elimination of Favorable Tax Treatment In progress 47.7 ✓ 75.0 ✎ 83.3 ⌚ 50.0	Oversight Bodies Core-deficient 34.4 ✓ 100.0 ✎ 33.3 ⌚ 66.7	Measures to Deter Domestic and Foreign Bribery Core-deficient 43.8 ✓ 100.0 ✎ 66.7 ⌚ 50.0	Encouraging Participation by Civil Society Core-deficient 34.4 ✓ 50.0 ✎ 66.7 ⌚ 50.0	Study of Other Preventive Measures In progress 45.3 ✓ 50.0 ✎ 66.7 ⌚ 66.7

Criminalization and law enforcement

In progress

45.8

✓ Adoption 60.0 ✎ Design 52.0 ⌚ Enforcement 61.3

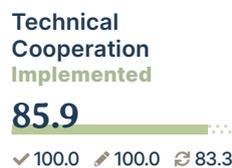
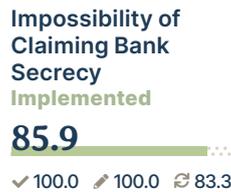
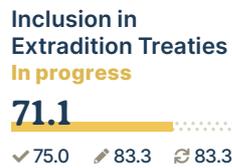
Protection of Those who Report Acts of Corruption No implementation 3.1 ✓ 25.0 ✎ 0.0 ⌚ 50.0	Scope Implemented 100.0 ✓ 100.0 ✎ 100.0 ⌚ 100.0	Jurisdiction: Offense-in-Territory In progress 68.8 ✓ 75.0 ✎ 66.7 ⌚ 100.0	Jurisdiction: Offense-by-National No implementation 0.0 ✓ 0.0 ✎ 0.0 ⌚ 0.0	Jurisdiction: Offender-in-Territory No implementation 0.0 ✓ 0.0 ✎ 0.0 ⌚ 0.0
Passive Public Bribery Core-deficient 33.6 ✓ 75.0 ✎ 50.0 ⌚ 50.0	Active Public Bribery Core-deficient 33.6 ✓ 75.0 ✎ 50.0 ⌚ 50.0	Abuse of Functions Core-deficient 40.6 ✓ 75.0 ✎ 66.7 ⌚ 50.0	Money Laundering In progress 47.7 ✓ 75.0 ✎ 83.3 ⌚ 50.0	Participation and Attempt Core-deficient 40.6 ✓ 75.0 ✎ 66.7 ⌚ 50.0
Active Foreign Bribery In progress 57.8 ✓ 100.0 ✎ 100.0 ⌚ 50.0	Illicit Enrichment No implementation 0.0 ✓ 0.0 ✎ 0.0 ⌚ 0.0	Use of State Property In progress 71.9 ✓ 100.0 ✎ 66.7 ⌚ 100.0	Illicit Acquisition of a Benefit No implementation 0.0 ✓ 0.0 ✎ 0.0 ⌚ 0.0	Public Embezzlement In progress 71.9 ✓ 100.0 ✎ 66.7 ⌚ 100.0
Passive Foreign Bribery No implementation 0.0 ✓ 0.0 ✎ 0.0 ⌚ 0.0	Private Bribery No implementation 0.0 ✓ 0.0 ✎ 0.0 ⌚ 0.0	Private Embezzlement Implemented 100.0 ✓ 100.0 ✎ 100.0 ⌚ 100.0	Obstruction of Justice In progress 68.8 ✓ 75.0 ✎ 66.7 ⌚ 100.0	Liability of Legal Persons In progress 71.9 ✓ 100.0 ✎ 66.7 ⌚ 100.0
Statute of Limitations Implemented 85.9 ✓ 100.0 ✎ 83.3 ⌚ 100.0	Prosecution, Adjudication and Sanctions Implemented 82.8 ✓ 75.0 ✎ 100.0 ⌚ 83.3	Consequences and Compensation In progress 50.0 ✓ 50.0 ✎ 50.0 ⌚ 100.0	Cooperation With Law Enforcement In progress 71.9 ✓ 100.0 ✎ 66.7 ⌚ 100.0	Asset Recovery In progress 45.3 ✓ 25.0 ✎ 50.0 ⌚ 100.0

International cooperation

Implemented

81.4

✓ Adoption 90.0 ✎ Design 91.1 🔄 Enforcement 87.8

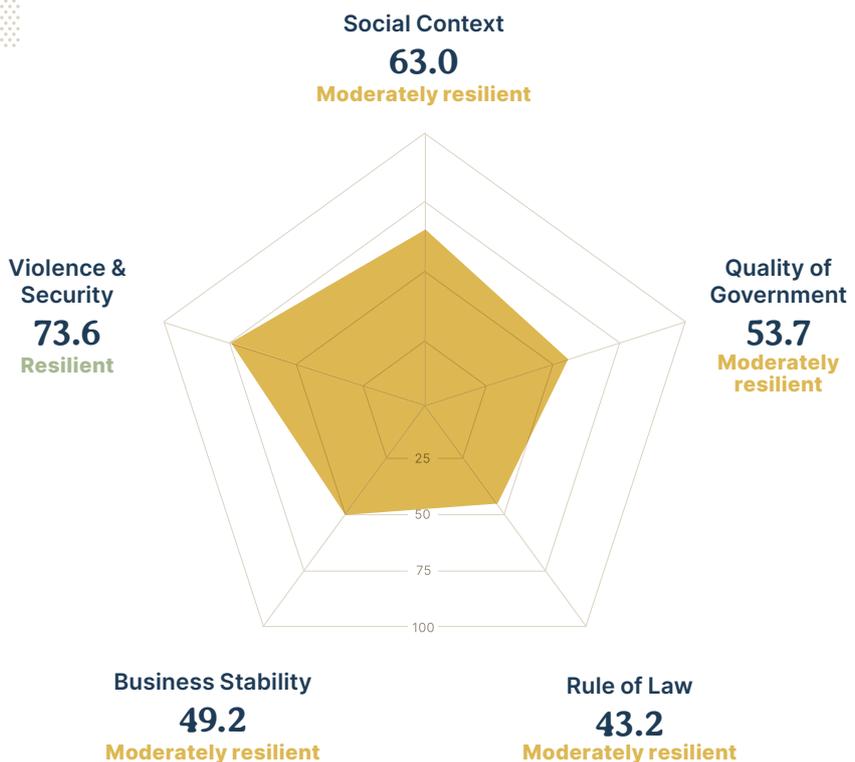


Corruption Resilience

56.5

Moderately resilient

16th of 31 western hemisphere
9th of 11 Caribbean countries



Analysis

Convention Implementation

The Dominican Republic ratified the Inter-American Convention Against Corruption (IACAC) on June 2, 1999. It is a State Party to the Follow-Up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC) since June 4, 2001. The country also signed the United Nations Convention Against Corruption (UNCAC) on December 10, 2003, and subsequently ratified it on October 26, 2006. Accordingly, the Dominican Republic has undergone five rounds of review under MESICIC, and one round of review under the UNCAC review mechanism.

The Dominican Republic's record in implementing its commitments to IACAC and UNCAC exhibits a number of failures and few successes, with over a third of all measures committed to found to be in progress. With an overall score of 55.7, the measures adopted place the country in the lower level of compliance with international norms—but not far from countries at the middle point—surrounded by Trinidad and Tobago (51.1), El Salvador (51.5), Belize (58.1), and Haiti (58.2). Progress in implementation is unequally distributed, while no measure in the preventive section is found to be fully or partially implemented, all fully unimplemented measures pertain to criminalization and law enforcement. The country's efforts to implement its international commitments are mostly found within the section of international cooperation rather than across the sections of prevention and criminalization, where they are generally lacking.

The prevention of corruption is significantly deficient, classified as “core-deficient” by its average score of 41.6. The majority of measures are found to be deficient, including transparency in government contracting (29.7), the state of oversight bodies (34.4), and standards of conduct (35.9), among others. In fact, with the exceptions of the enforcement of standards of conduct and the training of public officials—both of which are in progress—all key measures within this section are considered to be deficient. On the positive side, the country's assessment does not reveal any commitment pertaining to the prevention of corruption to be fully missing.

In terms of criminalization and law enforcement, the Dominican Republic shows only slightly better results than those regarding prevention. Significant deficiencies remain, with the majority of measures within this section classified as core-deficient or not implemented. Some measures in progress are given a score above 50, including those pertaining to the

active bribery of foreign officials (57.8), embezzlement in the public sector (71.9), and the liability of legal persons (71.9). Furthermore, the country is found to have successfully implemented three commitments, among them the criminalization of embezzlement in the private sector. However, significant measures are found completely lacking—the criminalization of illicit enrichment, the illicit acquisition of a benefit (i.e., influence trading), the passive bribery of foreign officials, and bribery in the private sector—or given deficient scores, including those pertaining to active and passive bribery in the public sector and the abuse of functions.

Among the severe problems identified in connection with criminalization and law enforcement, the country's limited jurisdiction over the offenses covered by the conventions deserves special attention, as the Dominican Republic has not established jurisdiction over offenses committed by a national or when the offender is present in its territory and it does not extradite them. On the other hand, and in contrast to those measures related to prevention and criminalization, the Dominican Republic's active implementation of its commitments regarding international cooperation results in an average section score of 81.4, with two thirds of all of measures here receiving an “implemented” score of various degrees.

Finally, the review of implementation and/or enforcement activities pertaining to several measures contained in this report could not be elaborated on due to a lack of information. The Dominican Republic is cited during MESICIC rounds as providing insufficient statistical information to assess the level of implementation of legally adopted measures. This point is also brought forward by the UNCAC review mechanism. While lack of monitoring and data collection mechanisms is not solely found in the Dominican Republic, the issue is worth emphasizing in order to support a more detailed and effective assessment.

Corruption Resilience

Over the last decade, the Dominican Republic's social context score has fluctuated between the highest score (77.3) achieved in 2013 and its lowest score (61.8) attained in 2019. In 2020, the Dominican Republic's indicator score increased by 1.2, resulting in a score of 63.0. Despite the increase, the country's score remained below the regional average of 64.9. The Dominican Republic's 2020 score is mainly credited to the partial guarantee of political rights and civil liberties. While freedom of expression and belief remain legally protected, journalists who

report on corruption or drug trafficking are exposed to threats and potential retaliation.

In terms of the quality of governance and institutions, the Dominican Republic's score has stayed consistently moderate throughout the decade. The country's highest recorded score was 55.1 in 2016 and its lowest was 50.0 in 2014. Despite a marginal decrease of 0.3 points from 2019 to 2020, the country's current score (53.7) remains above the 2020 regional average of 50.6. The Dominican Republic's quality of government indicator is primarily influenced by pervasive corruption within government and domestic institutions. Additionally, the country lacks impartial administration and serious checks on government powers.

With respect to the rule of law indicator, the Dominican Republic's score has steadily declined since reaching its highest count (50.7) in 2010. The country's current score (43.2) falls below the regional average by 7.1 points. The domestic factors influencing the rule of law score were primarily attributed to a weak judiciary which remains vulnerable to political pressure and corruption.

In 2020, the Dominican Republic's business stability indicator (49.2) decreased by 2.9 points from the previous year and fell just 1.3 points below the Western Hemisphere average of 50.5. Throughout the decade Dominican Republic's score has varied but consistently ranged between the mid-40s and mid-50s, where its highest score was 53.9 in 2017, and its lowest score was 46.5 in 2012. The country's indicator score is attributed to problems with property rights and rule-based governance that significantly impact the business environment.

The Dominican Republic's violence and security indicator reflected a 2020 score of 73.6—a 1.4-point increase from the previous year. Despite failing to meet the regional average for the previous indicators, the country's violence and security score surpassed the regional average by 18.6 and ranked within the 75th percentile for the violence and security indicator. Over the last ten years, the country's score has improved by nearly 8 points—expanding from a score of 65.7 in 2010 to its current score of 73.6 in 2020. According to the Overseas Security Advisory Council (OSAC), the Dominican Republic continues to face serious challenges in the form of organized crime and drug trafficking.