

United Nations Human Right Council

Country: Dominican Republic

Delegate:

Topic: Human Rights in Prison

The government of the Dominican Republic is extremely concerned with Human Rights in Prisons and hopes to make significant progress on this issue. The Dominican Republic would propose that the members of the UN address this issue by enumerating a new Fundamental Principle, reinforcing and adding weight to the “Tokyo Rules” established in 1990 at the United Nations conference. The, now Fundamental Principle should prevent arbitrary denial of freedom and specifies the maximum allowable period for pre-trial detention in an attempt to enhance fairness and minimize overcrowding in prisons.

The issue of human rights in prisons has long been a concern for the government of the Dominican Republic, particularly after 1990 when the UNHRC established eleven Standard Minimum Rules for the Treatment of Prisoners. In 2003 the Dominican Republic responded by creating a new-model prison system with better living conditions up to a level of general correspondence with international standards. Despite these massive reforms, the Directorate of Prisons reported that, in September 2019, there were 17,428 prisoners in old-model prisons and 9,354 in new-model prisons, a ratio that has remained constant for the past several years. The number of people incarcerated has also nearly doubled, from approximately 14,000 to over 26,000 people over the past decade, and the occupancy level is currently over 180% of the official capacity of the prison system, leading to sub-optimal living conditions for all prisoners. This increase is mostly due to rising rates of pretrial detention, despite the availability of alternative pretrial measures, leading us to our proposed measures, moving forward.

The government of the Dominican Republic proposes that the UN pass a new Fundamental Principle that enforces the Tokyo rule, which states that governments should make every reasonable effort to avoid pretrial detention. In addition, the UN can provide aid to countries that are not in a position to resolve the issue and, if the issue persists, can issue sanctions and warnings to governments with extremely high levels of pre-trial detention, taking into account their population and economic situation. Another solution is to explore alternative pretrial measures, such as third-party custodians, location monitoring, and computer monitoring, establish a modern bail/bond system to assure attendance at court, all of which should, with time, reduce the use of pre-trial detention in all countries.

Human rights in prison have long been an important issue for the Government of the Dominican Republic. This high level of priority has been demonstrated by several past initiatives improving prison conditions. Despite this, overcrowding in prisons has become the most prominent issue in the Dominican Republic, which is primarily due to the overuse of pre-trial detention. To resolve this issue the UN can provide funding for alternatives to pre-trial detention, such as improving police training and giving countries the resources and capital to reduce prison overcrowding in addition to aid and consequences, where necessary, limiting the use of such detention.

Sources

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