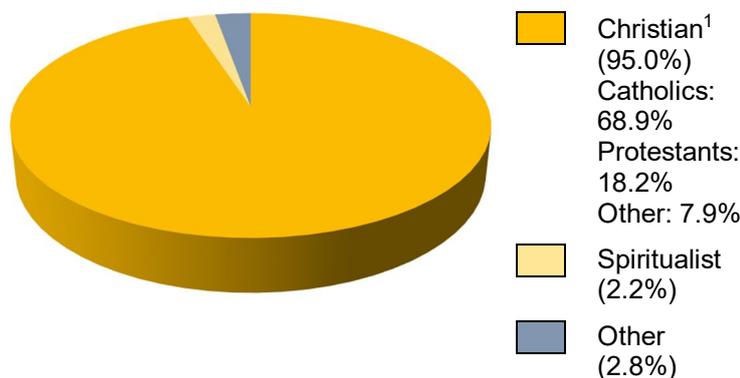


# DOMINICAN REPUBLIC



Area <sup>2</sup> :	Population <sup>3</sup> :	Political system:	Major Language(s):
48, 072 km <sup>2</sup>	10.2 million	Democracy <sup>4</sup>	Spanish

## Legal framework on freedom of religion and actual application

In the preamble of the constitution, God is invoked as a guide to elect the people's representatives, and Catholicism is recognised as the official religion. The national Coat of Arms bears the name of God and has at its centre a Bible open on the Gospel of John, chapter 8, verse 32, with a cross on top (article 32). The national motto is "God, Fatherland, Freedom".

The constitution states that all people are born free and equal and all have the same rights and freedoms without discrimination on grounds of, inter alia, gender, colour, age, disability, religion, and political or philosophical opinions (article 39).

The constitution guarantees freedom of conscience and belief, subject to public order and respect for decency (article 45).

Religious marriages have civil effects in the terms established by the law.

In case a state of defence is declared, when national sovereignty or territorial integrity is threatened, freedom of conscience and worship cannot be suspended.<sup>5</sup>

A Concordat has been in place between the Holy See and the Dominican Republic since 1954.<sup>6</sup>

In December 2014, changes were incorporated into the new Penal Code, which came into effect in December 2015, with respect to offences against religion: the Code now includes provisions that prevent religious discrimination as well as protection for all places of worship.<sup>7</sup>

## Incidents

Following changes to school uniform regulations requiring girls to wear trousers, the parents of an Evangelical student filed a complaint against the new dress code, arguing that it should not be imposed if it goes against one's religious convictions. The Higher Administrative Court (Tribunal Superior Administrativa) ruled that the student should be allowed to wear a skirt until the matter is resolved.<sup>8</sup>

In December 2015, the Constitutional Court declared unconstitutional a law that decriminalised abortion after numerous appeals by Catholic bishops. The latter had held various pro-life prayers and rallies for that purpose.<sup>9</sup>

In January 2016, various local Churches gathered to pray for the country in the new year, especially taking a stand against violence, corruption and poverty. Evangelist preacher Dominic Russo told the congregation: "We join with local churches in the Dominican Republic at the beginning of this new year with a show of unity and a clear vision to move the country forward."<sup>10</sup>

In March 2016, the country's Catholic bishops spoke out against the US Ambassador's actions in favour of sexual minorities, calling on the Dominican government to file a formal protest with the US authorities.<sup>11</sup>

### **Prospects for freedom of religion**

During the period under review, no serious incidents of intolerance have been observed, unlike some episodes reported in 2014; discussions continue, however, over the protection of all faiths and the meaning of a secular state, which might eventually inform the drafting of a law on religious freedom.

With respect to constitutional safeguards, there is a need to protect a person's fundamental rights. Hence, the challenge is to draft new laws that cover all aspects of freedom of religion, like religious practice, observance, expression, and education, as well as the right to change one's religion or beliefs or to hold none at all. The resolution of some disputes in court is a sign that informal solutions are no longer possible. At the same time, the leaders of the country's religious communities do speak out freely on national issues.

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<sup>1</sup>[http://thearda.com/internationalData/countries/Country\\_70\\_1.asp](http://thearda.com/internationalData/countries/Country_70_1.asp) accessed on 18<sup>th</sup> March 2016.

<sup>2</sup> <http://www.bbc.com/news/world-latin-america-19246340> accessed on 6<sup>th</sup> May 2016.

<sup>3</sup><http://www.bbc.com/news/world-latin-america-19246340> accessed on 6<sup>th</sup> May 2016.

<sup>4</sup> presidential republic with representative democracy <http://www.gob.do/index.php/pais/2014-12-16-20-50-15> accessed on 2<sup>nd</sup> March 2016.

<sup>5</sup><http://www.gob.do/index.php/pais/2014-12-16-20-52-13> accessed on 2<sup>nd</sup> March 2016.

<sup>6</sup>[http://www.vatican.va/roman\\_curia/secretariat\\_state/archivio/documents/rc\\_seg-st\\_19540616\\_concordato-dominicana\\_sp.html](http://www.vatican.va/roman_curia/secretariat_state/archivio/documents/rc_seg-st_19540616_concordato-dominicana_sp.html) accessed on 19<sup>th</sup> March 2016.

<sup>7</sup><http://www.consultoria.gov.do/spaw2/uploads/files/Ley%20550-14.pdf> accessed on 19<sup>th</sup> March 2016.

<sup>8</sup><http://www.diariolibre.com/noticias/tsa-ordena-a-liceo-permitir-alumna-vaya-clases-con-falda-PWDL1079431> accessed on 19<sup>th</sup> March 2016.

<sup>9</sup><http://www.aica.org/21178-el-tribunal-constitucional-derogo-la-ley-que-despenalizaba-aborto.html> accessed on 19<sup>th</sup> March 2016.

<sup>10</sup><http://www.cbn.com/mundocristiano/Latinoamerica/2016/January/Multitud-de-evangelicos-clama-a-Dios-por-Republica-Dominicana/> accessed on 3<sup>rd</sup> March 2016.

<sup>11</sup><http://www.aica.org/22304-los-obispos-condenan-las-intromisiones-del-embajador-gay-norteamericano.html> accessed on 19<sup>th</sup> March 2016.