



**Human Rights:  
Sexual and  
Reproductive Rights**

## The Dominican Penal Code and the legalization of termination of pregnancy under specific circumstances

For the last 20 years, the Dominican Republic has been discussing the adoption of a new Penal Code (PC) to replace the current one, which dates from 1884. Since the introduction of this new proposal, the subject of legalizing termination of pregnancy under specific circumstances has caused controversy, with observations on the matter made by current President Danilo Medina in 2014, and again in 2016.

The presidential observation made in November 2014 suggested the legalization of the termination of pregnancy under three specific circumstances: when the pregnancy was a result of rape or incest, when it presented a threat to the woman's life and when the foetus was unable to survive outside the womb.

The Code was approved including these three exceptions, but an appeal of unconstitutionality by procedure nullified its approval. As a result of this event, in January 2015, the United Nations System, led by the Resident Coordinator, began supporting the National Coalition for the Lives and Rights of Women, to promote and raise awareness of the need to approve these exceptions to preserve women's dignities and their right to decide over their own bodies.

The country's sexual and reproductive health situation evidences the need to approve these exceptions. The Dominican Republic is one of the countries with the highest rates of maternal mortality, teenage pregnancy, and femicide in Latin America and the Caribbean region, which constitutes a serious obstacle to human development and to the reduction of the [Gender Inequality Index](#), which has been increasing, despite improvements in education and the empowerment of Dominican women.

However, in spite of the actions carried out by the Coalition and the UN System, which included a UNDP course on the Gender Equality Agenda for the members of Congress, media coverage, among other efforts, last June the Senate decided to reject the observations made by the Executive Branch to the Code, leaving the decision to include the exceptions in the hands of the Chamber of Deputies.

Following this decision, the Justice Commission of the Chamber of Deputies prepared a report agreeing with the Senate's decision to approve the Penal Code without the observations, and presented it to the Chamber last 11 July. After debating on the matter during the session, 57.14% of the attending Deputies voted against the report and in favor of allowing women to decide on their lives and wellbeing. The approval of the Code is still pending, but two legislatures must pass before it can be resubmitted for approval by Congress.

In total, 161 out of 190 Congress members were in attendance to the session. 63 (42.86%) voted in favor of not including the exceptions in the Penal Code, 17 Congresswomen and 46 Congressmen; 84 (57.14%) voted in favor of including the exceptions, 29 Congresswomen and 55 Congressmen, and 14 abstained from voting, 3 women and 11 men.

### **MIGRATION UPDATE:**

#### **Official deportation figures 7 to 13 July, 2017\***

- Deported: 2,294 deportees (2070 men and 224 women)
- Cumulative deportations between 14 August 2015 and 13 July 2017: [78,222](#)

Source: General Migration Directorate