

@CHAPTER = DOMINICAN REPUBLIC

The United States has largely failed to address the serious abuses that plague Haitian sugar-cane cutters on Dominican government-operated plantations, such as forced recruitment and labor, restrictions on freedom of movement and association, inadequate living conditions and dangerous working conditions. Because it is the Dominican Republic's largest trading partner and the largest consumer of Dominican sugar, the U.S. is in a position to take the lead in demanding that the Dominican government correct these practices. However, apart from the State Department's annual *Country Reports on Human Rights Practices* --which was drafted most recently by the Reagan administration and issued in February 1989 -- the Bush administration issued no public statements on the treatment of Haitian sugar-cane workers in 1989. Moreover, the country report is evasive and cursory in reporting as mere allegations the abusive practices that have been widely documented in the Dominican press and could easily have been verified by U.S. embassy representatives in Santo Domingo.

Indicative of the administration's inattention to the plight of Haitian sugar-cane cutters was the admission of the embassy's human rights officer, during an interview with Americas Watch in June 1989, that he had never been to a *batey* -- the name for the primitive residences where Haitians live as they are made to cut cane. Rather than use its considerable leverage to encourage the Dominican government to put an end to these serious violations, the Bush administration has chosen to ignore them.

The Haitian victims of this coerced labor are of three sorts. Some come directly from Haiti, seeking escape from the repression, unemployment and grueling poverty of their country; they are usually captured at the border and sent forcibly to government-run plantations. Others are among the estimated 500,000 Haitians living permanently in the Dominican Republic; they are rounded up at random and brought to government-run plantations for the harvest season, either by force or by threat of expulsion, to which they are extremely vulnerable because the Dominican government refuses to regularize their civil status despite the years that many of them have spent in the country. Still others have been born in the Dominican Republic and thus should be considered Dominican citizens under the terms of the Dominican Constitution; instead, they find themselves in the same position as their first-generation parents.

The overseers of forced labor by Haitian workers are the officials of the Dominican government's State Sugar Council ("CEA"), which operates most Dominican sugar plantations. The conditions on the state-run plantations are so poor, the pay so low, and the work so onerous that the CEA is unable to attract the number of voluntary workers needed to harvest the sugar crop. The CEA attempts to secure the thousands of additional workers it needs through forced recruitment. The CEA is assisted in this effort by the Dominican military, which provides the muscle behind the coercion. Dominican soldiers are responsible for capturing Haitians and delivering them to CEA plantations. And uniformed, armed men patrol the plantations -- both the sugar cane fields and the *bateys* -- to prevent escapes. Haitian workers are frequently made to live in shacks that lack cooking facilities, running water, latrines, electricity or medical facilities.

On January 27, 1989, a truck carrying approximately 73 Haitians and guarded by armed Dominican soldiers overturned, killing 47 Haitians. Several of the survivors told of being captured on the border, kept in military barracks for several days, then put on the truck to be taken to a sugar plantation. Although it was widely reported in the Dominican and international press, this incident, and the larger problem it dramatized, were overlooked by the Bush administration.

The State Department's most recent report on human rights in the Dominican Republic systematically understated the abuses faced by Haitian sugar-cane cutters. For example, while noting that "human rights groups and other organizations charged that Haitian laborers in the sugar-cane fields, especially those in the country illegally, were subject to work against their will" (emphasis added), the State Department failed to endorse these "charges" in its own voice. The embassy's apparent failure even to visit the bateys undoubtedly accounted for its reluctance to comment more directly on these abuses.

Moreover, the report went on to highlight the least coercive form of forced recruitment employed by Dominican authorities. It noted that "one issue raised by human rights groups, which has continued to generate criticism and allegations of abuse within the Dominican Republic, was the Government program of rounding up illegal Haitian residents and requiring them to choose between a contract to cut sugar or deportation." But many Haitians rounded up by the military are not even presented with this "choice," but are simply taken forcibly to the sugar-cane fields.

To make matters worse, these Haitians at times are not "illegal immigrants routinely <0> <0> <0> <0> <0> deported under Dominican immigration law," as the State Department called them, but Haitians who, having been born in the Dominican Republic, should be considered Dominican citizens according to the Dominican Constitution. The State Department's sole allusion to this problem was in the following qualified reference to third-party allegations: "Some domestic human rights groups expressed concern that such actions [the round-ups] may have impinged on the legal and human rights of Dominicans of Haitian descent as well as Haitians residing legally in the Dominican Republic."

In purporting to describe the conditions of work in the Dominican Republic, the State Department's report omitted any mention of the working conditions of the sugar-cane cutters, who often are forced to toil twelve or more hours a day, at the back-breaking and dangerous task of cutting cane, with little if any opportunity to rest. Nor did the State Department mention that trade unions formed to organize Haitian sugar-cane workers have been denied the right to register and thus have been prevented from functioning. The report also neglected to highlight the problem of child labor in the sugar-cane fields, although it noted the problem as a general one facing the Dominican Republic. This U.S. indifference to the plight of Haitian sugar-cane cutters comes despite close U.S. ties to the Dominican sugar industry. The United States continues to allocate various trade benefits and its largest sugar quota to the Dominican Republic. In addition to approximately \$30 million in annual bilateral aid, the United States accounts for approximately 75% of Dominican exports, having granted the Dominican Republic trade benefits under the Caribbean Basin Initiative and the Generalized System of Preferences. Moreover, the United States continues to allocate the Dominican Republic by far the largest segment of the U.S. sugar quota, <\$F According to the U.S. Department of Agriculture, the 333,035 tons of sugar allocated to the Dominican Republic for the 21-month period beginning January 1, 1989 represents 17.6% of the total U.S. sugar quota. The next largest beneficiary, Brazil, is allocated 274,375 tons, or 14.5% of the quota, followed by the Philippines at 298,975 tons (13.5%) and Australia at 157,056 tons (8.3%). No other country is allocated more than 100,000 tons during this period.> despite reductions in the quota during the mid-1980's, so that sugar is still the main Dominican export to the United States. Despite this substantial U.S. interest in the Dominican sugar industry, the abuses that underwrite that industry have received little

critical attention from U.S. authorities.

U.S. embassy officials justified this inattention by claiming that Haitians on CEA plantations live no worse than many Dominicans. But whether or not that is true, it provides no justification for U.S. inaction toward CEA abuses. Because many of the Haitians working on CEA plantations are essentially in government custody, Dominican authorities have a special duty to ensure standards that are minimally sufficient, regardless of the standards that prevail for those at liberty. Moreover, the poor living and working conditions endured by many Dominicans provide no justification for the coercive practices employed by the CEA and the Dominican military in seizing Haitians and sending them to CEA plantations.

There are two rays of hope in U.S. human rights policy toward CEA abuses. First, the new U.S. ambassador, Paul Taylor, expressed concern over the plight of Haitian sugar-cane cutters during a meeting with Americas Watch in June. Moreover, the United States Trade Representative has accepted for review a petition filed by Americas Watch challenging abuses of labor rights at the hands of the CEA. We hope that the Bush administration will use the occasion of that petition, as well as the apparent interest of its ambassador, to apply its considerable leverage to curb Dominican government abuses of Haitian sugar-cane workers.