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# HUMAN RIGHTS WATCH

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May 29, 1991

The Honorable Carla Hills  
U.S. Trade Representative  
600 17th Street NW  
Washington, DC 20506

Dear Ambassador Hills:

Americas Watch hereby petitions the U.S. Trade Representative pursuant to Section 502(b) of the Trade Act, requesting review of worker rights in the Dominican Republic during the upcoming 1991-92 review process. We request this review because the Dominican Republic is not in compliance with the forced labor standard in the law, and we are particularly eager that the United States maintain its inspection of the government's performance throughout the upcoming sugar harvest. If our request for review is granted, we will submit to the U.S. Trade Representative our findings from a forthcoming mission to monitor the next sugar cane harvest in the Dominican Republic.

As you know, your office announced on April 25, 1991 that the Dominican Republic has taken or is taking steps to afford internationally recognized worker rights. Yet, at the time of that decision, the Dominican government was still relying on forced labor on its state-run sugar cane plantations. The "steps" which were taken, while welcome, were not sufficient to address the forced labor problem.

Moreover, these modest first steps were taken only after the threat of significant outside economic pressure was brought to bear on the Dominican government by the United States in the course of its two-year review of forced labor. Prior to the USTR's review, the Dominican authorities would not even admit that there was a problem in the sugar industry. If the Dominican Republic is to be persuaded to go beyond its minimal first steps, it is essential that the United States maintain its scrutiny of the Dominican sugar industry, and maintain its threat of sanctions.

Accordingly, Americas Watch respectfully requests that the Office of the U.S. Trade Representative

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continue its review of the Dominican Republic to monitor whether that government is taking the additional steps needed to eliminate forced labor altogether.

As you know, Americas Watch has been documenting human rights and labor rights violations in the Dominican state sugar industry since 1989. Most recently, in February 1991, we participated in a mission to the state sugar mills of the Dominican Republic together with the National Coalition for Haitian Refugees and Caribbean Rights and one month later produced our third full report, which is attached. In addition this year, as in 1990, a member of the delegation representing the three organizations reported to the U.S. Trade Representative shortly after the delegation's return from the Dominican Republic in February. In that meeting and in the attached report we offered evidence of continued Dominican army and State Sugar Council (CEA) collaboration in forced and deceptive recruitment of Haitian workers and forced confinement of those workers on state sugar plantations.

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We agree with the GSP Subcommittee's April statement that "given the seriousness of the issue of forced recruitment and labor ... the Subcommittee believed that the situation should continue to be monitored closely in the future," having cited a statement from the U.S. Embassy in Santo Domingo that "individual complaints about small numbers of people forcibly recruited or deceived by private agents [continue to be reported]...." It is notable that the GSP report did not state that the abuses have stopped, but rather that according to the U.S. Embassy, they have diminished.

Americas Watch, the National Coalition for Haitian Refugees and Caribbean Rights in our 1991 report, pointed to several recent positive developments in the Dominican government's rights practices. However, we also found evidence of on-going abuses. And although some of those steps taken by the Dominican government -- such as the October 1990 Presidential decree and the distribution of work contracts -- may indicate improvement, they do not come close to the level of commitment needed to end forced labor as would be reflected in the prosecution of soldiers and CEA employees who forcibly or deceptively recruit sugar cane cutters and confine them on sugar plantations where they have no other choice but to cut cane in order to survive; or in the establishment of orderly recruitment procedures in which a laborer would be given a work contract before being forcibly or deceptively recruited.

*forward*

These and other necessary steps most likely will not be taken without continued pressure from the Dominican Republic's largest trading partner. We believe it is important that the

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Dominican Republic remain under review at least through the next harvest. Instead of submitting new documentation now, since the U.S. Trade Representative has already published its findings for the current sugar cane harvest season, we hereby commit to conduct an investigation again early in the next harvest and submit our findings shortly thereafter. We respectfully urge the U. S. Trade Representative to commit to reviewing the upcoming harvest, since on-going review has been the only incentive for the Dominican government to reform its abusive practices. ) *but worked!*

In conclusion, we wish to thank the U.S. Trade Representative and the members of the GSP Subcommittee for their past scrutiny of labor rights in the Dominican Republic. The Subcommittee's expertise and commitment were critically important in encouraging the Dominican Republic's first steps to address a decades-old problem. We look forward to working with you in the upcoming review process.

Sincerely,

  
Holly Burkhalter  
Washington Director

