

Dominican Republic

I. Summary

The Dominican Republic (DR) is a major transit country for illicit narcotics originating from South America to the United States and Europe. Illicit drugs arrive in DR via air and sea. Small civil aircraft carrying an average of 350 to 1,000 kilograms per flight originate from Venezuela. Maritime deliveries arrive via go-fast boats, privately owned fishing and recreational boats, and cargo containers. The majority of these originate in the Maracaibo area of Venezuela and the Colombian Guajira Peninsula. The DR is experiencing increased domestic consumption of drugs. In 2009, the DR cooperated in extraditing fugitives and deporting criminals to the United States. Seizures of drugs during 2009 appear to be running at levels consistent with past years. Improvements in domestic law enforcement capabilities and cooperation between the Dominican National Police (DNP) and the National Directorate for the Control of Drugs (DNCD) were evident during the past year with an increased focus on fighting corruption and money laundering activities. However, endemic corruption at all levels of the government of Dominican Republic (GODR) and throughout private sector special interest groups still hinders efforts to counternarcotics smuggling, money laundering, migrant smuggling and a wide variety of other criminal activities. The DR is a party to the 1988 UN Drug Convention.

II. Status of Country

The DR is a major narcotics transit country, especially for cocaine, en-route to North America and Europe. A substantial number of illicit drug flights from Venezuela to Hispaniola drop their loads over the DR and its territorial waters. Per the Drug Enforcement Administration (DEA), MDMA (3, 4-methylenedioxymethamphetamine, or Ecstasy) en-route from Europe to the United States was interdicted by DR authorities. For the first time the GODR made several large seizures of pseudoephedrine, a methamphetamine precursor, transiting from Asia to Central America. In addition to the drug transit problem, the DR is experiencing an increasing domestic drug problem that has affected the youth of the country and led to increased drug-related violent crimes.

III. Country Actions Against Drugs in 2009

Policy Initiatives. In August, President Leonel A. Fernandez replaced the head of the DNCD with General Rolando Rosado Mateo from the DNP to foster greater cooperation between the two national police entities. With the new DNCD chief accompanying agents on raids and taking a lead role in operations, the impact was immediate, resulting in an increased tempo of drug seizures (see Law Enforcement Efforts below). The GODR also participated in the Cooperating Nations Information Exchange System (CNIES) agreement, which allows it to receive information on suspected aerial and maritime drug trafficking. During the year, the GODR continued participation in a joint agreement with Haiti to fight drug trafficking and increase law enforcement cooperation. The GODR took an active role in the Caribbean Basin Security Initiative working group meetings and hosted the October meeting in Santo Domingo.

Accomplishments. During the first 11 months of 2009, Dominican authorities seized approximately 4.4 metric tons of cocaine, 1.4010 metric tons of marijuana, 39 kilograms of heroin, 10,166 tablets of Ecstasy, and 1.3 million tablets of pseudoephedrine. During Operation Firewall, U.S. Immigration and Customs Enforcement (ICE) and Dominican Customs confiscated \$608,400 in U.S. currency.

Law Enforcement Efforts. As a result of the change in leadership of the DNCD, the government improved interdiction and achieved strong results pursuing drug traffickers. Seizures for the first half of 2009 were lackluster in comparison with the same period in 2008, but in the three months following the

leadership change, the government seized an additional 2,245 kilograms of cocaine—an almost threefold increase over the first half of the year.

The new head of the DNCD emphasized pursuing major drug traffickers. In one case, based on information from the U.S. Marshals, the DNCD Tactical Response Team attempted to capture major drug trafficker Jose D. Figueroa Agosto. Though Figueroa eluded capture, authorities recovered a laptop computer containing information that led to the seizure of cash and jewelry worth over \$9.1 million, three vehicles and two apartments. Interdiction capabilities were expanded in December when President Fernandez received the first two of eight Super Tucano aircraft that the GODR purchased from Brazil in order to combat illicit air-trafficking from South America. Armed Forces Minister Lieutenant General Rafael Pena Antonio predicts that the Brazilian Super Tucano jets purchased by the Dominican government will reduce drug drops by 75 percent.

Corruption. As a matter of policy, the GODR does not encourage or facilitate the illicit production, processing, or distribution of narcotics, psychotropic drugs, and other controlled substances, nor does it contribute to drug-related money laundering. Despite this, corruption in the DR remained endemic and numerous law enforcement and military officials, many of high rank, were implicated in corrupt activities to include trafficking in narcotics and money laundering. Entire police units are under investigation and were removed from duty for suspected drug trafficking activities. Corruption is also pervasive in the prison system.

During the year, the GODR reduced the influence of narcotics traffickers in the judicial system by focusing on internal affairs and changing the venue of judicial proceedings when needed. The DNP Internal Affairs office (IA) was also restructured in 2009 and operated more efficiently. During the year, approximately 500 police officers in a police force of 30,000 members were terminated for testing positive for drug use. IA investigators conducted approximately 70-90 internal investigations monthly against police personnel engaged in improper conduct, which are then referred to the Chief of Police and/or Prosecutor General's office for disciplinary action. The GODR increased its fight against corrupt public officials in response to investigative reporters' exposure of corruption in the electrical system, highway construction and other areas where the government uses public funds.

Agreements and Treaties. The GODR is a party to the 1988 UN Drug Convention; the 1961 UN Single Convention as amended by the 1972 Protocol; the 1971 UN Convention on Psychotropic Substances; the UN Convention against Transnational Organized Crime; the UN Convention against Corruption; and the Inter-American Convention against Corruption. In 1985, the USG and the GODR signed an agreement on international narcotics control cooperation. In 2003, the DR entered into three comprehensive bilateral agreements on Cooperation in Maritime Counter-Drug Operations, Maritime Migration Law Enforcement, and Search and Rescue. All three agreements include provisions for over-flight of Dominican territorial seas. The GODR signed, but did not ratify, the Caribbean Regional Maritime Agreement. The GODR is not party to the OAS Mutual Legal Assistance Treaty and no bilateral mutual legal assistance treaty is in effect. The United States continues to make direct requests for judicial cooperation through the relevant UN conventions letters, but noticeable delays in compliance are routine. The GODR is not party to a bilateral asset forfeiture agreement, nor is it party to any multilateral agreement that would permit the forfeiture of criminally obtained assets. The U.S.-Dominican Extradition Treaty dates from 1909. Extradition of nationals is not required by the treaty, but, in 1998, President Fernandez signed legislation permitting such extraditions. In 2005, judicial review was added to the procedure for extradition, making extradition procedures more transparent. During 2009, the DNCD Fugitive Surveillance/Apprehension Unit and other relevant Dominican authorities continued excellent cooperation with the U.S. Marshals Service. The GODR extradited a total of 24 Dominicans in 2009 (18 to the United States), and deported 17 U.S. and third-country national fugitives to the U.S. to face prosecution; 22 of the 41 extraditions/deportations were narcotics-related. In addition, the United States extradited one fugitive to the DR, an accused murderer of a Dominican police officer.

Cultivation/Production. Cannabis is grown in the DR on a small scale for local consumption. Ten thousand plants were destroyed in a raid on a marijuana plantation led by the new DNCD chief. Each plant's yield would have averaged approximately one pound of marijuana with a value of \$500 per pound, making the total value of this seizure approximately \$5 million.

Drug Flow/Transit. In 2009, the DNCD focused interdiction operations on the drug-transit routes in Dominican territorial waters along the southern border, while attempting to prevent air drops and maritime delivery of illicit narcotics to remote areas. According to the latest USG estimates, seven percent of the cocaine directed towards the United States transits Hispaniola. Per the United Nations Office of Drugs and Crime (UNODC), 11 percent of all drugs going to Europe transits DR. There were fewer suspect drug flights detected from Venezuela destined for DR in 2009 (58) compared to in 2008 (87). Tracks peaked at 109 in 2007. Drugs remained easily available for local consumption in most metropolitan areas in 2009. The distribution of drugs throughout the DR varies with the type of drug; however, a common denominator is widespread use of cocaine and heroin in tourist zones and major metropolitan areas. The majority of crack cocaine and ecstasy seizures occurred in the province of La Altagracia in the east, Peravia in the central area and Santiago and Puerto Plata in the north. Cocaine and heroin seizures were most often in the northern and eastern tourist provinces of Puerto Plata, El Seybo and La Altagracia and in the metropolitan areas of Santo Domingo, Santiago and La Romana. Marijuana seizures have been concentrated in the northwest and southwest provinces of the country bordering on Haiti.

The number of noncommercial aviation flights departing South America to deliver illicit drugs to the DR is one of the biggest challenges faced by the country. Almost half of the drugs transiting through the DR are believed to be delivered by these illicit flights. To counter this flow, U.S. Customs and Border Protection (CBP) Blackhawk helicopters from Puerto Rico transporting DEA agents are routinely dispatched to the DR to pick up a DNCD team in an effort to interdict drug drops and make seizures and arrests. Although there have been successes, the limited availability of the CBP Blackhawks and the time and distance required to respond often hamper these missions.

Intelligence indicates that the majority of the illicit narcotics transiting the DR to North America and Europe moves through its seaports. Presently, only one Dominican port, Caucedo, is operating in compliance with the Container Security Initiative (CSI). The other DR Mega Port is Rio Haina where 270,000 TEUs (Twenty-foot Equivalent Unit containers) per year transit, much of it to the US; however, Haina is not CSI compliant.

Domestic Programs/Demand Reduction. During the year, the DNCD conducted sporting events and seminars to help publicize the negative effects related to the use of narcotics and drugs. Hundreds of thousands of Dominican youths participated in these events. The USG believes that the demand for narcotics in the DR is increasing because narcotics are often used as a method of payment for criminals involved in drug transit. In addition, based on the number of arrests and those seeking treatment, the Consejo Nacional de Drogas assesses there to be a continued increase of domestic consumption of drugs. The government has never undertaken an official survey regarding domestic drug use due to a lack of resources. A community-policing project initiated in 2006-2007 with support from the USG continued in high-risk neighborhoods in Santo Domingo, in part to reduce drug demand and drug-related crimes. Community leaders and law enforcement officials praised the project, and are seeking to expand it to other cities.

IV. U.S. Policy Initiatives and Programs

Policy Initiatives. USG policy objectives in the DR are to enhance existing land and maritime law enforcement capabilities to act against narcotics traffickers and to improve the GODR's ability to successfully investigate and prosecute criminal cases.

Bilateral Cooperation. During 2009, the USG, through Department of State's Bureau of International Narcotics and Law Enforcement Affairs (INL) provided equipment and training to: maintain the drug and explosive detection canine units; support the DNCD's vetted Sensitive Investigation Unit (SIU) and Tactical Response Team; expand DNCD computer training, database expansion and systems maintenance support; improve the DNCD's capability to detect drugs smuggled through airports; and enhance the DR's anti-money laundering capacity. CBP conducted two international interdiction training seminars on airport and seaport cargo for the DNP, DNCD and Dominican Customs (DGA). DGA provided their Regional Training Center and transportation for these seminars and the U.S. Embassy's Narcotics Affairs Section (NAS) funded the courses. Other NAS-funded training included sending candidates to the Colombian Jungle Commando course, airport narcotics detection training in Bogotá, Colombia, and a twelve-module anti-money laundering course developed by NAS.

The United States Coast Guard (USCG) participated in joint counternarcotics and illegal migrant operations, including the use of mobile biometrics to identify and prosecute criminals transiting the Mona Passage between the DR and Puerto Rico. In addition, the USCG held three subject-matter expert exchange conferences for the benefit of the Dominican Navy: the Annual Interoperability Conference aimed at improving coordination in maritime interdictions; the Caribbean Search and Rescue Conference to improve and coordinate collaborative efforts of mutual search and rescue resources; and the International Shipping and Port Security Conference geared towards enhancing port security in the DR. The USCG also provided maritime law enforcement, leadership, engineering and maintenance, port security, and command and control training to the Dominican Navy. Under the maritime bilateral agreement with the GODR, 88 lbs of cocaine were removed, three smugglers were detained, and one vessel was seized. This agreement continued to facilitate counternarcotics cooperation between the Dominican Navy and the USCG.

The Law Enforcement Development Program, implemented by the Embassy's NAS assisted the DNP with reforms aimed at completing its transformation into a professional, civilian-oriented organization. Since the program was initiated in 2006, over 9,000 police investigators and prosecutors have undergone training in basic crime scene investigation. A community based policing project established in 13 high risk barrios in Santo Domingo led to positive trends in crime reduction in these neighborhoods. This project has been expanded to Puerto Plata, Cabarete, and Santiago. National Police and Prosecutors received joint training. During the year 500 cadets completed Police Academy training, which used the revised curriculum designed by NAS. The U.S. Agency for International Development (USAID) provided assistance to strengthen the DR's justice system, with a particular focus on effective implementation of the Criminal Procedures Code to ensure proper acquisition, storage, and handling of evidence and adherence to reasonable time limits for prosecuting cases. USAID also assisted the National Institute for Forensic Sciences with improving procedures to secure and preserve evidence.

The Road Ahead. The GODR is encouraged to continue building coherent counternarcotics programs that can resist the pressures of corruption and address new challenges presented by narcotics trafficking organizations. The most important task facing the GODR is to stop the endemic corruption and improve public confidence in the government. Results of a Gallup-Hoy poll indicate that 52.6 percent of the population believe drug trafficking has penetrated the DR because of complicity between drug dealers and the authorities. We encourage the GODR to institutionalize judicial reforms and make efforts to address money laundering by developing the capacity to conduct complex financial investigations as a priority. Expanding its community-policing program to additional neighborhoods in Santo Domingo and other cities in the DR will improve the GODR's ability to ensure safety for its citizens. Increased cooperation between the DNP and DNCD has proven to be effective in fighting drug related crimes. The GODR can build on this cooperative effort through the development of Micro-Trafficking Units comprised of members from both organizations and with the participation of the Attorney General's office. Much is discussed concerning the airdropping of drugs from aircraft originating from Venezuela, and the DR is encouraged to place more emphasis on their ports and bring them into compliance with the CSI. The USG

will work with the DR to help it build capacity in the DR Air Force helicopter program to address the threat of noncommercial aviation flights departing South America to deliver illicit drugs to the DR and enable them to take over the role currently filled by CBP.