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# DR-CAFTA IMPLEMENTATION

## Annual Report October 2008 to September 2009

October 2009

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## ACRONYMS

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<b>ADOZONA</b>	Dominican Free Trade Zone Association
<b>AEIH</b>	Association of Industrial Enterprises of Herrera
<b>AIRD</b>	Industrial Association of the Dominican Republic
<b>AMCHAMDR</b>	American Chamber of Commerce in the Dominican Republic
<b>DR-CAFTA</b>	Dominican Republic-Central America-United States Free Trade Agreement
<b>CARICOM</b>	Trade agreement with the Caribbean Community
<b>CCPSD</b>	Santo Domingo Chamber of Commerce and Production
<b>CEI-RD</b>	Center for Exports and Investments of the Dominican Republic
<b>CNC</b>	National Competitiveness Council
<b>CODOPYME</b>	Dominican Confederation of Small and Medium Enterprises
<b>CONEP</b>	National Council of Private Enterprises
<b>CONIAT</b>	Council for Implementation and Administration of Trade Agreements
<b>COP</b>	Chief of Party
<b>CPP</b>	Competitiveness and Policy Program
<b>CRT</b>	USAID DR-CAFTA Regional Trade Program
<b>CTO</b>	Cognizant Technical Officer
<b>DASA</b>	Despradel & Asociados, S.A.
<b>DGA</b>	General Directorate of Customs
<b>DICOEX</b>	Directorate of Foreign Trade
<b>DIGEGA</b>	Dominican Republic General Directorate for Livestock
<b>DR</b>	Dominican Republic
<b>FAO</b>	Food and Agriculture Organization
<b>FDA</b>	Federal Drug Administration
<b>FSIS</b>	Food Safety Inspection System
<b>FTAA</b>	Free Trade Agreement of the Americas
<b>FO</b>	Field office
<b>GATT</b>	General Agreement on Tariff and Trade
<b>GBTI</b>	General Business Trade and Investment
<b>GDP</b>	Gross Domestic Product
<b>GODR</b>	Government of the Dominican Republic
<b>GPO</b>	DR Office of Government Procurement (Dirección General de Contrataciones Públicas)
<b>HACCP</b>	Hazard Analysis of Critical Control Point
<b>IIBI</b>	Innovation Institute in Biotechnology and Industry
<b>IICA</b>	Inter-American Institute for Cooperation in Agriculture
<b>IDB</b>	Inter-American Development Bank
<b>IDIAF</b>	Dominican Institute for Agricultural and Forestry Research
<b>INDOTEL</b>	National Telecommunications Institute
<b>INTEGRA</b>	INTEGRA
<b>IPR</b>	Intellectual Property Rights
<b>IQC</b>	Indefinite Quantity Contract

<b>ISA</b>	Superior Institute of Agriculture
<b>JAD</b>	Dominican Agribusiness Board
<b>KMD</b>	Chemonics Knowledge Management Division
<b>LAC</b>	Latin America and Caribbean
<b>LAVECEN</b>	Central Veterinary Laboratory
<b>LOE</b>	Level of effort
<b>MOU</b>	Memorandum of Understanding
<b>NAP</b>	DR National Action Plan
<b>NAFTA</b>	North America Trade Agreement
<b>ONAPI</b>	National Office for Industrial Property Rights
<b>ONDA</b>	National Office for Copyrights
<b>OPTIC</b>	Presidential Office for Information and Communication Technology
<b>OAS</b>	Organization of American States
<b>OTCA</b>	Commercial Agricultural Agreements Office
<b>PART</b>	Program Assessment Rating Tool
<b>PATCA</b>	Support Project to the Transition to Competitive Agriculture
<b>PARETO</b>	Grupo de Consultoría Pareto
<b>PBMS</b>	Performance-Based Management System
<b>PSE</b>	Project Sub Element
<b>PE</b>	Project Element
<b>PIU</b>	Project Implementation Unit
<b>PMU</b>	Project Management Unit
<b>PMP</b>	Performance Monitoring Plan
<b>PUCMM</b>	Pontificia Universidad Católica Madre y Maestra
<b>PSE</b>	Project Sub Element
<b>RFP</b>	Request for Proposal
<b>SAF</b>	Strategic Activities Fund
<b>SEA</b>	State Secretariat of Agriculture
<b>SEIC</b>	State Secretariat of Industry and Commerce
<b>SESPAS</b>	State Secretariat of Health and Social Assistance
<b>SIAMED</b>	Automated System to Register Pharmaceuticals
<b>SPS</b>	Sanitary and Phytosanitary Measures Agreement
<b>STDF</b>	Standards and Trade Development Facility
<b>TBT</b>	Technical Barriers to Trade
<b>TRQ</b>	Tariff Rate Quota
<b>US</b>	United States
<b>USG</b>	United States Government
<b>UNIBE</b>	Universidad Iberoamericana
<b>UPOV</b>	Union for the Protection of New Varieties of Plants
<b>USAID</b>	United States Agency for International Development
<b>USTR</b>	United States Trade Representative
<b>UASD</b>	Autonomous University of Santo Domingo
<b>WAHO</b>	World Animal Health Organization
<b>WB</b>	World Bank
<b>WHO</b>	World Health Organization
<b>WTO</b>	World Trade Organization

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## **EXECUTIVE SUMMARY**

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## EXECUTIVE SUMMARY

This document presents the results of the second fiscal year of the United States Agency for International Development (USAID) Central America-Dominican Republic-United States Free Trade Agreement (DR-CAFTA) Implementation Project. This Project was contracted by USAID through Task Order Number EEM-I-00-07-00008-00 under the General Business, Trade and Investment (GBTI) II Indefinite Quantity Contract (IQC). The contract is being implemented by Chemonics International Inc. for a total of \$5,018,735 for a period of three years, from September 12, 2007 to September 30, 2010, with an option of two additional years.

The purpose of the Project is to support the efforts of the Government of the Dominican Republic's (GODR) institutions, especially the Directorate of Foreign Trade and Trade Agreements Administration (DICOEX) of the State Secretariat of Industry and Commerce (SEIC), private firms and business associations, and civil society organizations to fully implement the DR-CAFTA in the Dominican Republic. The overarching objective is to have within the next five years: **(i)** the GODR implementing effectively all 22 chapters of DR-CAFTA; **(ii)** the Dominican private sector benefiting from improved trade and investment policy implementation; and **(iii)** Dominican civil society groups capable of monitoring, analyzing, and assessing the real impacts, shortcomings and results that this treaty will have had on the Dominican economy and society.

The Project is organized in 5 tasks: 3 initial tasks consisted on mandatory activities for Project startup; and the remaining 2 are being implemented throughout the life of the contract. In this executive summary, only the key results and deliverables for the Project's fiscal year 2009 are presented, as the details of the overall results, from October 2008 to September 2009, are presented in the main body of the report. After presenting an introduction, the activities were organized starting with agricultural related activities, followed by the direct support to DICOEX, the activities to strengthen the Dominican Institutional Capacity (task 4) and those for a more effective public-private dialogue on DR-CAFTA (task 5). The report is completed with cross cutting activities, followed with financial information and the performance monitoring program (PMP) of the Project. An annex presents details of the PMP.

## KEY RESULTS

### ◆ Stronger GODR institutions for the implementation of DR-CAFTA

The USAID DR-CAFTA Implementation Project is providing important technical assistance to DICOEX and other DR-CAFTA priority institutions that have resulted in an in depth revision of their organizational structures to improve their functionality and operations to facilitate DR-CAFTA Implementation. During this second fiscal year, the Project helped increase the levels of efficiency and effectiveness in the performance management of these DR-CAFTA priority institutions. The Project consultants worked

with DICOEX, OTCA, SESPAS and SHE/DGCP, in reviewing their overall structural and functional framework to emphasize DR-CAFTA implementation. Thus far, the project has worked with 11 state secretariats, 2 General Directorate and two decentralized organization: the Central Bank and the Superintendence of Securities.

#### ◆ **Increased efficiency in DR-CAFTA administrative issues.**

In conjunction with DICOEX's personnel, this USAID project facilitated the review of all GODR commitments in DR-CAFTA, the identification of pending tasks, and the creation of a timetable for compliance. Furthermore, with assistance of USAID funded expertise, DICOEX is in the process of improving its website with a complete DR-CAFTA information section. The consultants hired by the Project have also worked with DICOEX to introduce and implement a new communication system for systematically receiving and responding to private sector inquiries; as well as orderly and efficient systems for the proper coordination and communication of DR-CAFTA requirements with other priority institutions. The Project's efforts in the functional organizational restructuring of DICOEX and other priorities institutions have significantly contributed to accelerating efficiencies in DR-CAFTA implementation.

#### ◆ **Creation of a more effective implementation of agricultural policy reforms needed for DR-CAFTA compliance.**

The Agricultural commitments in DR-CAFTA are one of the most vulnerable commitments in the Agreement due to the liberalization of sensitive products that implies the administration of tariff rates quotas and special safeguards measures for certain products. The USAID DR-CAFTA Implementation Project's technical experts provided the GODR with considerable assistance to comply with DR-CAFTA agricultural commitments through the following actions:

- Strengthening the Office of Agricultural Trade Agreements (OTCA) at the State Secretariat of Agriculture (SEA);
- Improving the knowledge of the agricultural private sector about DR-CAFTA; and
- Promoting legal and regulatory actions to improve implementation and compliance of agricultural issues.

One of the Project's main contributions has been its assistance to reduce problems or obstacles that may arise while following the proper TRQs allocation process. Technical assistance to develop OTCA's Web Page assisted the organization in optimizing its communications with both public and private sector members as well as with the general public.

During USAID DR-CAFTA Implementation Project's second year 891 people were trained in DR-CAFTA agricultural topics through 18 seminars and workshops.

Agricultural implementation of DR-CAFTA was facilitated by the drafting, revision and/or modification of agricultural regulatory frameworks that need to be implemented. Thus

far, 8 regulatory or institutional actions have been carried out with Project assistance to assist the GODR in complying with agricultural commitments.

◆ **A more transparent, efficient and responsive public sectors for DR-CAFTA implementation.**

Working with DICOEX to improve supervision and management of DR-CAFTA is an asset to GODR institutions and the private sector in raising awareness and compliance with DR-CAFTA commitments.

The Project has been motivating the development and empowerment of DICOEX and priority institutions by strengthening institutional capacity and promoting public-private sector dialogue. In this same manner, the Project provides direct support to GODR institutions that manage the provisions in DR-CAFTA chapters while strengthening their institutional capacity and supporting policies and legal reforms to comply with the Agreement. Project's assistance has been particularly crucial in Intellectual Properties Rights, Agriculture, Government procurement, Conflict Resolution and Transparency.

The Project has also provided important assistance and work at the policy level to strengthen the legal and regulatory framework for the sales authorization of pharmaceutical products in the country, improving the process for managing TRQ's, drafting sanitary regulations for certain agricultural products and providing government procurement guidelines. These are all key components of an efficient trade agreement implementation. The USAID DR-CAFTA Implementation Project serves as a catalyst to improve the overall business climate and the competitiveness in the Dominican Republic.

More effective public-private dialogue on DR-CAFTA has been improved this reporting period through 38 seminars with 1,624 participants (433 or 37% women) on DR-CAFTA related topics in coordination with SEIC/DICOEX, SEA/OTCA, SHE/DGCP, ONAPI, SESPAS, INDOTEL, CEI-RD and CNC in the public sector; and JAD, AIRD, AMCHAMDR, and AEIH in the private sector.

The technical assistance provided through the Project yielded a total of 43 reports in different DR-CAFTA topics and areas. These technical reports have made a significant contribution in GODR's interaction with the private sector. Below, please find a list of all the technical reports produced during FY09.

**USAID THE DR-CAFTA IMPLEMENTATION PROJECT TECHNICAL REPORTS  
FISCAL YEAR 2009<sup>1</sup>**

<b>No.</b>	<b>Report Title</b>	<b>Date</b>	<b>Collaborating Institutions</b>	<b>Consultant</b>
1	Specialized Training in Intellectual Property Rights and Copyrights for the General Directorate of Customs (DGA) – Compliance with Intellectual Property Rights at the Border.	June 2008	USAID/SEIC/ DICOEX/DGA	Lily L. González de Watson
2	Medicines and DR-CAFTA: Commitments Undertaken by the Dominican Republic	July 2008	USAID/SESPAS/ SEIC/ DICOEX	Liliana Otero
3	Proposal of Code of Conduct for Arbitrators in DR-CAFTA	September 2008	USAID/SEIC/ DICOEX	Natalia Polanco
4	Overview of the Best Practices in Preparing Reports on the Free Trade Agreements in Latin American and Caribbean Countries	October 2008	USAID/SEIC/ DICOEX	Leyda Reyes PARETO
5	Consultancy Report: Sanitary Regulations for Poultry and Related Products in the Dominican Republic	October 2008	USAID/SESPAS/ SEIC/ DICOEX	Mercedes Erazo
6	Central American and Dominican Republic: Socioeconomic Context and Institutional Platform	October 2008	USAID/SEIC/ DICOEX	Oscar Núñez
7	Consultancy Report of the General Rules on Food Risks Control in the Dominican Republic	October 2008	USAID/SESPAS/ SEIC/ DICOEX	Dr. Jaime Cornejo
8	Consultancy Report on Meat Inspection Manuals for Dominican Republic	December 2008	USAID/SESPAS/ SEIC/ DICOEX	Mercedes Erazo
9	Proposal for DR-CAFTA Progress Quarterly Report: January-June 2008	December 2008	USAID/SEIC/ DICOEX	PARETO
10	Dominican Republic's Compliance with its Commitments in DR-CAFTA: Six Months After Entering Into Force	December 2008	USAID/SEIC/ DICOEX	Natalia Polanco
11	Institutional Strengthening of Administration of Trade Agreements for the Dominican Republic. Restructuring Proposal for DICOEX in the Dominican Republic Based on Regional Best Practices	II Semestre 2008	USAID/SEIC /DICOEX	Velia Gobaere

<sup>1</sup> A complete list of the Project Technical Reports is available upon request.

No.	Report Title	Date	Collaborating Institutions	Consultant
12	Analysis of the Commitments Made by Dominican Republic in the Government Procurement Chapter	II SEMESTER 2008	USAID/SEIC/ DICOEX	Patricia Mejía
13	Report on the Proposed Modifications to the Insurance Law of the Dominican Republic in Compliance with DR-CAFTA Commitments	February 2009	USAID/SEIC /DICOEX	INTEGRA
14	Proposal for a DR-CAFTA Quarterly Report. January – September 2008	February 2009	USAID/SEIC /DICOEX	PARETO
15	Rules of Procedure for Dominican Republic Technical Committees in DR-CAFTA	February 2009	USAID/SEIC /DICOEX	Natalia Polanco
16	Consultancy Report: Sanitary Regulations for Milk and Milk Products in the Dominican Republic	February 2009	USAID/SESPAS/ SEIC/ DICOEX	Mercedes Erazo
17	Competitiveness and Taxes: An Analysis of the Impact of the Tax Structure on the Costs of Exports in DR-CAFTA. Literature Review, Dominican Framework and Proposed Methodology	February 2009	USAID/SEIC/ DICOEX	Brenda Villanueva PARETO
18	Study, Analysis and Redesign of the Structure and Functions of the Office of Agricultural Trade Agreements (OTCA)	March 2009	USAID/SEIC/ DICOEX/ SEA/OTCA	María Espinal de Aybar
19	Organizational Manual of the Office of Agricultural Trade Agreements (OTCA)	March 2009	USAID/SEIC/ DICOEX/ SEA/OTCA	María Espinal de Aybar
20	Diagnosis, Perspectives and Recommendations to Facilitates Exports of Unprocessed Sweet Potatoes to the US under DR-CAFTA	March 2009	USAID/SEIC/ DICOEX	Luis Ramón Rodríguez
21	Consulting Report on the Audit of Networks for Number Portability in Compliance with DR-CAFTA Commitments.	March 2009	USAID/SEIC/ DICOEX/INDOTEL	Julián Gómez Pineda
22	Mid Term Assessment of Dominican Institutional Capacity to Implement DR-CAFTA	April 2009	USAID/SEIC/ DICOEX	Robert S. Landmann and Elka Scheker

No.	Report Title	Date	Collaborating Institutions	Consultant
23	Report on the Consultation to Potential Users of DICOEX's Information Portal and Presentation of Best Practices in the Design of Trade Portals in the Latin American and Caribbean Region	April 2009	USAID/SEIC/ DICOEX	PARETO
24	Mid Term Assessment of Dominican Institutional Capacity to Implement DR-CAFTA. <b>Spanish version</b>	April 2009	USAID/SEIC/ DICOEX	Robert S. Landmann and Elka Scheker
25	User Guide for the Commercial Community: Dominican Republic: DR-CAFTA Special Agriculture Safeguard.	May 2009	USAID/SEIC/	Juan Luis Zúñiga
26	User Guide for the Commercial Community: Dominican Republic: DR-CAFTA Tariff Rate Quotas	May 2009	DICOEX/ SEA/OTCA	Juan Luis Zúñiga
27	Consulting Report on the Sanitary Regulation for the Inspection of Products from Fishing and Aquaculture in the Dominican Republic.	May 2009	USAID/SESPAS/ SEIC/ DICOEX	Mercedes Erazo
28	Proposed Structure and Content for DICOEX's Information Portal	May 2009	USAID/SEIC/ DICOEX	PARETO
29	Competitiveness and Taxes: An Analysis of the Impact of the Tax Structure on the Costs of Exports in DR-CAFTA.	May 2009	USAID/SEIC/ DICOEX	Brenda Villanueva PARETO
30	Final Documentation on the Portal of the National Committee for Sanitary and Phytosanitary Measures (NCSPS)	June 2009	USAID/DICOEX/ SEA/OTCA	José David Montilla y Halley González
31	DR-CAFTA Database	July 2009	USAID/SEIC/ DICOEX	Peter Silva
32	Study on the Export Potential of Micro, Small and Medium Enterprises in DR-CAFTA Countries.	July 2009	USAID/SEIC/ DICOEX	Blanca Jiménez DASA
33	DR-CAFTA: Commitments and Opportunities	July 2009	USAID/SEIC/ DICOEX/CNC	INTEGRA
34	DR-CAFTA: Government Procurement and DR-CAFTA	July 2009	USAID/SEIC/ DICOEX/CNC	INTEGRA

<b>No.</b>	<b>Report Title</b>	<b>Date</b>	<b>Collaborating Institutions</b>	<b>Consultant</b>
35	DR-CAFTA: How to export? Regulations to Take Advantage of DR-CAFTA	July 2009	USAID/SEIC/ DICOEX/CNC	INTEGRA
36	DR-CAFTA: Professional Services	July 2009	USAID/SEIC/ DICOEX/CNC	INTEGRA
37	DR-CAFTA: Merchandise Market Access: What, When and How to Take Advantage of DR-CAFTA	July 2009	USAID/SEIC/ DICOEX/CNC	INTEGRA
38	DR-CAFTA: A Multilateral Agreement	July 2009	USAID/SEIC/ DICOEX/CNC	INTEGRA
39	DR-CAFTA: Intellectual Property Rights	July 2009	USAID/SEIC/ DICOEX/CNC	INTEGRA
40	Understanding DR-CAFTA: a Simple Guide for the Dominican Agricultural Sector	September 2009	USAID/SEIC/ DICOEX	Luis Ramón Rodríguez & Rubén D. Núñez
41	Implications of Article 3.4 of DR-CAFTA for Special Regimes after 2010	September 2009	USAID/SEIC/ DICOEX	Natalia Polanco Abreu
42	Compilation of Dominican Republic Legislation for DR-CAFTA Implementation	September 2009	USAID/SEIC/ DICOEX	Natalia Polanco Abreu
43	Terms of Reference for the DR-CAFTA Trade Capacity Building Committee	September 2009	USAID/SEIC/ DICOEX	Natalia Polanco Abreu

## **SECTION I**

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### **INTRODUCTION**

## SECTION I

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### INTRODUCTION

#### A. Background

The Dominican Republic (DR) began a transformation process to open its economy in the early nineties with an active participation in the Uruguay Round of negotiations of the General Agreement on Tariff and Trade (GATT)<sup>2</sup> that concluded with the opening of the World Trade Organization (WTO) in 1995.

Due to the limitations reached with the conclusion of the Uruguay Round, countries continued negotiating with close partners to engage in trade agreements that would accelerate market access. The DR was no exception. It participated actively in the negotiations of the Free Trade Agreement of the Americas (FTAA), signed free trade agreements with Central America and the Caribbean countries, and a partial free trade agreement with Panama.

In 2003 the DR was accepted in the negotiations of the Free Trade Agreement between the United States (US) and Central America (CAFTA), and on August 5, 2004 the DR signed the Central America-Dominican Republic-United States Free Trade Agreement (DR-CAFTA). On March 1<sup>st</sup> 2007, the Dominican Republic complied fully with the DR-CAFTA requirements and the treaty came into force. The Dominican Government views regional integration initiatives as a critical tool in addressing its urgent economic and social needs, and is strongly committed to the implementation of DR-CAFTA and other Free Trade Agreements (FTAs), as a way of achieving broad-based sustainable economic growth. USAID has been supportive of the DR's efforts over many years, helping to strengthen the country's business and trade environment, and through the Competitiveness and Policy Project (CPP), building its trade capacity and assisting in legal and regulatory reform in preparation for DR-CAFTA implementation.

This document presents the results of the second year of the Central America-Dominican Republic-United States Free Trade Agreement (DR-CAFTA) Implementation Project contracted by the United States Agency for International Development (USAID) through Task Order Number EEM-I-00-07-00008-00 under the General Business, Trade and Investment (GBTI) II Indefinite Quantity Contract (IQC). The contract is for a total of \$5,018,735 for a period of three years, from September 12, 2007 to September 30, 2010, with an option of two additional years.

The USAID financed DR-CAFTA Implementation Project contract was awarded to Chemonics International in September 2007. The purpose of this activity is to support the efforts of the Government of the Dominican Republic's (GODR) institutions, especially the Directorate of International Trade and Trade Agreements Administration (DICOEX) in the State Secretariat of Industry and Commerce (SEIC), private firms and

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<sup>2</sup> Contrary to most of its Central America partners, the DR is a founding member of the GATT.

business associations, and civil society organizations to fully implement the DR-CAFTA agreement in the Dominican Republic. The overarching objectives of this Project is to have within the next five years: **(i)** the GODR implementing effectively all 22 chapters of DR-CAFTA; **(ii)** the Dominican private sector benefiting from improved trade and investment policy implementation; and **(iii)** Dominican civil society groups capable of monitoring, analyzing, and assessing the real impacts, shortcomings and results that this treaty will have had on the Dominican economy and society.

## **B. Description of Project Objectives and Results Framework**

This Project was designed to facilitate implementation of DR-CAFTA and ensure that local institutions are fully competent to carry out their respective roles and responsibilities in support of implementation and compliance with DR-CAFTA. By working closely with and providing technical assistance to the public institutions and private organizations related to DR-CAFTA implementation, this Project is expected to achieve the following general objectives upon completion of its 3-year timeline:

1. Strengthened communications and coordination among GODR institutions, particularly DICOEX, to monitor and evaluate the implementation of all the provisions in the 22 chapters of DR-CAFTA;
2. Greater support for public policy and procedural reforms required to implement DR-CAFTA effectively, improved overall investment climate, and greater private business investment and competitiveness in the Dominican Republic;
3. Enhanced capacity in key public and private sector institutions to monitor the implementation of DR-CAFTA and carry out quality applied research and analysis on its economic and social impact on various sectors of the Dominican economy; and
4. Improved awareness and understanding by all sectors in DR-CAFTA implementation issues, impacts and opportunities across all sectors.

The methodology for achieving results is based on four guiding principles:

- A. “Dominicanization” of the institutional strengthening process.** To be successful, Dominicans must lead the institutional strengthening and policy reform process. The Dominicanization begins with predominantly Dominican core and implementing teams. The Project constantly makes our partners, particularly DICOEX, the face of Project implementation activities, quickly positioning them as trusted DR-CAFTA administrators, sources of information and technical support in their areas of responsibility.
- B. A flexible, responsive approach to Project implementation.** Potential political, economic, and institutional changes require a flexible approach to Project implementation, grounded in continuous evaluation of needs and opportunities. The Project develops solid relationships with public and private-sector stakeholders, and a robust Performance-Based Management System (PBMS), to

allow us to quickly respond to critical changes in the Project operating environment and the needs of Project partners.

- C. *Clear, continuous internal and external communication.*** Open, constant communication among stakeholders is essential to foster and reinforce the values of transparency and coordination needed to facilitate DR-CAFTA implementation. We are developing consultative mechanisms to facilitate public/private dialogue, and assist DICOEX and other private institutions to develop effective communications tools, such as websites and newsletters. We engaged DICOEX from day one to ensure the entity is providing input on Project design and implementation, and communicating regularly with USAID and stakeholders through progress reports and other means.
- D. *Coordinated efforts and resources.*** Close coordination with stakeholders, donors, and other USAID programs is a hallmark of this Project.

Our Project fits within the USAID/Santo Domingo Mission's objective of "Economic Growth" - to generate rapid, sustained, and broad-based economic growth, Program Area "4.2 Trade and Investment," and "Program Element 4.2.2 Trade and Investment Capacity".

The Program Element 4.2.2: The Trade and Investment Capacity activity has three program sub-elements:

- Program Sub-Element 4.2.2.1: Trade Communication and Technologies;
- Program Sub-Element 4.2.2.2: Trade Knowledge and Skills; and
- Program Sub-Element 4.2.2.3: Non-Agricultural Standards Compliance.

The above general USAID objectives will be achieved through the following results framework (see Exhibit 1 below):

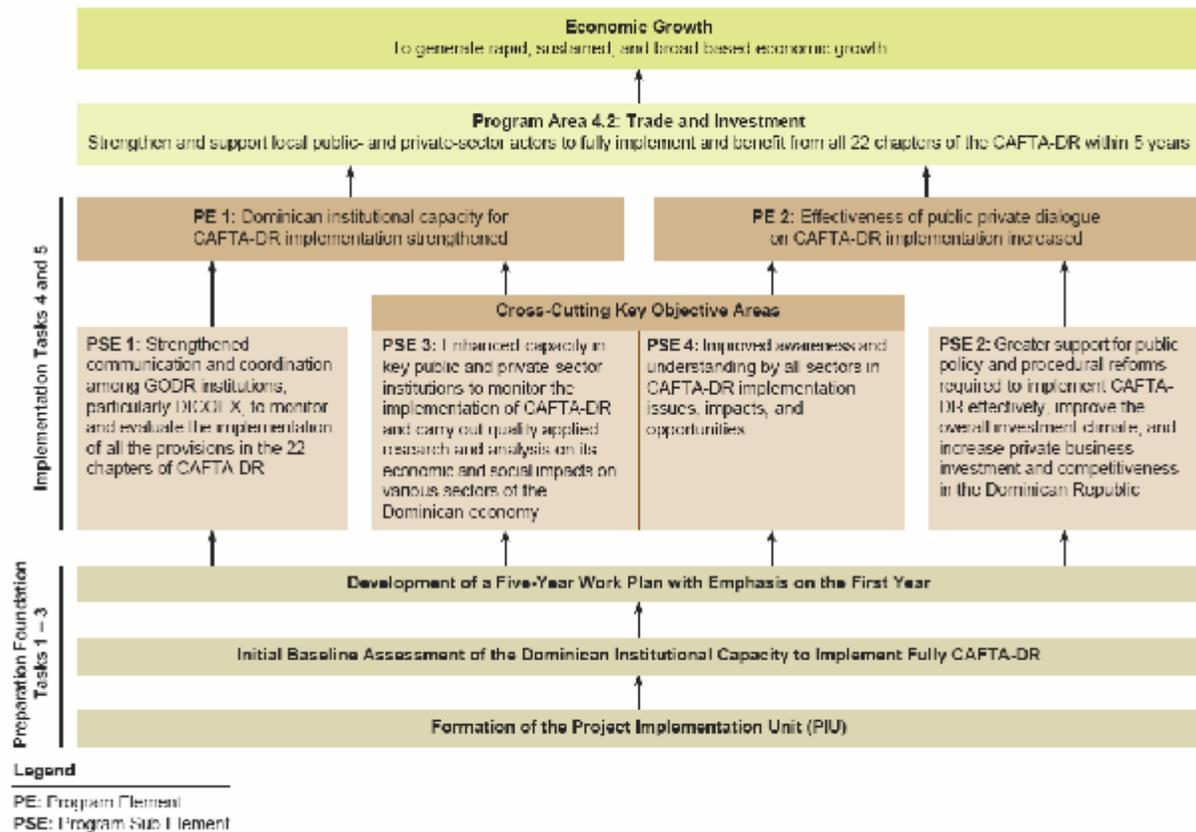
**Task 4:** Dominican institutional capacity for DR-CAFTA implementation strengthened

- a. Strengthened inter-institutional framework
- b. Empowered DICOEX and strengthened research and data capability

**Task 5:** More effective public-private dialogue on DR-CAFTA

- a. Increase the capacity of the private sector to monitor and evaluate DR-CAFTA
- b. Create consultative mechanisms for public-private sector dialogue
- c. Develop and implement a DICOEX communication and public relations campaign
- d. Ensure that DICOEX systematically receives, analyzes, and responds to private-sector input

**Exhibit 1. CAFTA-DR Implementation Project Results Framework**



### C. Organization – Operation of the Project

The USAID DR-CAFTA Implementation Project’s organizational structure is shown in the chart below. The Project has a very streamlined staffing structure that includes only four full-time, long term professionals. This group of full-time professionals, designated as the Project Implementation Unit (PIU), is led by Chief of Party (COP), Dr. Rubén D. Núñez. Dr. Núñez directly supervises three managers, each representing the three functional areas of the Project: technical services, finance and administration, and monitoring & evaluation/public outreach.

Technical service delivery is managed by the Technical Director, Lynette Batista, who works with the COP in the implementation of the work plan and the management of the Project’s other technical resources, such as the highly qualified group of local subcontractors including Integra, Pareto and DASA, as well as short term consultants and specialists. The finance and administration function is managed by the Financial Manager, Víctor Pérez. Mr. Pérez supervises the Operations Manager and the rest of the Project administrative support staff. The Monitoring and Evaluation and Public Outreach Specialist, Wendy Soto, has primary responsibility for Project reporting, monitoring and communications under the direction of the COP. She supervises a Communications Assistant, Yashara Canaan.

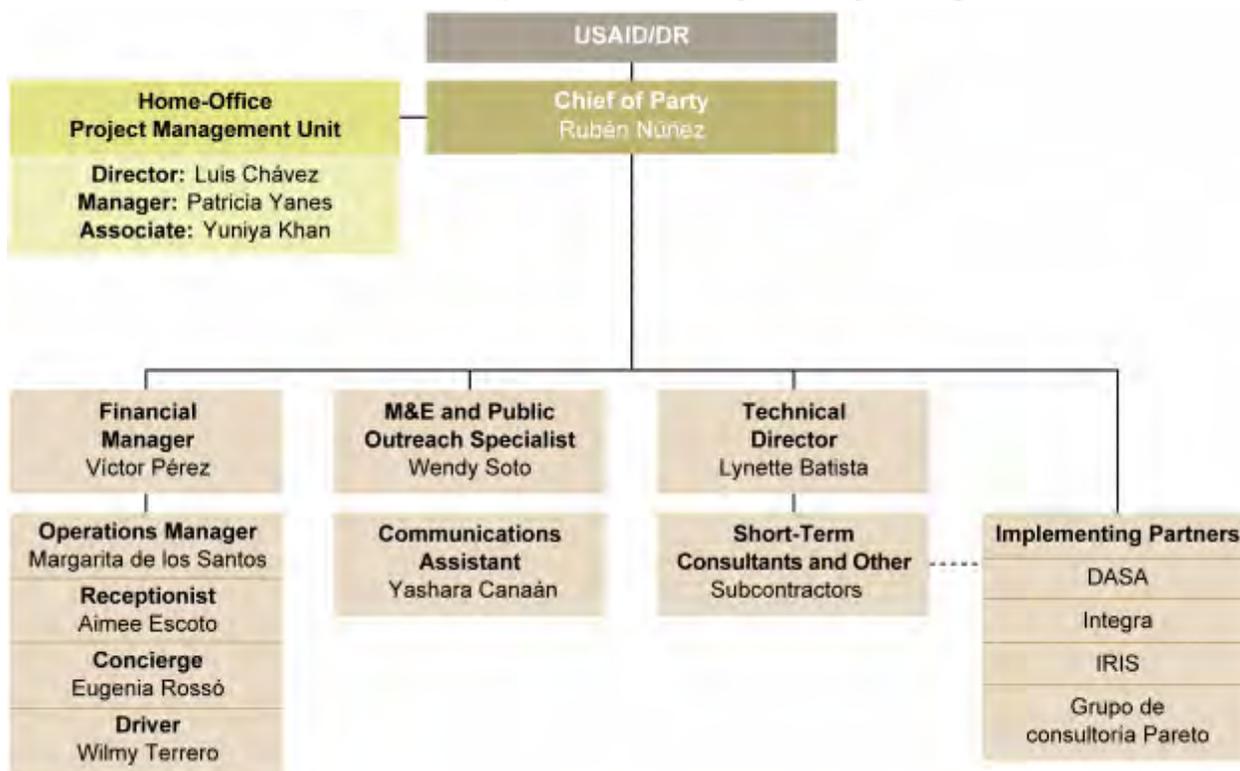
The Project has been designed as a demand-driven, deliverable-based activity. All subcontractors, local, and international consultants are contracted for specific activities with well defined products and deliverables, to be delivered on a timely basis within prescribed level of effort (LOE) limits. The Performance Based Management System (PBMS) documents, monitors and reports on these activities on a monthly, quarterly and annual basis.

The PIU is supported by the Home Office Project Management Unit (PMU), including the PMU Director, Luis Chávez, PMU Manager, Patricia Yanes, and PMU Associate, Yuniya Khan.

The USAID DR-CAFTA Implementation Project administration and financial management is the responsibility of both the Home Office PMU and the financial manager and operations manager based in the field office (FO) in the Dominican Republic. They are both ready to respond to USAID requests as they arise. The PMU provides continual support to the FO by establishing approvals and contractual guidelines, providing administrative direction, and performing day-to-day backstopping.

The operations manager reports all Project expenditures in the Chemonics developed accounting software and is responsible for ensuring that the necessary documentation for all local expenses, including purchase orders, receipts, evidence of competition, etc, is included in the accounting files and in accordance with USAID and Chemonics procedures.

**Exhibit 2. CAFTA-DR Implementation Project: Project Organization**



## **SECTION II**

# **STRENGTHENING RURAL ECONOMIC DEVELOPMENT**

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## SECTION II

### STRENGTHENING RURAL ECONOMIC DEVELOPMENT

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The DR-CAFTA Implementation Project has provided assistance to the DR in its process to comply with its commitments in the agricultural sector in DR-CAFTA through the following actions:

- Assist the GODR in complying with DR-CAFTA agricultural commitments; and
- Assist the GODR in complying with SPS Measures.

#### **A. Assisting the Dominican Government to Comply with DR-CAFTA Agriculture and Related Commitments**

The Dominican Republic's compliance with DR-CAFTA commitments requires the full participation of both the Government and the private sector. Thus, the Project worked in:

- Strengthening the Office of Agricultural Trade Agreements (OTCA) at the State Secretariat of Agriculture (SEA);
- Improving the knowledge of the agricultural private sector about DR-CAFTA; and
- Conducting an analysis on the cocoa export fee.

**A1. Strengthening OTCA to Implement DR-CAFTA.** OTCA is in charge of administering the agricultural components of international trade agreements, including the administration of the TRQs and the Special Agricultural Safeguards in DR-CAFTA. We strengthened OTCA by providing assistance in:

1. Conducting an organizational analysis for its restructuring;
2. Designing its Web Page;
3. Modification of the TRQs regulations;
4. Producing a User Guide for TRQs;
5. Developing a software to administer TRQs; and
6. Producing of a User Guide for the special agricultural safeguard.

**A1a. OTCA's Organizational Restructuring.** OTCA was created on October 27, 2005 by SEA's Resolution No. 24/2005. It is part of the Sub Secretariat of State for Agricultural Sector Planning and has the objective of strengthening the capacity of the agricultural sector in the negotiation and administration of international trade agreements. OTCA requested the assistance of the USAID DR-CAFTA Implementation Project to analyze and reorganize its organizational structure to maximize its human resources potential in achieving its goals and objectives. Local consultant María Espinal started working on this assignment in December 2008. The consultant completed the analysis and final design, and two reports were produced and delivered. The new reorganization was approved by the Sub Secretary of State for Agricultural Sector Planning and it is being implemented.

**A1b. OTCA's Web Page.** The DR is committed to transparency in DR-CAFTA; thus, it is very important for OTCA to have a good Web page. In response to OTCA's request, the USAID DR-CAFTA Implementation Project assisted OTCA in the design of its Web Page by contracting José Montilla and Halley González, local consultants, who worked with OTCA and the GODR Presidential Office for Information and Communication Technology (OPTIC) in the design of the Web page. The Web page was completed and delivered, and it is up and running. The corresponding personnel at OTCA were trained on the administration of the Web page, which is updated on a daily basis. The address of the page is <http://otcasea.gob.do/>.

In addition to relevant news, information about OTCA and agricultural related trade negotiations and administration issues, the Page has extensive information on DR-CAFTA's tariff rate quotas (TRQs). During the first months of operation, the Web page received an average of 243 visits per day. Once the TRQs allocation process was initiated, OTCA's Web page became a key mechanism for the interested parties to obtain the current information on said process. In September 2009, OTCA's Web page received a total of 2,066 visits; thus demonstrating the significant increase in its use and therefore in the TRQs allocation process.

**A1c. Modification of the TRQs regulations.** OTCA has three years of experience in the administration of the TRQs (2007, 2008 and 2009). The experience of the first two years (2007 and 2008) taught them that the original regulation had many set backs; thus, they decided to modify it with Decree 784-08 of November 28, 2008. They requested the USAID DR-CAFTA Implementation Project assistance in reviewing the proposed modifications. The assistance was delivered with recommendations to improve the proposed regulation.

**A1d. User Guide for DR-CAFTA's Tariff Rate Quotas (TRQs).** OTCA requested our assistance in drafting a user's guide to improve the understanding of users about the process of applying for the TRQs, using the certificates to import the merchandise, and accessing relevant information such as the distribution of the TRQs, as well as the statistics on their use and import amounts.

In response to this request, international consultant Juan Luis Zúñiga started the assignment in December 2008. The document was completed, reproduced and distributed. OTCA posted the guide in its Web Page and distributes it to everyone who requests a copy.

**A1e. Software to manage the TRQs.** One of the challenges that OTCA has had in the past to administer TRQs is the barrier to access statistics on a timely and accurate basis due to the large number of transactions. There are many products with TRQs, and there are many importers that request TRQs for each product. Other DR-CAFTA member countries, such as Nicaragua and Guatemala have overcome this challenge by using software that allows the administration authorities to generate the required reports to manage the TRQs.

Based on this, OTCA requested the project's assistance and international consultant Iván Mendoza, who developed software for the administration of TRQs in Nicaragua, started this assignment in June 2009, when he traveled to Santo Domingo to discuss with OTCA and Customs officials the details and expectations on the software. After conducting the analysis of the system according to OTCA's requirements, he worked on the structure of the database, and completed the software for the reports and outputs of the systems. He traveled to Santo Domingo on mid August to install the software but training could not be completed because the data base needs to be populated. The consultant is drafting the final report, and training will be completed when OTCA populates the data base.

**A1f. User Guide for DR-CAFTA' Special Agricultural Safeguard.** OTCA is also responsible for the administration of the special agricultural safeguards in DR-CAFTA. The administration of the safeguard is very complex, as the language in the legal text is difficult to understand. The Guide makes it easier for the users to interpret the legal text. The guide was finalized, produced and delivered. OTCA posted the guide in its Web Page and distributes it to everyone who requests a copy. Juan Luis Zúñiga was also the consultant for this guide.

**A2. Improving the Knowledge of the Agricultural Private Sector on DR-CAFTA.** The expansion of the knowledge of DR-CAFTA was achieved by two approaches:

- Seminars throughout the country; and
- Production of a brochure on DR-CAFTA for agriculture in simple terms.

**A2a. Seminars throughout the country.** The Project collaborated with JAD, SEA, SESPAS and other institutions in conducting seminars throughout the country. These seminars included explanations on agriculture related topics in DR-CAFTA to expand the knowledge of the agreement to the population at large. With this seminar series, 891 agricultural producers were trained in different seminars tailored to agriculture sector participants. Each seminar was focused on the particular products and/or area of expertise of each group.

**A2ai. Seminar series in coordination with DICOEX and JAD.** The Project was able to continue conducting a series of seminars all over the country through a collaborative effort between DICOEX through its component of the Anti-American Development Bank (IADB) loan 1511 on strengthening DR trade agreements capabilities, and the Dominican Agribusiness Board (JAD). The Project provided the consultant to conduct the seminars, JAD invited agricultural producers and DICOEX paid for the logistics expenses through the IADB Loan 1511. The following table presents a summary of the conducted seminars:

**Agriculture Sector DR-CAFTA Awareness Sessions in collaboration with the Dominican Agribusiness Board (JAD)**

	<b>Seminar Title</b>	<b>Date</b>	<b>Place</b>
<b>1</b>	Impact of DR-CAFTA to Mango Producers	October 2, 2008	Offices of IDIAF, Baní
<b>2</b>	Impact of DR-CAFTA to Avocado Producers	October 8, 2008	San Cristóbal
<b>3</b>	Impact of DR-CAFTA to Milk Producers	October 15, 2008	Santiago Rodríguez
<b>4</b>	Impact of DR-CAFTA to Pork Producers	October 22, 2008	JAD, Santo Domingo
<b>5</b>	Impact of DR-CAFTA to Onion Producers	November 14, 2008	San Juan de la Maguana



**Participants of the Facing the Challenges and Taking Advantage of the Opportunities of DR-CAFTA Seminar Series**

**A2a.ii. Seminar “Sanitary and Phytosanitary Measures for Exporting Bananas under the Dominican Republic’s Trade Agreements”** – USAID DR-CAFTA Implementation Project’s Agriculture and Trade Specialist, Luis Ramón Rodríguez, went to Pepillo Salcedo in Manzanillo to speak to agriculture sector participants about the implications of DR-CAFTA that affect banana exporters and the different ways in which the producers can take advantage of the opportunities presented by the trade agreement and how to face the corresponding challenges. The seminar was held on February 20<sup>th</sup> and attended by a total of 63 people (29 or 46% women).

**A2a.iii. Workshop on the Regulation of the Sanitary Inspection of Meat and Meat Products in the Dominican Republic** – International consultant Dr. Mercedes Erazo assisted SESPAS in presenting and actively discussing the proposed regulation of the sanitary inspection of meat and meat products with participants from both the public and private sectors who are involved in processing meat and meat products in the country.

This regulation was drafted with project's assistance. This presentation was made by SESPAS to provide an opportunity for the private sector to present their observations before the regulation is sent to the US and the World Trade Organization (WTO) for formal notification. This is required by DR-CAFTA and the WTO prior to final approval by the President of the DR and enforcement by SESPAS. The presentation was given at the Center of Laboratory Dr. Defilló during the morning of February 25<sup>th</sup> and a total of 35 people attended (12 or 34% women).



Workshop Participants



Dr. Mercedes Erazo Explaining the Regulation

**A2aiv. Workshop on the Regulation of the Sanitary Inspection of Poultry and Related Products in the Dominican Republic.** As was done for the regulation for meat and meat products, Dr. Mercedes Erazo also assisted SESPAS in presenting and actively discussing the regulation on sanitary inspection of poultry and poultry products with participants from both the public and private sectors who are involved in raising and processing poultry and related products in the country. This regulation was also drafted with project's assistance. As in the previous case, this presentation was made by SESPAS to provide an opportunity for the private sector to present their observations before the regulation is sent to the US and the World Trade Organization (WTO) for formal notification. The presentation was made at the Center of Laboratory Dr. Defilló during the morning of February 26<sup>th</sup>. A total of 23 people attended (6 or 26% women).



## Sanitary Inspection of Poultry: Workshop Participants

**A2av. Seminar: “Best Agricultural and Livestock Practices.”** Luis Ramón Rodríguez, Project’s Trade and Agriculture Specialist, made several DR-CAFTA presentations to public sector agriculture technicians. DICOEX and SEA, with USAID DR-CAFTA Implementation Project’s assistance conducted a series of seminars throughout the country to provide participants with the necessary skills to apply concepts on basic good agricultural practices. The seminars are geared towards emphasizing the importance of avoiding the contamination of foods while in harvest, processing, transportation and storage; thus, ensuring the safety of persons, animals, and the environment. These seminars serve as an opportunity for the USAID DR-CAFTA Implementation Project to inform key public sector officials on DR-CAFTA and its implications for the agricultural sector.

### Seminar Series “Best Agricultural and Livestock Practices”

	Date	Place	Number of Technicians	Women (# and %)
1	January 29 <sup>th</sup>	San Juan de la Maguana	52	6 (12)
2	February 12 <sup>th</sup>	Higüey, La Altagracia	56	7 (12)
3	March 19 <sup>th</sup>	San Francisco de Macorís	60	19 (32)
5	April 17 <sup>th</sup>	Constanza	14	2 (14)
6	April 29 <sup>th</sup>	Santiago	53	5 (9)
7	May 28, 2009	Mao, Valverde	56	10 (6)
		<b>Total</b>	<b>291</b>	<b>49(32)</b>



**Public Sector Technicians Being Trained on Agricultural Best Practices and DR-CAFTA**



**Public Sector Representative engaged with Project's Objectives**

**A2avi. Presentation of the Report “Requirements to Export Sweet Potatoes to United States.”** On August 7<sup>th</sup>, Luis Ramón Rodríguez made a presentation to explain the results of his recent report on the requirements and necessary actions for local producers to export sweet potatoes to the United States. The presentation took place at CEI-RD and 30 people (7 or 23% Women) attended the event.

**A2avii. Seminar: How to Take Advantage of the Tariff Rate Quotas: A Guide for the Commercial Community –** On September 15<sup>th</sup>, International Consultant, Juan Luis Zuniga, presented the TRQs Guide to the business community in Santo Domingo. Mr. Zuniga spoke in detail of the procedures to be followed while assigning the TRQs as indicated in DR-CAFTA. During the Seminar, a discussion panel (composed of Ruth Montes de Oca, OTCA Director; Jose Valentin Sosa, DGA technician; and Hugo Socorro, C. Alvarez, S. A. General Manager) was formed to share the experiences of the DR in TRQ assignments. Opening remarks were expressed by Pedro Pablo Pena SEA Under Secretary and Margie Bauer USDA Agriculture Attaché. The event took place at the CEI-RD Auditorium and a total of 108 (33 or 31% Women) attended this activity.

**A2b. Brochure on DR-CAFTA: A simple Guide for the Agricultural Sector.** A document describing the DR-CAFTA for the agricultural sector in simple terms was drafted, reviewed, produced, delivered and distributed. This document is used as a tool to facilitate the learning process on DR-CAFTA of people in the agricultural sector.

**A3. Cocoa export fee.** Cacao exporters were assessed an export fee of RD\$200 for each exported hundred weight (cwt) of cacao. Local consultant Luis Ramón Rodríguez was assigned the task of investigating the origin of this fee, and to explore the possibility of its elimination.

The RD\$200 was created as a “voluntary” private contribution (cocoa export fee) established by SEA’s Cacao Department and the Cocoa Commission. This export fee was created to recover cocoa farmers’ debts held with cacao exporters. This fee represented a financial burden to small and medium size farmers that did not have formal debt contracts when the fee was imposed. As this private contribution was assessed to exported cacao, it could be viewed as an export tax, which is not allowed under DR-CAFTA trade regulations.

The original debt was provided by a financial arrangement between exporters and small growers to finance their production. When hurricane George destroyed the cocoa plantations in 1998, the total amount owed by the cocoa farmers reached RD\$425 million pesos. After charging all cocoa producers with a RD\$100 pesos per cwt, on December 31, 2001 the debt had reached the amount of RD\$1,076 million pesos and the private contribution was increased to RD\$200 pesos per cwt.

To enforce payment, the Secretary of State for Agriculture issued a letter addressed to Customs (DGA) instructing to hold and stop export of any cocoa container that did not have the signature and seal of the Cacao Department confirming that the RD\$200 pesos per cwt had been paid.

Small farmers associated under the National Council of Dominican Cacao Producers (CONACADO) complained about this measure as they thought it was discriminatory and against the free trade agreement. Finally, the Secretary of State of Agriculture withdrew the letter and the compulsive export fee was converted into a solidarity contribution.

CONACADO continued to fight against this export contribution fee, which was finally eliminated on August 2007, after the debt was partially paid by public bonds issued by the Dominican Government.

## **B. DR Sanitary and Phytosanitary Regulations**

The DR-CAFTA Implementation Project provided assistance to the DR in:

- Developing the Web Page for the Sanitary and Phytosanitary Measures (SPS) Committee;
- Conducting an analysis of the SPS requirements to export sweet potatoes to the US;
- Conducting an analysis on the situation of the fruit fly monitoring program;
- Conducting an analysis on pesticide residue testing;
- Assisting the DR in complying with sanitary requirements to export meat to the US;
- Assisting SEPSPAS in drafting sanitary regulations for the following products:
  - Meat and meat products;
  - Poultry and poultry products;
  - Food and beverages;
  - Milk and dairy products; and

- Fisheries and processed fish products.
- Assisting SESPAS in drafting a manual on procedure for the meat inspection service; and
- Conducting an analysis on DR compliance with IPR commitments in pesticides registrations.

**B1. Web Page for the Sanitary and Phytosanitary Measures (SPS) Committee.** The SPS Committee was created by Decree 58-03 of January 23, 2003. This Committee was in compliance with the World Trade Organization (WTO) and the other trade agreements signed by the DR at the time. However, the composition of the Committee did not include certain institutions that should be members in compliance with DR-CAFTA commitments. Thus, Decree 515-05 of September 20, 2005 was signed to comply with DR-CAFTA commitments and to make improvements over the previous decree. The SPS Committee has been operating and has received the assistance of several international organizations and bilateral projects, including ours.

In its role of Executive Secretary of the Committee, OTCA requested the Project's assistance in the development of the Web Page of the Committee. The Web Page aims to improve transparency and communications of activities performed by the Committee. Local Consultants José Montilla and Halley González started this activity in December 2008. The Web Page was completed and OTCA's staff was trained on its maintenance.

**B2. Analysis of sanitary requirements to export sweet potatoes to the US.**

Dominican sweet potato growers want to export sweet potatoes not only to Puerto Rico but also to the continental U.S. However, the country must comply with the pest quarantine regulations established by United States Department of Agriculture (USDA) because of the presence of the sweet potato weevil (*Cylas formicarius elegantulus*) in the Dominican Republic. Local consultant Luis Ramón Rodríguez collected data on market information and pest status to produce a report outlining the steps required for the DR to be able to export sweet potatoes to the U.S. The report was finalized, produced and delivered. This report identifies the steps that must be taken by DR's agricultural authorities to obtain from the U.S. Animal and Plant health Inspection Service (APHIS) the authorization to export sweet potatoes to the continental U.S.

**B3. Analysis of the fruit fly monitoring program.** Exports of fresh mangoes to the United States market is highly dependant on the success of a fruit fly control program conducted by the Department of Plant Health of the SEA, the members of the mango cluster and the processing plant. This program is aimed to abate and reduce fruit fly (*Anastrepha obliqua*) population as the mangoes for export must be harvested from pest low prevalence areas and then submitted to the required hot water treatment.

Prevalence of the pest is calculated based on the amount of adult flies trapped per week in an area of five (5) hectares. The MTD value (adult fruit fly x trap x day) for the region is 2 or lower in order to certify as exportable the production of any mango farm.

This work is being conducted to evaluate the present status of the program and prepare a final report with the findings. Focus will be on how the trapping process is performed, the conditions of the available traps, the reliability of the weekly fruit fly counts, and the confidence the processing plant places on the program. Local consultant Luis Ramón Rodríguez produced a first draft, which will be improved and finished promptly.

**B4. Analysis of pesticide residue testing.** Dominican exporters of fruits and vegetables have exported products with pesticide residues above the maximum tolerable levels for human consumption allowed by the US Food and Drug Administration (FDA) guidelines. Some products have also contained residues of non-allowable pesticides for that particular product. The Support Project for the Transition to Competitive Agriculture (PATCA), financed by the IDB, furnished and provided the required equipment and will provide the training to develop the capability of the National Veterinary Laboratory (LAVECEN) to conduct pesticide residue tests.

The USAID DR-CAFTA Implementation Project is providing local consultant Luis Ramón Rodríguez to assist the GODR in analyzing and designing a policy for the right procedure and requirement for pesticide residue testing, mainly for fresh fruits and vegetables for export. The consultant started this assignment this June by reviewing government documents (Resolutions), conducting personal interviews, as well as reviewing USDA and FDA regulations to evaluate the country's progress in this area since the evaluation conducted by the USAID Competitiveness and Policy Project in 2005. This evaluation was conducted by Carl Castleton and Pedro E. Jorge, who produced a report titled: "Evaluation of the Integrated Pest Management (IPM) and the Pre-Inspection Programs for Oriental Vegetables in the Dominican Republic."

This work is aimed at preparing a final document that can describe the findings of the above mentioned study and the measures taken by the public and private agencies involved in the process of exporting fresh vegetables to the United States market. The conclusion will present suggestions and recommendations to improve not only awareness of the US norms and regulations but the commitment of local authorities and private enterprises to comply with them in order to expand agricultural exports and reduce port of entry product detention due to the presence of pesticide residues.

**B5. Assistance for DR compliance with US regulations to export meat.** The DR used to export beef to the US, but exports ceased in the mid nineties due to high internal prices. USDA now requires exporting countries to have a good regulatory system in place, as well as certified slaughterhouses to process the beef for export. The DR has never exported poultry products to the US, but the producers are interested in exporting chicken breast. This activity will require a certification process. A Project consultant conducted the initial assessment to determine if there was enough interest, as well as identifying the initial steps required to comply with the regulatory framework.

The consultant's findings indicated that the DR ceased its beef exports and walked out voluntarily from the list of certified countries to export to the US. Ten years later, new additional regulations, such as Hazard Analysis of Critical Control Point (HACCP), were

introduced by the US Food Safety Inspection System (FSIS), which the DR never implemented in the past. The country applied for recertification and FSIS inspectors came to evaluate the Dominican system. During the evaluation the existence of serious public health problems was obvious, as SESPAS was not able to implement neither the food safety inspection law nor the required monitoring procedures.

Furthermore, there was a lack of an animal health inspection program and a strong program of laboratory testing, as well as significant deficiencies in slaughter houses installations and export procedures.

The required equipment to conduct the lab tests were finally installed at the Central Veterinary Laboratory (LAVECEN) in 2008. This is also required for the certification process. However, the tests are still not operational as of September 2009. Given the delay of LAVECEN, the GODR decided to include the Innovation Institute for Biotechnology and Industry (IIBI)'s laboratory as the main laboratory to conduct the testing required to comply with the regulations to certify the DR to export meat to the US.

The Project consultant drafted a report outlining the steps needed to achieve the certification goal for Dominican exports to the U.S. This report included the most recent questionnaire from FSIS, which includes the new regulations. The questionnaire was translated by the Project and distributed to the authorities involved. The final draft of the report was completed, delivered and distributed.

As noted above, the certification process requires the following three components:

- Government regulation and inspection;
- Laboratory capacity to conduct the required tests; and
- Private sector participation in good production practices at the farm level and good processing practices at the slaughterhouses.

The Project provided an international consultant who drafted the required regulation for fresh meat. This regulation was reviewed by SESPAS, completed, delivered and distributed.

In a second assignment to draft the regulations on processed and canned meat, the international consultant was requested to integrate both regulations into one; that is, the regulation for fresh meat and the regulation for processed and canned meat. This task was achieved, and the draft regulation was produced, reviewed, completed, delivered and distributed.

Several meetings have been conducted with GODR officials in order to follow up on the progress of important issues such as: the Bovine Spongiform Encephalitis (BSE) Program; the Program for Monitoring and Evaluating Feed Plants; and the laboratories' capacity to conduct meat analysis for Salmonella spp, Escherichia Coli, as well as residues of pesticides, albendazols, hormones, antibiotics and arsenic.

FSIS issued a new publication to facilitate the process of the country's compliance to export meat to the US. It is called "Self Assessment for Initial Equivalence for Meat, Poultry and Egg Products." The project translated this publication into Spanish to facilitate the communication with local authorities.

As of August 2009, all meat inspection personnel have been selected in each of the SEA's Agriculture Regional Directorates.

A meeting was arranged with Dr. Daniel Orellana and local USDA personnel with the managers of the three slaughter houses interested in exporting beef to United States. During this meeting, Dr. Bienvenido Núñez made a presentation on the progress reached by the General Directorate of Livestock towards the meat inspection system, which is being designed, as well as the present status of the laboratories.

The managers of the three slaughter houses agreed on receiving a pre audit evaluation by a consultant to be sent by Dr. Orellana under the regional USDA project. During this pre audit visit, the consultant will estimate the investment required in each plant (if any) to increase plant processing capabilities to comply with FSIS norms and regulations. Dr. Orellana offered, as well, to include several participants from the public and private sector in the next meat inspection training to be conducted in Puerto Rico.

**B6. Meat Regulation.** The Project had provided assistance to SESPAS in drafting the regulation on meat to comply with the requirements of FSIS for the DR to be able to export meat to the US. This proposed regulation was translated to English and sent to FSIS for review. To expedite the approval process, Daniel Orellana, from the USDA regional project, provided the assistance of Dr. Larry Lee, a former FSIS official to review the proposed meat regulation with SESPAS officials and Dr. Mercedes Erazo, the international consultant provided by the Project to draft the proposed regulation. This activity was initiated in July, but it will require a follow up, as the team was not able to finish in one week the entire review of a 191 pages regulation. The review is scheduled to continue in November after both projects receive additional obligations.

**B7. Regulation on Poultry and its Products.** SESPAS also requested the Project's assistance in drafting the regulation on poultry and its products. International consultant Dr. Mercedes Erazo completed the report, which was reviewed, produced, delivered and distributed.

**B8. Regulation on Risk Control for Food and Drinks.** SESPAS requested the Project's assistance in drafting the regulation on risk control for food and drinks. International consultant Dr. Jaime Cornejo completed the report during the first year of the project, and in the second year the regulation was reviewed, produced, delivered and distributed.

**B9. Regulation on Milk and Dairy Products.** The DR negotiated access to a US quota of dairy products in DR-CAFTA. This quota can only be utilized if DR dairy products

comply with food safety regulations required by the Food Safety and Inspection Service (FSIS) of the US. Unfortunately, the DR lacks adequate regulations to comply with FSIS requirements.

SESPAS requested the Project's assistance in drafting the regulation on milk and dairy products. International consultant Dr. Mercedes Erazo was in Santo Domingo working for two weeks in January with SESPAS' technical team in reviewing and updating the regulation for dairy products. The report was edited, produced and delivered.

**B10. Regulation on fisheries and processed fish products.** SESPAS requested the project's assistance to draft a regulation on fisheries and processed fish products, as the DR lacks such regulation even though it exports these products to the US and other countries. Lack of adequate regulation puts DR exports at risk of suspension by importing countries.

International consultant Mercedes Erazo was in the DR from March 11 to the 20<sup>th</sup> working with SESPAS and the Dominican Council on Fisheries (CODOPESCA) to assist them in drafting a regulation on fisheries and fish products for the DR. The DR did not have a regulation previously and very little experience on fisheries regulations. This regulation covers many types of products that need to be handled differently, as well as the fishing boats and handling and processing facilities involved in the marketing chain. Dr. Erazo returned in May to work with the review commission of SESPAS and CODOPESCA. The report was finalized, produced and delivered. A second benefit of this effort has been an improved coordination and relationship between SESPAS and CODOPESCA.



**SESPAS and CODOPESCA Senior Managers  
Working on the Sanitary Regulations for Fish and Related Products**

**B11. Procedures Manual for Meat Inspection Service.** USAID DR-CAFTA Implementation Project assisted SESPAS in drafting the regulations for meat, which was produced and delivered. This regulation was translated to English for SESPAS to

submit to the US Food Safety Inspection Service (FSIS) for their approval. This is one of the requirements in the process of certifying the DR to export meat to the US. This regulation needs to be applied in the field. Thus, SESPAS requested the Project's assistance in drafting the procedures manual for meat inspection. International consultant Dr. Mercedes Erazo completed the drafting of the manual for meat inspection in the Dominican Republic, which was reviewed, produced, delivered and distributed.

**B12. Analysis of the Pesticide Registration Law 311.** In the Dominican Republic the Department of Plant Health from SEA is the agency responsible for regulating the registration, manufacturing, commercial sales and distribution of pesticides in the country. SEA's resolution No. 322-88 regulates the use and control of pesticides, as contained in Law 311, enacted on May 22, 1968.

There is an additional Resolution from SEA (217-91) listing 20 particularly harmful pesticides that are prohibited for importing, production, manufacturing or sale in the territory of the Dominican Republic. Specific legislation is also in place limiting the use of aldicarb (62-97) and paraquat (83-91).

Imported commercial and local manufactured pesticides must be registered with appropriate documentation at the Pesticide Registration Unit of the Department of Plant Health. The pesticide registration procedures could be obtained in two ways: 1) as a representative of the manufacturer (no warehouse); and 2) as a distributor (having warehouse and technical staff).

In the first case, a locally registered representative will pay a fee and submit the registration documents that include: company's legal bylaws and credentials, commercial name registration certificate from the State Secretariat of Industry and Commerce, as well as a company's affidavit and its legal representative information (lawyer). Products must be registered individually for a period of five (5) years. After expiration of this first period, the registration can be renewed subsequently for additional 5 year periods.

In the second case, an importing distribution company must submit the appropriate documents (company's legal credentials, commercial name certificate from the State Secretariat of Industry and Commerce, an affidavit (notarized and certified by the Dominican Republic Consulate in the country where the pesticide will be imported from and information on the local company's Technical Director or Regent). First registration period is 5 years and subsequent renewals are for similar periods.

All products submitted for registration require laboratory testing and efficacy field trials to demonstrate its performance according to use rate on the label. Due to local limitations in laboratory facilities, submitting toxicological data and the Material Safety Data Sheet (MSDS) is usually sufficient to fulfill this requirement. However, local efficacy trials must be completed before obtaining registration.

Under DR-CAFTA, the efficacy data submitted to the Dominican Government for registration purposes of a plant protection product or a pharmaceutical product for animal or human health must be protected for a period of 10 years in the case of pesticides and 5 years in the case of a pharmaceutical product.

Article 15.10 (a) states that if one Party requires, as a condition for the approval and distribution of new agrichemical and pharmaceutical products, the presentation of non disclosed data on efficacy and safety of such products, the Party will not allow that third parties, without written consent of the Party which provides the information, could sell a product on the basis of (1) the information or (2) the approval granted to the person who submitted the information, for a period of at least 5 years for pharmaceutical products and 10 years for agrichemicals from the date of first approval.

Local consultant Luis Ramon Rodríguez met with Ing. Clara Bueno (Deputy Director of the Plant Protection Department) to review status of compliance with DR-CAFTA commitments. She confirmed that SEA is fully complying with this commitment and that accessing the area where the registration documents are kept is highly restricted. This reduces the risk of unauthorized persons using the protected data.

## **SECTION III**

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### **STRENGTHENING DICOEX'S CAPACITY FOR DR-CAFTA ADMINISTRATION**

## SECTION III

### STRENGTHENING DICOEX'S CAPACITY FOR DR-CAFTA ADMINISTRATION

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DICOEX is the institution responsible for the administration of DR-CAFTA in the Dominican Republic; thus, it is the main institution that receives assistance from the USAID DR-CAFTA Implementation Project. The Project not only provides direct assistance to DICOEX, but coordinates with them the assistance provided to other institutions, in order to position DICOEX as the trusted DR-CAFTA administrators.

As stated in the midterm assessment of the GODR institutional capacity to implement DR-CAFTA, conducted by the Project, DICOEX has achieved notable improvements in fulfilling its role as the GODR implementing agency for DR-CAFTA. Nevertheless, DICOEX still has a number of issues and barriers to address. This midterm assessment's major findings for DICOEX are:

- The lack of statutory authority to compel compliance;
- DICOEX's communications with public and private institutions involving DR-CAFTA are generally informal and ad-hoc;
- The lack of a systematic coordination and communication mechanisms among DICOEX and its counterparts in both the public and private sectors; and
- Lack of a clear mission.

During this second fiscal year the USAID DR-CAFTA Implementation Project continued working with DICOEX to guarantee its goal of ensuring that the GODR and the Dominican private sector meet their obligations under the Agreement.

The Project assisted DICOEX on the improvement of its capacity in the following areas:

- Its ability to analyze and respond to implementation issues;
- Its ability to contract and analyze research and make policy recommendations; and
- Its capacity for DR-CAFTA administration

An analysis of the results achieved during the second year in each of these areas follows.

#### **A. DICOEX's Ability to Analyze and Respond to Implementation Issues**

USAID DR-CAFTA Implementation Project strengthened DICOEX's ability to analyze and respond to implementation issues through the following direct assistance:

**A1. Lists of Dominican Republic's Commitments in DR-CAFTA.** The country's compliance with the commitments made in DR-CAFTA is one of the most important

aspects of implementation. The Project assisted DICOEX in reviewing all the commitments of the Dominican Republic in DR-CAFTA. Natalia Polanco, a local consultant, prepared a report where she reviewed all the DR-CAFTA commitments by chapter and established a timeline for the compliance of each commitment, the required compliance action(s) and institutions involved. This detailed report enhances DICOEX's capability to monitor and evaluate effectively DR-CAFTA. The report was completed and delivered accordingly.

**A2. DICOEX's Monitoring and Evaluation Techniques – Scorecard for DR-CAFTA Implementation.** Subcontractor Integra is working in coordination with DICOEX and the Project Implementation Unit (PIU) in reviewing the final text of the DR-CAFTA Agreement, chapter by chapter, to identify specific and non-specific commitments and action plans for the Dominican Republic in order to fully implement the Agreement and to establish the content for a Scorecard Indicator to monitor the implementation of the Agreement. This Scorecard Indicator will provide DICOEX with an instrument to monitor DR-CAFTA's implementation and compliance. A first draft of the commitments and action plans was delivered to DICOEX for review and comments.

**A3. DICOEX's Procedure for Textile Safeguards.** Chapter 8 of DR-CAFTA establishes specific procedures for general safeguards for the Parties involved with the Agreement. In addition, Chapter 3, Article 3.3. establishes a different procedure that only applies to textile products. The Dominican Republic needs to draft a procedure for the application of textile safeguard measures. Local consultant Natalia Polanco completed a draft on the procedures for the application of textile safeguards in DR-CAFTA. The final draft is under review by DICOEX.

**A4. Analysis of the implications of special regimes after 2010 and DR-CAFTA.** Local consultant Natalia Polanco is working on the implications for Dominican Republic's Special Regimes after 2010, as established in Section C, Article 3.4 of DR-CAFTA. As DR-CAFTA states, no party of the agreement may adopt any new waiver of customs duties or expand the existing ones. Existing waivers in Dominican Republic may not be maintained after December 31, 2009. This affects particularly the Free Zones Regime in DR (Law 8-90) because of the extension waiver given to the DR by the WTO until 2018. Local consultant Natalia Polanco completed a draft on the implications for Dominican exporters after 2010 and the World Trade Organization dispositions, especially in regards to Free Trade Zones. DICOEX is currently reviewing the final report.

**A5. Training on Unfair Trade Practices.** USAID DR-CAFTA Implementation Project hired Mr. Marius Bordalba, international consultant, to train the recently appointed Dominican Republic's Unfair Trade Practices Commission. The consultant conducted an advanced training on dumping, subsidies and safeguard measures in DR-CAFTA. He covered the following topics with DICOEX/SEIC Unfair Trade Practices Commission:

- Similar legislations and their application in other DR-CAFTA countries.
- Law 01-02 of January 18, 2002 on Unfair Trade Practices.

- Regulations of Law 01-02.
- Operating rule of such legislation to ensure that it complies with the Laws and Policies of the Dominican Republic.

The training session was held at DICOEX offices in Santo Domingo from September 29 to October 4<sup>th</sup>; a total of 24 (9 or 38% women) technicians participated in the training.

## **B. DICOEX's Ability to Contract and Analyze Research and Make Policy Recommendations**

DICOEX is an institution with the mandate to administer trade agreements, and not to conduct research. However, it could tap the local capabilities to contract third parties, including consultants and institutions capable of conducting research and analysis. Thus, DICOEX can make a better use of its resources and focus on its mandate.

The Project strengthened DICOEX's ability to contract, analyze and make policy recommendations through the following direct assistance:

- Completed and distributed an analysis of positive outcomes of DR-CAFTA;
- Completed a first quarterly analysis of DR-CAFTA covering the period January – September 2008;
- Completed a study on the effects of Dominican Republic's tax structure and costs on exports competitiveness;
- Completed a study on the possibilities of small and medium size enterprises (MIPYMES) of maximizing their export potential in DR-CAFTA;
- Started a study on complementarities of DR-CAFTA countries and sector linkages; and
- Started a study on the impact of DR-CAFTA on foreign investments.

**B1. Analysis of Positive Outcomes of DR-CAFTA.** DR-CAFTA has been locally criticized by certain sectors that were negatively affected by the agreement; therefore, DICOEX and the American Chamber of Commerce (AMCHAM) identified the need of conducting an analysis of positive outcomes of DR-CAFTA. This analysis would be used by both institutions in promoting the agreement. USAID DR-CAFATA Implementation Project subcontracted one of the local partners to produce a document analyzing the positive outcomes of DR-CAFTA. This activity involved developing an index for the activity, conducting interviews with people from the public and private sectors, and analyzing secondary data. The study began during the first year, but it was completed during the second year. The report was finalized, reviewed, produced, distributed and presented in several forums.

**B2. DR-CAFTA First Quarterly Analysis.** One of DICOEX's primary functions is to prepare regular reports and evaluations of the existing trade agreements. During the first year, USAID DR-CAFTA Implementation Project assisted DICOEX in conducting a DR-CAFTA First Year Impact Analysis. This year, DICOEX requested the Project's assistance in conducting quarterly analyses. Subcontractor Pareto Consulting Group

assisted DICOEX in transferring their know-how on conducting analysis and the ability to produce quarterly reports. The subcontractor presented a work plan, produced a report on best practices in the Latin America region for this type of analysis, presented a proposal on the structure and content of the quarterly report based on the previous analysis, and assisted DICOEX in producing a draft of the first report evaluating performance from January to September, 2008. This report was produced and delivered in February 2009. DICOEX has continued applying what they learned from these exercises in the analysis of DR-CAFTA during 2008, and on the quarterly analyses of the impact of DR-CAFTA.

**B3. Study on the Effects of Dominican Republic's Tax Structure and Costs on Exports Competitiveness.** This study was financed through the Project's Special Activities Fund (SAF). Pareto Consulting Group was selected to conduct this research. They started in December 2008 and have submitted all five of its deliverables: 1) a work plan; 2) a report with the review of literature and the methodology to be applied; 3) a report with the preliminary results from the survey conducted on at least 70 businesses in Santo Domingo and Santiago; 4) a first draft report of the study on the effects of Dominican tax structure on costs and competitiveness of the export sector; and 5) a final draft incorporating the observations made by DICOEX and USAID. The report was finalized, produced and delivered.

**B4. Study on the Possibilities of Small and Medium Size Enterprises (MIPYMES) of Maximizing their Export Potential in DR-CAFTA.** This study, financed with the Special Activities Fund (SAF), has the objective of analyzing how small and medium size enterprises of the Dominican Republic can increase their exports under DR-CAFTA. Despradel & Asociados, S.A. (DASA) was selected to conduct this research. They started in April 2009 and completed the study in August 2009. The report was finalized, reviewed, produced, delivered and distributed.

**B5. Complementarities of DR-CAFTA Countries and Sector Linkages.** This study is also financed with the SAF, at consists on an analysis of the complementarities of DR-CAFTA countries and sector linkages to export under DR-CAFTA and was awarded to Pareto Consulting Group (GC PARETO). GC PARETO presented the proposed work plan in August, 2009.

**B6. Impact of DR-CAFTA on foreign investment.** This study is also being conducted by subcontractor GC PARETO, who already delivered a work plan. The study is conducted in coordination with the Association of Industries of the Dominican Republic (AIRD) and the Association of Industrial Enterprises of Herrera (AEIH).

### **C. Assess and Strengthen DICOEX Capacity for DR-CAFTA Administration**

DICOEX was established in 2002, by Resolution No. 182-02 as a Department of the State Secretary of Industry and Commerce (SEIC) and reports directly to the Undersecretary of Foreign Trade. For DR-CAFTA implementation, DICOEX changed to a new organizational structure, after the enactment of Decree No. 610-05 in November

2, 2005. The new structure includes a National Council comprised of authorities from other government institutions that have relevance in the implementation and the beneficial use of international trade agreements, called CONIAT (National Council for Implementation and Administration of Agreements). DICOEX also has 4 technical units: Business Intelligence, Market Access, Trade Disciplines, and International Cooperation. Each unit handles specific subjects related to the DR-CAFTA content. The CONIAT is not in operation yet, but the units represent DICOEX's organizational structure.

The Institutional Assessment conducted at the beginning of the Project identified that DICOEX needed to define more clearly its areas of responsibility and intervention, and modify its organizational structure for the task of implementation and administration of the DR-CAFTA.

Although the IDB funded Project (Loan No. 1511) conducted a legal analysis of the Council and drafted a bill to support DICOEX's role and responsibilities, the Project worked with the IDB funded Project to ensure that DICOEX has the optimal organizational structure, as well as management, and administrative systems in place.

The Project strengthened DICOEX's organizational structure by:

- Drafting DICOEX'S internal regulation;
- Conducting a midterm assessment of DICOEX and the GODR priority; institutions capacity to implement DR-CAFTA;
- Assisting DICOEX in drafting its work plans for 2008 and 2009;
- Designing an automated system for market access of goods; and
- Designing DICOEX's Web page

### **C1. Midterm Assessment of the Institutional Capacity to Implement DR-CAFTA.**

International consultant Robert Landmann and Subcontractor INTEGRA worked closely with DICOEX in a mid-term assessment of the Dominican public and private sector capacity to implement DR-CAFTA. The purpose of this assessment was to evaluate the progress that the GODR and private sector institutions have made in implementing DR-CAFTA and how the USAID DR-CAFTA Implementation Project contributed to this progress. The study also identified gaps and milestones needed to achieve a more effective implementation of the Agreement. A final report with the corresponding findings was produced and delivered. The results were also presented at the Project Strategic Planning Session held in Bayahibe on April 30 and May 1, 2009. The report was translated to Spanish, reproduced and delivered. This midterm assessment was used to formulate the Project's Work Plan for year 3 and identified priority interventions and areas requiring additional or continued technical assistance.

Since the beginning of the Project in 2007, DICOEX has changed directors twice; nevertheless DICOEX had responded positively to dealing with most of DR-CAFTA implementation issues and show an improvement in interinstitutional communication.

**C2. Review DICOEX's Organizational Structure.** The Project contracted an international consultant to assist DICOEX in developing an adequate organizational

structure, as well as management and administrative systems to fulfill commitments in DR-CAFTA. The consultant analyzed the drafted bill proposal for DICOEX that was conducted by the IDB funded Project and recommended some institutional changes. The consultant also worked closely with the team that is implementing ISO 9001 at DICOEX to coordinate activities. The report was finished and delivered.

**C3. DICOEX's Internal Regulations.** After analyzing the proposed bill for DICOEX, Yahaira Sosa, DICOEX's new Director asked the Project to help them in preparing DICOEX's internal regulations. International consultant Velia Govaere and local consultant Angelica Noboa presented a draft of DICOEX's internal regulations, including job descriptions and the new organizational structure. DICOEX's Director, Yahaira Sosa approved the draft regulations and it will be presented to the State Secretary of Industry and Commerce, José Ramón Fadul for final approval. With this new regulation DICOEX will have a mechanism to function more efficiently to monitor and evaluate the implementation of DR-CAFTA, as well as other trade agreements.

**C4. DICOEX Work Plans for 2008 and 2009.** The USAID Regional DR-CAFTA Implementation Project is providing assistance to DICOEX for ISO 9001 certification. DICOEX requested USAID DR-CAFTA Implementation Project to assist them in drafting the 2008 and 2009 work plans. The COP worked with them during this reporting period in producing both work plans. The one for 2008 was produced as a fulfillment of the requirements for ISO 9001; while the 2009 work plan was developed to be used as a management tool. The COP guided DICOEX coordinators through a work planning session that resulted in DICOEX's work plan for 2009. All DICOEX team leaders made presentations of each department's goals, objectives and work plan for 2009. The work planning session was very successful in integrating DICOEX in a team effort to identify proper trade administration mechanisms and their strategic implementation. Ms. Velia Govaere's proposed organizational restructuring and recommendations served as the baseline for this workshop. A total of 26 people (17 or 65% women) were present. A draft of the work plan was completed and is being used as a management tool by DICOEX.

**C5. DICOEX/AIRD/AEIH Automated Information System for Market Access of Goods.** International consultant Peter Silva and Subcontractor DASA finished the design of an information system on market access of goods in DR-CAFTA. The system is an electronic user friendly guide for imports and exports between DR-CAFTA countries. It will contain information about tariff schedules, rules of origin, safeguard measures, and tariff rate quotas, when applicable. The information will be available through DICOEX, websites and also AIRD and AEIH websites.

**C6. DICOEX's Web Page.** DICOEX requested the Project's assistance to develop its Web Page. An effective and informative Web page will help DICOEX in providing timely and accurate information on DR-CAFTA (and other trade agreements) to the general public. It will also serve as a communications tool for DICOEX to receive inquiries from the public about the trade agreements. The Project subcontracted Pareto Consulting

Group to complete this assignment. They have delivered the following documents: 1) a work plan; 2) The results of the consultations to the different actors, highlighting the relevant information, as well as the sources of information consulted and evaluated; and 3) a report with a proposal on the structure and content for the information portal of DICOEX. The subcontractors continued gathering information and writing software during the months of July through September.

## **SECTION IV**

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### **ADDITIONAL RESULTS IN TASK 4: STRENGTHENING THE DOMINICAN INSTITUTIONAL CAPACITY FOR DR-CAFTA IMPLEMENTATION**

## SECTION IV

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### **ADDITIONAL RESULTS IN TASK 4: STRENGTHENING THE DOMINICAN INSTITUTIONAL CAPACITY FOR DR-CAFTA IMPLEMENTATION**

This section presents additional results achieved in Task 4. The word “Additional” is used because some of the results presented in Sections II and III correspond to Task 4, but were presented in those sections for presentation purposes, as there is an interest in grouping all the results achieved in DR-CAFTA implementation in agriculture and to strengthen DICOEX’s capacity for DR-CAFTA administration.

The results have been organized by institution or by topic. Here we only present the results of activities designed to strengthen the institutions’ capacity to implement DR-CAFTA, as the outreach activities are presented in the following section V. The institutions and topics are:

- Legal Documents and Conflict Resolutions
- Transparency
- Intellectual Property Rights
- Market Access of Goods

#### **A. Legal Documents and Conflict Resolutions**

**A1.Action Plans.** The Project assisted selected institutions in the development of detailed action plans with well-defined implementation timeframes to strengthen their capacity to implement DR-CAFTA. During the second year, the project reviewed action plans for priority institutions. A Project Strategic Planning Session was held with public and private sector institutions to evaluate project support and review actions plans. During the second year, the project assisted the following institutions in the development of detailed action plans, which were completed and delivered:

- DICOEX;
- State Secretariat for Public Health and Social Assistance (SESPAS);
- Government Procurement Office (GPO);
- The Association of Industrial Enterprises of Herrera (AEIH);
- Association of Industries of the Dominican Republic (AIRD); and
- Office for Agricultural Trade Agreements (OTCA).

**A2. Memorandums of Understanding.** Memorandums of Understanding (MOUs) define the roles, responsibilities, and expected contributions of both the Project and the partner institution (including counterpart contributions in cash and/or in kind), as well as any other donor contributions. In these MOUs, partners are asked to designate a lead representative with whom the PIU will coordinate implementation of the action plan.

During the second year Memorandums of Understanding (MOUs) for SESPAS, OTCA and AIRD were drafted and signed.

### **A3. Professional Services: State Secretariat of Social Sciences and Technology (SEESCYT)**

**A3a. Professional Title Homologation.** Article 11.8 and Annex 11.9 state in DR-CAFTA that “all Parties shall provide recommendations on mutual recognition of professional services and establish mutually acceptable standards and criteria for licensing and certification of Professional Services, which includes Education Services.” SEESCYT is the responsible Dominican institution for higher educational services and has a direct responsibility in Chapter 11 of Cross Border Trade in DR-CAFTA. Subcontractor INTEGRA in conjunction with DICOEX and SEESCYT drafted a proposal on procedures for Title homologation to comply with Annex 11.9 and Art. 11.8 provisions in DR-CAFTA. A final report was reviewed by DICOEX, the Autonomous University of Santo Domingo (UASD) and SEESCYT.

**A3b. Registration of foreign lawyers.** Subcontractor INTEGRA worked with the Dominican Bar Association through the SEESCYT and DICOEX in drafting a procedure to comply with the registration of foreign lawyers as established in Annex I of DR-CAFTA. The proposed procedure was presented to the Dominican Bar Association with the participation of 76 lawyers. The Lawyer’s Association will begin the implementation of the procedure in January 2010.

**A4. Telecommunications Services: Dominican Institute for Telecommunications (INDOTEL).** The DR made a commitment to allow phone users to maintain their phone number when they change service providers (number portability) by July 1, 2009. INDOTEL requested the project’s assistance to provide a consultant to audit the reports presented by the telecommunications service providers on their scheduled investments to comply with the requirements of number portability as specified in DR-CAFTA. International consultant Julian Gomez started this assignment in March 2009 and completed it in April, 2009 with a report to INDOTEL and a presentation to INDOTEL’s Board of Directors. The report was produced, delivered and distributed. Number Portability was initiated in the DR on September 30, 2009.



**INDOTEL employees learn about DR-CAFTA Commitments and Compliance Requirements for Number Portability**

## **B. Transparency**

**B1. Government Procurement Office (GPO): Dirección General de Contrataciones Públicas (DGCP).** Chapter 9 of DR-CAFTA presents the commitments of DR-CAFTA countries in government procurement regulations in accordance with the fundamental principles of openness and transparency.

The legal framework that supported government procurement in the Dominican Republic was obsolete, as it dated back to 1967. Government procurement was regulated by Law 295-66 and Law 105-67. Interested parties had always influenced the Government and Congress to avoid passing new legislation, including a modern law proposal drafted at the State Secretariat of Finance through an IDB funded Project. As there was a national interest of having the DR-CAFTA entering into force, it was the agreement's requirements prior to entering into force that contributed to the approval of a new law.

DR-CAFTA entered into force on March 1<sup>st</sup> 2007. Law 340-06 was approved by Congress In 2006 in order to comply with DR-CAFTA requirements. This law was subsequently modified in the same year by Law No. 449-06 regarding concessions. In 2007 this legislation was again modified by Law No. 490-07, creating a new legal framework for government procurement that promoted transparency.

The new Government Procurement Office is responsible for implementing the Law and ensuring that all government procurement units, which are close to 100, follow the law. It also has the responsibility of developing guidelines, rules and regulations to assure the compliance of the Law and the DR-CAFTA commitments alongside with DICOEX.

Chapter 9 is complex; it covers procurement for most DR government entities, including key ministries, instructions in the public tendering process, national treatment and local suppliers, and specific matters regarding the award of contracts. Given the complexity

of the requirements for government procurement under DR-CAFTA, and the equally complex Law 490-07, the Government Procurement Office worked with DICOEX and the Project to ensure that its actions are in compliance with the DR-CAFTA.

**B1a. Government Procurement user's manual.** During the first year Project's implementation, and in coordination with DICOEX, local consultant Patricia Mejía conducted a detailed action plan and general procedures with the activities required in government procurement to comply with DR-CAFTA. During this second year, the project is working on drafting a user's manual for GODR Institutions in order to increase awareness and help comply with DR-CAFTA. A USAID DR-CAFTA Implementation Project technical expert is still drafting the report for further distribution among GODR institutions.

**B1b. Government Procurement DR-CAFTA commitments guidebook.**

Subcontractor INTEGRA developed a useful guidebook which describes GODR's obligations on DR-CAFTA for Government Procurement, selling of assets, and privatization of public enterprises. The guidebook also helps determine whether or not a specific Government Procurement procedure needs to follow DR-CAFTA regulations. The guide is a useful instrument and could be applied to all Government Procurement transactions. A first draft of the guidebook is under review for further distribution.

## **C. Intellectual Property Rights**

**C1. State Secretariat of Public Health and Social Assistance (SESPAS).** SESPAS is an institution created by Law No. 4378, as enacted on February 10<sup>th</sup>, 1956 and its legal framework is complemented with its own Regulation No. 1312 that was enacted on December 3<sup>rd</sup>, 1995.

The Dominican Republic's legal framework for the Health System changed substantially with the enactment of the General Health Law 42-01 in 2001, the Regulation for Medicines (Decree 246-06) and the law that creates the Dominican Social Security System (Law 87-01).

SESPAS is in charge of carrying out in all of the Dominican Republic's territory, directly or through its technical branches, all dispositions contained in the General Health Law, its regulation and other legal dispositions that are related to Public Health.

The Drugs and Pharmaceuticals Department and the Sanitation Registry are in charge of controlling all the roles that SESPAS has regarding the regulation of trade-in goods for human consumption and directly linked with the administration of the DR-CAFTA's Chapter 15, especially in subjects like the drug and pharmaceutical products sanitation registry and undisclosed data protection.

DR-CAFTA establishes the obligation of the countries that are party to guarantee the protection of pharmaceutical products and agricultural chemicals, for which it should require the presentation of protected data or any other undisclosed data as a condition

to approve the commercialization or sanitation registry of these products and new products.

There is also the obligation to protect patented products, which cannot be commercialized by non-authorized third parties, and of this the Agreement establishes that the patent holder be informed for the identity of anyone who solicits the approval to enter a product in the market while the patent is valid.

Another of DR-CAFTA's dispositions that pertain directly to the actions that SESPAS must undertake is in regards to border measures, especially with the imports of counterfeit pharmaceutical products. The responsibility for the compliance of this commitment should be done in coordination with DGA and ONAPI. The authorities, therefore, could impose the necessary border measures (without a judge's authorization).

The Institutional capacity of SESPAS to implement DR-CAFTA, specially complying with Intellectual Property Rights (IPR) commitments was strengthened in this reporting period through the following activities:

- Create a "One Stop Shop" for pharmaceutical and medical registration procedure;
- Technical Procedures Handbook for the Sub secretary of Quality Assurance; and
- Conduct a study to determine implications of proposed measures and procedures to impede that third parties can commercialize patented products.

**C1a. Organize the Drugs and Pharmaceutical Department and provide information technology solutions.** A consultant was hired through the Project to assess the General Administration of Drugs and Pharmacies (DGDF) technological ability to manage the registration of drugs and medicines in the country. The consultant adapted the World's Health Organization (WHO) SIAMED software at DGDF. This software designed by WHO helped DGDF organize registration procedures. The consultant is still working to update and review the System to include new features to assure electronic data protection and traceability in the registration process of pharmaceuticals and to facilitate approvals for marketing registration in the country. The System creates a "one stop shop" for the registration of pharmaceuticals products and included features for data protection and a link within the Office of Intellectual Properties right. Prior to the installation of the SIAMED, the DGDF did not have a sound system in place for the proper, timely and transparent registration procedure for medications. SESPAS was dealing with poor infrastructure, no information technology tools and significant weaknesses in the processes of systemization, documentation and registration of information.

The DGDF's information systems are strengthened and new communications patterns among technical areas different areas are now in place. The recently implemented technological solutions yield a reliable procedure for the application and approval of Sanitary Registrations for Medicines. The new process guarantees the quality of the

authorizations granted by DGDF for the commercialization of pharmaceutical products in and out of the country as well as the confidential information provided by SESPAS clients.

**C1b. Technical Procedures Handbook.** The USAID DR-CAFTA Implementation Project assisted DGDF in its organization process to draft and revise all DGDF technical procedures. These procedures include setting up efficient procedures to authorize medications for sale in the DR, and increasing public awareness on the dangers of not verifying the efficiency of drugs distributed for human consumption. All the procedures were drafted and are under review by the DGDF.

**C1c. Legal Evaluation of the Proposed Registration Procedures for the Authorization of Medicines for Sale in the DR.** Local consultants Natalia Polanco and Vilma Arbaje are working with SESPAS' Quality Assurance Sub Secretariat in reviewing DR-CAFTA commitments for the registration of medications and to determine the best and most efficient procedure for the verification of patents protection. A final report was completed and under review by SESPAS and DICOEX.

**C2. Assess the National Copyrights Office (ONDA) on its Roles and Responsibilities for DR-CAFTA Implementation.** National consultant Angelica Noboa is working with ONDA and DICOEX to identify ONDA's required actions to ensure compliance with DR-CAFTA. Mrs. Noboa will finish the assessment in October 2009.

## **SECTION V**

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### **ADDITIONAL RESULTS IN TASK 5: MORE EFFECTIVE PUBLIC-PRIVATE DIALOGUE ON DR-CAFTA**

## SECTION V

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### **ADDITIONAL RESULTS IN TASK 5: MORE EFFECTIVE PUBLIC-PRIVATE DIALOGUE ON DR-CAFTA**

As explained in Section IV, this section presents additional results in Task 5, as other results were presented in Sections II and III for presentation purposes. There is an interest in grouping all the results achieved in DR-CAFTA implementation in agriculture and to strengthen DICOEX's capacity for DR-CAFTA administration.

The results have been organized in the following sections:

- Increase capacity of the private sector to monitor and evaluate DR-CAFTA;
- Develop and implement DICOEX's communications and public relations campaign; and
- Develop DICOEX's capacity to systematically receive, analyze and respond to private sector inputs.

#### **A. Increase the Capacity of the Private Sector to Monitor and Evaluate DR-CAFTA**

The USAID DR-CAFTA Implementation Project works to provide technical assistance to increase the capacity of the private sector to monitor and evaluate DR-CAFTA by increasing its awareness and by stimulating its research capabilities. To increase awareness, the Project has conducted a series of seminars, workshops, trainings and other activities with the institutions detailed below. This section does not include the seminars conducted for the agricultural sector, as they were presented in Section II of this report. Furthermore, detailed information regarding all Project seminars and activities are included in Annex A.

These seminars were conducted in coordination with DICOEX, who supported the activities conducted by the private institutions. The institutions that received assistance the second year in conducting DR-CAFTA related seminars include:

- The American Chamber of Commerce (AMCHAMDR);
- The Association of Industrial Enterprises of Herrera (AEIH); and
- Santo Domingo Chamber of Commerce and Production (CCPSD).

**A1. American Chamber of Commerce (AMCHAMDR) – Seminar on Number Portability.** The USAID DR-CAFTA Implementation Project team coordinated the presence of Marilyn Jones, U.S. Federal Communications Commission Expert, to speak to key telecommunications public and private sector players at a seminar on Number Portability organized by AMCHAMDR. During this seminar, Ms. Yahaira Sosa, DICOEX Director, and Mr. Jose Rafael Vargas, INDOTEL president, also spoke on the importance and benefits of number portability as well as the compliance with this important DR-CAFTA commitment.

The seminar was held on Wednesday, June 3<sup>rd</sup> in Santo Domingo with the presence of 106 participants (34 or 36% women). A second session of this seminar was held on Thursday, June 4<sup>th</sup> in Santiago and 64 participants (17 or 27% women) attended this activity.



**AMCHAM, DICOEX and INDOTEL Senior Managers Introduce the Importance of Number Portability to the Telecommunications Community**

**A2. Association of Industrial Enterprises of Herrera (AEIH).** USAID DR-CAFTA Implementation Project local consultant Vilma Arbaje conducted a series of seminars to different industrial sectors on DR-CAFTA market access. During each seminar, the consultant gave an introduction to the framework of DR-CAFTA and its commitments. She then detailed the aspects in which DR-CAFTA applies to each sector. The consultant also provided an introduction to the TRADEMAP tool.



**Seminar on Market Access in DR-CAFTA Participants**

These seminars were possible due to a collaborative effort between DICOEX through its component of IADB Loan 1511 on strengthening DR trade agreements capabilities, and AEIH. The Project provided the consultant to conduct the seminars, AEIH made the

invitations and organized the events, and DICOEX paid for the logistics expenses through the IADB Loan 1511.

With this seminar series, 115 producers were trained in seminars titled: “Market Access in DR-CAFTA.” Each seminar was tailored to each particular group, as they were focused to the particular product produced by each group. All the seminars were held at Hotel Santo Domingo in Santo Domingo. The following table has a list of the seminars:

**Seminar Series  
“Market Access in DR-CAFTA”**

	<b>Product Group</b>	<b>Date</b>	<b>Participants (% women)</b>
<b>1</b>	Graphics Industry	October 2	27 (10)
<b>2</b>	Chemical Producers	October 28	14 (6)
<b>3</b>	Plastics Producers	November 6	18 (12)
<b>4</b>	Furniture Producers	November 20	15 (7)
<b>5</b>	Cosmetics, Metal Mechanics and Construction Sectors	December 9	18 (5)
<b>6</b>	Agribusinesses	December 10	23 (9)
	<b>Total</b>		<b>115 (49)</b>

**A3. Santo Domingo Chamber of Commerce and Production (CCPSD) – Seminar on Commercializing Scripts and Screenplays in the United States taking DR-CAFTA into consideration.** The project hired international consultant Monica Jimenez and local consultant Zaida Lugo to deliver a one day seminar to Dominican filmmakers on the information and tools for commercialization of film projects in the United States as well its respective DR-CAFTA implications. This seminar was held at Hotel Santo Domingo on November 19<sup>th</sup> and 20<sup>th</sup> and a total of 28 people (8 or 28% women) were present.



**Ms. Pamela Velázquez in the Seminar on Commercializing Scripts and Screenplays in the United States**

## **B. Develop and Implement DICOEX's Communications and Public Relations Campaign**

USAID DR-CAFTA Implementation Project also assisted DICOEX in conducting a series of seminars by themselves or in coordination with other public institutions to enhance public and private sector dialogue on different topics related to DR-CAFTA implementation. The following seminars were held during this second year of the Project. The Project provided the consultant and the IDB Project financed the local costs. In the case of the participation of other institutions, they also provided resources for the seminars. A description of each seminar or group of seminars follows.

The project also assisted DICOEX in developing simple to understand material on DR-CAFTA to facilitate its understanding.

**B1. Presentation of DR-CAFTA Related Studies.** DICOEX presented two reports on DR-CAFTA: a) Evaluation of the Dominican Republic's Performance in DR-CAFTA and b) Positive Aspects of the First Year of DR-CAFTA Implementation in the Dominican Republic. The reports were presented by Rolando Guzmán and Roberto Despradel, respective authors of the referenced reports. The presentations were held at the Central Bank Auditorium and a total of 66 people attended the event (18 or 27% women).



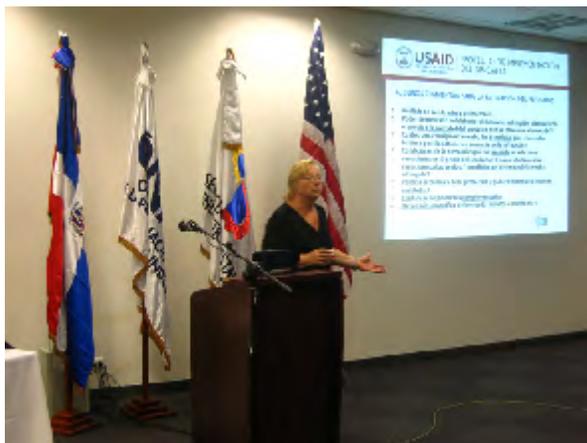
**Mr. Pablo Espinal, DICOEX 2008 Director, speaking of DR-CAFTA's first year of implementation**

**B2. DR-CAFTA Seminar at the Dominican Bar Association.** Ms. Elka Scheker, from local subcontractor INTEGRA, presented DR-CAFTA to members of the Dominican Bar Association. Ms. Scheker provided an overview of DR-CAFTA benefits and challenges for legal professionals. Ms. Scheker worked with the State Secretariat for Higher Education, Science and Technology (SEESCYT) and DICOEX to establish the corresponding procedures to comply with DR-CAFTA's Annex I regarding the

registration of foreign lawyers. The presentation was held at the Dominican Lawyers Association on July 8<sup>th</sup> and 76 (31 or 31% Women) attended.

**B3. Presentation on DR-CAFTA Performance.** The Project assisted DICOEX in organizing a presentation on Dominican Republic's performance in DR-CAFTA during its first year of implementation. Apolinar Veloz, from local subcontractor Grupo de Consultoría Pareto, was the keynote speaker for this presentation. Mr. Veloz detailed the relevant information as per the research conducted to evaluate the performance of DR-CAFTA during its first year. Mr. Manuel Rodríguez, from DICOEX, followed Mr. Veloz's presentation providing an overview of the evaluation of the performance of the GODR during the second year of DR-CAFTA implementation. There were two presentations, one in Santo Domingo and one in Santiago. The presentations were very successful. In Santo Domingo, a total of 46 (23 or 50% Women) attended. The event took place at CEI-RD on July 15<sup>th</sup>, 2009 from 4 – 6 PM. In Santiago, a total of 34 participants (20 or 59%Women) attended. The event took place at the Master's Building at the PCUMM in Santiago on August 20<sup>th</sup>, 2009 from 4 – 6 PM.

**B4. “Intellectual Property Rights: from Negotiation to Implementation.”** The Project hired international consultants Liliana Otero, Elena Di Vico and Norma Felix to conduct a six (6) day workshop on international business negotiations with an emphasis on intellectual property rights (IPR). The workshop was coordinated with ONAPI and held at CEI-RD's new training building, with the participation of 35 people (22 or 62% women) from both public and private sectors.



**Elena Di Vico and participants of Intellectual Property Rights Seminar: from Negotiation to Implementation.**

**B5. Seminar: “DR-CAFTA: Implications for Importing and Exporting.”** Lynette Batista spoke to 45 businesses people (10 or 22% women) from the commerce sector in Puerto Plata about DR-CAFTA, its different chapters, components and implications for exporting and importing. Ms. Batista presented this discussion on February 26<sup>th</sup> at the Puerto Plata Chamber of Commerce.



**Members of the Puerto Plata Business Community**

**B6. Workshop: “Steps, Requirements and Regulations for Exporting under DR-CAFTA.”** Luis Ramón Rodríguez made a presentation on the necessary steps and requirements to export according to DR-CAFTA and its regulations. The seminar was held on March 26<sup>th</sup> in Moca and a total of 25 people attended.



**Moca Business Community Members  
Learning about Exports and DR-CAFTA**

**B7. DR-CAFTA Seminar for Small and Medium Size Enterprises.** Local consultant Fantino Polanco conducted a DR-CAFTA seminar to the business community in Mao, Valverde. Mr. Polanco had a very successful session with many small and medium size company owners/administrators, who participated in the seminar. During the seminar, participants received detailed DR-CAFTA information that is important and necessary for business decision making. The seminar was attended by 32 people (10 or 31% women).



**Local consultant Fantino Polanco Presents DR-CAFTA in Layman's Terms**

**B8. Brochures in coordination with the National Competitiveness Council (CNC).** Subcontractor INTEGRA worked with DICOEX and CNC on drafting seven (7) handbooks/manuals describing DR-CAFTA basic topics in simple language to transfer this know-how to different audiences and build awareness on subjects related to DR-CAFTA and international trade related matters. DICOEX, CNC and the Project Implementation Unit personnel created an editorial committee to review the handbooks. The handbooks were produced and delivered. DICOEX and CNC will do the final printing and distribution.

**C. Develop DICOEX Capacity to Systematically Receive, Analyze and Respond to Private Sector Inputs**

The Project organized an observation visit to Costa Rica's Ministry of International Trade (COMEX), from August 16<sup>th</sup> to 20<sup>th</sup>, for DICOEX's Director, Yahaira Sosa, and four other key staff members (Wendy Adams, Karina Alcántara and Rosa Chez). They were assisted in the trip by the Project's Technical Director – Lynette Batista. The purpose of the visit was for the DICOEX team to observe and learn from the services and the information mechanisms used at COMEX. The team participated in several meetings with the main department heads at COMEX.

In Ms. Batista's trip report, she details the main lessons learned by the visiting team as possible solutions for DICOEX, including the following:

- The administration of International trade agreements in Costa Rica is a task of one government offices; the Ministry of Foreign Trade. The administration task is, therefore, approached as a state policy;
- The administration of agreements, especially DR-CAFTA, should respond to the needs of the productive sectors and assure the compliance of the commitments assumed by the country;

- The coordination among all corresponding institutions is crucial for a successful trade agreement implementation;
- In Costa Rica, there is a close relationship between trade administration and the office that promotes the country's exports. The creation of synergies and best management and/or distribution of resources are important;
- Public and private sector trainings are of great importance to channel demand and to take advantage of trade agreements;
- A country's trade administration office should create an environment conducive towards confidence, trustworthiness and transparency in all its processes. This, in turn, will ensure maximizing opportunities brought by the agreements in place.

As a result, the DICOEX team concluded on a series of activities that should be implemented locally to contribute towards improving its role as the administrator of the country's trade agreements; more specifically, DR-CAFTA. The following is a list of such activities, organized by theme areas:

**1. Civil Society and Communications Activities:**

- a. Implementation of an information system for consultations similar to COMEX's PEP (Permanent Linkage Point) used in Costa Rica. DICOEX would greatly benefit from having an automated mechanism to receive inquiries from the different sectors. This would also serve as a communications channel for DICOEX's activities;
- b. The establishment of a communications strategy for DICOEX and DR-CAFTA;
- c. The training of authorized spokespeople for DICOEX to focus on DR-CAFTA;
- d. Establishment of an activities calendar with the Center for Export and Investment of the Dominican Republic (CEI-RD) on DR-CAFTA.

**2. Administration:**

- a. Create an administration system similar to the one used by the Department of Administration of International Trade Agreements (DAACI) in Costa Rica. This system allows a physical and electronic control of the consultations and cases surrounding the agreement;
- b. Implement a mechanism to manage DICOEX's correspondence;
- c. Establish a filing and documents management system for confidential and public documents;
- d. Institute permanent training programs for DICOEX's personnel in DR-CAFTA and different forums;
- e. Create an inter-institutional commission (at the technical level-directors) where DICOEX functions as a secretariat to establish a management matrix and agenda for DR-CAFTA implementation;
- f. Implementation of a report from DICOEX to be produced once or twice a year;



**SECTION VI**

**CROSS CUTTING ACTIVITIES**

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## **SECTION VI**

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### **CROSS CUTTING ACTIVITIES**

Cross cutting activities are those that affect more than one task. In the Project, the cross cutting activities are:

- The Strategic Activities Fund (SAF);
- Project communications; and
- The Performance Base Management System (PBMS)

Following is a description of the results achieved in each one of them during the first year.

#### **A. Strategic Activities Fund (SAF)**

The Project's design included a SAF with the original intention of making available a sub grant mechanism that could be used to engage local institutions, such as universities, in areas such as research and analysis on themes deemed important to the overall DR-CAFTA implementation agenda.

During this reporting period the Project was able to contract three studies. Two of the studies were completed, delivered and distributed, and the other is in process. The two studies completed were:

- "Effects of Dominican Republic's Tax Structure and Costs on Export Competitiveness" subcontracted to Pareto Consulting Group; and
- "The possibilities of Small and Medium Size Enterprises of Maximizing their Exporting Potential through DR-CAFTA" contracted to Despradel & Asociados, S. A. (DASA).

The study in process is "Analysis on the Complementarities of DR-CAFTA Member Countries and the Sector Linkages for the Production of Goods in DR-CAFTA," contracted to Pareto Consulting Group.

#### **B. USAID DR-CAFTA Implementation Project Communications**

Wendy Soto, Project's M&E/Public Outreach Specialist; Lynette Batista, Project's Technical Director; and Yashara Canaan, Project's Communications Assistant, continue working on a new and improved communications strategy for the Project. The new communications strategy will aim at pairing Project audiences with their respective messages for DR-CAFTA Implementation. Thus far, the team has been able to identify the following issues that should be addressed with this new communications strategy:

- DICOEX should establish a direct contact, as well as clear lines and mechanisms of communications, with other GODR institutions and private sector to inform them about the implementation progress of the USAID DR-CAFTA Implementation Project.
- DICOEX should hold periodic meetings with other implementing institutions and motivate discussions of DR-CAFTA progress, compliance with commitments, as well as positive and challenging aspects.
- DICOEX should take the lead in a stronger marketing and distribution campaign for all the technical reports and/or deliverables of the Project.
- Project stakeholders should have access to DR-CAFTA Implementation information in Spanish (as Project reports are currently only being written in English) for most effective communications.

### **C. Performance Based Management System (PBMS)**

The PBMS system was installed and has been operational since January of 2008. The PMU and Project field staff regularly update the site with technical reports, approvals and other important Project information. This information is used by the PIU and PMU to track progress, analyze results and plan future activities. Furthermore, USAID and DICOEX staffs have secured access to the site which allows them to review key Project-generated information. Chemonics International is committed to periodic review and improvement of the PBMS sites across the company. Feedback was solicited and received from the USAID DR-CAFTA Implementation Project staff, USAID/Dominican Republic and DICOEX personnel. This feedback has been submitted to the Chemonics Knowledge Management Division (KMD), the unit responsible for this corporate initiative. KMD will use the provided feedback to upgrade the system. Improvements to the system are scheduled to occur on a periodic basis.

**SECTION VII**  
**PERFORMANCE MONITORING PLAN (PMP) RESULTS**

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## SECTION VII

### PERFORMANCE MONITORING PLAN (PMP) RESULTS

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The USAID DR-CAFTA Implementation Project's Performance Monitoring Plan (PMP) is based on USAID Dominican Republic Mission's objective of Economic Growth, Program Area 4.2: Trade and Investment, and Program Element 4.2.2: Trade and Investment Capacity.

This section presents the PMP progress detailed results for the Project's second fiscal year (October 2008 through September 2009); as well as a summary of the results for the Fiscal Year 2008. The USAID DR-CAFTA Implementation Project team reports performance results on a quarterly and annual basis, depending on the performance indicators selected for the evaluation of DR-CAFTA implementation.

In order to better understand the expected results under Tasks 4 and 5, the USAID DR-CAFTA Implementation Project, at the proposal stage, grouped activities into two overarching Program Elements (PE) and four Program Sub – Elements (PSE). The relationship of these indicators to the USAID/DR objectives is outlined in Section I.

The Project team identified a total of 14 indicators for the framework mentioned above. The indicators were designed to capture and communicate Project results, track implementation progress against targets, supply information concerning major Project activities, as well as contribute to USAID/DR's performance management and reporting needs.

Table 1 below contains a summary of the USAID DR-CAFTA Implementation Project indicators as well as their baseline, target and achieved results for the above established reporting period. The results for indicators 1 and 11 are to be presented annually. Moreover, the remaining indicators are reported in detail as scheduled to be presented on a quarterly basis. Most of the results are based on the Project's fiscal year (Oct – Sept), while others are based on a calendar year due to the availability of data; such as indicators No. 11 and No. 12.

During the Project's first year of operation, the Performance Monitoring Plan was modified to include indicators that would measure the Project's impact on rural development based on the Portman-Bingaman Earmark.

The purpose of the Portman-Bingaman Congressional earmark is to help the rural sectors of the Dominican Republic and Guatemala to make the needed adjustment within the sector, so that once the terms of the DR-CAFTA agreement are in full force, the risk to poor small farmers is either eliminated or significantly reduced. Indicators 12 to 14 of this PMP were included for measuring the Project's impact on rural economic development.

**Table 1: USAID DR-CAFTA Implementation Project's  
Performance Monitoring Indicators Summary  
October 2008 – September 2009**

<b>Indicator No.</b>	<b>Reference to Project Results Framework</b>	<b>Indicator Name</b>	<b>Base-line</b>	<b>Target FY2008</b>	<b>Achieved FY2008</b>	<b>Target FY2009</b>	<b>Achieved FY2009</b>
<b>1</b>	<b>PO</b>	Percent of effectiveness of Dominican Republic government institutions in the implementation of DR-CAFTA.	0	50	57	60	65
<b>2</b>	<b>PE1</b>	Number of legal, regulatory or institutional actions taken to improve implementation or compliance with DR-CAFTA, and adjustment to its impacts.	16	6	11	6	12
<b>3</b>	<b>PE1</b>	Number of people trained to understand and maximize benefits of DR-CAFTA	0	300	1,889	300	1,624
<b>4</b>	<b>PSE1</b>	Number of operational tools developed and established with partner institutions	0	20	44	20	37
<b>5</b>	<b>PSE1</b>	Number of communication mechanisms developed and established with partner institutions	0	10	9	10	13
<b>6</b>	<b>PSE3</b>	Number of Monitoring & Evaluation tools developed with partner institutions	0	10	17	10	15
<b>7</b>	<b>PE2</b>	Number of events in which private sector institutions actively participate in DR-CAFTA funded activities and are accessible to the private sector	0	20	39	20	34
<b>8</b>	<b>PSE4</b>	Number of awareness sessions organized to discuss DR-CAFTA related issues	0	25	44	25	38

Indicator No.	Reference to Project Results Framework	Indicator Name	Base-line	Target FY2008	Achieved FY2008	Target FY2009	Achieved FY2009
9	PSE4	Number of training hours provided to Project activities participants	0	200	271	200	254
10	PSE4	Number of local press articles on DR-CAFTA related matters	0	100	84	100	71
11	PART	Improved trade readiness (i.e. complying with WTO standards and protocols for production and export) of LAC presence countries, as measured by country exports as a percentage of GDP	17.5 <sup>3</sup>	17	15.2	17	Will be reported in March 2010
12	Portman-Bingaman	Number of legal, regulatory or institutional actions taken to improve <u>agricultural sector</u> implementation or compliance with DR-CAFTA, and adjustment to its impacts.	0	2	4	2	8
13	Portman-Bingaman	Number <u>agricultural sector</u> participants trained to understand and maximize the benefits of DR-CAFTA	0	200	877	200	891
14	Portman-Bingaman	Number awareness sessions organized to discuss DR-CAFTA issues related to the agricultural sector	0	20	21	20	18

**PO** = Program Objective; **PE** = Program Element; **PSE** = Program Sub-element; **PART**= Program Assessment Rating Tool; **IP** = Indicator in Progress.

<sup>3</sup> Baseline is calendar year 2007. Data available provided by the Central Bank of the Dominican Republic during March of the subsequent year.

## **Indicator No. 1: Percent of effectiveness of Dominican Republic Government Institutions to Implement DR-CAFTA**

***Precise Definition(s):*** A scorecard was developed to measure the Dominican Republic government's (specifically DICOEX) effectiveness in implementation of DR-CAFTA commitments for 2008, 2009 and 2010. The scorecard collates the effectiveness of the Dominican Government in implementation of a series of milestones identified by the Project, corresponding to commitments within each chapter of the agreement.

A scorecard was developed with the most efficient elements in order to measure the effectiveness of the technical assistance provide by the Project to DICOEX for the implementation of the DR-CAFTA. The scorecard is an attempt to objectively measure the effectiveness of the USAID DR-CAFTA Implementation Project in supporting the efforts of the GODR to effectively implement the DR-CAFTA.

This indicator embrace the main five component milestones set to measure the Project's impact in the effectiveness of the Dominican Republic's government institutions to implement DR-CAFTA. This indicator includes set project's milestones during the three years of the project's duration, and the score indicates progress up to the month the indicator is reported. The milestones define commitments under DR-CAFTA by topic and the necessary actions by the project, through technical assistance, to assist the GODR's fulfillment of the commitments established in the Agreement.

Table 2 below contains a detailed description of the different Project tasks, activities and assistance that have thus far influenced the effectiveness of the GODR institutions in DR-CAFTA Implementation. The scorecard detailed below presents the milestones for the Project's three years of operations.

A score of 50% was set as a target for FY09 since there were specific milestones for GODR institutions to achieve within the first year. The score obtained was 57% and this demonstrates that the Project was able to exceed its expectations in assisting DICOEX and other GODR institutions in DR-CAFTA Implementation during the Project's first year. For the second year the target is 60%, and a total score of 65% was achieved.

During April 2009, the scorecard was reviewed and presented to all stakeholders at the project's FY09 strategic planning session. At this time, the scorecard was modified to include additional categories; thus, now reflecting all DR-CAFTA topics. Please refer to the table 2 below for further detail.

**Table 2: USAID DR-CAFTA Implementation Project Scorecard for  
Measuring Project's Impact on GODR Institutions'  
Effectiveness in DR-CAFTA Implementation**

	<b>USAID DR-CAFTA IP CATEGORIES</b>	<b>SCORE (Ye=1pt; No=0pt.)</b>		<b>WEIGHT</b>	<b>WEIGHTED SCORE</b>	<b>COMMENTS</b>
<b>A</b>	<b>Framework for required legal documents and country resolutions established</b>				<b>19%</b>	
	The DR proposal for the FREE TRADE Commission submitted	1	x	2	2	
	Rules of Procedures for all 14 DR-CAFTA Committees and working group completed	1	x	2	2	
	Evaluation procedures for the selection of DR-CAFTA panelist in place	1	x	2	2	
	Model Rules of Procedures for Dispute Settlement drafted	1	x	2	2	
	DR proposal for investment appeals mechanism drafted	1	x	3	3	
	An Ethics code for arbitrators in place	1	x	2	2	
	Training on dispute settlement and conflict resolutions	1	x	1	1	
	National Authority for Unfair Practices of Trade established	1	x	2	2	
	Procedures to allow numeric portability in place	1	x	2	2	
	Training on procedures for numeric portability	1	x	1	1	
	Cross border services provider reviewed annually	0	X	1	0	
<b>B</b>	<b>Capacity in implementation of government procurement commitments increased</b>				<b>8%</b>	
	Awareness of roles and responsibility in DR-CAFTA GPO commitments increased	1	X	1	3	
	Public access to judicial decisions and administrative rulings of general application established	0	x	2	0	
	Inclusion of an indicator that the procurement is covered by Chapter 9 of DR-CAFTA in the notice of intended procurement	0	x	2	0	
	Time limit to 40 days for the tendering process set	0	x	2	0	
	Notice regarding the contract award published	0	x	3	0	
	Procedures to declare a supplier ineligible for participation established and maintained.	1	x	3	3	Via SHE/DGCP Web Site: <a href="https://compras.dominicana.gov.do/compras/">https://compras.dominicana.gov.do/compras/</a>
	Training in DR-CAFTA to GODR Procurement Departments conducted	1	x	2	2	
	Countries threshold reviewed annually	0	X	3	0	
	Proposal for transition mechanisms for construction services drafted	0	X	3	0	
<b>C</b>	<b>Ability to implement financial services commitments increased</b>				<b>9%</b>	
	Awareness of roles and responsibility in Financial Services commitments to Central Bank and related institutions increased	1	x	3	3	
	Proposal for the regulations for granting approval or issuing disapproval for the sale of a new insurance product drafted	1	x	3	3	
	Proposal for establishment of branches drafted	1	x	3	3	
	Proposal for establishment of cross-border providers drafted	0	x	3	0	

	USAID DR-CAFTA IP CATEGORIES	SCORE (Ye=1pt; No=0pt.)		WEIGHT	WEIGHTED SCORE	COMMENTS
	Proposal for the establishment of adequate collective investment in the DR submitted	0	x	3	0	
	Proposal of a legal framework that allows implement mutual funds drafted	0	x	3	0	
<b>D</b>	<b>Framework for required Intellectual Properties Right commitments established</b>				<b>13%</b>	
	Legislation or regulations, to actively regulate the acquisition and management of software issued	1	x	3	3	
	Awareness of roles and responsibility in SESPAS about DR-CAFTA Commitments increased	1	x	1	1	
	Training SESPAS on DR-CAFTA commitments conducted	1	x	2	2	
	Proposal for management data protection of pharmaceuticals drafted	1	x	3	3	
	Rules of procedures for manage data protection and patents drafted	0	x	3	0	
	Data protection mechanism and linkages in place at SESPAS established	0	x	3	0	
	Proposal for management of intellectual properties rights at borders drafted and submitted	1	x	2	2	
	Train Customs Official trained on intellectual property rights and related issues at the ports	1	x	2	2	
	Registration procedures of specials brand established	0	X	3	0	
<b>E</b>	<b>Clear procedures and guidelines for agricultural commitments under DR-CAFTA developed</b>				<b>16%</b>	
	On line tracking system to coordinate TRQs management implemented	0	x	3	0	
	OTCA Web Pages designed (1pt) and implemented (1pt)	2	x	2	4	
	Regulation for allocate TRQ's drafted	1	x	3	3	
	Special training on TRQ and agricultural safeguards measures provided	1	x	2	2	
	User manuals for TRQ distribution drafted	1	x	2	2	
	TRQ announced on time	0	x	3	0	
	Program to assist DR in complying with US regulations for meat imports in progress	1	x	3	3	
	Procedures for implemented UPOV agreement drafted (1pt) and implemented (1pt)	1	x	2	2	
<b>TOTAL SCORED</b>					<b>65%</b>	

**Indicator No. 2: Number of legal, regulatory or institutional actions taken to improve implementation or compliance with international trade and investment agreement due to support from USG assisted organizations**

**Precise definition(s):** Number of legal, regulatory, or institutional actions taken to improve implementation or compliance with international trade and investment agreements, and adjustment to their impacts, partly or fully due to analysis or advocacy by USAID programs, in this case USAID DR-CAFTA Implementation Project. For the

*purpose of this indicator, the criteria for “actions” is based on: draft regulations that will assist the GODR to implement DR-CAFTA; activities where the Project participates to support the implementation of a law that promotes DR-CAFTA implementation; assisting in the development of controls that need to be implemented by certain institutions to improve the implementation of DR-CAFTA (e.g. developing sanitary controls); review and assist in the draft of specific laws, regulatory frameworks.*

The results of this indicator are reported on an annual basis. The USAID DR-CAFTA Implementation Project team is pleased to report that it already has been working on several initiatives to promote DR-CAFTA implementation regulations. Such initiatives are presented in Table 3 below.

**Table 3: Number of Legal, Regulatory or Institutional Actions Taken to Improve Implementation or Compliance with International Trade**

	Type of Action	Institution	Topic
1	Decree 784-08	OTCA – SEA	Tariff Rate Quotas
2	Implementation of regulation	SEA	UPOV
3	Regulation review	Superintendence of Insurance	Insurance
4	Regulation proposal	DICOEX – SEIC	Investments disputes settlement
5	Regulation review and proposal	SESPAS – Risks Control	Food for Human Consumption
6	Regulation review and update	SESPAS – Risks Control	Poultry and related products
7	Regulation review and update	SESPAS	Milk and related products
8	Regulation review and update	SESPAS	Fish and related products
9	Organizational Structure Regulations	DICOEX – SEIC	Administration and Implementation
10	Analysis of Implications of Special Regimes after 2010 and DR-CAFTA	AIRD	Market Access
11	Legal Evaluation of the Proposed Registration of Medications for Sale in the Dominican Republic	SESPAS – DGDF	Market Access and Transparency
12	Meat Regulation Review and Discussion with FSIS	SESPAS	Market Access

- 1. Decree 784-08 on TRQs:** OTCA requested USAID DR-CAFTA Implementation Project to review a proposed regulation to modify the existing regulation, taking into account the experience from previous years. The new regulation was approved through Decree 748-08 of November 28, 2008.
- 2. Regulation on the Union for the Protection for New Varieties of Plants (UPOV):** The DR approved the law that ratifies its membership in the UPOV as one of the requirements of DR-CAFTA before entering into force. The Law calls for the

issuance of a Resolution creating the Technical Commission and the Office of Registration of Plant Varieties within 120 days of enacting the law. SEA requested the Project's assistance to establish the Office of Registration of Plant Varieties.

3. **Insurance Law:** USAID DR-CAFTA Implementation Project hired a local subcontractor to assist the Superintendence of Insurance and DICOEX in reviewing the insurance law's compliance with DR-CAFTA Implementation as well as in drafting procedures on reforms needed for the Insurance Law to comply with DR-CAFTA commitments. The proposed changes are under review by the Superintendence of Insurance, and the Project will assist them with its socialization.
4. **Investments Appeal Mechanism:** USAID DR-CAFTA Implementation Project hired a subcontractor to assist DICOEX in the establishment of an Investments Appeal Mechanism. It is under review.
5. **Regulation on Food for Human Consumption:** A USAID DR-CAFTA Implementation Project international consultant assisted SESPAS in drafting a regulation on food for human consumption. The regulation is under review.
6. **SESPAS Poultry Sanitary Regulations Review:** A USAID DR-CAFTA Implementation Project international consultant assisted SESPAS in reviewing and updating the regulation for poultry and related products.
7. **SESPAS Milk and Dairy Products Sanitary Regulations Review:** A USAID DR-CAFTA Implementation Project international consultant assisted SESPAS in reviewing and updating the sanitary regulation for milk and related products.
8. **SESPAS Fish and Related Products Sanitary Regulations Review:** A USAID DR-CAFTA Implementation Project international consultant assisted SESPAS in reviewing and updating the sanitary regulation for fish and related products.
9. **DICOEX Organizational Structure Regulations:** International consultant, Velia Govaere, assisted DICOEX in drafting the organization's rule and regulations that will enhance DICOEX's trade agreement and administration implementation capacity.
10. **Analysis of Implications of Special Regimes after 2010 and DR-CAFTA:** Local consultant Natalia Polanco analyzed the implications for Dominican Republic's Special Regimes after 2010 as established on Section C Article 3.4 of DR-CAFTA. As DR-CAFTA states, no Party of the agreement may adopt any new waiver of customs duties or expand the existing ones. Existing waivers in Dominican Republic may not be maintained after December 31, 2009. This affects particularly the Free Trade Zones Regime in DR (Law 8-90) due to the extension waiver given by WTO until 2018.
11. **Legal Evaluation of the Proposed Registration of Medications for Sale in the Dominican Republic.** Local consultants Natalia Polanco and Vilma Arbaje evaluated the commitments for the registration of medications for sale in the country.
12. **Meat Regulation Review and Evaluation with FSIS.** The Project hired international consultant Dr. Mercedes Erazo to work with SESPAS and FSIS in an evaluation and review of the Regulation of Meat and Related Products for export.

**Indicator No. 3: Number of people trained to understand and maximize the benefits of DR-CAFTA**

***Precise Definition(s):** The USAID DR-CAFTA Implementation Project team has been coordinating a large number of trainings, workshops and seminars on DR-CAFTA implementation matters. This indicator measures the number of people trained by the Project on the different DR-CAFTA topics.*

During fiscal year 2009 the USAID DR-CAFTA Implementation Project team was able to train a total of **1,620 (433/27%)** which participated in 38 sessions on DR-CAFTA key topics and implementation issues (see indicator No. 8 for details). This information is segregated by public and private sector in table 4 below.

**Table 4: USAID DR-CAFTA Implementation Project Seminars from October 2008 to September 2009**

No.	Seminar Title	Total Number of participants (# and % of women in parenthesis)				Date	Location	Consultant
		Total	Public Sector	Private Sector	No. Training Hours			
1	AEIH - Market Access Training by Industrial Sector: Graphics'	27(10/37%)	0	27	6	October 2, 2008	Hotel Santo Domingo (Santo Domingo)	Vilma Arbaje
2	JAD - Impact of DR-CAFTA on National Mango Producers	21(4/19%)	15	6	4	October 2, 2008	Baní	Luis Ramón Rodríguez
3	AIRD – “Dominican Republic vs. Central America: Comparative Analysis of Legislations and Commercial Rules.”	39(21/51%)	12	27	3	October 7, 2008	Salón Multiusos AIRD (Santo Domingo)	Oscar Núñez
4	JAD- Impact of DR-CAFTA on National Avocado Producers	24(0)	0	24	4	October 8, 2008	Cambita, San Cristóbal	Luis Ramón Rodríguez
5	JAD - Impact of DR-CAFTA on Regional Milk Producers	110(6/5%)	7	103	4	October 15, 2008	Santiago Rodríguez	Luis Ramón Rodríguez
6	JAD - Impact of DR-CAFTA on Regional Pork Producers	11(4/36%)	2	9	4	October 22, 2008	JAD, Santo Domingo	Luis Ramón Rodríguez
7	AEIH- Market Access Training by Industrial Sector: Chemicals	14(6/42%)	0	14	6	October 28, 2008	Hotel Santo Domingo	Vilma Arbaje
8	AEIH- Market Access Training by Industrial Sector: Plastic	18(12/67%)	0	18	6	November 6, 2008	Hotel Santo Domingo	Vilma Arbaje
9	JAD - Impact of DR-CAFTA on National Onion Producers	105(12/11%)	0	105	4	November/14/08	Vallejuelo, San Juan de la Maguana	Luis Ramón Rodríguez
10	AEIH- Market Access Training by Industrial Sector: Furniture and Mattresses	15(7/47%)	0	15	6	November/20/08	Hotel Santo Domingo	Vilma Arbaje

No.	Seminar Title	Total Number of participants (# and % of women in parenthesis)				Date	Location	Consultant
		Total	Public Sector	Private Sector	No. Training Hours			
11	CCPSD – Seminar on Commercializing Scripts and Screenplays in the United States taking DR-CAFTA into consideration	28(8/28%)	10	18	6	Nov 19 – 20, 08	Hotel Santo Domingo	Zaida Lugo Lovatón, Mónica Jimenez – Grillo, Bernardette Rivera
12	DICOEX – Presentation of DR-CAFTA Related Studies	66(18/27%)	43	23	3	December 04, 2004	Central Bank (Santo Domingo)	Roberto Despradel & Rolando Guzmán
13	AEIH- Market Access Training by Industrial Sectors: Cosmetics, Metal mechanics and Construction	18(5/28%)	3	15	6	December 09, 2008	Hotel Santo Domingo	Vilma Arbaje
14	AEIH- Market Access Training by Industrial Sector: Agro Industry	23(9/39%)	6	17	6	December 10, 2008	Hotel Santo Domingo	Vilma Arbaje
15	DICOEX/SEA – Seminar: “Best Agricultural and Livestock Practices.	52(6/12%)	44	8	12	January 29 & 30, 2009	San Juan de la Maguana	Ing. Luis Ramón Rodríguez
16	DICOEX/ONAPI Seminar: “Intellectual Property Rights: from negotiation to implementation”	35(22/ 62%)	17	18	48	February 9 & 14, 09	Salón CEI-RD Santo Domingo	Norma Félix, Elena Di Vico y Liliana Otero
17	DICOEX/SEA – Seminar: “Best Agricultural and Livestock Practices.	56(7/12%)	40	16	12	February 12 & 13, 09	Higüey.	Ing. Luis Ramón Rodríguez
18	DICOEX-Sanitary and Phytosanitary Measures under DR-CAFTA to export Bananas	63(15/24%)	20	43	4	February 20, 09	Pepillo Salcedo, Manzanillo	Ing. Luis Ramón Rodríguez

No.	Seminar Title	Total Number of participants (# and % of women in parenthesis)				Date	Location	Consultant
		Total	Public Sector	Private Sector	No. Training Hours			
19	DICOEX: Seminar: "The Implications of Importing and Exporting in DR-CAFTA"	38(9/24%)	3	35	4	February 25, 09	Cámara de Comercio de Puerto Plata.	Lynette Batista
20	SESPAS: Workshop on the Sanitary Regulation of Meat and Meat Products in the Dominican Republic	35(12/34%)	21	14	5	February 25, 09	Laboratorio Dr. Defilló, Santo Domingo	Mercedes Erazo
21	SESPAS: Workshop on the Sanitary Regulation of Poultry and Related Products in the Dominican Republic	23(6/26%)	11	12	5	February 26, 09	Laboratorio Dr. Defilló, Santo Domingo	Mercedes Erazo
22	DICOEX/SEA – Seminar: "Best Agricultural and Livestock Practices."	60(19/32%)	40	20	12	March 19 & 20, 09	San Francisco de Macorís	Ing. Luis Ramón Rodríguez
23	DICOEX – Workshop: "Steps, Requirements and Regulations for Exporting under DR-CAFTA."	22(7/32)	2	20	4	March 26, 09	Moca	Ing. Luis Ramón Rodríguez
24	INDOTEL- Workshop Numeric Portability	33(10/30%)	33	0	4	April 07, 09	INDOTEL, Santo Domingo	Julián Gómez
25	Seminar: "Trading Agriculture and Industrial Goods & Sanitary and Phytosanitary Measures"	14(2/14%)	3	11	4	April 17, 09	Constanza	Ing. Luis Ramón Rodríguez
26	DICOEX-SEA- "Best Agricultural and Livestock Practices "	60(5/8%)	57	3	2	April 29, 09	Santiago	Ing. Luis Ramón Rodríguez
27	DICOEX-SEA- "Best Agricultural and Livestock Practices "	57(10/18%)	22	35	2	May 28, 09	Valverde, Mao	Ing. Luis Ramón Rodríguez

No.	Seminar Title	Total Number of participants (# and % of women in parenthesis)				Date	Location	Consultant
		Total	Public Sector	Private Sector	No. Training Hours			
28	AMCHAM- Workshop Number Portability	106(40/38%)	20	86	3	Jun 03, 09	Santo Domingo	Marilyn Jones
29	AMCHAM- Workshop Number Portability	64(12/19%)	9	55	3	Jun 04, 09	Santiago	Marilyn Jones
30	DICOEX-SEA- "Best Agricultural and Livestock Practices "	40(6/15%)	34	6	2	Jun 04, 09	Barahona	Ing. Luis Ramón Rodríguez
31	DICOEX-"PYMES and DR-CAFTA".	32(10/31%)	3	29	2	Jun 09, 09	Valverde, Mao	Fantino Polanco
32	DICOEX – DR-CAFTA Seminar at the Dominican Bar Association	76(31/41%)	0	76	2	July 08, 2009	Dominican College of Lawyers	Elka Scheker
33	DICOEX – Presentation on DR-CAFTA Performance	46(23/ 50%)	20	26	2	July 15, 2009	CEi-1 del CEI-RD, Santo Domingo	Apolinar Veloz
34	DICOEX: Presentation of the Report "Requirements to Export Sweet Potatoes to United States."	30(7/23%)	16	14	2	August 13, 2009	CEi-1 del CEI-RD, Santo Domingo	Luis Ramón Rodríguez
35	DICOEX Observation Visit to Costa Rica's Ministry of International Trade	4(4 or 100%)	4	0	40	August 16 – 20th	Costa Rica Ministry of International Trade	Lynette Batista
36	DICOEX – Presentation on DR-CAFTA Performance	34(20/59%)	21	13	2	August 20, 2009	PUCMM, Santiago	Apolinar Veloz y Manuel Rodríguez
37	DICOEX – Seminar: "Perspectives of the Handicrafts Sector in DR-CAFTA."	17(5/29%)	5	12	2	September 03, 2009	Centro Recreativo La India del Valle, La Vega	Fantino Polanco

No.	Seminar Title	Total Number of participants (# and % of women in parenthesis)				Date	Location	Consultant
		Total	Public Sector	Private Sector	No. Training Hours			
38	DICOEX/OTCA/AMCHAMDR– Seminar: How to Take Advantage of the Tariff Rate Quotas: A Guide for the Commercial Community	108(33/31%)	40	68	8	September 15, 2009	ICEi-1 del CEI-RD, Santo Domingo	Luis Zúñiga
	<b>Total</b>	<b>1,624(437/27%)</b>	<b>583(36%)</b>	<b>1,041(64%)</b>	<b>254</b>			

**Indicator No. 4: Number of operational tools developed and established with partner institutions**

**Precise definition(s):** This indicator measures the number of operational tools that the Project is establishing to assist key public and/or private sector institutions to ensure that there is coordination and clear guidelines of DR-CAFTA implementation. Below is a list of operational tools that the Project defines for the reference and monitoring of this indicator: Operational tools: (1) operational manuals; (2) operational systems; (3) operational and management procedures; (4) operational and management processes; (5) improvements of current operational tools; (6) plans for operational/management systems; (7) operational/management guidelines; (8) organizational structures; and (9) scopes of Work.

**Table 5: Number of Operational Tools Developed and Established with Public Sector Institutions**

No.	Tool	Institution	Sector
1	SOW to create a market access of good Website for DICOEX, AIRD and AEIH	DICOEX, AIRD, AEIH	Public/Private
2	SOW to provide basic training and drafting brochures on DR-CAFTA topics	DICOEX, CNC	Public
3	SOW to provide training on IPR	ONAPI	Public
4	SOW to provide technical assistance for an Organizational Restructuring of the Office Agricultural Trade Agreements	OTCA/SEA	Public
5	SOW to prepare a Users Guide for Tariff Rate Quotas and Agricultural Safeguard Measures	OTCA/SEA	Public
6	SOW to draft user manuals for GPO	GPO	Public
7	SOW to audit Telecommunications Providers for Numeric Portability readiness	INDOTEL	Public
7	SOW to provide technical assistance for the requirements to establish a Registration Office for Variety of Plants (UPOV)	SEA	Public
9	SOW to draft the Sanitary Regulation for risk control of foods in the Dominican Republic	SESPAS	Public
10	SOW to draft a Sanitary Regulation for Fish and Fish Products	SESPAS	Public
11	SOW to draft a Sanitary Regulation for Processed Meats	SESPAS	Public
12	SOW to create a Web Page for the National Committee of Sanitary and Phytosanitary Measures	SEA	Public
13	SOW to create a Web Page for DICOEX	DICOEX	Public
14	SOW to assist DICOEX in drafting a regulation for its organization structure	DICOEX	Public
15	SOW to assist SESPAS in drafting technical procedures for the Sub- Secretariat of Quality	SESPAS	Public

No.	Tool	Institution	Sector
	Assurance		
16	SOW to provide training on Copyrights in DR-CAFTA and Commercialization of Scripts in USA	ONAPI	Public
17	DICOEX Work Plan for 2008	DICOEX	Public
18	DICOEX Work Plan for 2009	DICOEX	Public
19	SOW to create TRQs Software	OTCA/SEA	Public
20	SOW to conduct research study on the Effects of Dominican Republic's Tax Structure and Costs on Exports	DICOEX	Public
21	SOW to conduct benchmark study and comparative analysis of the regulations and commercial rules in the Dominican Republic vs. Central America	DICOEX	Public
22	SOW to conduct Midterm Baseline Assessment of the Dominican Institutional Capacity to Implement DR-CAFTA	DICOEX	Public
23	SOW to conduct research study on the Possibilities of Small and Medium Sized Enterprises to Maximize the Benefits of DR-CAFTA.	DICOEX	Public
24	SOW to update and improve the DGDF information technology system	SESPAS/DGDF	Public
25	SOW to conduct Seminar on Number Portability	DICOEX/INDOTEL	Public
26	SOW for Communications Strategy for DICOEX	DICOEX	Public
27	SOW to assist in the identification of Patent Linkage with the Sanitary Registration from its respective Sanitary Authority	SESPAS/DGDF	Public
28	SOW to conduct a comparative study among DR-CAFTA countries for complementary trade administration services	DICOEX	Public
29	SOW to assist ONDA in getting organized to work and coordinate with other GODR institutions for the compliance of IPR related commitments	DICOEX/ONDA	Public
30	SOW to draft DR-CAFTA handbooks or brochures in simple language	DICOEX/CNC	Public and Private
31	SOW to Evaluate the chemical residue in meats for export	DICOEX/SESPAS	Public and Private
32	SOW to conduct a seminar on Bankruptcy	DICOEX/Central Bank	Public and Private
33	SOW to conduct a seminar to the National Arbitration Panel	DICOEX	Public
34	SOW to conduct a training on Registering Sounds and Smells Trademarks	ONAPI/DICOEX	Public

No.	Tool	Institution	Sector
35	SOW to Visit the Costa Rica Ministry of International Trade	DICOEX	Public
36	SOW to conduct an analysis of the Linkage and Verification of the Sanitary Registration of Medicines by the Sanitary Authority	SESPAS	Public
37	SOW to Update SESPAS DGDF Technological Solutions Provided by SIAMED	SESPAS	Public and Private

**Indicator No. 5: Number of communication mechanisms developed and established with partner institutions**

**Precise definition(s):** This indicator measures the number of communication mechanisms that the Project develops to assist key public and/or private sectors in the coordination of DR-CAFTA implementation. Below is a list of communication mechanisms that the Project defines for the reference and monitoring of this indicator: (1) communication strategies; (2) public outreach events; (3) agreements for information disseminations; (4) awareness campaigns; (5) hotlines; (6) web information systems; (7) yellow pages; (8) Signed inter-institutional MOUs; (9) communication programs; (10) information centers; (11) newsletters; (12) communication materials; and (13) mass media conferences).

**Table 6: Communications Mechanisms Developed by USAID DR-CAFTA Implementation Project**

No.	Mechanism	Institution	Sector	Status
1	Web Page Creation	DICOEX/SEIC	Public	In progress
2	Web Page Creation	SEA/CNMSFS	Public	Completed and in operation
3	Web Page Creation	OTCA/SEA	Public	Completed and in operation
4	Web based Information System	DICOEX/AIRD/AEIH	Public and Private	Completed and in process of implementation
5	Information Technology System (SIAMED)	SESPAS	Public	Implemented and update in progress
6	DR-CAFTA Informational Brochures	DICOEX/CNC	Public and Private	Completed
7	User's Guide for DR-CAFTA Tariff Rate Quotas	OTCA/SEA	Public and Private	Completed and Distributed
8	User's Guide for DR-CAFTA Special Agricultural Safeguard	OTCA/SEA	Public and Private	Completed and Distributed

No.	Mechanism	Institution	Sector	Status
9	Understanding DR-CAFTA: a Simple Guide for the Dominican Agricultural Sector	DICOEX	Public and Private	Completed and Distributed
10	TRQs Management Software	OTCA/SEA	Public and Private	In progress
11	Memorandum of Understanding	DICOEX/AIRD	Public and Private	Completed
12	Memorandum of Understanding	DICOEX/OTCA	Public and Private	Completed
13	Memorandum of Understanding	DICOEX/ SESPAS	Public and Private	Completed

1. USAID DR-CAFTA Implementation Project is currently working on providing technical assistance to **DICOEX** to develop its **Web page** to publish relevant information on DR-CAFTA and other trade agreements. This communications tool will serve DICOEX to have readily available information to the general public via a website that is independent from that of the State Secretariat of Industry and Commerce (SEIC) as it is at the moment.
2. The Project assisted the **National Committee for Sanitary and Phytosanitary Measures** in the creation of a **Web page** where all the relevant information to the referenced subject is available to the general public.
3. The Project provided assistance to **OTCA** to develop its **Web page** to publish relevant information on DR-CAFTA and other trade agreements. Of particular interest is the information on the administration of TRQs. The Web Page is in operation.
4. An **information system on DR-CAFTA** will be available through **DICOEX, AIRD and AEIH's Web sites** as well as a 'hot line' service. This information system will be an electronic user friendly guide for imports and exports between the United States and the Dominican Republic. It will contain information on tariff schedules, rules of origin, safeguards, and tariff rates quota if applicable. Information will be available through DICOEX, AIRD and AEIH websites.
5. The **General Directorate of Drugs and Pharmacies (DGCP)** of SESPAS will benefit from an update to its **SIAMED** which will significantly improve its information technology systems.
6. Local subcontractor INTEGRRA worked with DICOEX and CNC in creating **informational DR-CAFTA brochures** in simple language.
7. International consultant Juan Luís Zúñiga assisted **OTCA** in drafting a **User's Guide for DR-CAFTA TRQs**.

8. International consultant Juan Luís Zúñiga assisted **OTCA** in drafting a **User's Guide for DR-CAFTA Special Agricultural Safeguard**.
9. Local consultant Luis Ramón Rodríguez and the COP assisted DICOEX in drafting a document **Understanding DR-CAFTA: a Simple Guide for the Dominican Agricultural Sector**.
10. The Project hired Mr. Ivan Mendoza, international consultant, to develop and implement management **software for the administration of tariff rate quotas**.
11. The Project formalized a **MOU with DICOEX and AIRD**.
12. The Project formalized a **MOU with DICOEX and OTCA**.
13. The Project formalized a **MOU with DICOEX and SESPAS**.

**Indicator No. 6: Number of M&E tools developed with partner institutions**

***Precise Definition(s):** This indicator measures the number of M&E tools that the Project develops or actively participates in the establishment of the Monitoring & Evaluation (M&E) tools so key public and private institutions can enhance their capacity to monitor and evaluate DR-CAFTA Implementation. M&E Tools: (1) plans; (2) monitoring and information systems; (3) IT Tools; (4) online tracking systems; (5) research studies; and (6) databases.*

The following tools have been developed under the Project to assist DICOEX in this process:

**Table 8: M&E Tools with Partner Institutions**

<b>No.</b>	<b>M&amp;E Tool</b>	<b>Institution</b>	<b>Sector</b>
<b>1</b>	Procedures Manual for Meat Inspection Services	SESPAS	Public
<b>2</b>	Technical Procedures Handbook for General Direction of Drugs and Pharmacies	SESPAS	Public
<b>3</b>	Work Plan for 2008	DICOEX	Public
<b>4</b>	Work Plan for 2009	DICOEX	Public
<b>5</b>	Report and Consultancy on Organizational Restructuring	DICOEX	Public
<b>6</b>	List of DR-CAFTA Commitments	DICOEX	Public
<b>7</b>	DR-CAFTA First Quarterly Analysis	DICOEX	Public
<b>8</b>	Report and Consultancy on Organizational Restructuring	OTCA	Public
<b>9</b>	Software to Manage Tariff Rate Quotas	OTCA	Public
<b>10</b>	In depth Research Study on the Effects of Dominican Republic's Tax Structure and Costs on Exports	DICOEX	Public

No.	M&E Tool	Institution	Sector
11	In depth Research Study on the Possibilities of Small and Medium Sized Enterprises to Maximize the Benefits of DR-CAFTA	DICOEX	Public
12	Midterm Assessment of the Dominican Institutional Capacity to Implement DR-CAFTA	DICOEX	Public
13	Information Technology System (SIAMED) Update	SESPAS	Public
14	Procedures for the compliance with registration of foreign lawyers as established in Annex I of DR-CAFTA	DICOEX/SEECYT	Public
15	Procedure for Textile Safeguards	DICOEX	Public

**Indicator No. 7: Number of events in which private sector institutions actively participate in DR-CAFTA funded activities and are accessible to the private sector**

***Precise Definition(s):** Meetings, such as trainings, workshops and committees should have representatives of different sectors and institutions and should also be coordinated by both sectors. This indicator will only measures DR-CAFTA related activities funded, coordinated or assisted by the USAID DR-CAFTA Implementation Project. Actively participate in DR-CAFTA: (1) co-sponsor meetings; (2) active member of committees; (3) provide experts to the seminars; (4) participate in meetings, workshops, seminars as audience.*

Of the USAID DR-CAFTA Implementation Project activities available to the private sector, detailed in Table 4, the private sector participated in the 34 events sponsored by Project during this reporting period.

**Indicator No. 8: Number of awareness sessions organized to discuss DR-CAFTA related issues**

**Precise Definition(s):** This indicator measures number of awareness sessions organized by the USAID DR-CAFTA Implementation Project. By awareness sessions, the indicator refers to seminars.

The USAID DR-CAFTA Implementation Project team has been providing support to increase the capacity of the private sector to monitor and evaluate DR-CAFTA by increasing its awareness and by stimulating its research capabilities. To achieve this goal, a total of 38 sessions were held during the reporting period. See table 4 for details.

**Indicator No. 9: Number of training hours provided to Project activities participants**

***Precise Definition(s):** Number of hours used to train people that participate in trainings organized by USAID DR-CAFTA Implementation Project.*

Trainings are a common tool used to build awareness and understanding. By quantifying the number of hours the Project invests in trainings on specific subjects, this indicator shows the trend of DR-CAFTA related matters. The higher the number of hours invested in specific subject, the stronger the awareness and understanding should be in that subject. This also assists in the identification of specific subjects where there is little or no knowledge at all on DR-CAFTA implementation. A total of 254 training hours were provided by the USAID DR-CAFTA Implementation Project team during this reporting period. Please refer to Tables 4 and 12 for further details.

**Indicator No. 10: Number of local press articles on DR-CAFTA related matters**

**Precise Definition(s):** This indicator measures the number of press releases that are written in the local newspapers to communicate/inform the general public on DR-CAFTA related matters.

Mass media communication is an active channel to build awareness and understanding in the general public. Although the Project may not have a direct impact in the messages transmitted through the local press articles, this indicator allows the Project to observe the trend of three major distribution local newspapers (Listín Diario, Hoy, and Diario Libre) and messages disseminated to the general public. This indicator also provides guidance on determining if the Project should focus on specific subjects.

Most of the articles tracked in the local newspapers have been of a positive nature. A total of 71 articles were published from October 2008 to September 2009 and 35 or 49% were of a positive nature. Please refer to tables 9 for further details. A complete electronic list of the newspaper articles and their respective links is available upon request at the Project office.

**Table 9: DR-CAFTA Related Newspaper Articles**

Category	Number of Articles	%
Positive	35	49%
Negative	18	25%
Neutral	18	25%
<b>Total</b>	<b>71</b>	<b>100</b>

**Indicator No. 11: Improved trade readiness (i.e. complying with WTO standards and protocols for production and export) of LAC presence countries, as measured by country exports as a percentage of the Gross Domestic Product (GDP)**

**Precise Definition(s):** Measure of country exports as a percentage of GDP, disaggregated by: (1) National; (2) Free Trade Zones (FTZ); (3) traditional; and (4) Non-traditional.

Improved trade readiness is measured through the value of country exports as a percentage of the gross domestic product (GDP). This is a Program Assessment Rating Tool (PART) indicator. The USAID DR-CAFTA Implementation Project team provides the data to USAID/DR Mission on this indicator to support its Economic Growth monitoring activity. This indicator, however, is not intended to measure neither impact nor progress of the Project. This indicator is measured based on a calendar year due to the availability of data. Table 10 shows the indicator for the years 2007 and 2008.

**TABLE 10: Dominican Republic Exports (As a % of GDP)**

Description	2007	%	2008	%	Inc. Rate
Nominal GDP (US\$)	41,245,900,000		45,717,600,00		10.8
Total Exports	7,236,765,800	17.5	6,949,315,000	15.2	-4.0
FTZ	4,562,813,600	11.1	4,544,803,000	9.9	-0.4
Traditional	1,792,480,700	4.3	1,289,661,200	2.8	-28.1
Non-Traditional	881,471,500	2.1	1,114,850,000	2.4	26.5

**Indicator No. 12: Number of legal, regulatory or institutional actions taken to improve agricultural sector implementation or compliance with DR-CAFTA and adjustment to its impacts**

*Precise Definition(s):* Number of legal, regulatory, or institutional actions taken to improve agricultural sector implementation or compliance with international trade and investment agreements, specifically DR-CAFTA, partly or fully due to analysis or advocacy by USAID programs, in this case USAID DR-CAFTA Implementation Project.

For the purpose of this indicator, the criteria for “actions” is based on: draft regulations that will assist the GODR to implement DR-CAFTA; activities where the Project participates to support the implementation of a law that promotes DR-CAFTA agriculture sector implementation; assisting in the development of controls that need to be implemented by certain institutions to improve the agricultural implementation of DR-CAFTA (e.g. developing sanitary controls); review and assist in the draft of specific laws, regulatory frameworks.

**Table 11: Number of Legal, Regulatory or Institutional Actions Taken to Improve Agricultural Sector Implementation or Compliance with International Trade**

	Type of Action	Institution	DR-CAFTA Topic
1	Decree 784-08	OTCA	Tariff Rate Quotas
2	Implementation of regulation	SEA	UPOV
3	Regulation review and proposal	SESPAS	Food for Human Consumption
4	Regulation review and update	SESPAS	Poultry and related products

	Type of Action	Institution	DR-CAFTA Topic
5	Regulation review and update	SESPAS	Milk and related products
6	Regulation review and update	SESPAS	Fish and related products
7	Fruit Fly Monitoring Program	SEA	Market Access
9	Meat Regulation Review and Discussion with FSIS	SESPAS	Market Access

**Indicator No. 13: Number of agricultural sector participants trained to understand and maximize the benefits of DR-CAFTA**

**Precise Definition(s):** USAID DR-CAFTA Draft Sanitary Regulation coordinates a large number of trainings, workshops and seminars on DR-CAFTA implementation and adjustment matters. This indicator will measure the number of people in the agricultural sector trained by the Project on the different DR-CAFTA topics.

During the reporting period, a total of 891 (161 or 18% women) agriculture sector participants were trained to understand and maximize the benefits of DR-CAFTA. The USAID DR-CAFTA Implementation Project conducted several seminars throughout the country where he delivered commodity specific information to national farmers and how present and future productions could be impacted by the Agreement. Please refer to table 12 for details.

**Table 12: Agricultural Sector Participants Trained to Understand and Maximize the Benefits of DR-CAFTA**

No.	Seminar Title	Total Number of participants (Number and percentage of women appear in parenthesis)				Date	Location	Consultant
		Total	Public Sector	Private Sector	No. Training Hours			
1	Impact of DR-CAFTA on National Mango Producers	21(4/19%)	15	6	4	October 2, 2008	Baní	Luis Ramón Rodríguez
2	Impact of DR-CAFTA on National Avocado Producers	24(0)	0	24	4	October 8, 2008	Cambita, San Cristobal	Luis Ramón Rodríguez
3	Impact of DR-CAFTA on Regional Milk Producers	110(6/5%)	7	103	4	October 15, 2008	Santiago Rodríguez	Luis Ramón Rodríguez
4	Impact of DR-CAFTA on Regional Pork Producers	11(4/36%)	2	9	4	October 22, 2008	JAD, Santo Domingo	Luis Ramón Rodríguez
5	Impact of DR-CAFTA on National Onion Producers	105(12/11%)	0	105	4	November 14, 2008	Vallejuelo, San Juan de la Maguana	Luis Ramón Rodríguez
6	DICOEX/SEA – Seminar: “Best Agricultural and Livestock Practices.	52(6/12%)	44	8	12	January 29 & 30, 2009	San Juan de la Maguana	Luis Ramón Rodríguez
7	DICOEX/SEA – Seminar: “Best Agricultural and Livestock Practices.	56(7/12%)	40	16	12	February 12 & 13, 2009	Higüey.	Luis Ramón Rodríguez
8	DICOEX-Sanitary and Phytosanitary Measures under DR-CAFTA to export Bananas	63(15/24%)	20	43	4	February 20, 2009	Pepillo Salcedo, Manzanillo	Luis Ramón Rodríguez

No.	Seminar Title	Total Number of participants (Number and percentage of women appear in parenthesis)				Date	Location	Consultant
		Total	Public Sector	Private Sector	No. Training Hours			
9	SESPAS: Workshop on the Sanitary Regulation of Meat and Meat Products in the Dominican Republic	35(12/34%)	21	14	5	February 25, 09	Laboratorio Dr. Defilló, Santo Domingo	Mercedes Erazo
10	SESPAS: Workshop on the Sanitary Regulation of Poultry and Related Products in the Dominican Republic	23(6/26%)	11	12	5	February 26, 09	Laboratorio Dr. Defilló, Santo Domingo	Mercedes Erazo
11	DICOEX/SEA – Seminar: “Best Agricultural and Livestock Practices.”	60(19/32%)	40	20	12	March 19 & 20, 2009	San Francisco de Macorís	Luis Ramón Rodríguez
12	DICOEX – Workshop: “Steps, Requirements and Regulations for Exporting under DR-CAFTA.”	22(7/32)	2	20	4	March 26, 09	Moca	Ing. Luis Ramón Rodríguez
13	Seminar: “Trading Agriculture and Industrial Goods & Sanitary and Phytosanitary Measures”	14(2/14%)	3	11	4	17-april-09	Constanza	Ing. Luis Ramón Rodríguez
14	DICOEX-SEA- “Best Agricultural and Livestock Practices ”	60(5/8%)	57	3	2	29-april-09	Santiago	Ing. Luis Ramón Rodríguez
15	DICOEX-SEA- “Best Agricultural and Livestock Practices ”	57(10/18%)	22	35	2	28-May-09	Valverde, Mao	Ing. Luis Ramón Rodríguez

No.	Seminar Title	Total Number of participants (Number and percentage of women appear in parenthesis)				Date	Location	Consultant
		Total	Public Sector	Private Sector	No. Training Hours			
16	DICOEX-SEA- "Best Agricultural and Livestock Practices "	40(6/15%)	34	6	2	4-jun-09	Barahona	Ing. Luis Ramón Rodríguez
17	DICOEX: Presentation of the Report "Requirements to Export Sweet Potatoes to United States."	30(7/23%)	16	14	2	August 13, 2009	CEi-1 del CEI-RD, Santo Domingo	Luis Ramón Rodríguez
18	DICOEX/OTCA/AMCHAMDR- Seminar: How to Take Advantage of the Tariff Rate Quotas: A Guide for the Commercial Community	108(33/31%)	40	68	8	September 15, 2009	ICEi-1 del CEI-RD, Santo Domingo	Luis Zúñiga
	<b>Total</b>	<b>891(161/18%)</b>	<b>374(42%)</b>	<b>571(58%)</b>	<b>94</b>			

**Indicator No. 14: Number of awareness sessions organized to discuss DR-CAFTA issues related to the agricultural sector**

***Precise Definition(s):** This indicator measures the number of awareness sessions organized by the DR-CAFTA Implementation project. By awareness sessions, the indicator refers to seminars, workshops, training and public outreach events.*

As detailed in table 12, USAID DR-CAFTA Implementation Project held a total of 18 awareness sessions specifically directed to agricultural sector participants to cover a variety of DR-CAFTA related topics.