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**Consideration of reports submitted by States parties
under article 40 of the Covenant**

**Replies of Honduras to the list of issues in relation
to its third periodic report***

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* The present document is being issued without formal editing.



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I. Introduction

1. In 2021, the Government of Honduras submitted its third periodic report to the Human Rights Committee (hereinafter the Committee) under article 40 of the International Covenant on Civil and Political Rights (hereinafter the Covenant).
2. In accordance with the simplified reporting procedure, the Committee sent a list of issues in relation to the third periodic report in September 2023.¹ The Government of Honduras hereby submits the report containing its response to the list of issues.
3. The preparation of this report was overseen by the Ministry of Human Rights, which coordinated the drafting process with the three branches of government and their decentralized and autonomous bodies entities using the Honduran Recommendations Monitoring System (SIMOREH).
4. The report summarizes the main measures adopted in the period 2021–2023 and the challenges faced by the Solidarity Government led by President Xiomara Castro.

II. Replies to the list of issues

Constitutional and legal framework within which the Covenant is implemented (art. 2)

Replies to the issues raised in paragraph 1

5. Measures taken to ensure that the Office of the National Commissioner for Human Rights is able to carry out its mandate autonomously and independently, in conformity with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) include the adoption of the Office’s Institutional Strategic Plan for the period 2022–2026, which sets forth five medium-term strategic objectives. Additionally, in application of the Institutional Strategic Plan, the Office incorporated new elements in its annual operating plan, including a human rights-based approach and a gender and intersectional perspective.
6. Regarding the allocation of sufficient resources, in 2023 the Office’s budget was increased by 33.4 per cent relative to 2022. A budget of 111,415,781.00 lempiras (L) was approved, of which 98.7 per cent had been applied as of December.²

Fight against impunity and past violations (arts. 2, 6, 7 and 14)

Replies to the issues raised in paragraph 2

7. Regarding the investigation of human rights violations that occurred in 2009, and in relation to violations of fundamental rights that occurred during the post-electoral crisis, the Public Prosecutor’s Office has affirmed that “victims are assured that criminal proceedings will be initiated through objective and impartial investigations”.
8. The Act for the Reconstruction of the Constitutional Rule of Law and the Non-Repetition of Events, which condemned the 2009 coup d’état and repealed Decree No. 141-2009, entered into force on 4 February 2022.³ The Act grants broad, general and unconditional amnesty to persons who were subjected to criminal proceedings for having participated in social protests and advocacy action. A total of 217 people have benefited from the amnesty, including 74 individuals who participated in demonstrations and protests. The Act also provided for the creation of the International Commission against Corruption and Impunity in Honduras under the auspices of the United Nations.

¹ CCPR/C/HND/Q/3.

² Decree No. 157-2022, Gaceta No. 36.127.

³ Decree No. 4-2022, Gaceta No. 35,840. Arts. 1, 4 and 8. <https://www.tsc.gob.hn/web/leyes/Decreto-4-2022.pdf>.

9. The Social Support Programme for the Families of the Martyrs of the Resistance⁴ was created to guarantee reparation and the right to truth for victims of serious human rights violations and members of their families. The programme benefits the families of victims killed during the coup d'état, granting comprehensive reparation and guaranteeing their education and survival in conditions of dignity and security. The Memory and Reparations Programme,⁵ created in parallel under the oversight of the Ministry of Human Rights, is designed to guarantee the documentation and preservation of historical memory and ensure comprehensive reparation for victims.

10. The State recognizes that quantifying the number of cases brought to trial since the 2009 coup d'état and the 2017 post-electoral conflict is a challenge.

State of exception (art. 4)

Replies to the issues raised in paragraph 3

11. In addition to those mentioned in the third periodic report, the State party took the following measures to address the coronavirus disease (COVID-19) pandemic:

(a) To strengthen monitoring, prevention and control activities and the support available to the general public, a health-related state of exception was declared in Honduras⁶ that lasted until 31 December 2021;

(b) The State passed the Special Act on Economic Stimuli and Social Protection to Address the Impact of COVID-19⁷ and the Act on the Provision of Support for the Productive Sector and Workers to Address the Impact of the COVID-19 pandemic⁸ and amendments thereto;

(c) To ensure sufficient food reserves, through Executive Decree No. PCM-030-2020⁹ the State declared supporting the food production sector and agribusiness to be a national priority;

(d) A budget of L 18,000,000.00 was approved to implement containment measures, equip COVID centres and provide protective equipment and food for persons self-isolating to prevent the spread of the virus, which was passed on to eight prioritized municipalities. To ensure oversight of these funds, regulations for the application of financial resources transferred to municipalities on an extraordinary basis to help them to address the COVID-related humanitarian and health emergency were adopted;¹⁰

(e) The Special Act on the Provision of Support for Honduran Migrants within the framework of the COVID-19 Health Crisis was adopted, providing for the repatriation of the cremated remains of Honduran nationals who had died abroad;¹¹

(f) To guarantee free and universal access to the vaccine for the entire population, the State passed the Act on Free Vaccination against COVID-19 for All¹² and the Special Act establishing Regulations for the Use of Vaccines and Medical Treatments to Combat the COVID-related Health Emergency by National and Non-national Persons and Legal Entities;¹³

⁴ Decree No. PCM-017-2022. https://www.poderpopular.hn/vernoticias.php?id_noticia=7611.

⁵ Decree No. PCM-13-2023, Gaceta No. 36.185. <https://www.tsc.gob.hn/web/leyes/PCM-13-2023.pdf>.

⁶ Decree PCM-005-2020, Gaceta 35,171, subsequently amended by Decree Nos. PCM-016-2020, PCM-023-2020 and PCM-146-2020.

⁷ Decree No. 31-2020, Gaceta No. 35.199. <https://www.tsc.gob.hn/web/leyes/PCM-031-2020.pdf>.

⁸ Decree No. 33-2020, Gaceta No. 35,217. <https://www.tsc.gob.hn/web/leyes/Decreto-33-2020.pdf>.

⁹ Gaceta No. 35.222. <https://www.tsc.gob.hn/web/leyes/PCM-030-2020.pdf>.

¹⁰ Ministry of the Interior. Agreement No. 144-2020. Gaceta No. 3 541. <https://www.tsc.gob.hn/web/leyes/Acuerdo-144-2020.pdf>.

¹¹ Decree No. 51-2020. Gaceta No. 35,256. <https://www.tsc.gob.hn/web/leyes/Decreto-51-2020.pdf>.

¹² Decree No. 162-2020, Gaceta No. 35,452. <https://www.tsc.gob.hn/web/leyes/Decreto-162-2020.pdf>.

¹³ Decree No. 17-2021, Gaceta No. 35.586. <https://www.tsc.gob.hn/web/leyes/Decreto-No.17-2021.pdf>.

(g) The Act on the Health Regulation Agency,¹⁴ ratifying the creation of the Health Regulation Agency, was established;

(h) The Act for the Economic Recovery and Reactivation of Micro and Small Businesses¹⁵ and its regulations¹⁶ were adopted;

(i) In June 2022, a new national health emergency was declared in the public health system,¹⁷ which was extended in 2023 owing to the continuation of the conditions that had led to the declaration of emergency;¹⁸

(j) In addition, COVID-19 prevention protocols and guidelines were adopted by decree, as well as tax and budget saving and reduction measures affecting the public sector, with the exception of health, education, energy, security and defence services.

12. With regard to the national security emergency declared in 2022 in response to the serious disturbance of peace and security caused by organized criminal gangs and the rise in extortion, in consultation with the Council of Secretaries of State and by means of Decree No. PCM-29-2022, the President decreed the suspension of the guarantees established in articles 69, 78, 81, 84, 93 and 99 of the Constitution. A decision was taken to implement measures to combat organized crime head-on, in line with the strategic objectives of the 2022–2026 Government Plan for Rebuilding Honduras.¹⁹

13. Owing to the success in reducing levels of violence achieved by the Ministry of Security, through the National Police, and by the Ministry of Defence, through the Military Police, the suspension of guarantees has been extended five times,²⁰ and consequently remains in effect at the time of writing.

14. To ensure due notification of this temporary measures, article 6 of Decree No. PCM-29-2022 instructed the Ministry of Foreign Affairs and International Cooperation to immediately inform the Organization of American States and its States parties of the reasons for the suspension and the rights that were suspended.

15. To oversee and protect human rights during the period of suspension of guarantees, a committee was established to monitor the state of emergency, thereby strengthening the participation of key institutions in work to protect and uphold the people's rights.

Non-discrimination (arts. 2, 19, 20 and 26)

Replies to the issues raised in paragraph 4, point (a)

16. To ensure the implementation of the non-discrimination provisions contained in national legislation, and in application of the 2022–2026 Government Plan, the Government of President Xiomara Castro restructured the debilitated public administration and created the Ministry of Social Development to replace the former Ministry of Social Development and Inclusion.

17. The new Government also created the National Coordinating Body of Indigenous and Afro-Honduran Peoples, which is attached to the Ministry of Social Development and replaced the former Directorate for Indigenous and Afro-Honduran Peoples. Its remit is to

¹⁴ Decree No. 7-2021, Gaceta No. 35,626. <https://www.tsc.gob.hn/web/leyes/Decreto-7-2021.pdf>.

¹⁵ Decree No. 48-2022. Gaceta No. 35,933. <https://www.tsc.gob.hn/web/leyes/Decreto-48-2022.pdf>.

¹⁶ Ministry of Finance. Agreement No. 362-2022. Gaceta No. 35,970. <https://www.tsc.gob.hn/web/leyes/Acuerto-362-2022.pdf>.

¹⁷ Decree No. PCM-16-2022, Gaceta No. 35,946.

¹⁸ Decree No. PCM/04-2023, Gaceta No. 35,130. <https://www.tsc.gob.hn/web/leyes/PCM-04-2023.pdf>.

¹⁹ Libre political party. Available at: https://observatorioplanificacion.cepal.org/sites/default/files/plan/files/PLAN-DE-GOBIERNO-XIOMARA-CASTRO_0.pdf.

²⁰ Through Decree Nos. PCM-01-2023, PCM-10-2023, PCM-15-2023, PCM-24-2023 and PCM-33-2023.

research, design, formulate and apply public policies benefiting Indigenous and Afro-Honduran Peoples and upholding their rights.²¹

18. In 2022, the Government created the Honduran Centre for the Study of State Policies for the Social Sector, attached to the Ministry of Social Development, to carry out research and devise public policies for the social sector with input from civil society. The Centre's remit is to devise a specialized strategy for priority population groups in situations of vulnerability and persons at risk owing to natural, economic and health-related emergencies, among other factors, and develop social development and protection measures in partnership with academia and international organizations, focusing on lessons learned from local, national and international interventions.²²

19. The Ministry of Social Development is formulating a new comprehensive public policy for the benefit of Indigenous and Afro-Honduran Peoples that will include action to combat racism and discrimination. Advances to date include a review of the Public Policy against Racism and Racial Discrimination for the Comprehensive Development of Indigenous and Afro-Honduran Peoples, carried out in consultation with State institutions, civil society organizations and academia.

20. The Honduran Centre for the Study of State Policies for the Social Sector has been working to raise awareness of the new public policy in conjunction with 54 strategic stakeholders from organizations of Indigenous and Afro-Honduran Peoples, government ministries, cooperation agencies and academia. A document setting out the bases for the construction of a new comprehensive policy for the benefit of the Indigenous and Afro-Honduran Peoples has been published.²³

21. The Ministry of Social Development trains public officials through a standard course on social development and protection run by the Honduran Centre for the Study of State Policies for the Social Sector.²⁴ It also provides training on the rights of vulnerable groups.

22. The Ministry of Women's Affairs,²⁵ created in 2022 as the lead agency for the implementation of the National Policy for Women, works to address all issues affecting women and promotes gender-sensitive policies, planning and budget analysis. The National Women's Institute was disbanded following the Ministry's creation.

23. Additionally, the National Congress has adopted gender-sensitive budgeting as a democratic tool for affirmative action in the allocation of resources intended to stimulate action and close the discrimination gap between men and women.²⁶

24. The Ministry of Human Rights' Directorate for Education and the Culture of Peace has run campaigns and courses to prevent violence, discrimination and stigmatization against women, LGBTIQ+ persons, persons with disabilities, sex workers and persons living with HIV, intended for public servants and hospital personnel. Issues addressed include dignified treatment in the provision of health care, the prevention of discrimination, the human rights of vulnerable groups and gender equality and equity. The Directorate also runs the following training courses for the general public:

- (a) Course on the prevention of discrimination;
- (b) Human rights defenders training course for representatives of non-governmental organizations;

²¹ Decree No. PCM-019-2022, Gaceta No. 35,999.

²² Ministry of Social Development (December 2022). <https://sedesol.gob.hn/la-sedesol-lanza-el-innovador-centro-hondureno-para-el-estudio-de-las-politicas-publicas-de-estado-en-el-sector-social-chepes/#:~:text=La%20Secretar%C3%ADa%20de%20Desarrollo%20Social,como%20una%20entidad%20para%20la>.

²³ Available at: https://chepes.sedesol.gob.hn/wp-content/uploads/2023/09/Bases_para_construccion_de_una_nueva_politica_de_pueblos_originarios_17-07-2023.pdf.

²⁴ Available at: <https://chepes.sedesol.gob.hn/capacitate/>.

²⁵ Decree No. PCM 05-2022. Gaceta No. 35,892.

²⁶ Agreement No. 355-2022, Gaceta No. 35,998.

(c) Training course for young human rights defenders, for representatives of the National Association of Persons Living with HIV/AIDS in Honduras, Fundación Peniel Manos Extendidas, Organización Alternativas y Oportunidades, the Women's Committee, and young students studying at the National Autonomous University of Honduras. The aim of this course is to encourage the effective participation of women in political, civil, economic and social life, and thus to reduce discriminatory practices.

Replies to the issues raised in paragraph 4, point (b)

25. From January to August 2023, the Public Prosecutor's Office received 70 complaints related to acts of discrimination and 6 applications for prosecution were issued.

Gender equality (arts. 3 and 26)

Replies to the issues raised in paragraph 5

26. With regard to the participation of women in public and political life, it is important to note that, following President Xiomara Castro's victory in the presidential elections, a woman heads the executive branch of government for the first time in the country's history.

27. The judicial branch is also led by a woman, Justice Rebeca Ráquel Obando, gender equity considerations having guided the election of the current members of the Supreme Court, which, for the period 2023–2030, is composed of eight women and seven men.

28. For the 2022–2026 term of office, 35 of the 128 members of the National Congress are women, equivalent to 27.34 per cent of the house.

29. Strategic planning within the framework of the 2022–2026 Government Plan is centred on three cross-cutting themes, namely human rights, gender and transparency, and the incorporation of the gender perspective in public planning and budgeting. The Ministry of Women's Affairs provides advocacy, technical assistance and specialized advice for mainstreaming the gender perspective in public policies.

30. The run-up to the November 2021 general election saw an increase in levels of violence and political polarization, manifest in offences against life and physical integrity as well as hate speech emanating from various sectors and directed against women, LGBTIQ+ persons and political opponents for ideological reasons.

31. According to information from the National Observatory of Violence attached to the University Institute for Democracy, Peace and Security of the National Autonomous University of Honduras, after the 2021 election was called by the National Electoral Council, in the period from 23 December 2020 to 27 January 2022 – the date on which the new President assumed office – 114 incidents of political violence were registered (42 homicides, 37 cases of harassment, 22 attacks, 11 threats, 1 case of intimidation and 1 case of kidnapping).²⁷

32. In 21 of these cases of political violence, the victims were women and in one case the victim was a LGBTIQ+ person. In three of the cases of homicidal violence that occurred in the run-up to the general election, the victims were women and in one case the victim was an LGBTIQ+ person. In terms of attacks, there were two threats and one case of intimidation against women, and, in two cases, the women attacked were women standing for election as deputies.

33. To ensure the effective investigation of cases of political violence against women and offences committed against women leaders and human rights defenders, the Public Prosecutor's Office implements the Harmonized Criminal Investigation Manual containing basic guiding principles for investigations in criminal proceedings.

²⁷ National Observatory of Violence of the University Institute for Democracy, Peace and Security of the National Autonomous University of Honduras. Report on political violence during the Honduran general election, 2021. <https://iudpas.unah.edu.hn/dmsdocument/13259-informe-violencia-politica-2021>.

34. To implement the Gender Equality and Equity Plan, following the creation of the Ministry of Women’s Affairs, new public policy instruments are being developed to progressively advance gender mainstreaming in State institutions. To date, these have included:

(a) The third Gender Equality and Justice Plan of Honduras, covering the period 2023–2033, the components of which incorporate intercultural and intersectional approaches;

(b) The National Plan to Combat Violence against Women and Girls, covering the period 2023–2033, which envisages five lines of action to guide State action and public policies for realizing women’s right to a violence-free life.

35. The Ministry of Women’s Affairs launched both instruments in December 2023.

Violence against women and domestic violence (arts. 2, 3, 6, 7 and 26)

Replies to the issues raised in paragraph 6

36. To address all forms of violence against women, the Ministry of Women’s Affairs was allocated a budget of L 53,388,673.00 under the Decree amending the general State budget for the 2022 financial year.²⁸ In 2023, an allocation of L 100,985,735.00 was approved, equivalent to an increase of 89.15 per cent.

37. To coordinate the State response, 83 gender mechanisms were created in centralized and decentralized public institutions. In addition, in implementation of an intersectoral capacity-building and coordination programme for preventing and addressing violence against women,²⁹ a network of regional actors was established within the framework of the “Building Violence-Free Communities” campaign.³⁰

38. Consultations for the formulation of a comprehensive policy on coexistence and citizen security with a gender- and human rights-based approach have been carried out. The policy is structured around five strategic lines of action and is being developed with assistance from the United Nations Development Programme (UNDP).³¹

39. In coordination with the various prosecutors’ offices, in the period 2018–2022 the Public Prosecution Service organized more than 48 advocacy events nationwide in which prosecutors, psychologists, social workers and police authorities were involved, including information and awareness-raising workshops on gender-based violence, trafficking in persons and discrimination against women and children for communities, grassroots and trade organizations, public and private schools and universities.

40. Under the auspices of the Spotlight Initiative, a television campaign entitled “The Other Pandemic” was run in 2021 to draw attention to the increase in the various forms of violence against women and girls that occurred as a result of the COVID 19-related confinement.

41. In 2021, a human rights-focused campaign to raise awareness of the rights of Indigenous and Afro-Honduran Peoples through audiovisual materials, leaflets, posters and a slogan calling on Indigenous and Afro-descendant persons to demand, defend and protect their rights and denounce violations (Como indígena y afrodescendiente exija, defienda y proteja sus derechos, denuncie) was organized. A total of 365,000 leaflets related to the prevention of violence with a gender perspective were handed out.

42. With regard to the compilation of statistics, the National Gender Observatory works to make inequality between women and men more visible by producing data and statistical

²⁸ Decree No. 30-2022, Gaceta No. 35,894.

²⁹ Report on social sector outcomes, 2023. Page 92.

³⁰ Cities for Women Programme (1 December 2023).

<https://www.instagram.com/reel/C0StsNGuVyK/?igshid=MzRIODBiNWFIZA==>; see also: <https://www.instagram.com/p/C0c4L-Tu9TW/?igshid=MzRIODBiNWFIZA==>.

³¹ Accessed on 11 December 2023 <https://www.policianacional.gob.hn/noticias/25317>.

information on gender-based violence throughout the country that facilitates the formulation, evaluation and monitoring of gender mainstreaming strategies.

43. The National Institute of Statistics and the Ministry of Women's Affairs organized the first national survey focused on violence against women and girls aged 15 years and over. The survey revealed that, between November 2021 and November 2022, 52.8 per cent of women and girls aged 15 years and over had experienced some form of physical, psychological, sexual, property or financial violence, as well as discrimination, at least once in their lifetime. Furthermore, 23.2 per cent of those surveyed – 57.6 per cent of whom were women and girls in urban areas and 45.7 per cent women and girls in rural areas – experienced more than one incident of violence and/or discrimination.

44. As regards the breakdown of incidents by type of violence, 39.5 per cent of women and girls aged 15 years and over had suffered psychological violence; 26.4 per cent had suffered property-related and/or financial violence or discrimination; 23.7 per cent had suffered sexual violence; and 18.2 per cent had suffered physical violence.³²

45. In 2022 the Ministry of Security registered 6,907 complaints of domestic violence, corresponding to a decline of 2,707 complaints, equivalent to 28.82 per cent, relative to the 9,704 complaints registered in 2021.³³

46. According to the Statistical Unit of the Centre for Electronic Documentation and Judicial Information, in 2021 18,489 cases were filed before the domestic violence courts and 15,333 rulings were issued. In 2022, 15,868 cases were filed – 14,558 by women and 1,310 by men – and 16,175 rulings were issued.³⁴

47. Regarding violent deaths of women and femicides, the University Institute for Democracy, Peace and Security of the National Autonomous University of Honduras registered 308 violent deaths of women nationwide in 2022, 22 fewer than in 2021.³⁵

48. In 2022, the criminal courts heard 187 cases of offences against the life of women, of which 129 were homicides. They also issued 157 rulings, 106 of them in cases of homicide, of which 34 resulted in convictions.³⁶ In 2023, the criminal courts heard 152 cases, of which 84 were cases of homicide, 37 were murder cases, 24 were femicides and 7 were parricides. Overall, they issued 128 rulings, of which 63 were for homicide (with 26 convictions), 39 were for murder (4 convictions), 17 were for femicide (1 conviction) and 9 were for parricide (2 convictions).³⁷

Replies to the issues raised in paragraph 7, point (a)

49. To implement reporting protocols and ensure due protection and legal assistance for women, the Ministry of Security established a dedicated unit to handle cases of violent deaths of women. Additionally, the Ministry of Security and the Ministry of Women's Affairs entered into an agreement to revive the 114 telephone hotline for receiving and actioning complaints of gender-based violence,³⁸ which was relaunched in January 2024.

50. To strengthen mechanisms for receiving and investigating complaints, the Public Prosecutor's Office was instructed to systematically and progressively assign resources to strengthen the Unit for the Investigation of Violent Deaths of Women and Femicides, attached to the Specialist Criminal Investigation Agency, the Office of the Special Prosecutor

³² National Institute of Statistics. National survey on violence against women and girls aged 15 years and over: <https://ine.gob.hn/v4/encuesta-nacional-especializada-sobre-la-violencia-contra-las-mujeres-y-ninas-de-15-anos-y-mas/>.

³³ Ministry of Security. Analysis of violence against women and girls January–December 2023.

³⁴ Judicial branch. Statistic bulletin 2022.

³⁵ University Institute for Democracy, Peace and Security. Issue No. 18 (January-December/2022): <https://iudpas.unah.edu.hn/dmsdocument/15724-boletin-muerte-violenta-de-mujeres-y-femicidios-ene-dic-2022-ed-no-18>.

³⁶ 2022 annual report of the judicial branch. Page 51.

³⁷ 2023 annual report of the judicial branch. Page 66.

³⁸ Ministry of Security (5 December 2023). <https://www.policianacional.gob.hn/noticias/27287>.

for Offences against Life, the Office of the Special Prosecutor for the Protection of Women and the specialized comprehensive care centres.³⁹

51. The Public Prosecutor's Office oversees the organization of preventive activities such as lectures, talks, social and communications media campaigns and regular specialist events on gender issues that serve to foster a culture of reporting and respect for human rights and encourage the investigation of offences and their punishment.

52. To ensure comprehensive and appropriate care for women and girls who are victims of sexual violence, in December 2022 the Ministry of Health issued a protocol for the comprehensive care for victims of sexual violence in order to provide public and private health service providers with expert guidance on providing comprehensive and timely care. In addition, workshops have been organized to train physicians, psychologists and sexologists on the application of the protocol.⁴⁰

53. To provide legal assistance and representation for women victims of violence, the six centres run under the Cities for Women Programme have women's rights support and protection units offering psychological and social support services that encompass the formulation of life and safety plans, the processing of complaints, timely legal advice and representation, police assistance and investigation, and forensic medical evaluations.

Replies to the issues raised in paragraph 4, point (b)

54. The Cities for Women Programme helps to improve women's living conditions in terms of economic autonomy, exposure to violence, sexual and reproductive health, community education and other related areas by means of a comprehensive services network that is accessed through the six support units.

Total number of consultations and services provided in Cities for Women support centres in the period 2020–2023

<i>Year</i>	<i>No. of consultations</i>	<i>Services</i>
2020	128 402	339 552
2021	228 474	609 570
2022	235 565	829 593
2023*	233 901	841 751
Total	1 007 615	2 999 986

Source: Cities for Women Programme. Annual report 2022. Page 12.⁴¹

* Report on social sector outcomes, 2023. Page 91.

55. The budget allocated to the National Directorate of the Cities for Women Programme increased by 80.27 per cent in 2023 relative to 2021, from L 83,150,047.00 to L 149,892,382.00.

56. The bill on shelters is pending adoption by the National Congress. The 2023 general budget provides for the Ministry of Finance to allocate L 30,000,000.00 to the Ministry of Women's Affairs for the construction, equipment and maintenance of shelters⁴² and L 20,000,000.00 for action to prevent violence.

³⁹ Decree No. 157-2022, art. 11.

⁴⁰ Poder Popular newspaper (23 February 2023): https://www.poderpopular.hn/vernoticias.php?id_noticia=3007.

⁴¹ Available at: <https://www.ciudadmujer.gob.hn/noticias/>.

⁴² Decree No. 157-2022, art. 17.

57. In December 2023, the Municipal Mayor's Office of the Central District and the Ministry of Women's Affairs established an expert committee to oversee the construction of the first State-run shelter.⁴³

58. For the implementation of the Strategic Plan for the Prevention of Commercial Sexual Exploitation and Trafficking in Persons in Honduras, a 325 per cent increase, from L 7,131,063.00 in 2022 to L 30,307,772.00 in 2023 in the budget of the Inter-institutional Committee against Commercial Sexual Exploitation and Trafficking in Persons was approved.

Voluntary termination of pregnancy and sexual and reproductive rights (arts. 6, 7 and 8)

Replies to the issues raised in paragraph 8

59. Voluntary termination of pregnancy is an offence under Honduran criminal legislation.

Replies to the issues raised in paragraph 9

60. Regarding maternal mortality rates, the Ministry of Health reports that 95 pregnancy-related deaths were recorded in 2022, of which 86 were classified as maternal deaths (54 direct obstetric deaths and 32 indirect obstetric deaths). This marked a considerable reduction in maternal deaths relative to 2021, when 218 maternal deaths were recorded, attributable to the decrease in cases of COVID-19 in pregnant women, which had been a major cause of maternal death.⁴⁴

61. In 30 of the 86 maternal deaths recorded, the mother's place of residence was in an urban area and in 56 cases the mother's place of residence was in a rural area. According to the record of primary causes of maternal death, 3.5 per cent of cases, equivalent to three maternal deaths in 2022, were due to a pregnancy ending in miscarriage.⁴⁵

62. The Health Services Network reported having assisted 125,520 deliveries in 2022, in 22,920 of which, equivalent to 19 per cent of assisted deliveries in first- and second-level health-care facilities, the mother was an adolescent.

63. To reduce maternal mortality, the 2022–2026 National Plan for the Reduction of Maternal Mortality and the 2022–2026 National Plan for the Reduction of Adolescent Pregnancy are being implemented in first- and second-level health-care facilities. These plans encompass preventive action and support, education and family planning activities, including provision of the emergency contraceptive pill.

64. The support of skilled health-care personnel during pregnancy reduces maternal mortality. In 2022, in 96 per cent of live births to women aged 15–49 years old in the last two years the mothers had received prenatal care from qualified personnel, with 86 per cent having received care from physicians and 10 per cent having received care from nurses. Of the total number of women receiving prenatal care, 86 per cent had received four or more prenatal visits. Additionally, 92 per cent of women aged 15–49 years who gave birth received assistance in health facilities, 87 per cent of them in public sector facilities and 5 per cent in private sector facilities.⁴⁶

65. In 2021, 3,027,703 consultations for pregnant women in first-level facilities were recorded, through which comprehensive care including health promotion, disease prevention and support were provided, as well 291,360 hospitalization and outpatient consultations in second-level facilities. In 2022, 2,270,484 comprehensive care consultations in first-level facilities and 335,316 consultations in second-level facilities were recorded.

⁴³ Ministry of Women's Affairs (15 December 2023). <https://www.instagram.com/p/C0nqPT3uB0j/?igshid=MzRIODBiNWFIZA==>.

⁴⁴ Ministry of Health. Annual report 2022. Page 10.

⁴⁵ Ministry of Health. Page 82.

⁴⁶ Ministry of Health. Page 24.

66. With technical and financial support from the Pan American Health Organization (PAHO), the World Health Organization (WHO), the World Bank and the United Nations Population Fund (UNFPA), in November 2021 the Ministry of Health began the process of formulating guidelines for the selection and swearing in of members and the start-up and operation of maternal mortality monitoring committees in public and private sector facilities as well as guidelines for the organization and operation of the national multisectoral expert committee for the comprehensive care of adolescents and the local committees for the prevention of adolescent pregnancy.

67. To guarantee women access to health care and sexual and reproductive health services in remote areas, the Ministry of Social Development, in conjunction with UNFPA, has implemented the following programmes:

(a) The “Leave No One Behind” (No Dejar a Nadie Atrá) programme to reduce adolescent pregnancies in Creole, Garifuna and Miskito communities in selected municipalities along the Caribbean coast. This programme targeted young persons and women from Garifuna and English-speaking ethnic groups in seven selected municipalities. Activities under the programme have included improving comprehensive sexuality education and sexual and reproductive health-care services, strengthening leadership, visiting local stakeholders and health facilities to identify the challenges they face in developing strategies for reducing adolescent pregnancies, and a community diagnosis by means of focus groups with young persons from the selected municipalities;

(b) The Programme to Promote the Sexual and Reproductive Rights of Adolescents and Young Persons. Workshops were organized to plan pregnancy prevention campaigns with local teams from the prioritized municipalities, and an action plan for promoting the sexual and reproductive rights of adolescents and young persons in the selected communities and preventing adolescent pregnancies and gender-based violence, with an emphasis on sexual violence, was developed.

68. With regard to pregnancy prevention, the Ministry of Education carried out follow-up activities to assess the results of the adolescent pregnancy prevention strategy. It also organized consultations to agree the bases for the regulations implementing the Act on Comprehensive Education for the Prevention of Adolescent Pregnancy.⁴⁷

69. To ensure effective access to the emergency contraceptive pill, in March 2023 the President and the Minister of Health entered into Agreement No. 75-2023, guaranteeing access to and the use, purchase and sale of the emergency contraceptive pill and rendering null and void the agreement that previously prohibited its use and sale.⁴⁸

70. To guarantee safe access to the emergency contraceptive pill, the Health Regulation Agency approved the health registrations necessary for its sale and to guarantee strict compliance with manufacturing and labelling standards.⁴⁹

Right to life (art. 6)

Replies to the issues raised in paragraph 10, point (a)

71. The Office of the Special Prosecutor for Offences against Life has taken various actions with a view to prosecuting and punishing offences against life, including issuing applications for prosecution, organizing training, providing support for victims and issuing detention order with the aim of dismantling criminal gangs.

72. For 2022, the Office of the Special Prosecutor for Offences against Life was allocated a budget of L 27,514,838.97. The human resources assigned to the Office include 31 prosecutors and 8 assistant prosecutors in Tegucigalpa, 19 prosecutors and 1 assistant

⁴⁷ Ministry of Education Consulted at: <https://www.se.gob.hn/detalle-articulo/1789/>.

⁴⁸ Agreement No. 75-2023, Gaceta No. 36.174.

⁴⁹ Ministry of the Interior (12 July 2023): <https://gobiernosolidario.sgid.gob.hn/6808/la-arsa-autoriza-nuevos-registros-sanitarios-para-la-comercializacion-de-la-pae/>.

prosecutor in San Pedro Sula, 2 prosecutors in La Ceiba and 1 prosecutor in every local prosecutor's office.

Replies to the issues raised in paragraph 10, point (b)

73. With regard to prevention and protection programmes for children and young people who refuse to join criminal gangs or maras, the National Police continue to implement the Gang Resistance Education And Training (GREAT) Programme, intended to prevent juvenile delinquency, violence, gang affiliation, drugs and bullying, through various community activities, including ongoing training and continuous interaction with local children and adolescents.

74. In September 2021, the 2021–2026 National Response Plan for the Prevention of Violence against Children and Adolescents was adopted.⁵⁰ The Ministry of Security spearheaded the development of the plan, for which it received advice from the United Nations Children's Fund (UNICEF), the Spotlight Initiative and the Government of Canada. The Response Plan covers action to prevent violence in schools, domestic violence and the trafficking and smuggling of minors and to promote online safety, as well as support for parents and caregivers. It applies various approaches to prevention, including the INSPIRE strategy.

75. The Ministry for Children, Adolescents and the Family,⁵¹ which is responsible for public policy, regulations and programmes related to the comprehensive protection of the rights of children, adolescents and the family, became operational in January 2024.

Replies to the issues raised in paragraph 10, point (b)

76. The Solidarity Government has adopted a series of measures to eliminate criminal activity in general and the violence perpetrated by criminal gangs and maras in particular, and has managed to reduce homicide rates as a result. In 2022, 3,455 homicides were recorded, an average of 10.16 per day. As of 6 December 2023, the figure for the year stood at 2,865, an average of 8.43 homicides per day.⁵²

77. The Police Directorate for Combating Maras, Gangs and Organized Crime was created in 2022 with a remit to fight organized crime, extortion and related offences.

78. With the support of the Police Investigation Directorate, among other directorates, in December 2022 the National Police implemented the crime reduction campaign referred to as Operation Cabañas. The campaign resulted in the issue of 41 arrest warrants for various offences, 27 in flagrante delicto arrests for various less serious offences and 1 detention order and the implementation of 43 court-authorized house searches.⁵³ The state of exception was also announced at this time.

79. In 2023, Operation Candado was launched in the Sula Valley. During the 18 days of this operation, the number of homicides in the area fell by 71 per cent compared to the same period in 2021 and 2022.⁵⁴

80. By 5 July 2023, the homicide rate had been significantly reduced, more than 150 criminal gangs had been dismantled, 3,445 house searches had been carried out and 3,134 detention orders had been issued.⁵⁵

81. To achieve more effective control of firearms, as provided in in-force legislation, the National Police work to investigate, locate and arrest any persons linked to the unlawful carrying, possession and trafficking of firearms. Police officers also monitor border and

⁵⁰ Consulted at: <https://www.end-violence.org/sites/default/files/paragraphs/download/Honduras%20NAP.pdf>.

⁵¹ Decree No. PCM-41-2023, Gaceta No. 36,357.

⁵² Data from the Police Statistics Department.

⁵³ Ministry of Security (14 April 2023): <https://www.policianacional.gob.hn/noticias/22031>.

⁵⁴ Ministry of Security (13 July 2023): <https://seguridad.gob.hn/operacion-candado-valle-de-sula-redujo-un-83-de-homicidios-en-la-zona/>.

⁵⁵ Ministry of Security (20 May 2023), Decree No. PCM-24-2023. <https://www.policianacional.gob.hn/noticias/22774>.

customs operations with a view to preventing international arms transfers, seizing the arms involved and handing them over to the competent authority.

82. The Ministry of Security is responsible for maintaining an evidence bank and ensuring that all firearms are registered in the Ballistic Registration System prior to their legal sale at the La Armería gun store.⁵⁶ In addition, the register of ballistic fingerprints and licenses granted must be made immediately and fully available to the Public Prosecutor's Office for forensic investigation purposes.

83. In compliance with the Act on the Control of Firearms, the Ministry of Defence has assigned responsibility for managing information on international transfers of firearms, munitions and related materials obtained from intelligence units and for determining the corresponding action to the Unit for the Control of Arms, Munitions, Explosives and Related Materials.

84. The judicial branch maintains a national register of criminal offences related to the illegal possession and/or carrying of weapons and in 2002 recorded 656 offences, which accounted for 35 per cent of all in flagrante offences recorded that year.⁵⁷

Replies to the issues raised in paragraph 11, point (a)

85. To prevent extrajudicial killings, the Office of the Special Prosecutor for Offences against Life has a special unit responsible for the thorough investigation of deaths attributable to members of the defence and/or security forces, military police officers and public servants that appear to have been extrajudicial killings, working closely with the special unit of the Specialist Criminal Investigation Agency. The unit takes a human rights-based approach to its operations, applying international protocols and conventions designed for this purpose.

86. The Office of the Special Prosecutor for Human Rights provides virtual and in-person training. With support and funding from the NGO Asociación para una Sociedad más Justa, between April and June 2022 the unit organized human rights-focused workshops, which were attended by 27 prosecutors and analysts of the Office of the Special Prosecutor for Human Rights, on topics including discrimination, criminal responsibility in cases of human rights violations, the right to reparation, international standards, hate crime, torture, crimes against humanity, genocide, enforced disappearance, the admissibility of amnesties and statutes of limitations.

87. The authorities were pleased to receive a visit from Dr. Morris Tidball-Binz, the United Nations Special Rapporteur on extrajudicial, summary or arbitrary executions, in May 2023.

Replies to the issues raised in paragraph 12

88. Regarding the investigation of cases of enforced disappearances, the Office of the Special Prosecutor for Human Rights also conducts investigations even though it does not have investigative officers per se and the prosecutors assigned to the case must take on this task.

89. To facilitate the identification of unidentified deceased persons who may have been reported missing, a forensic anthropology laboratory was opened in 2022 to assume responsibility for analysing skeletal remains to determine, wherever possible, the person's biological profile.

90. Bodily remains that have not been claimed are buried in individual coffins and graves so as to facilitate their identification should they be claimed subsequently. In 2023, 92 bodies were buried in the Los Angeles private memorial cemetery with help from the Municipal Mayor's Office of the Central District.

⁵⁶ Act on the Control of Firearms, Munitions, Explosives and Related Materials. Decree No. 101-2018. Art. 2, 3, 16 and 17.

⁵⁷ 2022 annual report of the judicial branch. Page 47.

91. To strengthen investigative capacities, the International Criminal Police Organization (INTERPOL) Unit of the Police Investigation Directorate ran a training workshop on disappearance and the search for missing persons for 45 police officers in August 2023.⁵⁸

92. With regard to investigations and searches for missing persons, the resolution of missing persons cases and cases in which persons are still missing in the period 2021–2023, the Ministry of Security has provided the following statistics for Francisco Morazán Department:

Number of missing and untraced persons cases investigated and resolved in the period 2021–2023

<i>Year</i>	<i>Cases resolved/persons located</i>	<i>Pending cases/persons still to be located</i>	<i>Total</i>
2021	382	103	485
2022	255	135	390
2023	254	119	373

Source: Ministry of Security (Francisco Morazán Department).

93. With regard to searches for Honduran nationals who go missing abroad, the Directorate General for the Protection of Honduran Migrants within the Ministry of Foreign Affairs and International Cooperation coordinates with the families concerned in the search for Hondurans who disappear along migration routes. In addition, with support from the International Committee of the Red Cross (ICRC), a mental health and psychological support service was set up in 2023 to provide assistance for the families of disappeared or untraced Honduran migrants.

94. In August 2023, the National DNA Database System Act was passed.⁵⁹ The Public Prosecutor’s Office reports that it is in the process of fitting out the database laboratory (Combined DNA Index System (CODIS) database). Once the system is up and running, the profiles created by the University of Granada under the DNA-Prokids project (Programme for Kids Identification with DNA Systems) and the migrant profiles created by the Ministry of Foreign Affairs and International Cooperation in conjunction with the Argentine Forensic Anthropology Team will be entered into the CODIS humanitarian database, as provided in article 7 of the National DNA Database System Act.

95. At present, the following bills and legislative proposals are pending adoption:

(a) Bill on the Search for and Legal Protection of Missing Persons and their Families, setting forth mechanisms through which organizations of family members and national authorities can work together in the search for missing persons;

(b) Regulations for the Act on AMBER Alerts to Locate and Protect Missing or Abducted Children and Adolescents;⁶⁰

(c) Bill on purple alerts for the search and location of missing women, intended to reduce vulnerability and prevent possible fatal outcomes and formulated with technical assistance from the Spotlight Initiative.

96. In March 2023, the United Nations Working Group on Enforced or Involuntary Disappearances made an official visit to Honduras to obtain first-hand information on the human rights situation in relation to enforced disappearances.

97. Under the 2022–2026 Government Plan, the Solidarity Government is seeking to provide comprehensive reparation to all victims of serious human rights violations and members of their families. Through the Social Support Programme for the Families of the Martyrs of the Resistance and the Memory and Reparations Programme, the right to truth, reparation and access to justice is guaranteed for victims of the serious human rights

⁵⁸ Poder Popular newspaper (21 August 2023). https://www.poderpopular.hn/vernoticias.php?id_noticia=4866.

⁵⁹ Decree No. PCM-41-2023, Gaceta No. 36,357.

⁶⁰ Ministry of Security (21 Sept. 2022): <https://www.policianacional.gob.hn/noticias/19953>.

violations that occurred within the framework of the so-called national security doctrine, the 2009 coup d'état, the electoral frauds and the period of dictatorship, including victims of enforced disappearance.

Prohibition of torture and other cruel, inhuman or degrading treatment (arts. 6, 7 and 10)

Replies to the issues raised in paragraph 13

98. Upon receiving a complaint or learning of an incident by some other means of communication, the National Committee for the Prevention of Torture and Cruel, Inhuman or Degrading Treatment proceeds to conduct the corresponding investigations prior to making an on-site visit to corroborate the allegations. Once the complaint has been verified, the corresponding official communications are issued, together with recommendations for the directors of the detention, custody or internment centre, who are then required to report to the authorities responsible for the investigation.

99. Among measures taken to eliminate the excessive use of force, the Manual on the Use of Force and Firearms by the Honduran National Police,⁶¹ published in March 2023, provides legal parameters to guide police officers in their activities and thus facilitate decision-making on the appropriate use of force and firearms.

100. In addition, the Ministry of Defence, working in conjunction with ICRC, has organized ongoing training-for-trainers courses on the use of force. A total of 77 instructors were trained in 2023, and they have since been passing on their knowledge.

101. Training programmes focused on human rights, humanitarian law, use of force and gender equity have also been offered. In 2022, 43,933 participants completed these courses; in the year to November 2023, 41,900 persons had participated.

Persons deprived of liberty (arts. 6, 7, 9, 10, 14 and 26)

Replies to the issues raised in paragraph 14

102. Article 184 of the Code of Criminal Procedure, on alternatives to pretrial detention, was amended to reduce the number of persons detained pending trial. As a temporary measure, a requirement for ex officio review of precautionary pretrial detention for indicted prisoners exposed to a higher risk of contracting COVID-19 owing to their state of health was introduced, with precautionary detention being replaced by house arrest. In addition, the list of offences for which alternatives to pretrial detention are not admitted was shortened, although non-custodial alternatives remain excluded for drug trafficking offences, specific cases of rape, arms trafficking and offences related to organized crime.

103. In the context of the COVID-19 pandemic the judicial branch launched a plan to ease prison overcrowding and, in 2020 and 2021 combined, 5,176 persons deprived of liberty were granted benefits thereunder. In 2002 and the year to July 2023, 12,277 persons were granted benefits.

104. The National Institute for Juvenile Offenders, meanwhile, implemented a programme of alternative measures to deprivation of liberty, applied on a quarterly basis, with the aim of decongesting the educational internment centres for minors in conflict with the law. In 2021, 1,460 alternative measures were applied.

105. The Office of the Special Prosecutor for the Protection of Children and Adolescents has provided training for prosecutors and the staff of educational internment centres on alternatives to deprivation of liberty and the proportionality of precautionary and socioeducational measures.

⁶¹ Agreement No. 0441-2023.

106. Additionally, persons deprived of liberty take part in pre-release and progressive social reintegration schemes, with more than 500 prisoners being eligible for this benefit every year.

107. Regarding measures taken to guarantee the separation of pretrial detainees and convicted prisoners, the National Prison Institute reports that in all 25 prisons nationwide there are specific areas designated for detainees facing trial and for convicted prisoners, in addition to a separation according to the level of risk prisoners represent.

Replies to the issues raised in paragraph 15

108. Regarding measures to guarantee health-care conditions in prisons, the medical department of the National Prison Institute reports that the health-care units of the 25 prisons and the annex of the First Infantry Battalion all have medical, dental, nutritional and nursing staff.

109. To guarantee legal assistance and expedite access to justice and due process for persons deprived of liberty, steps were taken to reopen the mobile courts operating at Ilama, Morocelí and Támara prisons and the National Women's Prison for Social Adaptation and four virtual courtrooms were created so that persons deprived of liberty did not need to be transferred to courts. In addition, a further four mobile courts are being set up.

Replies to the issues raised in paragraph 16

110. In response to the violence caused by clashes between members of criminal organizations in four prisons in April 2023, a supervisory commission was established.

111. After the criminal events that occurred in the National Women's Prison for Social Adaptation on 20 May 2023, the Government announced robust measures⁶² to counteract violence of this kind. Specifically:

(a) A state of emergency in the National Prison System, effective until 23 June 2024, was declared by Decree No. PCM-28-2023;⁶³

(b) The members of the Prison System Supervisory Commission were removed from their posts;

(c) On 1 July 2023, the Military Police assumed the coordination, management and oversight of 21 prisons for a period of one year;

(d) Instructions to train at least 2,000 new prison guards were given;

(e) The judicial branch was asked to agree alternative measures to imprisonment for women prisoners in the National Women's Prison for Social Adaptation who have not been convicted or are suffering from terminal illness.

112. In addition, a prison oversight board was created to provide follow-up, ongoing supervision and advice on human rights issues.

113. Regarding the mechanisms through which inmates, family members and legal representatives can file complaints, the National Prison Institute has a human rights protection unit that conducts monitoring, follow-up and inspection visits after review of complaints received and in response to requests for humanitarian assistance received personally by telephone or email.

Prohibition of slavery and trafficking in persons (arts. 2, 7, 8 and 26)

Replies to the issues raised in paragraph 17

114. To uphold the rights of persons in vulnerable situations such as Miskito divers, in 2011 the Inter-Institutional Commission to Address and Prevent the Problems Associated

⁶² Channel 8 (21/June/2023) <https://tnh.gob.hn/gobierno/gobierno-anuncia-drasticas-medidas-a-tomar-tras-condenables-crimenes-ocurridos-en-la-pnfas/>.

⁶³ Gaceta No. 36,262. <https://www.tsc.gob.hn/web/leyes/PCM-28-2023.pdf>.

with Dive Fishing and the NGO World Vision certified 11 inspectors following a practical workshop on maritime safety, the first safe diving guide, the responsibilities and competencies of the institutions linked to the Inter-institutional Commission, the Universal Declaration of the Rights of Indigenous Peoples, the International Labour Organization (ILO) Indigenous and Tribal Peoples Convention, 1989 (No. 169) and the friendly settlement mechanism.⁶⁴

115. In 2022 and 2023, the Directorate General of the Merchant Navy ran a course on maritime safety through which eight labour inspectors were certified to carry out inspections on the high seas. It also ran a basic maritime safety course for inspectors forming part of the Inter-Institutional Commission's expert committee.⁶⁵

116. Through inspectors of the Directorate General of the Merchant Navy, and under the oversight of the Inter-Institutional Commission to Address and Prevent the Problems Associated with Dive Fishing, the Ministry of Labour and Social Security, the General Directorate of Fisheries and Aquaculture of the Ministry of Agriculture and Livestock, the Ministry of Health and the Honduran Navy have organized regular inspections, drawing up comprehensive fact-finding reports at fishing ports in accordance with ILO Labour Inspection Convention, 1947 (No. 81) and local regulations. Between July and September 2023, inspection reports were issued for 79 fishing vessels, in application of procedures and penalties established under the occupational health and safety regulations for underwater dive fishing adopted by the Inter-institutional Commission to Address and Prevent the Problems Associated with Dive Fishing in 2020.⁶⁶

117. With regard to the current working conditions of Miskito divers and divers affected by decompression sickness, in 2023 the Ministry of Labour and Social Security made a series of visits to establish operating procedures, gather information and build the capacity of the Ministry's offices in Puerto Lempira. During these visits, the Ministry met with the Asociación Miskita Hondureña de Buzos Lisiados (Honduran Miskito Association of Disabled Divers), gave talks on health issues, organized training on the occupational health and safety regulations in which 101 people took part and conducted monitoring visits, home visits and interviews with both working divers and divers with disabilities.

118. In March 2023, the State made a public act of apology and acknowledgment of international responsibility, in order to comply with the judgment issued in *Opario Lemoth Morris v. Honduras*. In addition, it announced a budget allocation of more than L 700,000.00 for the Decompression Syndrome Clinic, the purchase of medical supplies, the improvement of facilities and the care of divers with disabilities. It also arranged for two hyperbaric chambers to be acquired.

119. With regard to the complaints received by the Inter-Institutional Commission to Combat Commercial Sexual Exploitation and Trafficking in Persons in Honduras, in 2021 and 2022 the Commission's Immediate Response Team rescued 133 victims in Honduras and 24 in other countries, all of whom were returned to Honduras. It also followed up on the situation of 320 victims identified in previous years and provided support for 477 direct victims and 601 indirect victims, managing to close 66 cases.⁶⁷

120. In 2022, the Unit against Trafficking, Commercial Sexual Exploitation and Trafficking in Persons within the Public Prosecutor's Office investigated 101 cases involving 120 persons against whom complaints had been made. The budget allocated to this Unit in 2023 was L 9,744,190.00.

121. As regards the prosecution of offences of exploitation and trafficking in persons, in 2021 21 sentences were handed down, 29 persons were convicted and 132 cases were brought

⁶⁴ Ministry of Social Development (28 April 2022): <https://sedesol.gob.hn/ciapeb-y-world-vision-certifican-a-inspectores-para-supervisar-y-mejorar-las-condiciones-de-pesca-por-buceo-en-la-mosquitia/>.

⁶⁵ Directorate General of the Merchant Navy, Inter-institutional Commission to Address and Prevent the Problems Associated with Dive Fishing. <https://marinamercante.gob.hn/ciaped/>.

⁶⁶ Agreement No. STSS-577-2020.

⁶⁷ Inter-Institutional Commission for the Prevention of Commercial Sexual Exploitation and Trafficking in Persons. Annual reports 2021 and 2022.

to trial on the application of the prosecution service. In 2022, 31 sentences were handed down, 36 persons were convicted and 22 cases involving 30 persons were prosecuted for these offences.⁶⁸

122. Advances achieved by the Inter-Institutional Commission for the Prevention of Commercial Sexual Exploitation and Trafficking in Persons include the opening of new regional offices in the cities of Roatán, Tocoa, La Ceiba and San Pedro Sula. Additionally, the first shelter for women victims rescued from trafficking, which is located in the north of the country and has capacity for 30 women, was opened in 2022.

123. To promote prevention, the Inter-Institutional Commission provided training for 323,139 persons in 2022 and organized awareness-raising activities for children and adolescents in schools. It has also produced animated videos, leaflets, stories, comics and audio recordings intended to convey clear and precise messages that enable children and adolescents to identify if and when they are being exploited or threatened and inform themselves of the risks, using these materials to sensitize 282,415 girls and 174,968 boys.⁶⁹

124. The Commission's Immediate Response Team and the Ministry of Labour and Social Security have run a programme of training in how to identify and address possible cases of trafficking in persons and provide support and protection for victims in businesses and service companies. Both institutions carry out ongoing monitoring activities to identify cases of non-compliance with the regulations.

125. The institutions represented on the Inter-Institutional Commission for the Prevention of Commercial Sexual Exploitation and Trafficking in Persons in Honduras are working on an amendment to the sections of the Criminal Code that address the offence of trafficking in persons at the national, departmental and municipal levels.

Freedom of movement (art. 12)

Replies to the issues raised in paragraph 18

126. To respond to the support needs of victims of internal displacement resulting from violence, the Ministry of Human Rights' Directorate for the Protection of Persons Internally Displaced as Result of Violence increased the assistance it provides in 2022, extending support to 331 displaced persons through its Emergency Humanitarian Assistance Mechanism. Specific support initiatives implemented include:

(a) An initiative to build the State's capacity to provide support for persons who have been internally displaced as a result of violence and for returnees in need of protection, funded by the Office of the United Nations High Commissioner for Refugees (UNHCR), under which assistance and protection is being provided to 442 persons displaced and/or at risk of displacement (96 girls, 135 women, 103 boys, 106 men and 2 LGTBIQ+ persons) in 94 cases. In 2023, the initiative had a budget of L 8,568,964.96;

(b) An initiative to strengthen the State's response to the support needs of persons internally displaced as a result of violence, financed through the comprehensive regional protection and solutions framework and assigned a budget of L 2,450,000.00 for 2023–2024.

127. Action taken to prevent and provide protection against displacement have included the adoption, in December 2022, of the Act for the Prevention of Internal Displacement and the Protection and Care of Internally Displaced Persons.⁷⁰ This new law provides for comprehensive prevention measures including early warning systems, prevention and contingency plans, humanitarian assistance and protection for impacted rights such as the rights to education, housing and land and for abandoned or dispossessed property. The law also makes provision for the distribution of seed capital and access to justice, and for the

⁶⁸ Inter-Institutional Commission for the Prevention of Commercial Sexual Exploitation and Trafficking in Persons. National report on trafficking in persons and sexual exploitation in Honduras. https://api.iaip.gob.hn/api/public/serve_archivo/?idarchivo=MTkyMjg5NQ==.

⁶⁹ Inter-Institutional Commission for the Prevention of Commercial Sexual Exploitation and Trafficking in Persons. National report, 2022.

⁷⁰ Decree No. 154-2022, Gaceta No. 36,184.

establishment of a national system for responding to forced displacement charged with monitoring compliance with the new law's provisions.

128. A protocol on forced displacement has been drafted with advice from UNHCR with a view to preventing social conflict and displacement in the future.

129. In November 2023, the Institute of Property's Directorate General of Registries worked with UNHCR to revise its handbook for the standardization of criteria applicable to property registration procedures in order to incorporate a focus on the protection of the homes, land and property of displaced persons and persons at risk of displacement.

Access to justice, independence and impartiality of the judiciary and administration of justice (arts. 2 and 14)

Replies to the issues raised in paragraph 19

130. With regard to the steps that have been taken to ensure the full independence, impartiality and security of judges, the National Congress adopted various legal instruments to guarantee independence in the selection of Supreme Court judges for the period 2023–2030, including:

(a) The Special Act on the Organization and Functioning of the Nominations Committee for the Selection of Candidates for Election as Supreme Court Judges,⁷¹ which regulates the organization and functioning of the Nominations Committee and the selection procedure in accordance with parameters established in the Constitution, international treaties and other international instruments;

(b) Decree No. 2-2023, announcing the election of the 15 Supreme Court judges, for a term of seven years, from a list of 45 candidates, which highlights the gender balance in the Court's composition.

131. Regarding the bill on the Council of the Judiciary and Judicial Service, in March 2023 the National Congress established a commission to carry out an in-depth inquiry into the ruling that caused the dissolution of the Council and draft a new law defining the Council's structure, scope, powers and responsibilities.

132. In plenary session in March 2023, the Supreme Court issued an agreement⁷² amending Agreement No. 04-02, constituting the Internal Regulations of the Supreme Court, to incorporate article 6 (15), which stipulates that the Council of the Judiciary must approve, by a majority of three quarters of its members, a list of no less than six judges, selected from the most recent list of candidates presented to the National Congress by the Nominations Committee, to sit on the Supreme Court, who may be called on to join the plenary bench on a successive, rotating basis and, on an exceptional basis, to sit in the different chambers of the Supreme Court.

Replies to the issues raised in paragraph 20

133. Regarding measures to protect and guarantee access to justice for Indigenous Peoples and combat the high levels of impunity, the Office of the Special Prosecutor for the Protection of Ethnic Groups and Cultural Heritage has reduced impunity by taking cases of violations of Indigenous rights to trial, providing training for community leaders and public officials, developing protocols and filing applications for the prosecution of offences such as the usurpation and exploitation of natural resources. The investigation and case management strategies adopted by the Office of the Special Prosecutor for the Protection of Ethnic Groups and Cultural Heritage are based on a human rights approach, international standards, the ILO Indigenous and Tribal Peoples Convention, 1989 (No. 169) and the United Nations Declaration on the Rights of Indigenous Peoples.

134. On 1 December 2023, the Public Prosecutor's Office issued an arrest warrant against a further person linked to the murder of environmental defender Berta Isabel Cáceres Flores,

⁷¹ Decree No. 74-2022, Gaceta No. 35,980.

⁷² Gaceta No. 36,158.

significant evidence having been collected that allows for the criminal responsibility of one of the parties involved in planning the murder to be established.

135. To promote the rights of Indigenous and Afro-Honduran Peoples, in October 2021 the Jiménez Castro Judicial Training School and the Inter-American Court of Human Rights ran the third iteration of a course on the rights of Indigenous and tribal peoples, environmental rights and human rights defenders, in which 50 public servants participated, including judges, prosecutors and staff of the Counsel General's Office and the Office of the National Commissioner for Human Rights.⁷³

136. In 2023, the Judicial Training School organized 23 human rights-related training activities for justice officials, public servants in State institutions and members of the general public.

137. In 2022, with support from the Spanish Agency for International Development Cooperation, the Office of the Special Prosecutor for the Protection of Ethnic Groups and Cultural Heritage and the Orlan Arturo Chávez Training School provided training to build capacity to represent and defend the rights of Indigenous and Afro-Honduran Peoples involved in criminal proceedings among prosecutors assigned to its offices in Tegucigalpa, San Pedro Sula, Tela, Olancho, Yoro, La Paz, Márcala, Santa Bárbara, Comayagua and La Esperanza.⁷⁴ In 2023, with assistance from OHCHR, the Public Prosecutor's Office provided training for staff involved in human rights-related cases.

Freedom of expression (arts. 19 and 20)

Replies to the issues raised in paragraph 22

138. Regarding the acts of violence and intimidation to which human rights defenders and LGBTIQ+ persons are subjected, in the period 2020–2023 the Office of the Special Prosecutor for the Protection of Human Rights Defenders registered 44 cases involving attacks against human rights defenders. According to type of offence, these 44 cases include: 17 cases of threats; 9 cases of violations of the duties of public officials; 8 cases of abuse of authority and violation of official duties; 2 cases of incitement to discrimination; and 2 cases of restrictions on or impairment of fundamental rights. In the cases registered, 36 victims are men and 12 are women.⁷⁵

139. The Office of the Special Prosecutor for the Protection of Human Rights Defenders also runs training workshops on the work of human rights defenders and has made progress in reducing the backlog of cases. The budget allocated in 2023 was L 5,491,089.00.

140. Responsibility for the investigation of criminal offences committed against LGBTIQ+ persons lies with the Office of the Special Prosecutor for Offences against Life, which, for this purpose, has a dedicated section for the investigation of deaths of persons forming part of vulnerable social groups. The section works with the special units of the Police Investigation Directorate and the Specialist Criminal Investigation Agency. In the last three years, 21 cases involving offences against the lives of LGBTIQ+ persons have been brought to trial.

141. In *Vicky Hernández vs. Honduras*, the case of a trans woman who was murdered during the coup d'état, the Inter-American Court of Human Rights condemned the State and ordered it to implement reparation measures including organizing a public act of apology and acknowledgement of international responsibility, which took place on 9 May 2022. The State acknowledged its responsibility for the violation of human rights including the rights to gender identity, freedom of expression and recognition of judicial personality. In addition, the State undertook to guarantee protection against attack, stigmatization, discrimination and violence for LGBTIQ+ persons.

⁷³ Inter-American Court of Human Rights (19 October 2021): https://www.corteidh.or.cr/fortalecimiento_institucional.cfm?lang=es&n=51.

⁷⁴ Public Prosecutor's Office (21 June 2022): <https://www.mp.hn/publicaciones/fiscales-de-nueve-departamentos-son-capacitados-para-representar-y-defender-los-derechos-de-los-pueblos-etnicos/>.

⁷⁵ Public Prosecutor's Office. Order No. DGF-172-2024.

142. As part of the reparation measures, the Vicky Hernández study grant for trans women was established, in coordination with the Cattrachas Lesbian Network and representatives of the victims.⁷⁶ The grant is administered by the Ministry of Social Development through the Solidarity Scholarship Programme and has an annual value of L 100,000.00.⁷⁷

Replies to the issues raised in paragraph 23

143. To prevent human rights defenders from facing stigmatization and criminalization on account of their work in defence of human rights and guarantee them the exercise of freedom of expression, the Ministry of Human Rights has issued statements condemning and expressing regret about the acts of violence and intimidation that human rights defenders, social communicators and journalists face. It has called for respect for life and human rights and drawn attention to the importance of advocacy and awareness-raising work, urging the competent authorities to carry out prompt and effective investigations that result in those responsible for violations being identified and punished.

144. In order to receive expert advice on freedom of expression, the State invited Ms. Irene Khan, the United Nations Special Rapporteur for the promotion and protection of the right to freedom of opinion and expression to visit the country. During her visit in October 2023, Ms. Khan met with representatives of the three branches of government, NGOs, communicators and journalists with a view to evaluating the measures adopted and efforts made by the current Government.

145. The Special Rapporteur acknowledged the advances of the Solidarity Government, including its decision to repeal the Act on the Classification of Public Documents relating to National Security and Defence⁷⁸ and order the declassification of information formerly categorized as reserved.

Replies to the issues raised in paragraph 24

146. With regard to measures taken under the Act on the Protection of Human Rights Defenders, Journalists, Social Communicators and Justice Officials, the Solidarity Government assumed responsibility for reactivating the National Mechanism for the Protection of Human Rights Defenders. After a comprehensive restaffing in July 2022, the Mechanism now has a team of multidisciplinary professionals with extensive experience in human rights issues and is equipped, for the first time, to address issues from multiple perspectives. Its credibility has been restored, as well as communication with all beneficiaries of protection measures, and the quality of the services provided to the public has improved.

147. The Ministry of Human Rights has drawn up internal regulations for implementation of the budget of the Directorate General of the Protection System⁷⁹ that establish procedures for procuring goods, supplies, services and public works as well as for granting preventive and protective measures. It has also drafted a standardized operating handbook for the telephone hotline and established an early warning and response system based on a human rights and gender-focused approach.

148. As of November 2023, there were 767 persons registered as benefiting from protection measures through the National Protection Mechanism and a total of 185 active cases (115 individual cases and 70 collective cases).

149. Of the total number of active cases, 15 involve journalists, 16 involve social communicators, 16 involve justice officials and 138 involve human rights defenders (49 environmental defenders, 29 defenders of land rights, 19 defenders of ancestral and cultural heritage, 13 defenders of LGBTIQ+ rights, 11 defenders of water rights, 9 defenders of women's rights, 3 defenders of due process and access to justice, 3 defenders of the rights of children and adolescents and 2 defenders of educational rights).

⁷⁶ Inter-American Court of Human Rights. Judgment of 26 March 2021. Para. 204 (13).

⁷⁷ Ministry of Social Development. (27 April 2023): <https://sedesol.gob.hn/comision-interamericana-de-derechos-humanos-cidh-realiza-visita-in-loco-a-honduras/>.

⁷⁸ Decree No. 12-2022, Gaceta No. 35,873.

⁷⁹ Agreement No. SEDH-031-2023, Gaceta 36,266.

150. As for investigations, the Office of the Special Prosecutor for Offences against Life registered eight cases of offences against defenders in the period 2019–2023. Convictions were obtained in three cases, involving six persons, for offences against the lives of three human rights defenders. In a further three cases, six persons were convicted of similar offences. The Office also initiated an investigation into the murder of two environmental defenders in the Guapinol community.

151. The Minister of Human Rights has held meetings at the highest level to urge the Acting Attorney General to expedite investigative processes in cases of murdered human rights defenders and femicides. In addition, action has been taken to reduce delays in judicial proceedings related to the defence of human rights.

152. With regard to the resources allocated to the National Protection Mechanism, in June 2022, an agreement was reached with the Ministry of Finance to double its budget allocation, to L 20,000,000, in 2023.

Rights of minorities (arts. 1 and 27)

Replies to the issues raised in paragraph 25

153. With a view to protecting Indigenous and Afro-Honduran Peoples and other minorities against violence, complaints about the commission of criminal offences that have a direct impact on the individual and/or collective rights of Indigenous Peoples and those that affect national cultural heritage are handled by the Office of the Special Prosecutor for the Protection of Ethnic Groups and Cultural Heritage. This Office also works to ensure respect for the right to consultation. It has issued nine applications for prosecution in respect of failures to consult Indigenous and Afro-Honduran Peoples and in one case obtained the conviction of a high-ranking official.

154. In August 2023, the President inaugurated a solar energy plant in La Mosquitia,⁸⁰ which has 741 solar panels and a photovoltaic system with an energy storage capacity of 420 kilowatts. Investment in the plant, which benefits 14,000 inhabitants directly or indirectly, totals L 115.7 million. Consultations on the start of the project were conducted in 2018, with 435 members of the beneficiary communities taking part.

Replies to the issues raised in paragraph 26

155. The Ministry of Labour and Social Security is working on a bill to ensure that Indigenous and Afro-Honduran Peoples enjoy the right to free, prior and informed consultation. With technical assistance from UNDP and ILO, in May 2022 the Ministry rolled out a comprehensive strategy for training and the promotion of forums for interaction with Indigenous and Afro-Honduran Peoples that involves a rights-based approach and social participation and in which US\$ 500,000.00 has been invested.

156. The Congressional Committee for Liaison with Indigenous and Afro-Honduran Groups developed a strategic plan and agenda for the period 2022–2025 that is intended to eliminate obstacles to the implementation of free, prior and informed consultation in accordance with international standards. In addition to proposing bills, programmes and investments, the Committee is pushing for land regularization legislation focused on the ancestral peoples historically affected by dispossession (the Miskito, Tawahka and Garifuna Peoples).

⁸⁰ Ministry of Energy (8 August 2023). <https://sen.hn/presidenta-castro-lleva-la-luz-del-socialismo-democratico-a-brus-laguna/>.