



Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

Distr.: General
29 April 2024

Original: English

Committee against Torture Seventy-ninth session

Summary record of the 2079th meeting*

Held at the Palais Wilson, Geneva, on Thursday, 18 April 2024, at 3 p.m.

Chair: Mr. Heller

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The meeting was called to order at 3 p.m.

Consideration of reports submitted by States parties under article 19 of the Convention *(continued)*

Third periodic report of Honduras (continued) (CAT/C/HND/3;
CAT/C/HND/QPR/3)

1. *At the invitation of the Chair, the delegation of Honduras joined the meeting.*
2. **The Chair** invited the delegation of Honduras to continue replying to the questions posed by Committee members at the previous meeting.
3. **A representative of Honduras** said that stakeholders from civil society had participated in the preparation of a number of draft decrees that had been submitted to the National Congress. They included a bill on displaced persons, a bill on health in the workplace, proposed amendments to laws on violence against women, a bill on bullying in schools, a bill on reparation for the victims of the implementation of the so-called national security doctrine and a bill on the protection of women in times of natural disasters and pandemics. Civil society was also represented in several inter-institutional working groups, including the working group on legislative harmonization.
4. Just the previous day, the National Congress had unanimously approved amendments to the legislation governing the Ministry of Security, the National Police of Honduras and the National Committee for the Prevention of Torture and Cruel, Inhuman or Degrading Treatment or Punishment. Those reforms were based on four of the recommendations that the Committee had made to Honduras. Under those amended provisions, the three members of the National Committee were required to remain in their posts at the end of their terms until their replacements were appointed, and the National Committee and the Office of the National Commissioner for Human Rights had been granted the power to conduct unannounced visits to places of deprivation of liberty. A decree had also been adopted to create an inter-institutional working group responsible for designing and implementing strategies for following up on the observations related to torture made by human rights defence mechanisms in Honduras.
5. The National Congress had ratified the state of emergency and its extensions under the powers granted to it by the Constitution and in accordance with article 27.1 of the American Convention on Human Rights, under which a State party could take measures derogating from its obligations under the Convention to deal with an emergency that threatened its independence or security. The country faced such a threat in its main cities, where organized criminal groups regularly committed acts of extortion, murder, drug trafficking and kidnapping. The application of the state of emergency was governed by the principle of proportionality and, accordingly, any suspension of constitutional guarantees was commensurate with the gravity of the crisis. International human rights standards were upheld at all times. The geographic scope of the state of emergency had so far been extended to over half of the municipalities that made up Honduras. An inter-institutional working group had been created to monitor the consequences of the suspension of constitutional guarantees and to make recommendations concerning any possible extensions of the measure. In that regard, earlier in the day, the delegation had met with a number of civil society organizations and had asked them to provide information on any allegations of human rights violations committed in the context of the state of emergency.
6. **A representative of Honduras** said that, at the behest of the President of the Republic, a proposal to remove the President of the Supreme Court and the Attorney General from the National Defence and Security Council had been brought before the National Congress in 2022. However, that proposal had been rejected, with opposition parties claiming that it had reflected the desire of the executive branch to establish a dictatorship. The Government nonetheless remained of the opinion that the judiciary and Public Prosecution Service should not be represented in the Council.
7. The Government had passed the Act for the Rebuilding of the Constitutional State of Rights and for Non-Repitition, which provided for reparations for victims of the coup d'état and for the construction of a monument to one of its first casualties, Isis Obed Murillo. The

Committee of the Families of Detained and Disappeared Persons in Honduras continued to work on new legislation to strengthen the support offered to victims of historical crimes.

8. **A representative of Honduras** said that a number of measures were being taken to create the requisite conditions in the prison system to allow the responsibility for its management to be transferred from the Intervention Commission to a dedicated State authority. A five-year institutional strategic plan had been drawn up, and the Government was in the process of formulating a public policy to establish the respective responsibilities of all State institutions concerning issues related to the prison system. The organizational structure of the National Prison Institute had been improved, and a review was under way of the laws and regulations governing the national prison system and staff development and career progression within that system. The first students had graduated from the new training programmes set up for prison staff, and existing staff had been provided with uniforms and been given a salary increase.

9. Around 1,500 prisoners were currently enrolled in the rehabilitation, re-education and social reintegration programme. The two-year programme was designed to support inmates in their personal and psychosocial development and teach them practical job skills. Participants took classes on interpersonal relationships, teamwork, resilience and problem-solving, as well as on trade-related skills in such areas as carpentry, metalwork, baking, shoemaking and farming. Furthermore, the “Libertad” (Freedom) brand had been created to help inmates market artisanal products of their own making. A school had been created at the National Women’s Prison for Social Adaptation, and negotiations were under way with the Ministry of Education to establish similar schools at four other prisons. Currently, 5,544 inmates were enrolled in formal education courses, 892 were enrolled in informal education courses, 309 were involved in making products of their own and 1,453 participated in workshops.

10. Over the previous nine months, a number of measures had been taken to strengthen the infrastructure and facilities of the prison system. Dozens of trucks and lorries had been either hired or purchased to improve logistics, and minibuses had been acquired for the use of prison staff and for the transportation of persons deprived of their liberty to hearings and medical appointments. Industrial-sized kitchens were being installed at the five biggest prisons in the country. The National Prison Institute was also in the process of developing a data centre that would enable it to generate statistics to be used in decision-making and in the automation of its processes. Lastly, the salaries of prison medical personnel had been brought into line with those earned by employees of the Ministry of Health.

11. **A representative of Honduras** said that, during the time that action had been taken to regain control of the prison system in the wake of the violent clashes referred to at the previous meeting, human rights organizations had been advised not to enter prison facilities for their own safety. It was in that context that the Office of the National Commissioner for Human Rights had been denied access to prisons on four occasions. However, monitoring bodies had not encountered problems in gaining access to prisons since then. National records showed that 88 visits had been carried out by the National Commissioner and 111 by the National Committee for the Prevention of Torture and Cruel, Inhuman or Degrading Treatment or Punishment.

12. The Human Rights Protection Unit of the National Prison Institute had provided training to 9,096 members of the military police on issues and subjects relating to human rights, equity, gender and the use of force between June 2023 and March 2024. Furthermore, 10 heads of battalion of the military police, 25 prison governors and over 2,000 serving and trainee prison officers had received training on the torture-related provisions of the Criminal Code and on international standards on the treatment of prisoners, access to justice, non-custodial measures, the imprisonment of women and the use of force and less-lethal weapons. The National Prison Institute had also established a clinical assessment procedure incorporating essential elements of the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol). The aim of that measure was to provide evidence of any injuries sustained by a prisoner which could then be used to corroborate his or her narrative of events.

13. **A representative of Honduras** said that clear guidelines concerning the treatment of persons in police custody, the prohibition of excessive use of force and access to medical care were set out in national protocols, and police officers received regular training on those protocols. The Ministry of Security had also published a police manual on the use of force and firearms in 2023 and was in the process of finalizing a guide to policing founded upon a human rights-based approach.

14. Measures had been taken to improve the health-care services provided to persons detained by the police. Auxiliary medical staff were assigned to each police station, and appropriate steps were taken to ensure the availability of sufficient medical supplies and equipment. Detainees were given regular health checks, and follow-up and monitoring mechanisms had been put in place to ensure that they received the necessary medical care.

15. None of the measures taken under the state of emergency had violated the rule of law. Hondurans continued to enjoy freedom of movement and were entitled to lead their lives as they wished. The decision to declare a state of emergency had been based entirely on the need to preserve security and public order. The geographic scope of the state of emergency had been expanded to include more municipalities at the behest of mayors who wished to provide greater security for their local populations. As a result of the intensification of police activity, over 600 members of criminal organizations had been arrested, over 455 criminal gangs had been dismantled, and 8,300 firearms, 4,751 kilograms of cocaine and 740 kilograms of fentanyl had been seized.

16. With the support of the United Nations Development Programme, the Ministry of Security was drawing up a citizen security policy for the period 2023–2032 that incorporated a gender- and human rights-based approach. Implementation of the policy would involve reviewing and updating all laws and policies related to security, promoting increased civil society participation and strengthening accountability in security operations. The policy would also include measures to prevent and address violence, protect vulnerable groups and uphold human rights in all circumstances.

17. Thorough investigations were carried out into all allegations of torture made against employees of the Ministry of Security. In total, 53 complaints of cruel and inhuman treatment and 14 complaints of excessive use of force had been lodged against police officers and submitted to the Directorate for Police Disciplinary Matters. The subsequent investigations had resulted in 13 dismissals and 4 suspensions; 19 of the complaints had been investigated and closed, and the remaining 31 cases had been discontinued. The Police Investigation Directorate had established a special task force to investigate violent crimes committed against members of vulnerable groups, including LGBTQI+ persons, foreigners, journalists and lawyers, and it had a dedicated department for the investigation of femicides and related offences.

18. Significant progress had been made in modernizing police detention centres, improving infrastructure and equipment, establishing protocols on the treatment of detainees, providing health-care services and strengthening security measures. Approximately US\$ 10 million had been allocated for a project to strengthen the police force's institutional infrastructure within the framework of a gender- and human rights-based approach. The project provided for the construction of 50 new municipal police headquarters and the refurbishment of 114 police stations. Each police station already employed at least one staff member with legal training to monitor compliance with all legal standards during a person's detention.

19. A variety of strategies for reducing violence in Honduran society were being pursued in close collaboration with civil society organizations and the international community. Thanks to the steps taken under those strategies to strengthen justice and security institutions, to promote a culture of peace and crime prevention and to implement rehabilitation and reintegration programmes for offenders, the annual homicide rate per 100,000 inhabitants had fallen to 31.14 in 2023.

20. The national police force was taking steps to collect accurate data on unlawful detentions with the aim of identifying trends and patterns in such practices as a basis for formulating preventive strategies. At the same time, measures were being implemented to

strengthen internal controls and oversight of police operations and to improve staff training on human rights and compliance with detention protocols.

21. A thorough investigation had been launched into the murder of the journalist Francisco Ramírez in Danlí. Journalists and human rights defenders were working closely with the Public Prosecution Service to identify those responsible for his death and bring them to justice, and security had been strengthened in the region to prevent future acts of violence against members of civil society.

22. **A representative of Honduras** said that her Government had signed a memorandum of understanding with the Secretary-General of the United Nations in December 2022 in preparation for the establishment of an anti-corruption commission. Since then, United Nations experts had visited Honduras on several occasions to meet with government and civil society representatives, and a steering group for that undertaking composed of the Minister for Foreign Affairs, the Attorney General and two lawyers had been set up. On 11 January 2024, a proposed schedule for the commission's establishment had been submitted to the United Nations and, on 4 April, the steering group had met with the Honduran Anti-Corruption Coalition. A bill had been submitted to the National Congress that would give the commission its own budget to ensure its independence, impartiality and autonomy, and plans had been made to ensure that the commission's mandate would be terminated in an orderly manner once it had completed its work.

23. The case of Vicky Hernández had been the first case involving lethal violence against a member of the LGBTQ+ community to be brought before the Inter-American Court of Human Rights and marked the first time that a State in the region had accepted responsibility for such a death. In 2022, in addition to issuing a public apology, the Government had announced the adoption of a gender identity recognition procedure, the development of a system for the collection of data on violence against members of the LGBTQ+ community, the creation of a training programme for law enforcement agents and the adoption of a protocol on investigation and administration of justice during criminal proceedings in cases involving victims of violence belonging to the LGBTQ+ community. The Human Rights Protection Unit of the National Prison Institute was providing training to the military police officers in charge of the nation's prisons and, to date, 90 per cent of prison staff had received human rights training.

24. The President had recently issued an executive decree establishing a high-level commission, headed by the Minister for Foreign Affairs, to ensure compliance with a judgment handed down by the Inter-American Court of Human Rights regarding the rights of the Garifuna peoples. The commission would hold its first meeting at the end of April 2024. Representatives of the Fraternal Black Organization of Honduras and the Garifuna communities of Punta Piedra, Triunfo de la Cruz and San Juan had recently been involved in an event held at the National Congress building to commemorate the arrival of the Garifuna peoples in Honduras.

25. **A representative of Honduras** said that a protocol on investigation and administration of justice during criminal proceedings in cases involving lesbian, gay, bisexual, transgender or intersex victims of violence had been drafted with the help of a Canadian non-governmental organization (NGO). Representatives of victims would be invited to give feedback on the protocol later in the year. The Government would continue developing the protocol with the support of the Office of the United Nations High Commissioner for Human Rights, taking into account the observations made by the Special Rapporteur on extrajudicial, summary or arbitrary executions following his visit in May 2023.

26. Several steps had been taken to comply with the judgment handed down by the Inter-American Court of Human Rights regarding the Miskito divers. Qualified health workers had been assigned to visit communities without access to hospitals to provide comprehensive medical and psychological care to victims and their families, and educational support was being provided to the children and grandchildren of victims. The budget drawn up for a programme of four production projects was being analysed with the intention of proceeding to their implementation. The Government was working with an NGO to build four houses for victims and their families. The first edit of a television documentary on the

Miskito divers had been shown to representatives of the Center for Justice and International Law in September 2023, and the Ministry for Social Development was awaiting approval to continue working on the documentary so that the final version could be broadcast to the wider public. The Government had already engaged in a public act of acknowledgment of international responsibility, apology and commitment to non-repetition. Compensation for pecuniary and non-pecuniary damages had been paid to 164 victims, with 111 victims yet to receive payment, and the amounts established for costs and expenses had been paid in full.

27. A number of projects aimed at including Miskito divers and their families in social programmes targeting persons in situations of extreme social exclusion were being developed. With the support of the merchant navy, a programme to monitor fishing industry activities had been established, and courses in safe diving and maritime safety were being provided to divers. Health workers had been recruited to provide comprehensive rehabilitative care to persons with disabilities in the Mosquitia region, and a road map for the development of an awareness-raising campaign concerning the Miskito people was being drawn up. A request for information on accidents suffered by victims had been filed with the Office of the Attorney General so that they could be investigated. Steps were being taken to establish an inter-agency committee to ensure the Government's compliance with the portion of the judgment concerning reparations and access to justice in the Mosquitia region.

28. In answer to the Chair's question concerning the number of complaints lodged with the inter-American system, some 41 cases had been filed with the Inter-American Court of Human Rights, and 29 petitions had been filed with the Inter-American Commission on Human Rights. Friendly settlements had been reached in 11 cases, precautionary measures had been issued in 46 cases and provisional measures had been mandated in 2 cases. The Government was in the process of complying with 16 of the Court's judgments; none remained pending.

29. **A representative of Honduras** said that, since 2018, 529 complaints of torture and other cruel, inhuman or degrading treatment had been filed with the Public Prosecutor's Office, of which 75 had gone to trial. In all, 32 of those cases had involved acts of torture, while 43 had involved acts of cruel, inhuman or degrading treatment. To date, 10 convictions had been handed down, and stays of proceedings had been issued in 12 cases. The remaining cases were either still being considered or investigated by the courts or had been closed by the Office of the Attorney General.

30. The Attorney General had identified corruption, environmental issues, trafficking in persons, human rights and the situation of minority ethnic groups as his five top priorities for action during his mandate. The budget of the Office of the Special Prosecutor for Environmental Issues had been increased since 2022 to enhance the Office's investigative capabilities and to expand the scope of its work in that area and its training programme for its special prosecutors. In order to combat environmental crimes, the Office had plans to work with the Honduran Air Force to deploy drones for use in monitoring forests and watercourses from the air. In order to take action to address violations of the rights of lesbian, gay, bisexual, transgender and intersex persons, the Office of the Special Prosecutor for the Protection of Human Rights Defenders, Journalists, Social Communicators and Justice Officials had been allocated funding for the protection of members of that community. The Attorney General had also issued instructions to update the strategic institutional plan with a view to strengthening both of those offices.

31. The Public Prosecutor's Office had requested the initiation of proceedings against 10 persons suspected of having committed crimes during the crisis that had followed the 2017 presidential election. Those cases had reached varying stages, with appeals having been filed in some instances. Other investigations were still ongoing, and steps were being taken to identify other individuals who might have committed similar crimes. Before the suspension of its activities as a consequence of the coronavirus disease (COVID-19) pandemic, an intersectoral working group had identified 22 victims of crimes related to the post-election crisis. That working group intended to resume its activities in the near future.

32. A comprehensive guide concerning the various criminal investigation procedures undertaken by the Public Prosecutor's Office had been published in 2018 which provided information on the different criteria, methods, formats and standards used in investigations

across the country. The development of a new management system would enable the Office of the Special Prosecutor for Human Rights to take a more systematic approach to prosecuting persons suspected of having committed human rights violations. An efficient file management protocol was in place, and there were plans to establish a unit that would undertake analyses designed to allow the Office of the Special Prosecutor to identify structural issues and areas for immediate action.

33. Regarding deaths in police custody, while the Public Prosecutor's Office had initially classified the death of Keyla Martínez as a case of femicide, the court had found the perpetrator to be guilty of involuntary manslaughter caused by gross negligence. The Public Prosecutor's Office had appealed that verdict on 17 April 2024. In the case of Marcos Pineda, the defendant had been charged with homicide but had later been acquitted.

34. As one of the steps taken to combat impunity by promoting objectivity on the part of the Public Prosecution Service, all prosecutors were subject to a rotation system so that they were not permanently assigned to any one office or location. Furthermore, it was the policy of the Office of the Special Prosecutor for Human Rights for investigations into allegations against police officers to be conducted by a different branch of the police force; if that was not possible, or if collusion was suspected, the Office would conduct the investigation itself.

35. Regarding access to justice, article 17 of the Code of Criminal Procedure defined who was to be considered to be a victim of a crime, and article 96 described the ways in which victims could participate in criminal proceedings, including as witnesses.

36. Forensic physicians involved in investigations were considered experts in their field, and their findings were regarded as reliable evidence in criminal cases. The National DNA Database System Act had been passed in August 2023 to facilitate the identification of migrants who had died while in transit through the country.

37. Each prosecutor's office in the country had a specialized comprehensive support unit, formed by at least one prosecutor, a forensic medical examiner, a psychologist and in some cases a social worker, which provided victims with information on relevant resources, including the Istanbul Protocol and the Model Protocol for a Legal Investigation of Extra-legal, Arbitrary and Summary Executions. Service users were also informed about the Istanbul Protocol during the monthly visits carried out by staff from the Public Prosecutor's Office to offices in different parts of the country.

38. **A representative of Honduras** said that the judiciary had no record of any case of abortion having been punished as a more serious crime. It had, however, obtained a limited amount of uncorroborated information regarding a case that had occurred many years ago in which a woman had apparently been convicted of parricide. However, the lack of any record of such a case did not mean that the judiciary was unwilling to receive information about such a possibility, investigate allegations or take corrective measures in the event that such a situation was found to have occurred.

39. There had been no calls for the age of criminal responsibility to be raised from 12 to 14 years. If the National Congress decided to consider that possibility, the judiciary would examine the arguments made and issue an opinion on the matter. Judges were working with the Public Defence Service to develop ways of increasing the application of restorative justice principles in the sentencing of minors across the country, as it had been established that the rehabilitation of minors in conflict with the law was more effective than punishment and detention.

40. A law on trafficking in persons had been adopted that reflected the principles set forth in the international agreements to which Honduras was party, and the definition of the offence of trafficking in persons in the Code of Criminal Procedure had been amended in order to bring it into line with international standards. In the event that a decision was made to amend that Code further, any developments in the area of trafficking in persons would need to be incorporated.

41. Cases of domestic violence and violence against women were handled by two types of judges: judges who specialized in domestic violence cases, who were present in a limited number of municipalities, and justices of the peace, of whom there were more than 280 in the country.

42. **A representative of Honduras** said that the Human Rights Observatory had been established under the Ministry of Human Rights to monitor and generate disaggregated data on the enjoyment of human rights in Honduras. Those data were then used by various government institutions to inform their decision-making. The Ministry had also set up an early warning mechanism designed to facilitate inter-agency efforts to prevent, de-escalate and resolve social conflicts. A tool known as a “conflict meter” had also been developed that provided daily updates on the existence of social protests or conflicts. In recent days, it had alerted government officials to the existence of certain land disputes, enabling those officials to then take steps to prevent the eviction of individuals belonging to the Tierras del Padre community.

43. The Government recognized that the right to migrate was a human right and was taking steps to foster a human rights-based approach to the treatment of migrants transiting through Honduras. To that end, the National Congress had decided that migrants in transit and in irregular situations should be exempt from payment of the administrative fine established under the Migration and Aliens Act. A new migrant support centre in the city of Danlí was set to open in the coming days and would house up to 300 migrants. The National Migration Institute was developing a national strategy for locating missing migrants and was working with a number of stakeholders at strategic points along migration routes. A hotline had been set up so that migrants in transit could report any violations of their rights.

44. The Directorate for the Protection of Persons Internally Displaced by Violence had assisted some 740 internally displaced persons since 2022 and was working with the United Nations High Commissioner for Refugees to ensure that such individuals were treated with dignity and that their human rights were respected. The adoption of the Act for the Prevention of Internal Displacement and Protection of Internally Displaced Persons in 2022 had been a particular milestone. The Government had held consultations with internally displaced persons and various bodies, civil society organizations and community leaders across the country in order to obtain their input on the Act’s implementing regulations; it was expected that a first draft of those regulations would be ready by May 2024. In its first few months of operation, the Inter-Agency Commission for the Protection of Internally Displaced Persons had already drawn up an annual work plan for the dissemination of the Act and had developed a working methodology for future consultations on those regulations.

45. The implementation of the Act on the Protection of Human Rights Defenders, Journalists, Social Communicators and Justice Officials was the responsibility of the Directorate-General of the Protection System. The Government had considered amending the Act to enhance the flexibility and effectiveness of the administrative procedures set out therein in order to expedite the implementation of protection measures. Efforts had been made to strengthen the technical capacities of staff working in the area of protection, and inter-agency committees had been set up in areas experiencing high levels of conflict linked to the defence of common public assets in order to ensure that the security and human rights challenges in those areas were addressed in a coordinated and effective manner. It was hoped that the number of staff assigned to the Directorate-General of the Protection System would be increased to 28 by the end of the month so that it could begin to tackle the problems that were delaying the establishment of committees to deal with the risks and threats faced by human rights defenders.

46. The use of contraceptive pills had been approved by President Xiomara Castro, and the Ministry of Health had supplied public health service providers with 20,000 doses. Those doses would begin to be distributed by public health centres in May 2024 and would be sufficient to attain a coverage rate of around 30 per cent. Plans had been made and a budget had been earmarked for the mass purchase of such pills in 2025 with a view to ensuring that all Honduran women would be able to obtain access to them.

47. The educational detention centre in Jalteva provided rehabilitation and reintegration services to juveniles in conflict with the law. It currently housed 42 adolescent males, who were assigned to different units based on their age group, and followed national and international human rights and child protection standards. Inmates were able to participate in formal education and vocational training programmes that were tailored to their background and needs. They also had access to psychological health services. The centre sought to

promote freedom of expression, respect inmates' individual identities and provide them with appropriate documentation.

48. The National Institute for Juvenile Offenders strove to follow the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules). One of its focuses was ensuring the comprehensive well-being of the juveniles in its care by providing them with nutritious food, access to health services, ongoing psychosocial support and formal and informal educational opportunities. Accordingly, on 17 June 2022, the Manuel Castillo Girón Government Education Centre had been opened to provide schooling to 126 adolescents who were housed in the National Institute's four educational detention centres. The National Institute was working to ensure that juvenile justice formed part of the national development agenda. It was seeking to promote compliance with the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules) by developing models for the care of children and adolescents in conflict with the law and for the administration of penalties and custodial measures.

49. The updated version of the Honduran family planning manual issued in March 2024 provided protections from forced sterilization for women and girls with disabilities. Psychiatric patients who had been hospitalized by court order were not subjected to discriminatory treatment; they received the same quality of care as the rest of the population and had access to the same activities and facilities as other patients. Hospitals caring for such patients received visits and requests for information from the staff of the Office of the National Commissioner for Human Rights and other judicial institutions. The hospitals provided the courts with regular reports on patients' health and gave patients access to a complaints mechanism, which allowed for their treatment to be monitored. The Ministry of Health and the Ministry of Human Rights were currently assessing whether it would be helpful to establish health rights offices in hospitals and psychiatric centres to handle complaints of human rights violations made by patients.

50. The process of selecting a new representative of the executive branch to sit on the National Committee for the Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment was currently under way. Steps were being taken to ensure that the process was transparent, consistent with the relevant laws and based on the principles of integrity and human rights protection. With regard to the election of a civil society representative to the National Committee, the Government recognized the importance of protecting the independence of such organizations and was examining alternative ways of fostering dialogue with civil society organizations with a view to promoting their equitable and effective participation in the National Committee.

51. In 2023, the Inter-Agency Commission for the Prevention of Commercial Sexual Exploitation and Trafficking in Persons had hired a consultant to work with lawyers, psychologists and other specialists from government institutions, civil society and international bodies to draw up draft amendments to the Criminal Code that would modify the definitions of certain crimes, provide for tougher penalties where appropriate, reincorporate provisions on criminal offences that had previously been removed and introduce provisions on sexual cybercrimes such as grooming and sexual extortion. A total of 262 new victims of trafficking in persons and sexual exploitation had been identified and provided with comprehensive support in 2022 and 2023. During that period, the Inter-Agency Commission had also provided follow-up care to 3,866 direct and indirect victims of those crimes, offering them psychological support and therapeutic services, legal and medical assistance, food, transportation and safe accommodation. A fund to support direct and indirect victims of trafficking in persons had been established in November 2023; its strategic plan was currently pending approval by the Ministry for Strategic Planning.

52. The Government remained concerned about the high levels of violence against women and was working tirelessly to address the situation. In 2022, the President had ordered the reactivation of the high-level Inter-Agency Commission for the Monitoring of Investigations of Violent Deaths of Women and Femicides. The Inter-Agency Commission was due to submit a bill to the National Congress that would reduce the time frame for the initiation of searches for missing or disappeared women from 48 to 12 hours and would provide for the creation of a number of government institutions to handle such cases. It had also established a technical investigation committee that would work to combat violence against women and

prevent femicides. In 2023, a total of 57 such cases had been referred to the Inter-Agency Commission; that year had also marked the first time that it had handled cases involving transgender women.

53. **The Chair**, speaking as a Country Rapporteur, said that he would be grateful for a reply to his question regarding the outcomes achieved through the imposition of the state of emergency and the reasons for its successive extensions. Further information on the data centre referred to by the delegation would be appreciated, as it was the Committee's understanding that there were significant weaknesses in the current system for gathering data on torture. In view of the delegation's comments that, since 2018, 10 convictions had been handed down for acts of torture and cruel, inhuman or degrading treatment, he would like to know what steps had been taken to give effect to article 14 of the Convention and ensure that the victims of those acts were able to obtain redress.

54. He welcomed the fact that the delegation had met with the civil society organizations attending the dialogue in Geneva. Such meetings were an important opportunity for the State party to address the concerns raised by those organizations in the alternative reports they had submitted to the Committee.

55. **Ms. Maeda** (Country Rapporteur), encouraging the State party to pursue its commitment to ensure that it had a budget line devoted to gender-related issues, said that she would welcome an update to the statistics provided in paragraph 57 of the State party's report. She would also appreciate an explanation of whether enforced disappearance was classified as an autonomous crime and whether it had to be widespread and systematic to qualify as a crime against humanity within the meaning of article 139 (6) of the Criminal Code. She also wished to learn of any cases in which universal jurisdiction had been exercised to prosecute acts of torture pursuant to articles 9, 139 (6) and 144 (2) of the Criminal Code and whether torture that was not widespread and systematic was covered by those articles in line with articles 1, 4, 5 and 7 of the Convention.

56. **Mr. Contesse**, recalling that a state of emergency, by definition, suspended the exercise of fundamental rights and freedoms, asked whether the repeated extensions of the state of emergency in Honduras had been notified to the United Nations and the Organization of American States and what normative weight was given at the domestic level to judgments of the Inter-American Court of Human Rights pertaining to Honduras and other countries in the region.

The meeting was suspended at 5.05 p.m. and resumed at 5.25 p.m.

57. **A representative of Honduras** said that the state of emergency had been extended to preserve public safety and order under the extraordinary circumstances in which the country found itself and had led to positive results, including the dismantling of 455 criminal gangs, the arrests of more than 600 gang members and a reduction in the murder rate from 41.71 per 100,000 inhabitants in 2021 to 6.35 in 2024 to date. The state of emergency was not a permanent measure and had been declared in response to the extreme violence that had been rampant in the country.

58. **A representative of Honduras** said that the Government agreed that the state of emergency had to be temporary in order not to violate the principle of legality but had felt compelled to declare and extend it to protect citizens from the actions of criminal groups.

59. **A representative of Honduras** said that the extensions of the state of emergency had not been notified owing to a failure in terms of internal coordination. However, Honduras was committed to providing up-to-date information on the state of emergency through its Ministry of Foreign Affairs and International Cooperation, its Ministry of Human Rights, its Permanent Mission in Geneva and the Organization of American States. The Government was pursuing a policy to ensure respect for human rights despite the serious situation that it had inherited and at a time when other countries in the region were enforcing stricter measures.

60. **A representative of Honduras** said that the necessary legislation and human resources were in place to establish a data centre to permit the systematization and updating of prison records in cooperation with the judiciary and the National Registry Office.

61. **A representative of Honduras** said that, in accordance with the Constitution and the jurisprudence of the Constitutional Chamber of the Supreme Court of Justice, any international instruments to which Honduras was a party were binding and directly applicable in the country without the need for domestication. National legislation had been harmonized with the Rome Statute of the International Criminal Court. Accordingly, the definition of crimes against humanity in the Criminal Code was consistent with the definition established in the Statute. Enforced disappearance was defined as an autonomous crime. Statistics on prosecutions for enforced disappearance would be provided in writing. Universal jurisdiction could not currently be exercised to prosecute acts of torture under articles 9, 139 (6) and 144 (2) of the Criminal Code. However, the introduction of the principle was being considered in the context of possible future amendments to article 9.

62. **A representative of Honduras** said that, as laid down in article 15 of the Constitution, Honduras endorsed the principles and practices of international law that promoted human solidarity, respect for the self-determination of peoples, non-intervention and the consolidation of universal peace and democracy. The judgments of the Inter-American Court of Human Rights had spurred efforts to raise awareness among justice officials of the country's obligation to comply with international instruments and jurisprudence.

63. **A representative of Honduras** said that the State budget for 2024 allocated a total of 150 million lempiras for the implementation of the Act for the Prevention of Internal Displacement and the Protection of Internally Displaced Persons. Some of those funds were to be used to provide redress to victims, including victims of torture.

64. **A representative of Honduras** said that centres for returning migrants provided comprehensive health, protection and other services. A pilot project spearheaded by the Ministry of Foreign Affairs and International Cooperation had been launched to support the social reintegration of such migrants. The Human Rights and Migrant Assistance Bureau worked to meet migrants' needs and referred individual cases to the competent authorities. In cases in which international protection was required, it coordinated the provision of humanitarian assistance with intergovernmental bodies and international cooperation agencies. Since 2014, the records showed that a total of 997,683 migrants in an irregular situation had been in transit through Honduras.

65. **The Chair**, thanking the delegation for its detailed replies, said that the Committee should be viewed as a cooperation mechanism whose work made States parties aware of the concerns of civil society organizations.

66. **A representative of Honduras** said that, despite the complex situation that it had inherited, the Government had made progress in protecting and guaranteeing human rights. It acknowledged that more needed to be done and hoped to count, in that regard, on the continued support and guidance of the Committee.

The meeting rose at 5.55 p.m.