

# Honduras' Compliance with the International Covenant on Civil and Political Rights Suggested List of Issues

### Submitted by The Advocates for Human Rights

a non-governmental organization in special consultative status with ECOSOC since 1996

### for the 138<sup>th</sup> Session of the Human Rights Committee October – 28 October 2022

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The Advocates for Human Rights (The Advocates) is a volunteer-based nongovernmental organization committed to the impartial promotion and protection of international human rights standards and the rule of law. Established in 1983, The Advocates conducts a range of programs to promote human rights in the United States and around the world, including monitoring and fact finding, direct legal representation, education and training, and publications. The Advocates is committed to ensuring human rights protection for women around the world. The Advocates has published more than 25 reports on violence against women as a human rights issue, provided consultation and commentary of draft laws on domestic violence, and trained lawyers, police, prosecutors, judges, and other law enforcement personnel to effectively implement new and existing laws on domestic violence.

The Advocates is the primary provider of legal services to low-income asylum seekers in the Upper Midwest region of the United States. A growing number of victims fleeing human rights violations from Honduras have requested legal assistance from The Advocates in applying for asylum in the United States. First-hand information from asylum-seekers about the human rights violations that they experienced in Honduras since the last review in 2016 has been used with their permission in this submission.

# I. Honduras fails to prevent and address discrimination based on sexual orientation or gender identity (Concluding Observations paragraphs 10 and 11).

- 1. The Committee expressed concern in its 2017 Concluding Observations of the Second Periodic Report of Honduras about discrimination on grounds of sexual orientation and gender identity. In its January 2022 State Party report, Honduras responded that in 2020, the new Criminal Code entered into force, punishing the discrimination on grounds of ideology, religion, beliefs, language, belonging to an ethnic group or race, national origin, indigenous or Afro-descendant people, sex, sexual orientation or gender identity, gender, marital status, family or property status, age, illness or disability, in accordance with article 2 of the Covenant<sup>2</sup>.
- 2. Honduras fails to guarantee positive measures to overcome systemic discrimination on the grounds of sexual orientation and gender identity in the country.<sup>3</sup> The network RedLaCTrans reports that "health centers in Honduras do not provide [...] adequate treatment to trans people" Honduras fails to guarantee positive measures such as the provision of trained professionals in sex confirmation surgeries, and comprehensive protocols for hormone replacement therapy.<sup>5</sup>
- 3. Several of The Advocates' clients who are trans women described Honduras as lacking effective measures for improving access to employment and healthcare safety nets. In particular, trans women are not guaranteed access to jobs. In interviews, clients report that small towns are particularly difficult to secure employment.<sup>6</sup> Several employers ask our clients to dress like men as a condition of employment.<sup>7</sup>
- 4. Our clients have reported that due to the State's lack of guarantees for access to employment and systemic discrimination, transgender women are particularly vulnerable to gang violence.<sup>8</sup> Gangs continuously force and recruit transgender women into selling drugs and prostitution. Gangs like MS13 threaten and kill those who refuse and their family members.<sup>9</sup>

<sup>&</sup>lt;sup>1</sup> Human Rights Committee, *Concluding observations on the second periodic report of Honduras*, (Aug. 22 2017), U.N. Doc. CCPR/C/HND/CO/2.

<sup>&</sup>lt;sup>2</sup> Human Rights Committee, *Third periodic report of Honduras due in 2021 under article 40 of the Covenant,* (Jan. 9, 2023), U.N. Doc. CCPR/C/HND/3.

<sup>&</sup>lt;sup>3</sup> IACtHR, Vicky Hernández et al. v. Honduras.

<sup>&</sup>lt;sup>4</sup> REDLACTRANS, 2021 Regional Report of the Center For Documentation And Trans Situation Of Latin America And The Caribbean (Cedostalc), p. 18. Available at: http://redlactrans.org.ar/site/we-are-not-dying-we-are-being-killed-cedostalc-regional-report-2021/

<sup>&</sup>lt;sup>5</sup> REDLACTRANS, 2021 Regional Report of the Center For Documentation And Trans Situation Of Latin America And The Caribbean (Cedostalc), p. 18. Available at: http://redlactrans.org.ar/site/we-are-not-dying-we-are-being-killed-cedostalc-regional-report-2021/

<sup>&</sup>lt;sup>6</sup> Interviews by The Advocates 2021.

<sup>&</sup>lt;sup>7</sup> Interviews by The Advocates 2021.

<sup>&</sup>lt;sup>8</sup> Interviews by The Advocates 2020.

<sup>&</sup>lt;sup>9</sup> Interviews by The Advocates 2021.

## II. Discrimination against Afro-Hondurans (Concluding Observations paragraphs 10 and 11).

- 5. In its State Party report, Honduras described that in 2015 a consultation process was carried out which resulted in a preliminary draft Law to ensure the Rights of Indigenous and Afro-Hondurans in accordance with the Covenant.<sup>10</sup>
- 6. One of our clients, a Garifuna woman, reported systemic discrimination against Afrodescendant and Garifuna people in Honduras. The client alleged that police officers fail to investigate crimes against and protect the Garifuna community. The police, she says, "pay no mind" to crimes in the Garifuna community and have an attitude that these crimes are "crimes between black people." <sup>11</sup> The organizations Global Witnesses <sup>12</sup> and *Iniciativa Mesoamericana* de Defensoras de Derechos Humanos<sup>13</sup> reported that authorities failed to investigate the disappearances of members of the Garifuna community.
- 7. Minority Rights Group International reports several instances of arson attacks, abduction and threats at gunpoint by paramilitaries against Garifuna leaders working to defend communal territory, resources, and land. 14

### III. Equal Rights between men and women (Concluding Observations paragraphs 12 and 13).

8. In its 2017 Concluding Observations, the Committee expressed concern at the limited participation of women in political and public life. 15 Honduras responded in its State Party report that the New Honduran Electoral Act incorporates the principle of parity and alternation, and Honduras adopted the Protocol against Gender-Based Political Violence to be applied at all stages of the electoral cycle to raise public awareness of gender-based political violence, with support from UNDP, the Netherlands Institute for Multiparty Democracy (NIMD-Honduras) and the European Union.<sup>16</sup>

<sup>&</sup>lt;sup>10</sup> Human Rights Committee, *Third periodic report of Honduras due in 2021 under article 40 of the Covenant*, (Jan. 9, 2023), U.N. Doc. CCPR/C/HND/3.

<sup>&</sup>lt;sup>11</sup> Interview by The Advocates 2021.

<sup>&</sup>lt;sup>12</sup> Press Release, Global Witness, Global Witness demands an urgent investigation into the disappearances of members of the Garífunas community in Honduras (1 August 2020). Available at: https://www.globalwitness.org/en/pressreleases/global-witness-demands-an-urgent-investigation-into-the-disappearances-of-members-of-thegar%C3%ADfunas-community-in-honduras/

<sup>13</sup> Press Release, ¿Hagaña-san? ¿Dónde están? A dos años de la desaparición forzada de cuatro jóvenes garífunas seguimos exigiendo respuestas. (19 July 2022). Available at: https://im-defensoras.org/2022/07/hagana-san-dondeestan-a-dos-anos-de-la-desaparicion-forzada-de-cuatro-jovenes-garifunas-seguimos-exigiendo-respuestas/

<sup>&</sup>lt;sup>14</sup> Minority Rights Group International, *Garifuna*, (May 2018), https://minorityrights.org/minorities/garifuna-2/

<sup>&</sup>lt;sup>15</sup> Human Rights Committee, Concluding observations on the second periodic report of Honduras, (Aug. 22 2017), U.N. Doc. CCPR/C/HND/CO/2.

<sup>&</sup>lt;sup>16</sup> Human Rights Committee, Third periodic report of Honduras due in 2021 under article 40 of the Covenant, (Jan. 9, 2023), U.N. Doc. CCPR/C/HND/3.

- 9. The Honduran Council of Private Enterprise (COHEP) reports that more than 185 thousand Honduran women are unemployed. COHEP stresses that "the participation rate of the working age population reaches 74.3 percent, while for women it is 48.3 percent in 2021."<sup>17</sup>
- 10. Women's participation in economic life continues to be very low relative to men. The Working Group on the issue of discrimination against women in law and in practice reported in its visit to Honduras a 35 percent difference between men and women in participation in the labor force.<sup>18</sup> In informal occupations, like domestic service, women experience vulnerable situations and lack legal protections.<sup>19</sup>
- 11. The Honduran Council of Private Enterprise (COHEP) reports that more than 185 thousand Honduran women are unemployed. COHEP stresses that "the participation rate of the working age population reaches 74.3 percent, while for women it is 48.3 percent in 2021."<sup>20</sup>
- 12. Women's participation in economic life continues to be very low relative to men. The Working Group on the issue of discrimination against women in law and in practice reported a 35 percent difference between men and women in labor force participation.<sup>21</sup> In informal occupations, like domestic service, women are vulnerable and lack legal protection.<sup>22</sup>
- 13. The Honduran Government fails to effectively enforce occupational safety, health standards, and adequate working conditions.<sup>23</sup> In agriculture, domestic service, and security industries, Honduran employers do not ensure maternity rights or pay minimum wage and overtime.<sup>24</sup> These industries have a particularly high number of employees working additional hours.<sup>25</sup> In female-dominated sectors like the *maquila*, women report widespread labor rights violations, such as experiencing harassment, exploitation and little rest, insufficient food breaks and access to water, and extra working hours.<sup>26</sup>
- 14. The Honduran Government lacks enforcement mechanisms for labor laws, including failing to verify employers' compliance with laws regarding employee unionization and ensuring

<sup>&</sup>lt;sup>17</sup> La Tribuna, "Alrededor de 185 mil mujeres según el Cohep" Aug. 6 2022. https://www.latribuna.hn/2022/08/06/alrededor-de-185-mil-mujeres-desempleadas-segun-el-cohep/

<sup>&</sup>lt;sup>18</sup> Human Rights Council, Visit to Honduras: Report of the Working Group on the issue of discrimination against women in law and in practice, (May 8, 2019), U.N. Doc. A/HRC/41/33/Add.1, ¶37.

<sup>&</sup>lt;sup>19</sup> Human Rights Council, *Visit to Honduras: Report of the Working Group on the issue of discrimination against women in law and in practice*, (May 8, 2019), U.N. Doc. A/HRC/41/33/Add.1, ¶37; US State Report 2021 p.18.

La Tribuna, "Alrededor de 185 mil mujeres según el Cohep" Aug. 6 2022 https://www.latribuna.hn/2022/08/06/alrededor-de-185-mil-mujeres-desempleadas-segun-el-cohep/

<sup>&</sup>lt;sup>21</sup> Human Rights Council, Visit to Honduras: Report of the Working Group on the issue of discrimination against women in law and in practice, (May 8, 2019), U.N. Doc. A/HRC/41/33/Add.1, ¶37.

<sup>&</sup>lt;sup>22</sup> Human Rights Council, *Visit to Honduras: Report of the Working Group on the issue of discrimination against women in law and in practice*, (May 8, 2019), U.N. Doc. A/HRC/41/33/Add.1, ¶37; US State Report 2021 p.18.

<sup>&</sup>lt;sup>23</sup> U.S. Department of State: Bureau of Democracy, Human Rights, and Labor, 2021 Country Reports on Human Rights Practices: Honduras (2022), 26.

<sup>&</sup>lt;sup>24</sup> U.S. Department of State: Bureau of Democracy, Human Rights, and Labor, *2021 Country Reports on Human Rights Practices: Honduras* (2022), 26.

<sup>&</sup>lt;sup>25</sup> U.S. Department of State: Bureau of Democracy, Human Rights, and Labor, *2021 Country Reports on Human Rights Practices: Honduras* (2022), 26.

<sup>&</sup>lt;sup>26</sup> Human Rights Council, *Visit to Honduras: Report of the Working Group on the issue of discrimination against women in law and in practice,* (May 8, 2019), U.N. Doc. A/HRC/41/33/Add.1, ¶41

workers can exercise their rights to engage in collective bargaining without difficulty.<sup>27</sup> Reports also indicate that the Government and Honduran law insufficiently prevented forced labor violations, including labor violations against children.<sup>28</sup>

# IV. Honduras fails to protect women from gender-based violence (Concluding Observations paragraphs 14 and 15)

15. The Committee expressed concern about the high rates of violence against women and the extremely low number of prosecutions and convictions for this type of violence, which leads to impunity for the perpetrators.<sup>29</sup> The State Reports responded that various mechanisms were implemented to protect women from gender-based violence such as the Technical Investigation Agency (ATIC) technically and legally directed by FEDVC, the CISMVMF made up of the Public Prosecutor's Office, the Ministry of Security (SEDS), SEDH, INAM, CONADEH and three women's organizations. Its regulations were approved in 2019, the Ciudad Mujer Programme implements the Modules for the Care and Protection of Women's Rights and Strategic Plan against Commercial Sexual Exploitation and Trafficking in Persons (2016-2022).<sup>30</sup>

#### **Femicide**

- 16. Despite these steps, violence against women remains a significant problem in Honduras. Honduras has the second-highest rate of femicide in Latin America with a woman killed, on average, every 23 hours, and domestic partners making up 60 percent of the perpetrators.<sup>31</sup>
- 17. Violence against women is perpetrated both by private and public actors. The February 2021 femicide of Keyla Martínez Rodríguez drew international attention. Martínez Rodríguez, a nursing student who was arrested for violating the national COVID-19 curfew, died of strangulation while in police custody.<sup>32</sup>
- 18. Although femicides fell by nearly 50 percent during the COVID-19 pandemic, reports of domestic violence greatly increased.<sup>33</sup> Reports of domestic violence to the National Emergency System's call center, for example, were expected to surpass 100,000 in 2020.<sup>34</sup>

<sup>&</sup>lt;sup>27</sup> U.S. Department of State: Bureau of Democracy, Human Rights, and Labor, 2021 Country Reports on Human Rights Practices: Honduras (2022), 22.

<sup>&</sup>lt;sup>28</sup> U.S. Department of State: Bureau of Democracy, Human Rights, and Labor, 2021 Country Reports on Human Rights Practices: Honduras (2022), 23.

<sup>&</sup>lt;sup>29</sup> Human Rights Committee, *Concluding observations on the second periodic report of Honduras*, (Aug. 22 2017), U.N. Doc. CCPR/C/HND/CO/2.

<sup>&</sup>lt;sup>30</sup> Human Rights Committee, *Third periodic report of Honduras due in 2021 under article 40 of the Covenant,* (Jan. 9, 2023), U.N. Doc. CCPR/C/HND/3.

<sup>&</sup>lt;sup>31</sup> Human Rights Watch, "Honduras: Events of 2020," accessed June 7, 2021, https://www.hrw.org/world-report/2021/country-chapters/honduras.

<sup>&</sup>lt;sup>32</sup> Marlon González, "Honduras investigates police in case of murdered student," accessed June 4, 2021, https://apnews.com/article/tegucigalpa-honduras-health-coronavirus-pandemic-arrests-746174e9327b4fc22ae820e64e2ff4d8.

<sup>&</sup>lt;sup>33</sup> U.S. Department of State, "2020 Country Report on Human Rights Practices: Honduras," accessed June 3, 2021, https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/honduras/.
<sup>34</sup> Ibid.

#### Domestic violence

19. Although there is a law to address violence against women, research shows that it has not effectively curbed rates of domestic violence. The Latin America Working Group Education Fund found "no significant reduction of domestic violence" since the Reformed Law on Violence Against Women was implemented in 2006.<sup>35</sup> Data from the Honduran Courts of Peace and Letters show that between 2008 and 2015, Honduras experienced a 390% increase in cases of domestic violence.<sup>36</sup>

#### Lack of Accountability

- 20. The UN Working Group on the Issue of Discrimination Against Women in Law and Practice reported that the government had created gender units in police forces, the Inter-Institutional Commission on Femicide, and the Cuidad Mujer services project to address gender-based violence against women.<sup>37</sup> Despite these efforts, a general fear of reporting and lack of responsiveness to reports contributes to pervasive domestic violence and femicides.
- 21. Lack of accountability exacerbates the problem of femicide. Perpetrators of femicide avoided punishment in 90 percent of femicides over the last 15 years.<sup>38</sup> High rates of impunity can be attributed to a lack of reporting due to economic dependence on the aggressor, delayed processing from law enforcement and judicial officials, insufficient training, and limited financial resources.<sup>39</sup>
- 22. The experiences of The Advocates' asylum clients illustrate the failure of Honduran State agencies to respond to complaints and adequately protect women. Ms. D is a 49-year-old Honduran woman who, along with her children, experienced physical and sexual abuse from her partner between 2004 and 2017. Her partner regularly beat and raped her and on a number of occasions threatened her with his gun. After Ms. D ended the relationship, the perpetrator continued to come to her house and attack her, refusing to accept that the relationship had ended. In 2017, Ms. D filed a human rights complaint with the National Directorate of Criminal Investigation (DGIC). She had resisted filing earlier due to threats from her partner that he would kill her if she tried to bring charges against him. By filing a complaint, Ms. D wanted her partner to be arrested. The DGIC, a State actor, did nothing in response to her complaint.
- 23. Ms. P is a Honduran woman whose case demonstrates women's barriers in reporting abuse to state agencies. Ms. P met her boyfriend in 2016 when she was 16 and he was 18. After dating for two months, they moved in together. Her boyfriend became violent toward her and began to abuse her frequently. Her boyfriend was the head of the local gang. When the abuse began, he told her that it was because he "owned" her. The first time he abused her, he told her, "I am going to kill you." He also hit their son. Ms. P went to the hospital two times after her

<sup>&</sup>lt;sup>35</sup> Latin America Working Group Education Fund, "Left in the Dark: Violence Against Women and LGBTI Persons in Honduras and El Salvador," accessed Jul. 18, 2019, https://www.lawg.org/left-in-the-dark-violence-against-women-and-lgbti-persons-in-honduras-and-el-salvador/.

<sup>36</sup> Ibid.

<sup>&</sup>lt;sup>37</sup> United Nations Human Rights Office of the High Commissioner, "Honduras: Results from Women's Rights Progress Long Overdue, Say Experts," Nov. 14, 2018,

https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=23875&LangID=E.

<sup>&</sup>lt;sup>38</sup> U.S Department of State, "2020 Country Report on Human Rights Practices: Honduras", *supra* note 12. <sup>39</sup> Ibid.

boyfriend had hit her head severely. He rarely let Ms. P leave the house and he prohibited her from seeing her family. She never sought police help because she was aware that gangs pay the police off.

# V. Honduras does not protect children from gang exploitation and violence or from forced labor (Concluding Observations 36 and 37).

- 24. The Committee noted concern that contemporary forms of slavery, forced labour and trafficking in persons continue to persist. Paragraph 190 of the State Report responded that the Inter-institutional Commission against Commercial, Sexual and Trafficking in Persons in Honduras (CICESCT), within the framework of the Strategic Plan 2016-2022, carries out actions to prevent the crime of trafficking in persons, develops training to raise awareness, prevent and combat trafficking and sexual exploitation.<sup>40</sup>
- 25. Despite these efforts, gang violence remains prevalent and widespread within and around the urban areas of Honduras. Human Rights Watch reports that these issues are compounded by weak state institutions and bolstered by allegations of collusion between security forces and gangs. The director of the Observatory of Violence at the National Autonomous University of Honduras noted that weak social policies and institutions fail to gain control of the territory currently run by gangs. 3
- 26. In their exercise of territorial control, gangs forcibly recruit and sexually abuse children.<sup>44</sup> Those who resist recruitment are killed, raped, displaced, or disappeared.<sup>45</sup> Gangs' recruitment of children has forced many children to abandon school, with reports showing that the average age at which children first are in contact with gangs is 13 years old.<sup>46</sup> Consequently, children have limited access to education, with only 50% of children attending school in 2019.<sup>47</sup>
- 27. Reports also indicate that the Honduran Government did not sufficiently prevent child labor.<sup>48</sup> Human Rights Watch reported that more than 360,000 children between 5 and 17 years old were working in 2019.<sup>49</sup> Children of indigenous and Afro-descendent communities and those

<sup>&</sup>lt;sup>40</sup> Human Rights Committee, *Third periodic report of Honduras due in 2021 under article 40 of the Covenant,* (Jan. 9, 2023), U.N. Doc. CCPR/C/HND/3.

<sup>&</sup>lt;sup>41</sup> Human Rights Watch, World Report 2022: Events of 2021 (Human Rights Watch, 2022), 308.

<sup>&</sup>lt;sup>42</sup> Human Rights Watch, World Report 2022: Events of 2021 (Human Rights Watch, 2022), 308.

<sup>&</sup>lt;sup>43</sup> The Guardian, "Gangsters killed Maria's sister in Honduras. A note on the door told her she was next" by Sarah Johnson, Jun. 21, 2022, https://amp.theguardian.com/global-development/2022/jun/21/gangsters-killed-marias-sister-in-honduras-a-note-on-the-door-told-her-she-was-next-

<sup>&</sup>lt;sup>44</sup> The Guardian, "Gangsters killed Maria's sister in Honduras. A note on the door told her she was next" by Sarah Johnson, Jun. 21, 2022, https://amp.theguardian.com/global-development/2022/jun/21/gangsters-killed-marias-sister-in-honduras-a-note-on-the-door-told-her-she-was-next-

<sup>&</sup>lt;sup>45</sup> Human Rights Watch, World Report 2022: Events of 2021 (Human Rights Watch, 2022), 308.

<sup>&</sup>lt;sup>46</sup> Human Rights Watch, World Report 2022: Events of 2021 (Human Rights Watch, 2022), 313.

<sup>&</sup>lt;sup>47</sup> Human Rights Watch, World Report 2022: Events of 2021 (Human Rights Watch, 2022), 313.

<sup>&</sup>lt;sup>48</sup> U.S. Department of State: Bureau of Democracy, Human Rights, and Labor, *2021 Country Reports on Human Rights Practices: Honduras* (2022), 23.

<sup>&</sup>lt;sup>49</sup> Human Rights Watch, World Report 2022: Events of 2021 (Human Rights Watch, 2022), 313.

in rural areas remain particularly at risk of forced labor in industries such as agriculture and construction. These children are also at heightened risk of commercial sexual exploitation. <sup>50</sup>

## VI. Freedom of expression, freedom of association and violence against human rights defenders (Concluding Observations 40 and 41).

- 28. The Committee noted high concern at the acts of violence and intimidation and the persistently high murder rates among, inter alios, human rights defenders, journalists, trade unionists, environmental activists, indigenous persons, and lesbian, gay, bisexual, transgender and intersex persons, and which are committed by State officials and private individuals and result in the death of persons. <sup>51</sup> The State Report states that to ensure effective protection for human rights defenders, journalists, and communicators, the Law on the Protection of Human Rights Defenders, Journalists, Social Communicators, and Justice Operators and its Regulations are implemented. <sup>52</sup>
- 29. Honduras is narrowing civic space through new legislation and state violence. For instance, the National Congress reformed The Honduran penal code in October 2021, criminalizing legitimate protests.<sup>6</sup> The Government convicted six human rights defenders of illegal deprivation of liberty and aggravated damages against the contractor Inversiones Los Pinares for their opposition to an open-cast iron-oxide mine that threatened the Guapinol community's water sources.<sup>7</sup>
- 30. Honduras fails to protect human rights defenders. The *Comisionada Nacional de Derechos Humanos* reported the murder of 200 attorneys since 2004.<sup>8</sup> Ninety percent of these cases remain in impunity with no charges filed nor sanctioned.<sup>9</sup> According to the Director of the *Asociación por la Democracia y los Derechos Humanos de Honduras* (ASOPODEHU), legal professionals "working on issues such as the environment, land rights, human rights and the defence of excluded groups were more likely to face threats." Honduras is the country with the second highest number of killings of land and environmental human rights defenders. <sup>11</sup>

# VII. Honduras violates Indigenous peoples' rights through the facilitation of corporate operations on their land (Concluding Observations paragraph 46 and 47)

31. The Committee in its Concluding Observations expressed concern at the forced evictions of Indigenous peoples and lack of consultation with them.<sup>53</sup> In its State Party report, Honduras listed consultations with Indigenous peoples and instances of property rights transfers to benefit Indigenous Councils and families.<sup>54</sup>

<sup>&</sup>lt;sup>50</sup> U.S. Department of State: Bureau of Democracy, Human Rights, and Labor, *2021 Country Reports on Human Rights Practices: Honduras* (2022), 23–25.

<sup>&</sup>lt;sup>51</sup> Human Rights Committee, *Concluding observations on the second periodic report of Honduras*, (Aug. 22 2017), U.N. Doc. CCPR/C/HND/CO/2.

<sup>&</sup>lt;sup>52</sup> Human Rights Committee, *Third periodic report of Honduras due in 2021 under article 40 of the Covenant,* (Jan. 9, 2023), U.N. Doc. CCPR/C/HND/3, paragraph 204.

<sup>&</sup>lt;sup>53</sup> Human Rights Committee, *Concluding observations on the second periodic report of Honduras*, (Aug. 22 2017), U.N. Doc. CCPR/C/HND/CO/2.

<sup>&</sup>lt;sup>54</sup> Human Rights Committee, *Third periodic report of Honduras due in 2021 under article 40 of the Covenant,* (Jan. 9, 2023), U.N. Doc. CCPR/C/HND/3.

32. Honduras failed to respect the rights of Indigenous peoples to self-determination when it created Employment and Economic Development Zones on Indigenous peoples' and Afrodescendant communities' land. In these zones, the Government of Honduras grants concessions for the extraction of natural resources and mining without informing the community, nor providing spaces for public participation and consent.<sup>55</sup>

#### VIII. Suggested questions for the government of Honduras:

- 1. The authors of this report suggest the following recommendations for the government of Honduras:
  - What efforts has Honduras made to ensure that police compile and publish data on an annual basis about all reported acts of violence and threats of violence allegedly based on sexual orientation or gender identity, as well as take any action to investigate and prosecute such actions?
  - What measures has Honduras implemented that combat impunity in violence based on sexual orientation and gender identity?
  - What measures has Honduras implemented to increase the employment of LGBTQI+ individuals in healthcare settings to help expand access to nondiscriminatory healthcare for LGBTQI individuals.?
  - What efforts has Honduras made to ensure that all healthcare providers are appropriately trained and educated on sexual orientation and gender identity, treating individuals of varying sexual orientations and gender identities, and treating HIV-positive patients?
  - Has Honduras made efforts to create and implemente training programs on sexual orientation and gender identity, discrimination in the workplace, and workplace standards and laws for countering discrimination?
  - What work has Honduras done to dispel cultural attitudes, disinformation, and biases towards the LGBTQI+ community?
  - What legislative measures has Honduras taken to support and fund community-based hotlines, shelters, and other organizations that provide cultural support, education, and crisis services to women, girls and non-binary people dealing with domestic abuse, sexual harassment, or other forms of gender-based violence?
  - What efforts has Honduras made toward advances for women in education, including but not limited to developing gender-based violence curriculum to be implemented in primary and secondary schools across Honduras, ensuring that the curriculum discusses topics related to intimate partner violence, the dangers of child marriage, gender stereotypes, the role of gangs in perpetrating violence against women, and women's fundamental rights?

9

<sup>&</sup>lt;sup>55</sup> Castellanos, Diana Yenifer Servellón. "Análisis coyuntural de las ZEDES y el bicentenario de independencia de Honduras: el nuevo modelo de colonización." La Revista de Derecho 42 (2021): 95-109.

- What public policies has Honduras implemented that protect children and girls from any practices that jeopardize their access and enjoyment to education and a life free of violence?
- What efforts has Honduras taken to strengthen the criminal justice response to femicides, develop measures to support law enforcement and the judiciary's capacity to investigate, prosecute, and punish all forms of such crimes and provide reparation and/or compensation to victims and their families or dependents, as appropriate?