



## Convention on the Elimination of All Forms of Discrimination against Women

Distr.: General  
26 February 2007

Original: English

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### Committee on the Elimination of Discrimination against Women

Pre-session working group

Thirty-ninth session

23 July-10 August 2007

### List of issues and questions with regard to the consideration of periodic reports

#### Honduras

1. The pre-session working group examined the combined fourth, fifth and sixth periodic report of Honduras (CEDAW/C/HON/6).

#### General

2. Please provide information on the process of preparing the combined fourth, fifth and sixth periodic report. This information should indicate which Government departments were involved and the nature and extent of their participation, whether consultations were held with non-governmental organizations, and whether the report was adopted by the Government and presented to Parliament.

3. Please provide information on the status of data collection in the country in general, and to what extent such data collection takes place on a sex-disaggregated basis. Please also indicate how the Government collects data as regards various provisions of the Convention, and how such data is used in policy and programme development and in monitoring progress towards de facto equality of women and men.

#### Constitutional and legislative framework

4. Please provide information on whether the provisions of the Convention have been invoked in national courts, and examples of any pertinent case law. Further, please outline steps taken by the Government to provide adequate information and training for legal professionals and other actors responsible for the implementation of the Convention, including lawyers, judges and prosecutors, on the State party's international legal obligations under the Convention.

5. The report notes that a reform of the Penal Code was undertaken aimed at eliminating all forms of discrimination against women. However, discriminatory



provisions remain in other laws, procedural codes, regulations and other instruments. Please provide information about steps taken, or planned, to eliminate all discriminatory provisions from the national legal framework and a time frame for so doing.

6. Kindly indicate whether temporary special measures aimed at accelerating the realization of women's de facto equality with men, in line with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25 are in place, and the results achieved in their use.

### **Institutional framework**

7. The report acknowledges that the effective institutionalization of gender mainstreaming is weak. This is owed particularly to a lack of resources, coordination mechanisms, awareness of women's rights and political will, as well as existing patriarchal attitudes, which constitute obstacles to promoting women's equality. The report also notes that resource constraints impact the work of the National Women's Institute. How does the State party intend to remedy this situation, and when?

8. Despite the creation of the Special Public Prosecutor's Office for Women in 1994, the report notes that "in practice, the administration of justice is impeded by a series of obstacles that are directly related to the persons who take decisions in the different branches of Government". What are these obstacles, and what specific steps is the Government taking to remove them, within a given timetable?

9. Please provide a succinct summary of the content of the National Policy on Women and the First Equal Opportunities Plan, 2002-2007, including information on the resources allocated for its implementation, mechanisms and procedures in place for regular monitoring and evaluation of its impact, and results achieved to date.

10. Please provide information on the mandate, scope of activities, and resources available of the Association of Social Communicators for a Culture of Gender Equity, which supports women's political participation under the National Policy on Women.

### **Stereotypes and education**

11. In its consideration of Honduras' combined initial, second and third periodic report,<sup>1</sup> the Committee expressed its hope that the State party would take strong measures to eliminate stereotypes, and include both men and women in awareness-raising efforts aimed at ending discrimination against women. Please provide additional information on steps taken by the Government to combat pervasive negative stereotypes and cultural attitudes that discriminate against women and girls, including disabled women, indigenous women, and women of African descent, and on results achieved over time.

12. The report provides little information on policies and goals in the field of education, and notes (para. 120) that "the gender issue does not constitute a priority for institutions". Please provide information on steps taken or planned by the

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<sup>1</sup> See *Official Records of the General Assembly, Forty-seventh Session, Supplement No. 38* (A/47/38), part three, Sect. B, paras. 106 to 143.

Government to prioritize achievement of equality between women and men, and girls and boys, in the field of education, and to ensure for all women and girls equal access to education and training, as well as retention and completion rates, in accordance with article 10 of the Convention.

13. Please provide statistical information, disaggregated by age and ethnicity and reflective of urban/rural distribution, to illustrate trends and achievements in women's and girls' education in Honduras during the reporting period.

14. Please provide information on the incidence of teenage pregnancy in Honduras, and its impact on girls' educational achievement. Please also provide information about support for pregnant teenagers or young mothers to continue their education. In this regard, please include information on the application of article 35 of the Law of Equality of Opportunities for Women, which allows maternity leave to be granted to pregnant students.

### **Health**

15. Please provide data on trends in women's health in Honduras, including sexual and reproductive health, disaggregated by age and ethnicity and reflective of rural/urban distribution. This should include data on trends in maternal mortality, including from unsafe abortion.

16. The report acknowledges the rise in HIV/AIDS infection in certain groups of women, including married women and indigenous and women of African descent (paras. 265, 266). Please indicate what steps are being taken or planned by the Government to enhance HIV/AIDS prevention programmes and support services, and the extent to which these target women. Where policies, programmes and services are in place, please provide information on their effectiveness.

17. The report notes that adolescents are not prioritized by the Health Ministry, and may be denied access to health services in practice (paras. 302, 295). Specifically, it notes a contradiction between the childhood code and Health Ministry's Programme of Comprehensive Care for Adolescents, regarding adolescents' access to health services. It also notes that Government Order 0966/SS (1999) authorizes the provision of contraceptives to adult women, but seems to exclude adolescent girls. What is being done to ensure adolescents' access to adequate and age-appropriate health services, including sexual education, sexual and reproductive health services and family planning information?

### **Violence against women**

18. The report notes that a system of data collection on violence against women is in place, but is not part of the official records system of the Ministry of Health. At the same time, the report does not provide a clear overview of the prevalence of all forms of violence against women in Honduras. Please provide information that would allow the Committee to gain insight into the causes, extent and prevalence of all forms of violence against women in Honduras, including the results of any population-based surveys on violence against women or through any other available statistical data or information, disaggregated by ethnicity and age and reflective of rural/urban distribution where possible. Please also indicate how the Government plans to strengthen accessibility and use of existing data, in particular for policymaking and service provision.

19. The report acknowledges obstacles to combating violence against women, including a failure to comply with policies, laws and plans (para. 247) and a lack of awareness among decision makers (para. 248). What steps is the Government taking to eliminate these obstacles within a given timetable?

#### **Trafficking; and exploitation of prostitution**

20. The present report notes that studies have been conducted on the commercial and sexual exploitation of girls and adolescents, particularly in border areas (para. 96), but does not provide information on the findings of such studies. Please provide information on the commercial and sexual exploitation of women, girls and adolescents, including through trafficking, and its incidence, causes and consequences. Please also provide information on any programmes to address this problem.

#### **Participation in political and public life and in decision-making**

21. Information provided in the report reveals that in the most recent elections, the number of women in elected positions has declined. What measures have been adopted to guarantee the effective implementation of article 105 of the Law on Elections and Political Organizations? Please also indicate what other temporary special measures in accordance with article 4, paragraph 1, of the Convention, and the Committee's general recommendations 23 and 25 are in place to accelerate women's full and equal participation in all areas of public life and decision-making.

22. The report, while noting the importance of the establishment of a minimum quota for women's participation in elected offices as contained in article 105 of the Law on Elections and Political Organizations, also notes that this article "contradicts and violates" article 104 of the same law, as well as the Equal Opportunities Law (para. 101). Please provide further explanation on measures taken by the State party to debate and resolve this perceived contradiction.

#### **Employment; social and economic benefits**

23. The report acknowledges that programmes aimed at eliminating discrimination in employment are not effective, and that the legislative framework is not adequate. Please provide information on a time frame for amending the Labour Code, in order to achieve de jure compliance with article 11 of the Convention. Further, please indicate how and to what extent the proposal "Employment with Gender Equity", prepared by the National Women's Institute in 2004, has been taken into account in the amendment of national laws and the development of policies and programmes.

24. According to the report, the female population of working age is defined as "over ten years [old]" (para. 328), and that 64.4 per cent of girls working in domestic service are employed before the age of 14. Please indicate concrete steps being taken by the Government to ensure that young girls are protected from economic exploitation and the worst forms of child labour, and to ensure that young girls working in domestic service continue to receive an education.

25. Please provide information on the working conditions of women in the maquila sector. Please also provide information about actions taken by the Government to ensure that the rights of women working in the maquila sector are

guaranteed, including their right to minimum wage, and that women are informed of, and can claim their rights.

### **Poverty and rural women**

26. Please provide information on the migration of women and girls, both internally and internationally, including information about the number and profile of migrant women and girls, and steps being taken to protect migrant women and girls from abuse, exploitation and violence.

27. According to the report (paras. 88, 91), the rights of women in the agricultural sector are deemed to be “satisfactory”, but are not guaranteed due to inadequate and unequal distribution of resources and unequal terms of trade which increase women’s vulnerability to poverty. What steps have been taken to ensure women’s active participation in the design and implementation of programmes in the agricultural sector and poverty reduction programmes in general, including in the allocation of international aid?

### **Marriage and family relations**

28. The Family Code is acknowledged to have weaknesses and obstacles that preclude its effectiveness for women and children. Specifically noted are “the mechanisms by which justice is applied in the country” and social, cultural and economic factors that may constitute obstacles to women’s access to justice (paras. 361, 362). Please outline steps being taken by the State party to enhance women’s knowledge of their rights, and their capacity to access to justice, in all family matters.

### **Optional Protocol and amendment to article 20, paragraph 1**

29. Please indicate any progress made with respect to the ratification of/accession to the Optional Protocol to the Convention. Please also describe progress towards acceptance of the amendment to article 20, paragraph 1, of the Convention.