



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

Distr.: General  
1 November 2022

Original: English

## Committee on the Elimination of Discrimination against Women

### Concluding observations on the ninth periodic report of Honduras\*

1. The Committee considered the ninth periodic report of Honduras (CEDAW/C/HND/9) at its 1922nd and 1924th meetings (CEDAW/C/SR.1922 and CEDAW/C/SR.1924), held on 18 and 19 October 2022. The list of issues and questions raised by the pre-sessional working group is contained in CEDAW/C/HND/Q/9, and the responses of Honduras are contained in CEDAW/C/HND/RQ/9.

#### A. Introduction

2. The Committee appreciates the submission by the State party of its ninth periodic report. It also appreciates the State party's follow-up report to the previous concluding observations of the Committee (CEDAW/C/HND/CO/7-8/Add.1) and its written replies to the list of issues and questions raised by the pre-sessional working group on the ninth periodic report. It welcomes the oral presentation by the delegation and the further clarifications provided in response to the questions posed orally by the Committee during the dialogue.

3. The Committee commends the State party on its multisectoral delegation, which was headed by the State Secretary at the Office for Women's Affairs, Doris Yolany Garcia Paredes, and included representatives of the Ministry of Foreign Affairs and International Cooperation, the Secretariat of State for Human Rights, the Secretariat of State for Women's Affairs, the Undersecretariat of State for Security and Law Enforcement, the Secretariat of State for Social Development and the Permanent Mission of Honduras to the United Nations Office and other international organizations in Geneva.

#### B. Positive aspects

4. The Committee welcomes the progress achieved since the consideration in 2016 of the State party's combined seventh and eighth periodic reports in undertaking legislative reforms, in particular the adoption of the following:

(a) Regulations for the National Solidarity Credit Programme for Rural Women Act, in 2018;

\* Adopted by the Committee at its eighty-third session (10-28 October 2022).



(b) Legislative Decree No. 44-2017 of 12 July 2017, which raises the minimum age of marriage to 18 years for both women and men;

(c) Legislative Decree No. 125-2016 of 3 July 2017, which creates the legal framework to adequately ensure a nutritional food ration to children in all public schools at the pre-basic, basic and secondary education levels in the State party;

(d) Agreement No. 003-2016, which regulates the implementation of the principle of parity and alternation in the political participation of women in electoral processes.

5. The Committee welcomes the State party's efforts to improve its institutional and policy framework aimed at accelerating the elimination of discrimination against women and promoting gender equality, such as the adoption and establishment of the following:

(a) Gender Equality Observatory, as a mechanism for the monitoring of the implementation of gender mainstreaming in all State institutions, in 2019;

(b) Strategic Plan against Commercial Sexual Exploitation and Trafficking in Persons (2016–2022).

### **C. Sustainable Development Goals**

6. **The Committee welcomes the international support for the Sustainable Development Goals and calls for the realization of de jure (legal) and de facto (substantive) gender equality, in accordance with the provisions of the Convention, throughout the process of implementing the 2030 Agenda for Sustainable Development. The Committee recalls the importance of Goal 5 and of the mainstreaming of the principles of equality and non-discrimination throughout all 17 Goals. It urges the State party to recognize women as the driving force of the sustainable development of Honduras and to adopt relevant policies and strategies to that effect.**

### **D. National Congress**

7. **The Committee stresses the crucial role of the legislative power in ensuring the full implementation of the Convention (see [A/65/38](#), part two, annex VI). It invites the National Congress, in line with its mandate, to take the necessary steps regarding the implementation of the present concluding observations between now and the submission of the next periodic report under the Convention.**

### **E. Principal areas of concern and recommendations**

#### **Women's rights and gender equality in relation to the pandemic and recovery efforts**

8. The Committee takes note of the measures taken by the State party to implement gender-responsive recovery strategies related to the coronavirus disease (COVID-19) pandemic and targeted measures to alleviate the negative socioeconomic impact of the pandemic on women and girls. However, the Committee is concerned about the further increase in the already high prevalence of gender-based violence against women, including domestic violence, as well as the increasing feminization of poverty during the pandemic, which have disproportionately affected women and girls belonging to disadvantaged and marginalized groups, who already faced

multiple and intersecting forms of discrimination prior to the pandemic and whose condition further deteriorated during the pandemic.

9. **In line with its guidance note on the obligations of States parties to the Convention in the context of the COVID-19 pandemic, issued on 22 April 2020, the Committee recommends that the State party:**

(a) **Implement measures to redress long-standing inequalities between women and men by placing women at the centre of COVID-19 recovery strategies, in accordance with the 2030 Agenda, paying particular attention to unemployed women, women living in poverty, women belonging to ethnic and national minority groups, women in humanitarian settings, older women, women with disabilities, and migrant, refugee and asylum-seeking women;**

(b) **Review its strategies to ensure that all COVID-19 recovery efforts, including emergency measures, are aimed at effectively preventing gender-based violence against women and girls, ensure the equal participation of women and girls in political and public life and in decision-making in the context of recovery efforts, economic empowerment and service delivery, and ensure that such strategies are designed so that women and girls benefit on an equal basis with men and boys from stimulus packages, including financial support for unpaid care roles, that are aimed at mitigating the socioeconomic impact of the pandemic.**

#### **Visibility of the Convention and the Committee's general recommendations**

10. The Committee remains concerned about the limited visibility of the Convention in the State party, in particular among women. It is concerned that women, especially rural women, women belonging to ethnic minorities, migrant, refugee and asylum-seeking women and women with disabilities are often not aware of their rights under the Convention and the remedies available to claim them.

11. **Recalling its previous recommendations (CEDAW/C/HND/CO/7-8, para. 9), the Committee recommends that the State party:**

(a) **Disseminate and give more visibility to the Convention and the Committee's general recommendations;**

(b) **Consider establishing a comprehensive mechanism for the implementation of the present concluding observations and involve non-governmental organizations promoting women's rights and gender equality in the work of the mechanism, taking into account the four key capacities of a national mechanism for reporting and follow-up, namely, engagement, coordination, consultation and information management;**

(c) **Raise awareness among women of their rights under the Convention and the legal remedies available to them to claim violations of those rights and ensure that information on the Convention and the Committee's general recommendations is accessible to all women;**

(d) **Provide systematic capacity-building for government officials, judges, prosecutors, police officers and other law enforcement officials, as well as lawyers, on the Convention.**

#### **Constitutional and legislative framework and discriminatory laws**

12. The Committee notes that the principles of equality and non-discrimination are enshrined in the Constitution. However, it remains concerned about intersecting forms of discrimination against disadvantaged and marginalized groups of women in the

State party, in particular women living in poverty, women with disabilities, rural women, Indigenous women, Afro-Honduran women, lesbian, bisexual and transgender women, and women human rights defenders.

**13. The Committee recommends that the State party:**

**(a) Adopt legislation that prohibits all forms of discrimination against women and covers direct and indirect discrimination in the public and private spheres, as well as intersecting forms of discrimination, in accordance with article 1 of the Convention;**

**(b) Ensure the effective application of the constitutional prohibition of sex-based discrimination;**

**(c) Devise a comprehensive system to collect data on discrimination against women, disaggregated by age, nationality, ethnicity, disability and socioeconomic status.**

**Women's access to justice**

**14. The Committee remains concerned about:**

**(a) The lack of independence, impartiality and gender-responsiveness of the justice system, which is reinforced by insufficient resource allocation, poor infrastructure and a lack of specialized gender-based violence units and personnel, including police officers, prosecutors and judges trained on gender issues, resulting in a dysfunctional and corrupt judiciary and an overall culture of impunity;**

**(b) The lack of proper investigation, evidence collection and forensic facilities and capacities, which results in lengthy delays in legal proceedings and the revictimization of women;**

**(c) Legal illiteracy among many women and girls and the persistent reluctance of women to file complaints owing to judicial gender bias and discriminatory attitudes among law enforcement personnel;**

**(d) The lack of an effective witness protection programme.**

**15. The Committee, recalling its previous recommendations (CEDAW/C/HND/CO/7-8, para. 13) and its general recommendation No. 33 (2015) on women's access to justice, recommends that the State party:**

**(a) Strengthen the judicial system, including through the allocation of additional human, technical and financial resources, with a view to handling cases in a timely, gender-sensitive, non-discriminatory and effective manner;**

**(b) Foster the professionalism, independence, accountability and gender awareness of judges, prosecutors and police officers, including in their selection, promotion and dismissal;**

**(c) Enhance women's and girls' knowledge of their rights and their means of enforcing them, placing particular emphasis on the integration of education on women's rights and gender equality and on legal literacy programmes into curricula at all levels, and strengthen capacity-building and awareness-raising programmes for the judiciary to eliminate gender bias and stereotyping and on gender-sensitive investigation and interrogation methods;**

**(d) Ensure that women and girls have access to victim and witness assistance and protection programmes and promote the expansion and institutionalization of the comprehensive victim care model.**

### **National machinery for the advancement of women**

16. The Committee welcomes the adoption of Executive Decree No. 5-2022, which elevates the National Institute of Women to a State Secretariat for Women's Affairs, with ministerial rank. The Committee, however, notes with concern:

(a) That the State Secretariat for Women's Affairs, which acts as the national machinery for the advancement of women, lacks sustainable funding and sufficient human resources to effectively discharge its mandate;

(b) The lack of systematic gender mainstreaming and gender-responsive budgeting across all government departments;

(c) The absence of a comprehensive national strategy on gender equality and women's rights.

17. **Recalling the guidance provided in the Beijing Declaration and Platform for Action, in particular regarding the conditions necessary for the effective functioning of national machineries, the Committee recommends that the State party:**

(a) **Ensure the integrity of and increase the human, technical and financial resources allocated to the State Secretariat for Women's Affairs and enhance the gender-specific expertise among its staff to enable it to coordinate efforts to promote gender equality, mainstream gender and introduce gender-responsive budgeting across all government departments;**

(b) **Adopt an integrated gender-responsive budgeting process and allocate sufficient budgetary resources for the advancement of women's rights, ensure the application of effective monitoring and accountability mechanisms across all government departments and improve the system for tracking the allocation of resources for women;**

(c) **Adopt a comprehensive national strategy on gender equality and women's rights, with the active participation of women's rights groups and civil society organizations.**

### **National human rights institution**

18. The Committee welcomes the reaccreditation of the National Human Rights Commission with "A status" by the Global Alliance of National Human Rights Institutions in 2019. However, it remains concerned that the Subcommittee on Accreditation noted: (a) the lack of interpretation of the Commission's mandate in a broad and proactive manner to cover issues related to business and human rights, violence and insecurity; (b) the need for more effective engagement with the international and regional human rights systems; (c) the need to enhance and formalize its working relationships and cooperation with civil society organizations and women human rights defenders; (d) the need for a sufficiently broad and transparent selection and appointment process; (e) the need to advocate an increased budget to ensure that it can effectively carry out its mandate and provide appropriate training to staff; and (f) the need to amend its enabling law to ensure an objective and independent dismissal process and to limit the terms of office of the Commissioners and their functional immunity.

19. The Committee recommends that the State party address the recommendations of the Subcommittee on Accreditation and strengthen the National Human Rights Commission to ensure that it has an effective and independent mandate in compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), follow up on the recommendations of the Commission and seek the advice and technical support of the Office of the United Nations High Commissioner for Human Rights in this regard.

#### **Temporary special measures**

20. The Committee remains concerned that the information provided by the State party indicates a lack of adequate understanding of the nature, scope and necessity of temporary special measures aimed at accelerating the substantive equality of women and men, in accordance with article 4 (1) of the Convention. It also notes with concern the absence of temporary special measures other than electoral quotas, in particular to address intersecting forms of discrimination against rural women, Indigenous women, Afro-Honduran women, women with disabilities and lesbian, bisexual and transgender women.

21. **Recalling its previous recommendation (CEDAW/C/HND/CO/7–8, para. 19) and drawing attention to its general recommendation No. 25 (2004) on temporary special measures, the Committee recommends that the State party take targeted measures, including temporary special measures in accordance with article 4 (1) of the Convention, to accelerate substantive equality of women and men, in particular rural women, Indigenous women, Afro-Honduran women, women with disabilities and lesbian, bisexual and transgender women, in all areas under the Convention where women are underrepresented or disadvantaged, including political and public life, education, employment and health.**

#### **Stereotypes and harmful practices**

22. The Committee remains concerned about the persistence of deep-rooted discriminatory stereotypes concerning the roles and responsibilities of women and men in the family and in society, which overemphasize the traditional role of women as mothers and wives, thereby undermining women's social status, autonomy, educational opportunities and professional careers and exacerbating gender-based violence against women.

23. **Recalling its previous recommendations (CEDAW/C/HND/CO/7–8, para. 21) and drawing attention to joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2019) on harmful practices, the Committee recommends that the State party adopt a comprehensive strategy to eliminate patriarchal attitudes and stereotypes that discriminate against women. Such measures should include efforts at all levels, in collaboration with civil society, to educate the public and raise awareness of the negative impact of discriminatory stereotypes on women's enjoyment of their human rights.**

#### **Gender-based violence against women**

24. The Committee reiterates its concern about the persistence of gender-based violence against women in the State party, including sexual violence. It regrets that the persistence of high levels of insecurity, violence and organized crime in the State party is negatively affecting the enjoyment by women and girls of their human rights. It is particularly concerned that, according to the Economic Commission for Latin

America and the Caribbean, Honduras had the highest femicide rate in Latin America in 2019. It also notes with concern:

(a) The reduction in article 193 of the Penal Code of the minimum sentence for the crime of femicide (15 years less than under the previous Penal Code), and that at least 278 femicides in the State party were reported in 2020 and 318 in 2021, committed mostly by intimate partners or former intimate partners;

(b) That the new Penal Code no longer specifically criminalizes marital rape;

(c) The underreporting of gender-based violence against women and girls due to victims' fear of stigmatization or reprisals, economic dependence on an abusive partner, legal illiteracy, language barriers and a lack of trust in law enforcement authorities;

(d) The lack of adequate assistance and remedies for women seeking to escape violent relationships, the insufficient number of adequate shelters across the State party and the frequent practice of sending victims back to their abusive partners or compelling them to part with their children;

(e) That the Office of the Special Prosecutor for Child Protection registered 6,951 cases for the crime of sexual abuse against children and adolescents between 2016 and 2020;

(f) The persistence of gender-based violence and discrimination against lesbian, bisexual and transgender women, exacerbated by widespread impunity for perpetrators of hate crimes, including gender-based violence against and killings of lesbian, bisexual and transgender women.

**25. Recalling its previous recommendations (CEDAW/C/HND/CO/7–8, para. 23) and in line with its general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, and with target 5.2 of the Sustainable Development Goals on the elimination of all forms of violence against all women and girls in the public and private spheres, the Committee recommends that the State party strictly enforce and monitor the enforcement of legislation criminalizing gender-based violence against women and strengthen its public security strategy to combat organized crime and to eliminate the related high levels of insecurity and violence that continue to affect women and girls. It also recommends that the State party:**

(a) **Amend the Penal Code to increase the sentences for femicide to make them commensurate with the gravity of the crime, and ensure that cases of femicide are investigated by the Inter-Agency Commission for the Monitoring of Investigations into Violent Deaths among Women and Femicides and that perpetrators are prosecuted and adequately punished;**

(b) **Amend the Penal Code to specifically criminalize marital rape, base the definition of rape on the absence of free consent and ensure that sentences for gender-based violence against women are commensurate with the gravity of the offences;**

(c) **Encourage the reporting of domestic violence against women and girls by raising awareness among women and men, including through educational and media campaigns, with the active participation of women's organizations and women human rights defenders, on the criminal nature of gender-based violence against women, challenge its social legitimization and destigmatize and protect women from reprisals for reporting incidents of gender-based violence;**

(d) Ensure the availability of a dedicated hotline available 24 hours a day, seven days a week, for victims of domestic and sexual violence and expand the network of specialized, inclusive and accessible shelters for women and girls who are victims of gender-based violence, taking into account their specific needs, and provide women who cannot safely return to their homes with psychosocial counselling, financial support, professional training, income-generating activities, shelter or affordable housing and, if necessary to ensure their safety, a changed identity;

(e) Establish effective procedures to investigate cases of sexual abuse and harassment of girls, prosecute perpetrators, and ensure that victims can file complaints without their parents or legal guardian and have access to free legal aid, medical assistance, psychosocial counselling and rehabilitation;

(f) In line with its general recommendation No. 28 (2010) on the core obligations of States parties under article 2 of the Convention, exercise due diligence to protect lesbian, bisexual and transgender women from discrimination and gender-based violence;

(g) Collect comprehensive data, disaggregated by age, sex, relationship between the victim and the perpetrator, and other sociodemographic characteristics, such as disability, to better inform policies and strategies to combat gender-based violence against women and girls, including domestic and sexual violence.

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

26. The Committee notes with concern:

(a) That the State party has failed to adopt comprehensive anti-trafficking legislation in line with international standards, although it is a source, transit and destination country for trafficking in women and girls, and the lack of statistical data on the extent of trafficking and its root causes, including in humanitarian settings;

(b) That migrant, refugee and asylum-seeking women and girls are at a higher risk of becoming victims of trafficking for purposes of sexual or labour exploitation;

(c) The underreporting of and low conviction rates in cases of trafficking in women and girls for the purposes of forced labour, irregular adoptions and sexual servitude, and the absence of information on measures for the early identification and referral of victims to appropriate services;

(d) The high number of girls exploited in prostitution and domestic servitude in the State party;

(e) The lack of adequately funded shelters for victims of trafficking.

27. In the light of its general recommendation No. 38 (2020) on trafficking in women and girls in the context of global migration and recalling its previous recommendations (CEDAW/C/HND/CO/7–8, para. 25), the Committee recommends that the State party:

(a) Bring the definition of trafficking in persons in its legislation into conformity with the Convention, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime and relevant international human rights standards, and systematically collect data on human trafficking, disaggregated by sex, age, nationality, ethnicity, disability and socioeconomic status;



(b) Strengthen coordination between the Inter-Agency Commission against Commercial Sexual Exploitation and Trafficking in Persons, the Public Prosecutor's Office and the police to ensure the protection of women and girls who are victims of trafficking and enhance training and capacity-building efforts for law enforcement and border officers to increase their ability to identify victims of trafficking and refer them to appropriate services;

(c) Ensure that traffickers and complicit State agents are prosecuted and adequately punished and provide information on the prosecution and conviction rates in trafficking cases in its next periodic report;

(d) Address the exploitation of women and girls in prostitution and domestic servitude, prosecute and punish perpetrators, reduce the demand for commercial sex and provide exit programmes for women wishing to leave prostitution, including alternative income-generating opportunities;

(e) Significantly increase the number and funding of shelters for victims of trafficking in both urban and rural areas and provide free legal aid, adequate medical assistance, psychosocial counselling, financial support, education, professional training and access to income-generating opportunities to women and girls who are victims of trafficking.

#### **Equal participation in political and public life**

28. The Committee notes with concern:

(a) The persistence of structural barriers to participation in political and public life faced by women, in particular rural women, Indigenous women, Afro-Honduran women, lesbian, bisexual, transgender and intersex women, and women with disabilities;

(b) That women account for only 5.4 per cent of mayors;

(c) The low representation of women in decision-making positions in the Government;

(d) The prevalence of hate speech and harassment against women politicians and candidates in political discourse, which hamper the participation of women in political and public life.

29. Recalling its general recommendation No. 23 (1997) on women in political and public life, as well as target 5.5 of the Sustainable Development Goals, the Committee recommends that the State party:

(a) Adopt temporary special measures, such as statutory quotas and a gender parity system, in line with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures, to ensure the equal representation of women, including rural women, Indigenous women, Afro-Honduran women, lesbian, bisexual, transgender and intersex women, and women with disabilities, at the decision-making level, in the National Congress, regional and municipal legislative bodies, the Government, the civil service and the foreign service;

(b) Provide capacity-building in political leadership and campaigning skills and access to campaign financing for women candidates;

(c) Raise awareness among political leaders and the general public that the full, equal, free and democratic participation of women in political and public life on an equal basis with men is an essential condition for sustainable development and for the full implementation of the Convention;

(d) **Strengthen mechanisms to prevent hate speech against women politicians, women human rights defenders and women candidates in political and public discourse, including online, and prevent harassment and threats against them, including by strengthening reporting and monitoring mechanisms, requiring all political parties to adopt codes of conduct to promote gender equality and combat harassment against women candidates and activists, and holding social media companies accountable for discriminatory user-generated content.**

#### **Women human rights defenders**

30. The Committee is concerned about the adoption by the State party of a number of amendments to the Code of Criminal Procedure, which criminalize social protest, thereby limiting the rights to freedom of peaceful assembly and of association of women human rights defenders. The Committee is particularly concerned about harassment, gender-based violence, and acts of intimidation and reprisals against women human rights defenders.

31. **The Committee recommends that the State party:**

(a) **Repeal all amendments to the Code of Criminal Procedure criminalizing social protest to ensure that women human rights defenders and activists can freely carry out their advocacy for women's human rights and exercise their rights to freedom of expression, peaceful assembly and association free from harassment, surveillance or undue restrictions;**

(b) **Investigate and prosecute all acts of harassment, gender-based violence and discrimination, and intimidation and reprisals against women human rights defenders, provide remedies and reparations to victims and establish a specific registry of such incidents, with disaggregated data and publicly available statistics;**

(c) **Raise awareness of the contribution of women human rights defenders to the realization of women's rights.**

#### **Nationality**

32. The Committee notes the measures taken by the State party to prevent and reduce statelessness, including of women and girls, and the signature of a memorandum of understanding between the National Registry of Persons and the civil registries of Guatemala and El Salvador to facilitate the registration of children born to Honduran parents living in border areas. However, the Committee notes with concern shortcomings and delays in birth registrations and in the registration, issuance and renewal of identity cards for refugee women and girls in the State party.

33. **Recalling its general recommendation No. 32 (2014) on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women, the Committee recommends that the State party strengthen the National Registry of Persons by providing it with adequate human, technical and financial resources, facilitate birth registration and registration of refugee and asylum-seeking women and girls through online procedures, simplify and minimize the fees for birth registration procedures and deploy mobile civil registration units to issue birth certificates in border, rural and remote areas.**

#### **Education**

34. The Committee notes the increase in the budget allocated to the Ministry of Education and welcomes the initiatives to ensure equal access to quality education

for Indigenous and Afro-Honduran children and adolescents. The Committee nevertheless notes with concern:

- (a) The disproportionately high levels of illiteracy among women, in particular among Indigenous, Afro-Honduran and rural women;
- (b) The low enrolment rates among women and girls compared with men and boys;
- (c) The relatively high rates of early pregnancy and school dropout among girls, due also to child marriage;
- (d) Persistent discriminatory gender stereotypes in the education system, including an emphasis on traditional roles of women in school textbooks;
- (e) The lack of sexuality education addressing the role of social gender relations and the impact of patriarchal attitudes and discriminatory gender stereotypes on women's and girls' sexuality;
- (f) Barriers preventing Indigenous and rural girls and women from attending virtual education programmes during the period of confinement in the context of the COVID-19 pandemic, in particular caused by the lack of technological equipment;
- (g) Harassment, corporal punishment and bullying of girls and women, in particular lesbian, bisexual and transgender women, in educational environments and the limited information on the number of complaints and investigations in such cases and on the penalties imposed.

**35. In the light of its general recommendation No. 36 (2017) on the right of girls and women to education and recalling its previous recommendations (CEDAW/C/HND/CO/7-8, para. 33), the Committee recommends that the State party promote the importance of girls' education at all levels, as a basis for their empowerment, and:**

- (a) Reduce the high illiteracy rate among women and girls, with a focus on girls living in poverty, rural girls, Indigenous women, Afro-Honduran women, pregnant women and girls and young mothers, women and girls with disabilities and refugee and asylum-seeking women and girls, through temporary special measures, such as quotas with time-bound targets, to increase the enrolment, retention and completion rates among girls and women in secondary and higher education;**
- (b) Adopt temporary special measures, including financial incentives and scholarships for female students, to promote the enrolment of girls and women at all levels of education, in particular in non-traditional fields of study, including science, technology, engineering and mathematics and information and communications technology;**
- (c) Promote the enrolment, attendance and retention of girls and women in school, especially at the secondary and higher levels, in particular with regard to girls and women living in poverty, rural girls and women, Indigenous women, and Afro-Honduran women, reduce dropout rates and facilitate the reintegration of pregnant girls and women and adolescent mothers into the education system, including by raising awareness among parents, community leaders and girls and women on the importance of education for their life choices and career prospects;**
- (d) Raise the awareness of teachers and introduce mandatory training on gender equality to ensure so that they do not reinforce gender stereotypes in education;**

(e) **Include gender-sensitive, age-appropriate and accessible education on sexual and reproductive health and rights in school curricula, including education on responsible sexual behaviour to prevent early pregnancy and sexually transmitted infections and provide systematic training on women's and girls' sexual and reproductive health and rights to teachers at all levels of the education system;**

(f) **Adopt and implement a strategy to guarantee access to technology for Indigenous and rural girls and women, to enable them to benefit from distance learning and enrol in Internet-based education programmes;**

(g) **Develop a national anti-bullying policy to provide safe and inclusive educational environments free from discrimination, harassment and gender-based violence against girls and women, including through safe transportation to and from schools in humanitarian settings, and investigate, prosecute and adequately punish all cases of harassment and gender-based violence against girls and women in educational institutions.**

### **Employment**

36. The Committee appreciates the information provided by the delegation during the interactive dialogue that a time-use survey was conducted to facilitate understanding of gender differences in the use of time and activities and the strategies women and men use to sustain livelihoods in the State party. However, the Committee notes with concern:

(a) The low workforce participation rate among women (42.33 per cent in 2021) due to the disproportionate burden of unpaid domestic and care work placed on women;

(b) The occupational segregation and concentration of women in low-paid jobs in the informal economy and domestic work, without access to labour and social protection, and women's loss of income during the COVID-19 pandemic, especially in rural and remote areas;

(c) The persistent gender pay gap;

(d) The high unemployment rate among Indigenous women, rural women and women with disabilities;

(e) The lack of measures to address sexual harassment in the workplace, especially of young women and lesbian, bisexual, transgender and intersex women.

37. **In line with target 8.5 of the Sustainable Development Goals on the achievement of full and productive employment and decent work for all women and men and recalling its previous recommendations (CEDAW/C/HND/CO/7-8, para. 35), the Committee recommends that the State party:**

(a) **Address the high unemployment rate among women by enhancing women's access to formal employment, especially for refugee women and women from marginalized groups, and extend social protection schemes to women employed in the informal economy by, inter alia, implementing the findings of the time-use survey;**

(b) **Strengthen efforts to eliminate horizontal and vertical occupational segregation and encourage women and girls to choose non-traditional career paths, in particular in science, technology, engineering and mathematics, information and communications technology and artificial intelligence;**

(c) **Effectively enforce the principle of equal pay for work of equal value, in order to narrow and eventually close the gender pay gap, by: (i) conducting**

regular labour inspections; (ii) applying gender-neutral analytical job classification and evaluation methods; (iii) conducting regular pay surveys; and (iv) encouraging employers to publish a narrative with their gender pay gap data, with a view to better understanding the reasons behind the gender wage gap, and to take appropriate remedial measures;

(d) Ensure that Indigenous women, rural women and women with disabilities have access to employment and accessible transportation to promote their inclusion in public and private employment;

(e) Explicitly criminalize sexual harassment in the workplace and ensure that victims of sexual harassment in the workplace have access to effective, independent and confidential complaint procedures and that all complaints are effectively investigated and those responsible adequately punished, and protect victims from retaliation;

(f) Ratify the Maternity Protection Convention, 2000 (No. 183), the Domestic Workers Convention, 2011 (No. 189), and the Violence and Harassment Convention, 2019 (No. 190), of the International Labour Organization.

### Health

38. The Committee notes the decrease in the maternal mortality rate in the State party. However, it notes with concern:

(a) The criminalization of abortion without exception, resulting in a high number of women and girls seeking unsafe abortions and in preventable maternal mortality;

(b) The prohibition of the promotion, use, sale and purchase of emergency contraception, including when pregnancy results from rape or incest;

(c) The alarmingly high percentage of women testing positive for the human papillomavirus, with 6 of 15 tested women presenting lesions;

(d) The limited access for women and girls to sexual and reproductive health information, including information on responsible sexual behaviour, and to family planning and modern contraceptives, especially in rural areas;

(e) The high rate of HIV among women and the lack of a gender perspective in existing laws and policies to combat HIV/AIDS.

39. **Recalling its general recommendation No. 24 (1999) on women and health and taking into account its statement on sexual and reproductive health and rights, adopted at its fifty-seventh session, in 2014, the Committee notes that unsafe abortion is a leading cause of maternal morbidity and mortality. It reiterates its previous recommendations (CEDAW/C/HND/CO/7–8, paras. 37 and 39) that the State party:**

(a) **Legalize abortion at least in cases of rape, incest, risk to the life of the pregnant woman and severe foetal impairment, decriminalize it in all other cases and ensure that women and girls have access to safe abortion and post-abortion services;**

(b) **Ensure the free distribution and commercialization of emergency contraception, in particular for women and girls who are victims of sexual violence, and ensure that women have access to adequate sexual and reproductive health services and information, including family planning, to prevent early pregnancy and sexually transmitted infections;**

(c) **Adopt a strategy to prevent and address cervical cancer, including by disseminating information on the linkages between human papillomavirus and cervical cancer, increasing education and awareness-raising for both men and women on prevention methods and ensuring that all women and girls have access to regular screening and the full vaccination schedule, especially in rural and remote areas;**

(d) **Strengthen initiatives to ensure that adolescents and young women and men, in particular those out of school, have access to age-appropriate and scientifically proven education on sexual and reproductive health and rights, including on responsible sexual behaviour;**

(e) **Ensure that women and girls with HIV/AIDS have free access to antiretroviral medicines to prevent mother-to-child transmission, promote voluntary HIV testing, raise awareness among women and men, including those who engage in risky sexual behaviour and those living with HIV, of their responsibilities in reducing the transmission of HIV and other sexually transmitted infections to their partners, and integrate a gender perspective into its policies to combat HIV/AIDS.**

#### **Economic empowerment**

40. The Committee remains concerned about the disproportionately high levels of poverty and the limited access to economic and social benefits for disadvantaged and marginalized groups of women, in particular Indigenous, Afro-Honduran and rural women and women with disabilities.

41. **The Committee recommends that the State party:**

(a) **Strengthen efforts to reduce poverty among women, with a particular focus on disadvantaged and marginalized groups of women, such as Indigenous, Afro-Honduran and rural women and women with disabilities, promote their access to low-interest loans without collateral and participation in entrepreneurial initiatives to empower them economically and provide them with opportunities to acquire the skills necessary to participate in economic life;**

(b) **Increase women's access to the national social security system and to social protection schemes, especially for women belonging to disadvantaged groups.**

#### **Rural and Indigenous women**

42. The Committee is concerned about the limited access of rural and Indigenous women to education, employment and health care. It also notes with concern that rural and Indigenous women are underrepresented in decision-making and leadership positions and:

(a) The lack of consultations with Indigenous women on large-scale projects, such as tourism, agro-industrial and hydroelectric projects undertaken by foreign investors and private enterprises on Indigenous lands and using their natural resources, as well as the adverse impact of climate change on rural and Indigenous women, including intense drought, loss of crops and food and water insecurity;

(b) The forced eviction and displacement of Indigenous women and girls, labour exploitation, serious health consequences, and sexual violence and trafficking related to business and development projects on Indigenous lands;

(c) The intimidation, harassment and threats against rural and Indigenous women environmental activists participating in peaceful protests to protect their lands and the criminalization of their activities.

43. Recalling its general recommendations No. 34 (2016) on the rights of rural women, No. 37 (2018) on the gender-related dimensions of disaster risk reduction in the context of climate change and No. 39 (2022) on the rights of Indigenous women and girls, the Committee reiterates its previous concluding observations (CEDAW/C/HND/CO/7-8, para. 43) and recommends that the State party:

(a) Ensure that economic activities, including logging, development, investment, tourism, extractive, mining and climate mitigation and adaptation programmes, and conservation projects, are implemented only in Indigenous territories and protected areas with the effective participation of Indigenous women, including full respect for their right to free, prior and informed consent and the undertaking of adequate consultation processes;

(b) Prevent, address, sanction and eradicate all forms of gender-based violence against rural and Indigenous women and girls, including environmental, spiritual, political, structural, institutional and cultural violence that are attributable to extractive industries, and ensure that Indigenous women and girls have timely and effective access to both non-Indigenous and Indigenous justice systems, including protection orders and prevention mechanisms when needed, and the effective investigation of cases of missing and murdered Indigenous women and girls free from all forms of discrimination and bias;

(c) Prevent, investigate and punish all forms of political violence against rural and Indigenous women politicians, candidates, human rights defenders and activists at the national, local and community levels, and recognize and respect ancestral forms of organization and the election of representatives.

#### **Women and girls in detention**

44. The Committee is concerned about the conditions of detention for women deprived of their liberty, including the overcrowding in detention facilities due to the extensive use of pretrial detention, and their limited access to food, medical treatment and hygiene products for them and their accompanying children. It further notes with concern the deaths of six women during a prison riot and of at least three other women during further incidents at the National Women's Social Adaptation Penitentiary in Támara, Francisco Morazán, in 2020.

45. The Committee recommends that the State party:

(a) Improve the conditions in women's detention facilities in accordance with the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) and the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) and address the overcrowding in detention facilities by providing alternatives to detention to reduce the high number of pretrial women detainees;

(b) Ensure that women deprived of their liberty and their accompanying children have adequate access to food, medical treatment and hygiene products, and provide an appropriate environment, recreation, educational activities and privacy for women detainees, including those who are pregnant, accompanied by their children and women with disabilities;

(c) Ensure that women are able to file confidential complaints about sexual violence, intimidation, harassment and abusive conduct by guards and supervising staff in detention centres, that such complaints are promptly, independently and impartially investigated and that perpetrators are prosecuted and adequately punished;

(d) **Conduct an independent inquiry into the violent deaths of women detainees during the prison riot and further incidents at the National Women's Social Adaptation Penitentiary in Támara, Francisco Morazán, in 2020, bring those responsible to justice and provide adequate reparations to the survivors of the deceased women;**

(e) **Collect data on women deprived of liberty disaggregated by age, ethnicity, disability, nationality, geographical location and socioeconomic background.**

#### **Refugee, returnee, internally displaced and migrant women and girls**

46. The Committee takes note of the efforts put in place by the State party to address the needs of thousands of internally displaced persons and returnees, including the establishment of the Inter-Institutional Commission for the Protection of Persons Displaced by Violence and the submission to the National Congress of a draft bill on the prevention, assistance and protection of displaced people, in 2020. However, the Committee notes with concern:

(a) That approximately 250,000 persons are currently internally displaced in the State party, of whom more than half are women and girls, facing exposure to a heightened risk of sexual and gender-based violence;

(b) That, in 2022, more than 72,000 Hondurans have been deported from the United States of America and Mexico and returned to the State party, and the absence of defined and coordinated procedures, protocols and resources to ensure their protection.

47. **In line with its general recommendations No. 32 (2014) on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women and No. 30 (2013) on women in conflict prevention, conflict and post-conflict situations, the Committee recommends that the State party:**

(a) **Swiftly adopt the draft bill on the prevention, assistance and protection of displaced people;**

(b) **Provide internally displaced women and girls who are victims of gender-based violence with free and immediate access to medical services, legal assistance and a safe environment, as well as to female health-care providers and services such as reproductive health care and counselling;**

(c) **Ensure that immediate humanitarian assistance needs and protection requirements are complemented by long-term strategies in support of the socioeconomic rights and livelihood opportunities of returnee, refugee and migrant women, with a view to ensuring that they have adequate access to health services, education, food, shelter, freedom of movement, registration and durable solutions, as well as sustainable employment opportunities;**

(d) **Address the specific risks and needs of different groups of returnees, internally displaced, refugee and migrant women who are subject to multiple and intersecting forms of discrimination.**

#### **Marriage and family relations**

48. The Committee notes with concern:

(a) That Decree No. 3-2021, which amends article 112 of the Constitution, prohibits same-sex marriage and the recognition of same-sex marriages and registered unions entered into under private international law;



(b) That article 22 of the Special Act on Adoption (2018) prohibits the adoption of children by women in same-sex marriages or de facto unions;

(c) The significant number of child marriages administered by municipal authorities, especially in deprived rural areas, their wide acceptance in society and the insufficient efforts made by the State party to prevent them and adequately punish perpetrators.

**49. The Committee recommends that the State party:**

(a) **Amend Decree 3-2021, to legalize same-sex marriage and recognize same-sex marriages and registered unions entered into under private international law;**

(b) **Amend article 22 of the Special Act on Adoption (2018), to allow the adoption of children by women in same-sex marriages or de facto unions;**

(c) **Effectively enforce the legal minimum age of marriage (18 years) for both women and men without exception and strengthen awareness-raising efforts regarding the harmful effects of child marriage and early de facto unions on the health and development of girls.**

**Optional Protocol to the Convention and amendment to article 20 (1) of the Convention**

**50. The Committee encourages the State party to ratify, as soon as possible, the Optional Protocol to the Convention and to accept, as soon as possible, the amendment to article 20 (1) of the Convention concerning the meeting time of the Committee.**

**Beijing Declaration and Platform for Action**

**51. The Committee calls upon the State party to use the Beijing Declaration and Platform for Action and to further evaluate the realization of the rights enshrined in the Convention in order to achieve substantive equality between women and men.**

**Dissemination**

**52. The Committee requests the State party to ensure the timely dissemination of the present concluding observations, in the official language of the State party, to the relevant State institutions at all levels (national, departmental and municipal), in particular to the Government, the parliament and the judiciary, to enable their full implementation.**

**Technical assistance**

**53. The Committee recommends that the State party link the implementation of the Convention to its development efforts and that it avail itself of regional or international technical assistance in this respect.**

**Follow-up to concluding observations**

**54. The Committee requests the State party to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 15 (d), 25 (d), 39 (b) and 39 (c) above.**

**Preparation of the next report**

55. The Committee will establish and communicate the due date of the tenth periodic report of the State party in line with a future predictable reporting calendar based on an eight-year review cycle and following the adoption of a list of issues and questions prior to reporting, if applicable, for the State party. The periodic report should cover the entire period up to the time of its submission.

56. The Committee requests the State party to follow the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents ([HRI/GEN/2/Rev.6](#), chap. I).

---