



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

List of issues and questions in relation to the ninth periodic report of Honduras*

Visibility of the Convention and the Optional Protocol thereto

1. Please provide information on specific steps taken to ratify the Optional Protocol to the Convention.

2. The State party provided information in its report about multiple capacity-building activities on human rights and women's rights for public officials, justices of the peace and those in the justice sector (paras. 12, 14, 17 and 19).¹ It indicated that training courses had been conducted for police officers and that the curricula concerning criteria for addressing women's rights in the context of gender-based violence against women had been updated (paras. 20–22). In the light of the Committee's previous recommendations (CEDAW/C/HND/CO/7-8, para. 9), please provide information on the following:

(a) Measures taken to raise awareness, specifically among women, including women affected by poverty, internally displaced women, indigenous women, women of African descent, women with disabilities, women who have been deported to the State party from other countries, migrant women and rural women, about their rights under the Convention; please indicate the steps taken to translate the Convention into indigenous languages and to make it available in accessible formats;

(b) Decisions in which judges have referred to provisions of the Convention to decide court cases, including in family law, criminal law, civil law and labour law cases.

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

3. In line with the Committee's guidance note on the obligations of States parties to the Convention in the context of the coronavirus disease (COVID-19) pandemic, issued on 22 April 2020, please indicate the measures implemented by the State party to redress long-standing inequalities between women and men and to give a new

* Adopted by the pre-sessional working group on 9 July 2021.

¹ Unless otherwise indicated, paragraph numbers refer to the ninth periodic report of the State party (CEDAW/C/HND/9).



impetus to the implementation of gender equality by placing women at the centre of the recovery as a strategic priority for sustainable change, in line with the Sustainable Development Goals, to meet the needs and uphold the rights of women and girls, including those belonging to disadvantaged and marginalized groups and women in situations of conflict or other humanitarian emergencies, and to ensure that, in the context of lockdown measures, whether partial or total, and in post-crisis recovery plans, women and girls are not relegated to stereotypical gender roles. Please indicate the measures in place to ensure that all COVID-19 crisis response and recovery efforts, including the recovery and resilience plan: (a) address and are aimed at effectively preventing gender-based violence against women and girls; (b) guarantee the equal participation of women and girls in political and public life, decision-making, economic empowerment and service delivery, in particular in the design and implementation of recovery programmes; and (c) are designed so that women and girls benefit equally from stimulus packages, including financial support for unpaid care roles, that are aimed at mitigating the socioeconomic impact of the pandemic. Please explain how the State party is ensuring that measures taken to contain the pandemic, such as restrictions on freedom of movement or physical distancing, do not limit access for women and girls, including those belonging to disadvantaged and marginalized groups, to justice, shelters, education, employment and health care, including sexual and reproductive health services.

Legislative framework and definition of discrimination

4. In accordance with the State party's obligations under articles 1 and 2 of the Convention, and in line with target 5.1 of the Sustainable Development Goals, to end all forms of discrimination against all women and girls everywhere, please provide information on the following:

(a) Measures taken to adopt a comprehensive definition of discrimination that protects women against direct and indirect discrimination, including intersecting forms of discrimination, in both the public and private spheres;

(b) Legislative and policy measures taken to address intersecting forms of discrimination faced by women under the new Criminal Code, which criminalizes discrimination on several grounds, including ethnicity or race, indigenous or African descent, sex, sexual orientation and gender identity, gender, marital status, family or economic situation, age and disability (para. 23);

(c) The current status, and specific time frame for the adoption of, the draft laws on violence against women, on violence against women in politics, on shelters for victims of gender-based violence and on equity and equality.

5. The amendment of article 67 of the Constitution resulted in the prohibition of abortion on all grounds. Please indicate the measures put into place to prevent maternal mortality and to protect the life and health of women facing at-risk pregnancies and women who are victims of forced pregnancies in the context of recruitment for trafficking and gangs. Please describe the monitoring and assessment of the impact of the amendment on the sexual and reproductive health rights of women. Please indicate the steps taken or envisaged by the State party to review the amendment, which is not in conformity with international human rights standards on access to safe abortion, including the Committee's jurisprudence under article 8 of the Optional Protocol to the Convention (CEDAW/C/OP.8/GBR/1) and the views of the Human Rights Committee in *Mellet v. Ireland* (CCPR/C/116/D/2324/2013).

Access to justice and legal complaint mechanisms

6. The State party provided information about 149 convictions of perpetrators in 1,066 cases of violent deaths of women during the period 2016–2020 (para. 36). In

the light of the Committee's previous recommendations (paras. 12–13), the information provided by the State party on follow-up to concluding observations (CEDAW/C/HND/CO/7-8/Add.1) and the Committee's assessment thereof,² please provide information on the following:

(a) Measures to accelerate prosecutions in cases of gender-based violence against women, and to increase their number, and information on the number of convictions and the sentences imposed on perpetrators;

(b) Measures to implement victim support and witness protection programmes and information on the human, technical and financial resources allocated to those programmes;

(c) Access to free legal aid for women who are victims of gender-based violence and discrimination, available legal remedies, the right of such victims to file complaints and measures to ensure gender-sensitive procedures for filing complaints about such violations and to support women complainants throughout court proceedings;

(d) The number of complaints received by the Office of the Special Prosecutor for Human Rights and the National Human Rights Commission concerning cases of gender-based discrimination against women, for the past five years, disaggregated by age, sex, disability, ethnicity, gender, geographical location and migration status, and their outcomes;

(e) Other remedies and types of redress available to women in cases of gender-based discrimination, as well as for the overall protection of their rights under the Convention.

National machinery for the advancement of women

7. Please provide information on the following:

(a) Mechanisms to ensure coordination between the National Institute for Women and government ministries to implement legislation and public policies on gender equality;

(b) Current human, technical and financial resources allocated to the National Institute for Women;

(c) Impact assessment mechanisms and the progress achieved in the framework of the second gender equality and equity plan, 2010–2022;

(d) Mechanisms to promote the participation of, and consultations with, women's organizations, in particular those for indigenous women, women of African descent and women with disabilities, in the adoption and implementation of public policies and programmes by the national machinery for the advancement of women, especially the National Institute for Women, municipal offices for women and gender units at the municipal level;

(e) Measures to mainstream gender equality across sectoral policies, in particular the public policy against racism and racial discrimination for the integral development of indigenous women and girls and women and girls of African descent.

Temporary special measures

8. Please provide information on temporary special measures, in line with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures, applied during the reporting period to

² https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCEDAW%2fFUL%2fHND%2f43200&Lang=en.

accelerate the achievement of substantive equality between women and men, in particular in the areas of education, employment and economic empowerment. Please indicate whether the measures also apply to the private sector and the steps taken to adopt temporary special measures to increase the participation of women, in particularly indigenous women, women of African descent, rural women and women with disabilities, in formal employment.

Stereotypes and harmful practices

9. Information received by the Committee indicates that there are high rates of adolescent pregnancy and child marriage in the State party. Please provide information on the following:

(a) Measures taken to eliminate the persistent patriarchal attitudes and gender stereotypes on the roles and responsibilities of women and men in the family and in society that perpetuate harmful practices, including child marriage;

(b) Steps taken to mainstream gender equality into the education curriculum, in both formal and non-formal education, and impact assessments of capacity-building activities on women's rights and gender equality;

(c) The number of reported cases, prosecutions and convictions, and the sentences imposed on the perpetrators, of harmful practices, in particular child and/or forced marriage, and of neglect and abandonment of women and girls with disabilities, disaggregated by region and age of the victim.

10. Reports received by the Committee indicate that there is discrimination against women with disabilities, including through derogatory language and discriminatory provisions in public policies, isolation, abuse, forced sterilization and neglect, as well as harmful and derogatory language used against lesbian, bisexual and transgender women and intersex persons. In the light of the Committee's previous recommendations ([CEDAW/C/HND/CO/7-8](#), para. 21), please provide information on measures taken to address intersecting forms of discrimination against women and girls with disabilities, lesbian, bisexual and transgender women and intersex persons.

Gender-based violence against women

11. Information received by the Committee indicates that there is a high prevalence of gender-based violence against women in the State party, including femicides, disappearances, psychological and sexual violence and hate crimes, disproportionately affecting indigenous women, women of African descent, rural women, lesbian, bisexual and transgender women, intersex persons and women human rights defenders, and that there have been high numbers of reports of domestic violence during the COVID-19 pandemic. In the light of the Committee's general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, and target 5.2 of the Sustainable Development Goals, to eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation, please provide information on the measures taken to develop a comprehensive, long-term strategy to combat gender-based violence against women. In particular, please indicate the measures taken to:

(a) Prevent all forms of gender-based violence against indigenous women, women of African descent, women and girls with disabilities, lesbian, bisexual and transgender women, intersex persons and women human rights defenders;

(b) Ensure the prosecution, conviction and punishment of perpetrators of gender-based violence against women, including sexual violence and domestic violence perpetrated during the pandemic;

(c) Combat incest and ensure that cases of incest are, where required, identified, investigated and prosecuted;

(d) Prevent cases of gender-based violence against women in institutions, in particular in detention centres, psychiatric hospitals, centres for persons with disabilities and centres for minors, and ensure that all types of institutions are supervised by independent authorities;

(e) Provide victims with effective protection, rehabilitation and remedies, including compensation, even in the absence of the involvement of criminal law enforcement officers;

(f) Ensure that rural and indigenous women and girls and women and girls of African descent who are victims of gender-based violence have effective access to protection orders, shelters and psychosocial counselling;

(g) Collect statistical data on gender-based violence against women, for the past five years, disaggregated by age, ethnicity, disability, the relationship between the perpetrator and the victim and the types of sentence imposed on the perpetrators;

(h) Adopt the draft law on the national register of missing or disappeared persons (para. 96); please provide information on the number of protection orders issued in cases of missing or abducted girls and adolescents under the Amber Early Warning Act, and indicate the remedies available to women whose partners have been subjected to enforced disappearance and whether early warning mechanisms to prevent enforced disappearances are in place;

(i) Repeal the criminal offense of *estupro*, which applies to sexual intercourse with adolescents and contemplates that an adult may abuse a position of power to commit acts of a sexual nature with a person between 14 and 18 years of age, punishing that adult less severely, with a sentence of only 1 to 3 years' imprisonment, compared with 9 to 13 years for rape, and prosecute and convict perpetrators of non-consensual acts by applying the same provisions as in cases of rape;

(j) Provide accessible information to women with disabilities about available remedies and redress in cases of gender-based violence against them;

(k) Expand the coverage of shelters in the State party; please provide information on the number and accessibility of shelters for women and girls who are survivors of domestic and other forms of gender-based violence, including women with disabilities, and on the support available to victims.

Women human rights defenders

12. Information received by the Committee indicates that there is a high incidence of gender-based violence, including killings, threats, intimidation and violent attacks, perpetrated against women human rights defenders, in particular indigenous women and women of African descent defending land rights and participating in public life. In the light of the Committee's previous recommendations (para. 29), the information provided by the State party on follow-up to concluding observations ([CEDAW/C/HND/CO/7-8/Add.1](#)) and the Committee's assessment of it, please describe the following:

(a) Measures taken to raise awareness about the importance and legitimacy of the work carried out by women human rights defenders, indicating the time frame for the implementation of the measures and how the State party has engaged with women human rights defenders in their implementation;

(b) The main components of prevention and early warning plans and risk assessments (paras. 126–127) and specific measures to protect indigenous women

human rights defenders and women human rights defenders of African descent and any assessments made concerning the response to such early warning plans by local actors, including the police;

(c) The current status of the gender-responsive protocol for investigating, prosecuting and punishing attacks and other forms of abuse committed against women human rights defenders (para. 128), in addition to the manual for the application of the gender and intersectional approaches in the care provided by the national protection system;

(d) Measures in place to prevent the arbitrary detention, harassment and intimidation of women human rights defenders, in particular in the context of social protests.

Trafficking and exploitation of prostitution

13. In paragraph 101 of its report, the State party referred to the prevalence of trafficking in persons in the form of servitude, irregular adoption, commercial sexual exploitation, forced labour or recruitment of persons under 18 years of age for criminal activities. It also indicates that most victims of trafficking in persons are between 14 and 16 years of age and that 81 per cent of women who are victims are trafficked for sexual exploitation, in particular in tourist regions (para. 108). Please provide information on the following:

(a) Measures taken to prevent and eliminate trafficking in persons, in particular women and girls, including awareness-raising campaigns, and community networks that address the heightened risks for girls in marginalized and rural areas, women and girls with disabilities and those at risk of gender-based violence and child and/or forced marriage;

(b) Assistance, protection and services provided to women and girls who are victims of human trafficking (para. 103);

(c) Measures taken to improve international, regional and bilateral cooperation with countries of origin, transit and destination to prevent trafficking, through information exchange and harmonizing legal procedures aimed at the prosecution and punishment of perpetrators;

(d) Exit programmes for women who wish to leave prostitution and measures to prevent girls' entry to prostitution.

Participation in political and public life

14. Women continue to be underrepresented in elected positions, including in the National Congress and as mayors in the State party. They are also underrepresented in the Cabinet and in decision-making positions in the executive branch and the judiciary (paras. 113–116). In the light of the Committee's general recommendation No. 25 (2004) and general recommendation No. 23 (1997) on women in political and public life, please describe measures taken to:

(a) Increase the representation of women in political and public life, including by implementing legislation on parity and a zipper system for candidates on the electoral lists of political parties (para. 117);

(b) Promote women candidates in local and national elections, provide them with training on political campaigning, facilitate fundraising for their campaigns and promote women in leadership positions in political parties and within their communities.

15. In the light of the concern expressed by the Committee in its concluding observations on the combined seventh and eighth periodic reports of the State party (CEDAW/C/HND/CO/7-8, para. 26) about harassment and political violence against women who stand for election and about repression, discrimination and violence faced by women belonging to rural and peasant farmer communities in relation to their participation in political and public life, please provide information on the approval of the draft law against harassment and political violence against women and on the mechanisms in place, including complaint mechanisms, to monitor, investigate and punish such acts.

Nationality

16. Please provide information on the implementation of the Committee's previous recommendation (CEDAW/C/HND/CO/7-8, para. 31) that the State party ensure that migrant children, in particular unaccompanied children participating in return programmes, have access to birth certificates and identity documents. Please also provide information on the situation of stateless women and girls in the State party and measures to provide them with access to Honduran nationality.

Education

17. Please provide information on the following:

(a) Enrolment rates in primary, secondary and tertiary education among girls and women, disaggregated by location in urban or rural area, whether the student is of indigenous or African descent, disability status and migrant or refugee status;

(b) Measures to provide girl students with access to the Internet and technological devices to ensure remote schooling during the COVID-19 pandemic, in particular for indigenous girls and girls of African descent in the dry corridor and for women and girls with disabilities, as well as the accessibility of inclusive online learning methodologies and individualized support for girls with disabilities;

(c) The school dropout rate among girls, for the past five years, and the impact assessments conducted under the multisectoral plan for the prevention of teenage pregnancy (para. 156); please also indicate how the State party addresses dropout due to early pregnancy and the stigma attached to it, gender-based violence in the school environment, forced recruitment by criminal groups and the internal displacement of girls;

(d) Measures to ensure mandatory, age-appropriate education on sexual and reproductive health and rights at all levels of education, including on responsible sexual behaviour and modern contraceptives;

(e) The number of prosecutions and convictions of perpetrators of sexual harassment or abuse or other forms of gender-based violence against girls in schools, for the past five years, programmes addressing the root causes of such violence and the number of teachers having received specialized training and the number of girls having benefitted from protection, redress and psychosocial support;

(f) Women's career choices, disaggregated by age and location in urban or rural area, and measures taken to encourage women and girls to choose non-traditional fields of study, such as information and communications technologies and science, technology, engineering and mathematics;

(g) Measures to address gender stereotypes in curricula and textbooks;

(h) The coverage of continuing education programmes and scholarships available to women for enrolling in such programmes.

Employment

18. In the light of the concern expressed by the Committee in its concluding observations on the previous periodic report of the State party (CEDAW/C/HND/CO/7-8, para. 34) about the disproportionate unemployment rate among women, their concentration in low paid jobs and the lack of mechanisms to protect women from exploitative labour practices, please provide information on the following:

(a) Measures to promote access to formal employment for rural women, women with disabilities, indigenous women, women of African descent and migrant and returnee women;

(b) Progress made in implementing the Wage Equality Act (para. 176) and applicable minimum wage tables across the various economic sectors (para. 186);

(c) Remedies available to women domestic workers in urban and rural areas to file complaints and obtain redress in cases of forced labour, abuse, sexual violence and harassment (CEDAW/C/HND/CO/7-8, para. 35 (c)) and steps taken to ratify the Domestic Workers Convention, 2011 (No. 189), and the Violence and Harassment Convention, 2019 (No.190), of the International Labour Organization;

(d) The impact of the national inspection strategy (para. 185) on the protection of women working in the garment sector and in maquilas (CEDAW/C/HND/CO/7-8, para. 35 (d));

(e) Measures to ensure social protection for women working in the informal economy, including the recognition of maternity leave, paid sick leave and retirement pensions, and protection against work-related diseases for those in the agricultural, industrial, service or fishing sectors;

(f) Measures taken to facilitate the reconciliation of family and work responsibilities between women and men, including the provision of affordable childcare facilities and allowances for women heads of household.

Health

19. In the light of the concern expressed by the Committee in its concluding observations on the previous periodic report of the State party (CEDAW/C/HND/CO/7-8, para. 36) and information received by the Committee concerning setbacks in access for women to sexual and reproductive health services, the criminalization of abortion on all grounds and the barriers to access for indigenous women and women of African descent to sexual and reproductive health information and services, please provide information on the following:

(a) Measures taken to legalize abortion, at least in cases of rape, incest, threats to the life or health of the pregnant woman and severe foetal impairment, decriminalize it in all other cases and lift the ban on emergency contraception with a view to distributing it free of charge;

(b) Measures to provide women and girls with accessible, affordable and culturally appropriate mental health services and psychosocial support, including during the COVID-19 pandemic, and any measures to address depression and suicide among women and girls in the State party;

(c) Eliminating stigmatization and ceasing the prosecution of women seeking access to sexual and reproductive health services due to obstetric emergencies caused by unsafe abortion and ensuring that medical personnel respect women's sexual and reproductive choices, privacy and confidentiality of information on their health status;

(d) Sexual and reproductive health, including the fertility rate, the rate of adolescent pregnancy, the use of contraception, instances of sexual violence reported by indigenous women and women of African descent and the number of indigenous women and women of African descent who have been prosecuted or convicted on the basis of abortion, for the past five years, disaggregated by age and ethnicity;

(e) Measures to eliminate obstetric violence and practices of forced sterilization and forced abortion on women with disabilities and to safeguard the sexual and reproductive choices of women with disabilities in institutions, including mental health facilities and care homes;

(f) The number of hospitals providing obstetric care in rural areas and to indigenous communities and communities of people of African descent (para. 195).

Rural women, indigenous women and women of African descent

20. Please provide information on the following:

(a) The consultation of indigenous women and women of African descent on the adoption of the draft law on free, prior and informed consent, in accordance with the Indigenous and Tribal Peoples Convention, 1989 (No. 169), of the International Labour Organization (para. 230);

(b) The implementation of impact assessments of large-scale development projects, including agroindustrial projects, on indigenous women's rights, for the past five years (CEDAW/C/HND/CO/7-8, para. 43 (c)), and the measures taken to protect rural and indigenous women and women of African descent from the consequences of environmental degradation, pollution and the non-sustainable practices of resource exploitation and industrial fishing;

(c) Measures to increase access to land for rural and indigenous women and women of African descent and access for such women to loans and income-generating opportunities;

(d) Measures to increase access to education, employment, social protection in both the formal and informal sectors, means of economic empowerment and health services for rural and indigenous women and women of African descent.

Disadvantaged groups of women

21. **Internally displaced women and migrant and refugee women.** Given the information received by the Committee indicating that gender-based violence, femicides and forced recruitment to illegal groups are among the primary causes of women's internal displacement and migration and that the migrant caravans originating in the State party included more than 37,000 persons, please provide information on the following:

(a) The current status and time frame for adoption of the draft law for the prevention, assistance and protection of displaced people;

(b) Family reunification schemes and reintegration programmes in place for returning migrant children;

(c) Measures to protect migrant women and girls, in particular those participating in migrant caravans, from gender-based violence, including sexual violence, forced pregnancy, child and/or forced marriage and trafficking in persons;

(d) Measures to improve the reception capacity for asylum-seeking women and girls, adopt asylum and refugee determination procedures in line with international standards and facilitate access to employment and other income-generating opportunities for asylum-seeking women.

22. **Women deprived of liberty.** Please provide information on the following:

(a) The number of women deprived of their liberty, disaggregated by age and place of detention, and the available alternatives to detention;

(b) Measures taken to ensure that conditions of detention for women are in line with the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) and to prevent gender-based violence, including sexual violence, against women in detention.

Marriage and family relations

23. Please provide information on the following:

(a) Measures to enforce the prohibition of child marriage (Family Code, art. 21), ensuring that civil marriages are registered and strictly comply with the requirements of spouses, and to investigate, punish and provide reparations in all cases of child or forced marriage; please also describe measures adopted to support and enable girls in child and/or forced marriages to leave the forced union and provide redress and assistance, including housing, childcare, education and other basic services for them;

(b) Mechanisms, including legal remedies, available to women to claim their rights during marriage, at its dissolution and in all family matters, including in the context of inheritance, property rights and the custody of children, in addition to the marital agreements of future spouses concerning property (para. 262); please also describe how the law recognises, in the determination of property rights, the non-economic contributions of women to marital property, such as childcare and household work;

(c) Measures taken to enable lesbian, bisexual and transgender women and intersex persons to register their partnerships and to repeal article 112 of the Constitution insofar as it bans de facto and marital unions by lesbian, bisexual and transgender women and intersex persons ([CEDAW/C/HND/CO/7-8](#), para. 49 (d));

(d) The availability of legal counselling and assistance to enable women to claim an equal share of the joint marital property upon the dissolution of marriage (para. 262).

Climate change and disaster risk reduction

24. In the light of the Committee's general recommendation No. 37 (2018) on the gender-related dimensions of disaster risk reduction in the context of climate change, please provide information on the following:

(a) Measures to mainstream a gender perspective into national disaster risk reduction management and relief and recovery strategies;

(b) The involvement of women in the formulation and implementation of disaster risk reduction, post-disaster management and climate change policies and programmes;

(c) Measures to provide relief and recovery for women affected by natural disasters, including hurricanes and storms such as Hurricanes Eta and Iota.