



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

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**Committee on the Elimination of Discrimination  
against Women**

**Pre-session working group**

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**Responses to the list of issues and questions with regard to  
the consideration of the combined fourth, fifth and sixth  
periodic report**

**Honduras\***

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\* The present report is being issued without formal editing.



## **Honduras**

### **National Women's Institute (INAM)**

Convention on the Elimination of All Forms of Discrimination against Women

### **Responses to the list of issues and questions with regard to the consideration of periodic reports**

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

#### **General**

##### **Summary of the process whereby INAM prepared the report**

**1. 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.**

For the preparation of the report, a team of consultants was engaged to gather the necessary information. However, the process took place under the inter-agency coordination of INAM.

- (a) Ministers of State and agency directors were invited to a meeting at which they were briefed on the process of preparing the report.
- (b) At the meeting each institution agreed to designate liaison staff.
- (c) A team was formed with each of the counterparts.
- (d) A training workshop was held with the counterparts to give them guidance as to what information the Committee wished to receive.
- (e) Consultations were held with civil society and the women's movement.

The institutions taking part in the process were: Honduras Institute of Childhood and the Family (IHNFA); National Agrarian Institute (INA); Ministry of Culture, Arts and Sports; Ministry of Health; Ministry of Agriculture and Livestock (SAG); Ministry of Education; Ministry of Labour and Social Security (STSS); Ministry of Foreign Affairs; Ministry of Defence; Ministry of Finance; Ministry of Industry and Commerce (SIC); Ministry of Natural Resources (SERNA); Attorney-General's Office; Honduran Tourism Institute (IHT); Supreme Court of Justice, Centre for Electronic Documentation and Judicial Information (CEDIJ); National Women's Institute (INAM).

As all of these institutions worked as counterparts, the report was tacitly approved and was not presented to the National Congress.

Staff members of the various State institutions and gender offices were involved in preparing the report, providing the information requested in accordance with each participating institution's sphere of competence.

**2. 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.**

The primary information systems are those of the Ministries of Health, Education and Social Security, the National Statistics Institute (INE) and the judicial branch.

The information collected in these systems is disaggregated by sex, although only the information gathered by INE is published regularly.

INE, under an agreement with the United Nations Children's Fund (UNICEF), has developed the System of Social Indicators for Children, Youth and Women (SISNAM). This system, which was originally aimed at following up the indicators designed for the Millennium Development Goals, also includes indicators for monitoring the implementation of international conventions. The system has been put into operation and has an inter-agency coordination body that meets on a monthly basis to monitor and evaluate the system's progress.

In the country's judicial branch, statistical data collection formats in various areas, particularly domestic violence, include indicators disaggregated by the sex and age of the parties. This helps to create a clearer picture of needs by revealing trends for use in projecting the need to establish new courts or to modify existing ones.

There is also a system for monitoring reports of domestic violence, which serves as a tool that enables judges to retrieve, follow up and consult reports of this kind (currently installed in San Pedro Sula and Tegucigalpa). This system provides statistical data that are available to the various institutions that request them for use in developing projects, identifying areas of particular concern and implementing programmes to promote gender equity and equality and government policies for social and human development.

Action needs to be taken to strengthen the country's statistical system to ensure that information is available for use in targeting public policies.

#### **Constitutional and legislative framework**

**3. 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.**

The Office of the Special Public Prosecutor for Women, in judicial proceedings, regularly invokes articles 1, 2, 3 and 4 of the Convention on the Elimination of All Forms of Discrimination against Women.

Within the judicial branch a series of training initiatives has been launched for legal professionals in different parts of the country to raise awareness of the

importance of mainstreaming the gender perspective in the administration of justice and ensuring that it is reflected in judicial rulings. The aim is to achieve a commitment to establishing the legal protection of men's and women's rights on a basis of equality and guaranteeing the effective protection of women's human rights against any form of discrimination.

Awareness-raising efforts have been made with respect to the need to facilitate access to justice for women who bring such complaints and to avoid any discriminatory prejudice against them. The gender perspective has been permanently incorporated into the training plans, programmes and projects of the Judiciary School. In addition, training has been provided on national and international legislation related to gender equality and women's rights.

These efforts are being made under agreements signed with various institutions, including INAM and the Office of the National Human Rights Commissioner (CONADEH). One successful experience in this regard was the formation of the Inter-Agency Committee on Gender and Justice, consisting of the judicial branch and INAM, which follow up on these agreements.

**4. 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.**

An initiative is under way to improve the consistency and consolidation of the legal system by reviewing all the laws in the country's legal order. One element to consider is the issue of gender.

In terms of specific steps, progress has been made in submitting a proposal for the establishment of a Gender Unit within the judicial branch (subject to approval), which would play a leading role in this area. Inter-agency discussions have been held on the topic of femicide, and the Public Prosecutor's Office has formulated a proposal to establish a Violent Crimes against Women Unit.

**5. 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.**

With the reforms of the Law on Domestic Violence, published in the Official Gazette on 11 March 2006, specialized domestic violence courts have been established in Tegucigalpa and San Pedro Sula to hear the types of cases covered by the Law. The authorities are currently in the process of providing new physical facilities suited to the new management model of such courts, in addition to appropriate auxiliary personnel such as social workers and psychologists and facilities for the care of children accompanying the plaintiffs. The post of enforcement judge is being established; these judges will be responsible for overseeing, monitoring and following up the enforcement of protection measures, extension measures and penalties imposed pursuant to the Law on Domestic Violence.

The Supreme Court of Justice has merged, into a single entity, Family Courts 1 and 2 in the Departments of Francisco Morazán and Cortés, which have jurisdiction in contentious and non-contentious cases concerning family matters. The aim is to provide higher-quality service in accordance with new management standards and to centralize in one office the services which these courts provide to the citizenry.

In addition, a specialized division has been established within the Second Court of Appeal to hear cases concerning family matters and domestic violence.

### **Institutional framework**

**6. 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?**

One recent achievement in terms of strengthening the institutionalization of INAM is its incorporation into the Government's social cabinet, which has enabled it to lobby the Ministry of Finance and the Finance Committee of the National Congress and to present, for the first time, a report explaining the need to increase its budget in view of what it is expected to achieve under the National Policy on Women and the commitments entered into by the State of Honduras. Steps have also been taken to inform civil society and cooperating agencies about the Institute's limited budget, which affects its ability to achieve the expected results.

**7. 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?**

(a) Modification of social and cultural patterns of conduct of men and women who administer justice.

Legislative changes were introduced in Honduras in 1997 to reflect the recognition of violence in the home as a public and not a private problem, through the adoption of articles 179 A and 179 B of the Penal Code, which establish criminal penalties for the offence of family violence. However, these changes were not immediately implemented by justice officials, who continued to view cases of family violence as private matters. This demonstrated the persistence of prejudices and of customary practices based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women. Accordingly, this affected judicial decisions to some extent.

Training:

- The Office of the Special Public Prosecutor for Women has offered training sessions for prosecutors, judges and police officers on the subjects of gender and justice, domestic and family violence and sex offences.

- The Attorney-General's Office, through the Office of the Special Public Prosecutor for Women and in coordination with the Supreme Court of Justice, trained 1,020 judicial officers in 2006 to familiarize them with the Procedural Manual on Reforms of the Law on Domestic Violence, to ensure that the new procedure is implemented and that reports of domestic violence are addressed, as stipulated in Decree No. 250-2005.
- The Attorney-General's Office, together with the Supreme Court of Justice and the Inter-Agency Commission for Monitoring Enforcement of the Law on Domestic Violence, is constantly arranging meetings between justice officials and civil society, in order to identify good practices which contribute to eradicating violence against women.

(b) The budget of the Attorney-General's Office is 400 million lempiras and has remained at that level for the last few years, which means that the institution has not been able to grow to keep pace with demand. The Office of the Special Public Prosecutor for Women therefore receives an allocation of only 4,366,285 lempiras for each fiscal year. This is the busiest Public Prosecutor's Office, receiving some 10,000 reports per year of violence against women.

On 20 December 2006, the National Congress established a budget line for strengthening the Attorney-General's Office and specifically for the Office of the Special Public Prosecutor for Women for services and prevention of violence against women, in order to establish special units to investigate violent deaths of women.

(c) Legislative measures have been taken to modify, repeal or create laws.

- With Decree No. 250-2005, reforms to the Domestic Violence Act were approved by the National Congress. They entered into force on 11 March 2006.
- Decree No. 234-2005, which provided for amendments to the special part of the Penal Code, Book II, Title II, changed the title from "Crimes against sexual freedom" to "Crimes against the freedom and physical, psychological and sexual integrity of persons".
- The law on protection of witnesses, victims and other persons involved in criminal proceedings, which was recently approved in the National Congress, is about to be published.
- Laws which are or were under discussion and in relation to which the Attorney-General's Office has played an active role:
  - Law on Domestic Violence
  - Reforms to the Law on Domestic Violence
  - Law organizing the Police
  - Law on protection of witnesses, victims and other persons involved in criminal proceedings
  - Law on Terminal Illnesses
  - Law of the Inter-Agency Criminal Justice Commission

(d) Creation of bodies to deal with violence against women.

One of the greatest obstacles was the lack of specialized courts to deal with domestic violence, but this has now been resolved. The Supreme Court of Justice has created the special jurisdiction of domestic violence courts in the cities of Tegucigalpa and San Pedro Sula, with specialized judges and legal staff to strengthen the justice system in this area. There is also an enforcement judge, as established by the reforms adopted in 2005.

The Municipal Women's Offices have been created as women's service and information centres. The Office of the Special Prosecutor for Women maintains contact with them for cases within its jurisdiction in coordination with the National Women's Institute. There is also the Office of Social Management, which is responsible for monitoring compliance with sanctions imposed on aggressors in judgements rendered in domestic violence cases.

**8. 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.**

The National Policy on Women and the First Equal Opportunities Plan were prepared through a participatory process which involved 36 government agencies and 62 civil-society organizations. Over 300 women representing various regional organizations were also asked to give their opinion. The Plan defines five priority areas: health, education and media, social and political participation, economics and poverty, and violence. These areas were selected on the basis of the needs and inequalities that have a significant impact on Honduran women, as identified by the National Women's Institute, such as in the Law of Equality of Opportunities for Women and in the commitments assumed by the Government of Honduras at the Fourth World Conference on Women. In the selection of these areas, consideration was also given to the Gender Equity Policy in Honduran Agriculture, initiated by the Ministry of Agriculture and Livestock (SAG), the Gender Equity Policy of the Ministry of Natural Resources and the Environment (SERNA), the sexual and reproductive health policies of the Ministry of Health, incorporation of the gender perspective into the budgets of public institutions by the Ministry of Finance, the proposals made by the gender units of some State departments and the Poverty Reduction Strategy (PRS).

This First Equal Opportunities Plan 2002-2007 is almost completed. For the first time the State of Honduras will carry out an assessment of the results of the plan's implementation and its impact on women's lives.

**9. 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.**

The Association of Social Communicators for a Culture of Gender Equity is a public non-profit organization of unlimited duration. Its purpose is to contribute to strengthening democracy by promoting the effective participation of women in decision-making, equality of rights between women and men and respect for human dignity.

The resources of the Association consist of contributions from its members, other income deriving from the Association's activity, voluntary contributions, and movable and immovable property which will belong to the Association in the future; it also receives voluntary contributions in cash or in kind, bequests, legacies and donations.

The Institute has formulated two projects for the period 2008-2009, with the objective of contributing to establishing the conditions in which State structures, political parties and civil-society organizations can comply with national and international standards designed to ensure the political participation of women on equal terms with men. In this project, the social communicators have been considered key actors in the process of encouraging women to stand for elected office and actions have been defined to consolidate and strengthen these structures.

### **Stereotypes and education**

**10. 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.**

In the context of the incorporation of the gender equity approach into the development of Honduras, the State is using educational processes of awareness-raising designed to eliminate discrimination against women and is taking affirmative action through the Ministry of Education in close coordination with the National Women's Institute (INAM). There has been progress in implementing the proposals made by INAM in relation to incorporating the gender equity approach in the Basic National Curriculum, specifically in curricular design at the pre-primary, primary and secondary levels. This is taking place in both the formal education system and in some non-formal alternative education and vocational training programmes in order to promote non-sexist education that combats pervasive negative stereotypes and cultural attitudes that discriminate against women.

At present, three of the master's degree programmes offered by Honduran universities include gender issues in their curriculum.

**11. 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 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.**

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



The gender issue has been included in the Basic National Curriculum, specifically in curricular design at the pre-primary, primary and secondary levels. Educational programmes are now available that facilitate access to education with equal opportunities for girls and boys in rural areas. These programmes include EDUCATODOS (Education for All) and the Literacy and Basic Education Programme for Adults and Youth of Honduras (PRALEBAH). There are also non-formal alternative education options that support efforts to improve school retention and completion rates through official and unofficial educational centres.

There are initiatives to encourage men and women to join non-traditional training programmes which are supported through inter-agency coordination between the National Vocational Training Institute (INFOP), the National Commission for the Development of Non-Formal Alternative Education (CONEANFO) and the National Women's Institute (INAM).

**12. 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.**

Statistical information is available on this issue, but there has been no study or analysis of trends that takes into account age, ethnicity and geographical location in relation to access to education for women and girls in Honduras.

**13. 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.**

According to the National Epidemiology and Family Health Survey (ENESF) 1995-1996, some 45 per cent of women aged 18 years have engaged in sexual activity and half of them have already had their first pregnancy by that time; 8.5 per cent of women aged 15 years and about 40 per cent of those aged 18 have already married and by the age of 20 years, 50 per cent of women are mothers.

In relation to compliance with article 35 of the Law of Equality of Opportunities for Women, which makes provision for maternity leave for pregnant students, complaints have been made by adolescent girls to the Office of the Special Public Prosecutor for Women of the Attorney-General's Office.

## **Health**

**14. 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.**

**Statistical data for 2006****Analysis of prevalence of violence in the general population by departmental region**

<i>Region</i>	<i>Number of cases</i>	<i>Rate (1,000)</i>
Atlántida	11	2
Colon	31	11
Comayagua	23	5
Choluteca	95	22
Paraíso	159	41
Copan	94	29
Fco. Morazán	17	4
Intibuca	128	63
Ocotepeque	3	2
Olancho	361	78
Valle	12	7
Yoro	16	3
Tegucigalpa	2 085	218
Cortes	211	28
Isla de la Bahía	3	6
<b>Total</b>	<b>3 247</b>	<b>0.5</b>

**Prevalence of different types of violence reported among the general population in 2006, disaggregated by age group and gender**

<i>Age group</i>	<i>F</i>	<i>M</i>	<i>Ratio</i>
1-9	195	139	1.4
10-14	220	100	2.2
15-19	206	186	1.1
20-24	295	221	1.3
25-39	795	132	6.0
40-59	405	200	2.0
60+	95	58	1.6

Women in the 25-39 age group report the highest incidence of assault. Violence and abuse is the sixth leading cause of treatment in mental health centres. The activities of the family counselling offices (Consejerías de Familia) are concentrated mostly in the country's capital.

15. **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 and 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.**

Honduras is developing its Third National Strategic Plan to Combat HIV/AIDS for the period 2008-2012. The Plan identifies gender as a cross-cutting issue and includes an analysis of the vulnerability of women to HIV/AIDS. It also proposes strategies for reducing this vulnerability and preventive and treatment policies geared towards women. Representatives of organizations working in the field of women have participated in the development of the Plan. The Plan promotes strategic partnerships between Government and civil-society organizations working in the field of women and HIV and provides for inter-agency coordination between comprehensive care programmes for women and STD/HIV/AIDS programmes aimed at better defining and implementing national HIV/STD prevention and treatment standards for women. Areas for coordination include sexual and reproductive health and HIV programmes and the expansion of HIV and STD diagnostic testing in women's health-care centres to promote greater awareness among women of their HIV/STD status.

The Ministry of Health with support from national NGOs is developing a strategy for improving access to HIV and STD diagnostic testing through the "Get tested" initiative, which is aimed at improving primary prevention and the early detection of HIV. Through this initiative, it is hoped to reduce the stigma and fears associated with being tested for HIV. At the same time, a strategy of actively seeking out HIV-positive minors under the age of 15 years is being pursued.

The Ministry of Health is pursuing a number of strategies for the prevention and treatment of HIV/AIDS among women, including married women, women of African descent and indigenous women. Among women of the Garifuna ethnic group, a preventive strategy of information, education and communication (IEC) is being pursued, with emphasis on young people. As part of this strategy, male and female community leaders have been trained, billboards with information about prevention have been erected along highways in Garifuna communities, and three radio serials have been broadcast.

Health services have developed an IEC strategy to improve access by women to their services, including initiatives to encourage women to use health-care and preventive services and the promotion of prenatal examinations as part of a programme to provide comprehensive care to prevent mother-to-child transmission of HIV among pregnant women.

This approach has been used in undeveloped and remote areas where various ethnic groups (Garifunas, Misquitos, Lencas, among others) live. Under the National Strategy of Comprehensive Care for Women, it is proposed to expand coverage to rural and remote areas over the next five years.

The health-care network provides specialized treatment, including for women with HIV, in 16 public hospitals, 3 church-run clinics and 3 medical-dental health centres (CESAMOS) in 12 of the 20 departmental health districts. These services will be extended to 10 more hospitals by the end of April 2008, thereby covering 100 per cent of the country's health districts.

These units provide primary, secondary and positive preventive services, diagnosis and treatment of STDs and opportunistic infections, antiretroviral therapy

and laboratory testing for follow-up treatment, post-treatment monitoring and support, psychosocial support and hospitalization services. Of the 6,674 persons receiving regular care in these comprehensive health-care centres, 60 per cent are women. An exploratory study has been carried out on violence and HIV in women between the ages of 18 and 49 years. (The data have not been published.)

The study was carried out as part of the project “Health-care networks for victims of domestic and sexual violence as the point of entry for HIV/AIDS prevention and treatment”.

The data provided by this study will be used as inputs for a comprehensive, inter-agency, objective, collective and broad analysis of the root of the problem in the context of gender relationships and fundamental human rights; to combat the HIV/AIDS epidemic that is rooted in gender and human rights by adopting an approach based on free information about human sexuality that would reduce the vulnerability of children and women; and to promote an approach to the problem of HIV/AIDS that is based on inter-agency coordination and counselling.

**16. The report notes that adolescents are not prioritized by the Health Ministry and may be denied access to health services in practice (paras. 295 and 302). Specifically, it notes a contradiction between the Childhood Code and the 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?**

The objectives of the Ministry of Health’s 2006-2010 national policy include care for vulnerable groups, among them adolescents.

Measures targeting this population include:

(a) Guaranteeing access for all to comprehensive promotional, preventive, therapeutic and rehabilitation health-care services with equal treatment for men and women throughout their life cycle and with emphasis on vulnerable groups;

(b) Improving the prevention and control of transmissible diseases in men and women throughout their life cycle;

(c) Improving the quality of health care and the health situation of women and men throughout their life cycle;

(d) Gradually implementing a new model for the provision of health services that is consistent with the epidemiological profile and needs of men and women throughout their life cycle.

With the support of various cooperation partners (UNFPA, PAHO, USAID, JICA, Global Fund, ASDI), a total of 26 gender-specific health clinics for adolescents are being developed throughout the national territory.

Cooperation has taken the form of:

- (a) Training of health service providers in: knowledge of standards, counselling, and sexual and reproductive health, and development of educational material and programmatic elements;
- (b) Upgrading of physical infrastructure;
- (c) Medical equipment, furniture and computer equipment;
- (d) Reproduction of educational materials: whiteboard, fliers, posters;
- (e) Radio and television educational programmes on HIV/AIDS prevention;
- (f) Training of youth groups, groups of young parents, and schoolteachers in sexual and reproductive health;
- (g) Management coordination at the level of agencies, NGOs, mayors' offices, etc.

With the support of Canadian cooperation, training in sexual and reproductive health is being provided to institutional health-care providers, youth leaders, adolescents and parents using the manuals *Nadie Como Yo, Una Canción Para Ti* and *Sueños Compartidos*, which emphasize family planning and the prevention of pregnancy and STD/HIV/AIDS infections.

The Manual of Rules and Procedures on Comprehensive Care for Women defines family planning services as “comprehensive services provided in a timely manner to women of childbearing age and/or their spouses who wish to space their childbearing”. Given that the age range for women of childbearing age is between 12 and 49 years, it is evident, and provision is made accordingly in the Programme of Comprehensive Care for Adolescents (PAIA) 2005, that adolescents are not excluded from these services after prior counselling. Adolescents may choose whether or not to accept the methods proposed.

The only family planning method not available to adolescents is voluntary surgical contraception (VSC), which is regulated by Government Order 0966/SS (1999), paragraph 5 of which states that “Voluntary surgical contraception may be provided to: adult men and women who request it because they consider that they have already satisfied their expectations or because they believe that there are risk factors”.

The age of majority in Honduras is 21 years. To date, this Order has not been amended.

With respect to the contradiction between the Childhood Code and the Programme of Comprehensive Care for Adolescents (PAIA), the PAIA Rules and Procedures provide as follows:

#### Section VI: General provisions

1. Every adolescent shall have the right to treatment in health services (for whatever reasons on working days and during working hours, without appointment and set times) by the staff of the institution.

Section VIII: General guidelines for adolescent health care in health centres. Rule 5 provides as follows: “Staff of the institution (doctors, nurses, nursing assistants) shall conduct the physical examination of the adolescent and shall defer

examination of the genital area until the next consultation, if requested by the patient, and shall record the clinical history of the examination results.

Procedure 5.2 provides as follows: “Examinations shall be carried out preferably in the presence of a male or female health worker or a relative of the adolescent”.

The Childhood and Adolescent Code provides as follows:

#### Right to health

Article 18: The father, mother or legal representative of the child shall be allowed in medical assistance units, whether public or private, and shall be granted all such facilities as the circumstances permit.

Article 22: Health centres and public hospitals are required to provide immediate care for children in need of emergency treatment, even without the consent of their parents or legal representatives. No excuse shall be valid for failure to observe this requirement. In no case shall the treatment provided take the form of an act deemed prejudicial or harmful by the applicable legal provision.

Both instruments (the Rules and Procedures and the Code) refer to the same thing, although using different words. There is therefore no contradiction between the Childhood Code and the Rules and Procedures set out in the Programme of Comprehensive Care for Adolescents.

#### Violence against women

**17. 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.**

<i>Year</i>	<i>Complaints of domestic violence</i>
2002	4 383
2003	6 694
2004	9 900
2005	9 382
2006	9 946

<i>Year</i>	<i>Criminal complaints reported by the Special Public Prosecutor's Office for Women in Tegucigalpa and San Pedro Sula (*)</i>
2002	326
2003	350
2004	477
2005	754
2006	872

\* Parricide, homicide, attempted homicide, rape, attempted rape, sexual harassment, domestic violence, assault and battery, etc.

The State of Honduras, through the National Statistics Institute (INE), the Ministry of Security, the Attorney General's Office, the National Women's Institute (INAM), the Supreme Court of Justice and the Association of Municipalities of Honduras, has signed a number of agreements and is in the process of reviewing indicators, with a view to including variables that identify violence against women and its causes and consequences.

The Attorney General's Office, through the National Statistics Institute (INE) and with funds from UNICEF, is in negotiations with a consultancy firm which it hopes will conduct a diagnostic study of its entire statistical system, with a view to establishing a statistical observatory containing indicators based on, inter alia, sex, age and type of violence.

The Attorney General's Office, the Supreme Court of Justice (through the Electronic Judicial Information and Documentation Centre (CEDIJ)) and the Ministry of Security are in the process of implementing the inter-agency digital case system. This system:

- (a) Will be used by judicial staff in the Ministry of Security, the Attorney General's Office and the judicial branch;
- (b) Follows cases from beginning to end, including all administrative procedures and any procedural acts envisaged in the Code of Criminal Procedure;
- (c) Organizes information by case, each case being assigned a unique number;
- (d) Includes modules that can be consulted by external stakeholders, such as public defenders, private individuals and citizens in general.

This system will help ensure more effective monitoring of the incidence of violence, including violence against women. The system of data collection on violence against women has been updated and now includes data obtained from diagnostic studies which establish types of abuse according to the Law on Domestic Violence.

**18. 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?**

Steps taken to combat violence against women include:

- (a) Ongoing coordination and strategic inter-agency partnerships to promote discussion groups and forums among different population groups and institutions;
- (b) Awareness-raising among teaching personnel in the Faculty of Medicine in the fields of core subjects and psychiatry and with respect to the postgraduate degree in public health, in coordination with INAM, with a view to incorporating gender equity in the curriculum;
- (c) Provision of training, in 2007, for 20 general practitioners in the metropolitan region of Tegucigalpa, with a view to establishing a mental health network, and provision of training for doctors and medical personnel in the Department of Ocotepeque;
- (d) Establishment of a mental health service in San Felipe General Hospital, a measure which will be adopted by other general hospitals;
- (e) Provision of training for health-care professionals in gender equity and violence;
- (f) Implementation and strengthening of local and municipal networks in Comayagua, Choluteca and Juticalpa and introduction of screening in sexual and reproductive health services;
- (g) Awareness-raising vis-à-vis the mental health policy and its cross-cutting themes of human rights and gender equity;
- (h) Implementation, by 2010, of a programme to reduce the use of language and symbols that reinforce social inequalities based on gender, illness, ethnic background and social class and the use of violent conduct;
- (i) Adoption, in 2004, of the Manual of Rules and Procedures for dealing with family violence, which sets out guidelines for dealing with family violence;
- (j) Revision of the Manual of Rules and Procedures for dealing with sexual abuse of boys, girls and adolescents, which sets out guidelines for dealing with sexual abuse of boys, girls and adolescents;
- (k) Development and implementation of the National Health Policy 2006-2010.

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

**19. 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.**

In Honduras, the most commonly reported form of trafficking, among the various forms that exist, is trafficking for the purpose of commercial sexual exploitation. Trafficking tends to be out of, not into, the country; indeed, Honduras is not really a country of destination for regional trafficking. On a small scale, however, it is a “transit” country for trafficking to Guatemala and Mexico.



The Government of Honduras has implemented various initiatives aimed at addressing commercial and sexual exploitation, the most important of which are:

(a) Creation of a high-level committee for the eradication of the commercial sexual exploitation of women and children at the national level (2001);

(b) Adoption of a plan of action against commercial and sexual exploitation and human trafficking, signed by the Government and the Inter-American Commission of Women (2002);

(c) Creation of a unit for the investigation of crimes of commercial and sexual exploitation and sexual abuse in general in Tegucigalpa, Department of Francisco Morazán, and San Pedro Sula, Department of Cortes;

(d) Adoption of the penal reform, which entered into force in February 2006. Since then, there have been a number of landmark cases relating to possession of child pornography and a conviction has been handed down, through abbreviated process, for paid sex with an under-18-year-old;

(e) Coordination with Casa Alianza with a view to providing an effective and immediate response to problems raised by the Special Public Prosecutor's Office. This organization has provided comprehensive protection for child victims of commercial sexual exploitation that have been referred by the Special Public Prosecutor's Office to its various programmes and has assisted in a number of investigations;

(f) Establishment of an inter-agency commission on migrants, one of the objectives of which is to transfer and receive people who have been victims of exploitation in other countries;

(g) Participation in regional initiatives for the eradication of human trafficking, in particular the regional project Socially At-Risk Women and Adolescents in Central America (MARS), which is being promoted by the United Nations Development Fund for Women (UNIFEM) in the Departments of Ocotepeque and Valle. The aim of this project, which was launched in Honduras in 2006, is to strengthen partnerships and thereby improve coordination of local activities and campaigns for the prevention of violence against women and sexual exploitation.

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

**20. 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.**

The statistical information presented in the report goes up to 2003 and does not, therefore, take account of the impact of the reforms introduced to the Law on Elections, adopted in 2004. These reforms establish mechanisms to ensure equal opportunities for political participation (articles 103, 104 and 105).

As a direct result of these reforms, the most recent elections saw an increase in the number of women elected to represent the State of Honduras in the National Congress. The percentage of female deputies rose from 7 per cent to 24 per cent and the percentage of female alternates rose from 17 per cent to 21 per cent (as compared to the elections for the period 2002-2005).

<i>Women's participation in the National Congress</i>				
	<i>2002-2005</i>	<i>2006-2009</i>	<i>Increase</i>	<i>Decrease</i>
Female deputies	7%	24%	17%	
Female alternates	17%	21%	14%	

However, women's participation at the local level had mixed results, as the number of female mayors fell slightly, while the number of female deputy mayors and female municipal councillors rose in the country's 298 municipalities.

<i>Women's participation in local government</i>				
	<i>2002-2005</i>	<i>2006-2009</i>	<i>Increase</i>	<i>Decrease</i>
Female mayors	9%	8%		1%
Female deputy mayors	12%	17%	5%	
Female municipal councillors	17%	18%	1%	

It should be pointed out that the National Women's Institute (INAM) worked hard to promote the adoption of the reforms introduced to the Law on Elections and raise awareness of the fact that, in order to have more women in leadership positions, more women need to participate in elections. In doing so, INAM coordinated with various civil society organizations that are involved in strengthening the role of women at the local level.

**21. 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.**

The Government acknowledges that there is a contradiction in the wording of articles 104 and 105 of the Law on Elections. However, the minimum quota for women's participation in elected office was introduced in response to the limited opportunities that women have to enter the political arena. The quota will gradually be increased until it reaches 50 per cent, to be negotiated among the political parties. This coercive measure will facilitate the inclusion of women in candidate lists for publicly elected positions.

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

**22. 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.**

No amendments have been introduced to the Labour Code and the INAM proposal relating to “Employment with Gender Equity” has not, therefore, been taken into account in that regard. However, some elements of the proposal are being incorporated into the National Plan for the Generation of Decent Work in Honduras (PNEDH) currently being promoted by the Ministry of Labour and Social Security (STSS) in partnership with the Ministry of Industry and Commerce (SIC) and with technical assistance from the European Union and Honduras’s Technical Analysis Unit (UNAT). The Plan envisages a series of outputs in line with its priority programmes and projects, all of which are at different stages of development, pending finalization of the harmonization and alignment process currently being developed. The Plan was adopted through Executive Decree 005-2007.

**23. According to the report, the female population of working age is defined as “over ten years [old]” (para. 328), and 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.**

The Ministry of Labour and Social Security (STSS), through the National Commission for the Gradual and Progressive Elimination of Child Labour, is currently considering the adoption of regulations against the worst forms of child labour. The regulations include provisions on monitoring mechanisms and penalties for offenders. The private sector, through the Honduran Council of Private Enterprises (COHEP), has been consulted in this regard (source: COHEP).

On 10 September 2000, the directors of COHEP issued a declaration in favour of the gradual and progressive elimination of child labour in Honduras. This document provides guidelines for the country’s private sector and has resulted in a reduction in the employment of minors under 16 in the formal, organized private sector.

In addition, the Government of Honduras has adopted legislation relating to the prohibition and punishment of offences of commercial sexual exploitation; the relevant amendments are contained in Title II of Book Two of the special section of the Penal Code.<sup>2</sup> Honduras has also acceded to both Optional Protocols to the Convention on the Rights of the Child.

**24. Please provide information on the working conditions of women in the maquila sector. Please also provide information about actions taken by the**

<sup>2</sup> Amended under Decree No. 234-2005 of 1 September 2005, published in Official Gazette No. 30920 of 4 February 2006.

**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.**

The majority of maquila workers are young women between the ages of 17 and 25 who entered the workforce at the age of 12 or 13.

According to 1995 data from the Central Bank, women comprise 95 per cent of the workforce in the garment industry. Data provided by the President of the Honduran Maquila Association (AHM) indicate that, in 1995, approximately 87 per cent of maquila workers were women.

The primary complaints are that the maquila industry violates workers' labour rights, does not pay taxes and takes advantage of the widespread poverty to pay low wages. Maquila industries remain "fly-by-night" operations in that they do not contribute to the national wealth; they create little value added and do not make long-term investments. Maquila firms use low technology and simple industrial processes. Furthermore, the cost of their industrial equipment and the development of physical infrastructure is borne by the State.<sup>3</sup>

The Government of Honduras has taken various measures to protect workers' rights, including:

(a) The development of the project "Comply and Win: Strengthening Labour Rights", which aims to:

- Increase compliance with labour standards by disseminating information on labour legislation, strengthening labour inspection systems and developing alternative methods of labour dispute settlement;
- Increase and improve the Ministry of Labour's use of mediation and conciliation in labour disputes;
- Strengthen awareness of mediation and conciliation on the part of workers, employers and workers' and employers' organizations;
- Strengthen mechanisms for the promotion and protection of women's labour rights, while incorporating a gender perspective;

(b) The development of the project "Mobilization of resources for the prevention of STIs and AIDS in women working in the maquila sector". The project focuses on establishing a partnership with AHM so that HIV/AIDS prevention services can be set up in the firms. The project strategy includes two lines of action: (1) advocacy activities to mobilize resources within the companies and (2) technical assistance, training and monitoring;

(c) The establishment, by law or by agreement, of minimum wages for maquila workers which are higher than those for workers in the domestic production sector;

(d) The establishment of a department of labour services within the Technical Service Department. This department, which was set up by AHM in March 2006, is responsible for raising awareness of the need to comply with labour

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<sup>3</sup> Mirta Kennedy, *Mujeres y maquilas en Honduras* (Women and maquilas in Honduras) ([http://www.iued.unige.ch/information/publications/pdf/yp\\_silence\\_pudique/17-Eco-Mirta.pdf](http://www.iued.unige.ch/information/publications/pdf/yp_silence_pudique/17-Eco-Mirta.pdf)).

laws and regulations, establish good practices and strengthen corporate social responsibility through cooperation with programmes such as “Comply and Win: Strengthening Labour Rights” and institutions such as the Ministry of Labour and Social Security (STSS), the Honduran American Chamber of Commerce, the Fair Labor Association and the knitted fabrics association “Agrupación Española de Género de Punto”;

(e) The development of the programme PROCINCO (Comprehensive Training for a Competitive Garment Industry). This programme was designed to provide training, advice and related services in the areas of production and occupational health and safety in the garment industry. The programme was initiated in 2001 by AHM, through an agreement with the National Vocational Training Institute (INFOP). Programme objectives include improving the competitiveness of the Honduran garment industry, improving working conditions with respect to occupational health and safety and strengthening relations between employers and employees.

### **Poverty and rural women**

**25. 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.**

According to statistical data provided by the Ministry of the Interior and Justice, the migration of Honduran women and girls is increasing, as shown by the fact that the annual number of women and girls deported back to Honduras by air and by land is climbing steadily. In 2004, 8,746 women were deported by land, while the figure for 2005-2006 stands at 18,348. In 2005, 2,084 women were deported by air versus 1,567 in 2006.

Poverty is forcing an increasing number of women to leave Honduras in search of work and better opportunities.

**26. 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?**

Gender mainstreaming in agricultural programmes and projects is mandatory. Accordingly, the Government has developed the following programmes, among others:

(a) “Support for the implementation of the equal opportunity policy in the rural sector”. This programme is primarily aimed at increasing the social and productive participation of women in rural areas;

(b) “Support for rural women with a view to increasing food production”. Under this programme, fiscal transfers are used to provide seed capital to help women set up rural financial cooperatives;

(c) “Support for rural microenterprises”. This programme, which has an equal-opportunity policy, provides financial and marketing support to rural women, particularly women heads of household, so that they may improve their standard of living;

(d) “Forests and Rural Productivity”. This project contributes directly to three of the four pillars of the Government’s Poverty Reduction Strategy, namely:

- The acceleration of equitable and sustainable economic growth through increased production, marketing and value added in the agricultural and forest sector, the enhancement of equitable access to natural resources, the assurance of land tenure rights and improved food security;
- The reduction of rural poverty through investments in training, technology transfers, the management of protected areas and production projects, employment generation and the promotion of rural microenterprises;
- The achievement of strategy sustainability through community management of natural resources and co-management of protected areas, the strengthening of local institutions and the promotion of decentralization strategies and institutional transparency.

One of the key project indicators is the increased direct participation of women (currently 30 per cent);

(e) “National Programme for Local Development” (PRONADEL). This programme contributes to the poverty reduction strategy by generating income and employment in the rural sector and promoting appropriate management of natural resources. It supports the development of local management capacity by funding production initiatives and other services needed to implement profitable and sustainable projects in rural areas. The programme also aims to increase women’s participation and leadership in producers’ organizations;

(f) “Special Programme for Food Security” (SPFS). This programme seeks to promote the active participation of women and men in project activities, while offering equal conditions and opportunities. The project’s targeting policy emphasizes the participation of women. For example, it targets “Women heads of household living in areas covered by the programme, who cultivate small plots of land with kitchen gardens and raise barnyard fowl and pigs. Their production is dependent on the weather, they have few inputs and their workforce consists of family members who engage in small-scale trade.”

### **Marriage and family relations**

**27. 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 gain access to justice, in all family matters.**

The Government has developed educational programmes to raise awareness of laws relating to family rights. The programmes are implemented in partnership with the National Women’s Institute, the judiciary, the Attorney-General’s Office, the

Honduran Institute for Children and the Family, the Office of the Human Rights Commissioner and civil society, with emphasis on the participation of the women's movement, among other actors.

This partnership also involves the publication of posters, pamphlets and a practical guide on dealing with domestic and sexual violence, which are written in simple language that can be understood by the entire population.

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

**28. 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.**

The National Women's Institute is lobbying for the ratification of the Optional Protocol to the Convention, as this will facilitate the enforcement of the Convention. The Institute continues to promote dialogue among the State, international organizations and civil society, so that the ratification process may be initiated.

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