



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

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**Committee on the Elimination of Discrimination  
against Women (CEDAW)**

**Consideration of reports submitted by States parties  
under article 18 of the Convention on the Elimination of  
All Forms of Discrimination against Women**

**Combined fourth, fifth and sixth periodic report of States parties**

**Honduras\***

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\* The combined fourth, fifth and sixth periodic report of Honduras was received by the Secretariat on 31 January 2006.  
For the initial report submitted by the Government of Honduras, see CEDAW/C/5/Add.44 which was considered by the Committee at its eleventh session. For the second periodic report submitted by the Government of Honduras, see CEDAW/C.13/Add.9 which was considered by the Committee at its eleventh session. For the third periodic report submitted by the Government of Honduras, see CEDAW/C/HON/3 which was considered by the Committee at its eleventh session.

The last CEDAW report of the Government of Honduras was presented in 1992. The Committee offered a series of observations, conclusions and comments on that report, which are detailed below for consideration in the periodic report to be presented in 2005 by the National Women's Institute, headed by Minister Marcela del March Suazo. The present report describes the changes that the Honduran government has made in order to implement the provisions of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).

## **BACKGROUND**

This report was prepared with the involvement of officials of various government ministries, who formed a working group to provide information demonstrating implementation of the measures adopted.

### **FINAL OBSERVATIONS OF THE COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN: HONDURAS. 24/01/92. A/47/38, PARAGRAPHS 106-143 (CONCLUSIONS, OBSERVATIONS AND/OR COMMENTS) CEDAW**

Members of the Committee asked about the existence of national mechanisms or similar arrangements to promote the advancement of women, and to disseminate and apply the Convention. They were greatly concerned at the magnitude of the HIV/AIDS problem. Another question raised by the Committee had to do with the distribution of foreign aid, which was often done by men's committees and consequently did not cater to the needs of women. They asked whether and how women would be able to take part in the distribution of foreign aid funds.

With respect to article 2, members asked whether the assertion in the report that, in connection with rape, "the physical and organic damage and the moral trauma engendered in a male victim may be more serious than in a woman" was the result of a study or of a prejudicial concept. They also enquired whether there were plans to reform the Penal Code with regard to the sanctions for the murder of a spouse for adultery, which amounted to only four to six years. They asked the government to provide the text of the law giving women a preferential right over the salary, wages or income of their husbands.

On article 3, members observed that a change in legislation was not sufficient for combating discrimination against women. It was important to implement the related laws by concrete measures. Although the third periodic report referred to a series of measures, there did not seem to be a plan of action behind them or any national machinery to carry them out. Members also pointed to the persistent discrepancies in wages for men and women, and asked which programmes have been undertaken to eliminate that inequality.

Under article 4, members asked why no temporary special measures had as yet been undertaken to ensure de facto equality between women and men. Further

clarification was sought regarding maternity benefits, and the question was asked why maternity benefits were mentioned under article 4 of the Convention, although they constituted a basic right.

On article 5, more information was requested on legislation to protect women against violence of various forms or other violations of human rights. Members asked whether support services, information and training programmes to counter violence existed, and they requested statistics on the frequency of the various forms of violence. They also asked whether there were attempts to coordinate activities with women's groups and nongovernmental organizations, what was being done to protect migrant women, and whether there were special programmes for refugee women. More information was sought on legislation with regard to the punishment of sexual harassment, and its enforcement.

Under article 6, more information was requested on the prostitution of minors, on the effectiveness of any related measures, and on the number of cases taken to court. Members asked how many and what kind of women engaged in prostitution and whether any plans existed to establish contact with nongovernmental organizations to protect women from violence and abuse. It was noted that the report made no reference to AIDS programmes directed at prostitutes. Some members wanted to know whether female prostitutes received the same protection by law against violence and rape as other women.

On article 7, members asked about the citizenship status of Hondurans under the age of 18, and whether the fact that personnel on active duty in the Armed Forces were prohibited from voting did not constitute discrimination against a certain section of the population. Under article 9, information was requested on the nationality rights of children. Regarding article 10, statistics were requested on the number of girls attending middle schools and universities.

On article 11, clarification was sought on the long duration of maternity leave and its compulsory character, and members asked whether the provisions of the Labour Code implied that women were considered intellectually and morally the weaker sex. Information was requested on any laws that guaranteed equality of women and men in the workplace, and on equality with regard to job assignment, salaries and career prospects. Members enquired about the number of women who attended professional training courses, about any actions undertaken by labour unions for guaranteeing equal employment opportunities for women, and about the percentage of women in the labour force, broken down by sector. A question was asked concerning the degree to which women participated in the production process, and whether they were protected against dismissal on grounds of pregnancy. Members asked whether article 124 of the Labour Code, prohibiting the termination of a pregnant woman's work contract, did not in practice work against women, especially if women did not have the resources to resort to the courts.

On article 12, questions were raised about obstetric conditions for women, maternal and child health, family planning and contraception, the results of health programmes, statistics on clandestine abortions, and the number of deaths resulting from such procedures. It was also asked whether women were free to practice family planning, and whether they were still reluctant to seek health counselling.

On article 14, clarification was requested on the thrust of the government's programme for rural women, and whether they were treated as equal to men or simply as helpmates. Members enquired about the state of health of rural women, and the health protection offered them, and about education in family planning. They asked whether there were programmes to encourage agricultural co-operatives, which would be a way for women to become economically independent.

Regarding article 15, members asked whether the new family code abolished the husband's right to decide on the conjugal residence or whether it did away with the concept of the husband as head of the household. The experts also asked whether there was a campaign in Honduras to repeal the provisions regarding homicide in the case of adultery.

On article 16, clarification was requested on the order of guardianship rights over minors, on the administration of family property within marriage, and on the reasons for setting the legal age of marriage higher for boys than for girls. Members asked whether the legal provisions governing marital unions also applied to de facto unions, and whether it was not counterproductive to imprison men for non-payment of alimony, since that might further reduce support for the family.

### **CONSIDERATIONS FOR THE FUTURE OFFERED BY THE COMMITTEE**

Special congratulations were expressed to the government for having included information on environmental concerns, at a time when eco-feminism was emerging around the world, and women's values seem to coincide with the values of those seeking to protect the environment. Women had a different approach to the environment, and the concept of "development" was being replaced by "sustainable development". In that evolution, women had an important role to play.

Some members expressed concern over the provisions of the Honduran constitution prohibiting persons on active military duty from voting, which meant that, for belonging to an apolitical body, people were effectively deprived of one of the most fundamental rights. It was asked whether that regulation applied also to police officers and prison guards, and the government was invited to reconsider the related provisions in the Constitution. Other members, however, showed understanding for the provision, noting that many Latin American countries had suffered frequent *coups d'état*, and that the army had to bow to the regime of the country. Military and paramilitary organizations were supposed to protect elections and the nation, and not to be involved in politics.

One expert asked whether the government was aware of the important principle of equal pay for work of equal value, and Honduran legislators were invited to take it into account in the preparation of future legal reforms.

In concluding its observations, the Committee expressed its appreciation for the government's efforts to implement the Convention and to improve the status of women, while taking note of the political situation that prevailed in Honduras, and the background of Latin American countries in general. It emphasized the interlinkage of development and social progress and pointed out that the Convention was one of the few international instruments that addressed the various aspects of human activity. In spite of the conditions prevailing in the country, it was noted that the Convention had had a positive impact on the status of Honduran women. Since ratification, many positive reforms had been undertaken, especially referring to the family, and the penal and agrarian codes. The Committee noted that the introduction of a new system to evaluate agrarian reforms merited closer examination and evaluation, the results of which should be included in subsequent reports. The Committee was concerned at the uncertainty as to whether the Penal Code discriminated against women and whether the principle of equal pay for work of equal value was respected. The Committee also felt that the issue of violence against women required closer monitoring. It was hoped that the government would take strong measures to eliminate outdated stereotypes curtailing the role of women, and that it would undertake consciousness-raising campaigns aimed at women and men alike, in order to allow women to contribute effectively to society.

## **II. A BRIEF NOTE ON THE COUNTRY CONTEXT**

### **Social, demographic and economic aspects**

Honduras covers a territory of 112,492 km<sup>2</sup>, and has a current population of 7 million inhabitants (7,000,011), of whom 51% are women and 49% are men (Household Survey, May 2004). The population growth rate is 2.8%, 2.2% in the cities and 3.6% in rural areas.

According to the 2003 Human Development Index, 71.1% of the Honduran population is living in poverty: the figures are 77.7% in the countryside, and 63.1% in the cities.

The total income of the population of Honduran migrants in the United States is already equal to the national income of Honduras, and according to the central bank, family remittances to the country have been growing rapidly, amounting in 2003 to approximately US\$1 billion. This figure is close to the value of the country's agricultural output, and is more than half as much as the country's merchandise exports. According to the 2004 Multiple Use Dwellings Survey, remittances from abroad constitute the third most important source of family income (8.3%), exceeded only by income from wages (48%) and self-employment (35%). 75% of emigrants have no legal status. It is important to note that most of

those who emigrate are men, a fact that further increases the family responsibilities of women.

Official data show that the economically active population or labour force (EAP) stands at 2,592,186 persons, of whom 1,719,122 are men and 873,064 are women (National Statistics Institute (INE), Permanent Multiple Use Dwellings Survey, March 2004). In 2004 the female EAP was distributed as follows: 36% in rural areas, and 64% in urban areas, with a concentration in the services sector. One of every four urban women works as a domestic servant. According to figures from the National Statistics Institute, the labour market participation rate for men is 70.0%, and that for women is 33%. The participation rate is highest, at 50%, among women in the 30 to 34-year age bracket.

The main problem in the labour market is the low incomes associated with temporary jobs and low productivity. National income per capita is L. 1431 per month, and the head of household has an average of 6.3 years of schooling. Urban incomes are nearly triple those in rural areas (L. 2091 versus L. 801). Income is closely related to the average years of schooling of the head of household, which is 7.8 years in the cities and 4.4 years in the countryside.

The open unemployment rate is 6%: in the cities it is 8%, while in rural areas it is 3.8%. The invisible underemployment rate is 29.5% nationally, and 37.5% in rural areas (INE, 2004).

The distribution by sex shows that 64% of men are employed, with an average of 5.8 years of schooling, while 36% of women are employed, with an average of 6.7 years of schooling. The dependency ratio (i.e. the number of persons that each worker must support) is 2.8.

## **HEALTH:**

The Ministry of Health is responsible for this sector. It has 978 primary health care centres nationwide, including 28 hospitals, nine maternal-child clinics, 214 professionally staffed medico-dental centres (CESAMO) and 727 rural health centres (CESAR). Through the centres, the Ministry provides coverage to approximately 70% of the population; 15% is served by Social Insurance, and the remaining 15% by private care facilities.

Life expectancy at birth in Honduras is 70 years: 69 years for men, and 72 years for women (2004). The fertility rate is 4.4 children per woman (3.3 urban and 5.6 rural); the birth rate is 4.5 children per woman, rising in rural areas to six children per woman.

The high rate of teenage pregnancies is another serious problem, particularly among the poorest population groups.

In 2001, 21.6% of births were to women under 20 years of age (according to the National Epidemiology and Family Health Survey, ENESF 2001).

It is important to visualize the HIV/AIDS problem, where the distribution of cases by sex is 59% male and 41% female. Official data report a total of 20,624 persons testing HIV-positive, with a life expectancy of only 31 years, or 39 years less than the national life expectancy at birth. The group most affected is the young working population between the ages of 15 and 39 (Ministry of Health, STD/HIV-AIDS Department, 1985-2004).

### **EDUCATION:**

The national illiteracy rate in Honduras is 18.5%. The average length of schooling is 5.5 years. Among men, the illiteracy rate is 18.2%, and among women it is 18.7%. Men have 5.3 years of schooling, and women 5.6. One person in five over the age of 15 is illiterate, and 27% of the rural population falls into this category (EPHPM 2004).

The coverage rate for boys and girls between 7 and 12 years of age is 89%: 91% in the cities, and 88% in the countryside. The rate of coverage is however much lower, at 21%, in the 16-to-18 years bracket, meaning that only one in five persons in this age bracket is attending some form of school (EPHPM 2004). In 23 years the labour force has achieved only a modest increase in schooling of three years. The “terminal efficiency indicator” shows that 29% complete primary school, 36.4% complete secondary school, and 15.3% graduate from higher education (SP/UNAT).

According to World Bank studies, educational inequality among the country’s municipalities may be extreme: the illiteracy rate in the poorest municipalities, usually populated by indigenous and black persons over 40 years of age, is significant. At least 30% of boys and girls of school age living in indigenous and black communities do not go to school.

In the wake of Hurricane Mitch, Honduras prepared a national plan for reconstruction and poverty reduction, conditional upon agreements with the International Monetary Fund and the country’s participation in the Heavily Indebted Poor Countries (HIPC) Initiative. As can be seen from the 2002 Human Development Index, the economic reforms pursued over the last two decades have not served to strengthen the democratic process in Honduras.

### **THE STATE AND WOMEN’S RIGHTS:**

While Honduras legislation makes clear reference to equality of rights between women and men, it was only with the broad efforts made by women’s and feminist movements in the 1990s, in the context of international conferences, in particular the Cairo Conference on Population and Development and the Fourth World

Conference on Women, that the Honduran government committed itself to a determined policy approach, and to establish mechanisms specifically designed to promote certain rights of women.

Among the major commitments assumed by the government are the creation of mechanisms and laws to prevent and punish violence; legal reforms to promote women's access to land; electoral reforms to encourage political participation by women; reproductive health policies and programmes that stress the needs of women and educational access for women and girls.

One very important mechanism is the National Women's Institute (INAM), the government body that has the lead in policies designed to improve the status and situation of women. This Institute has a Women's Governing Council, representing various expressions of the women's movement, as well as government ministries. It is of vital importance for implementing the National Policy on Women. Efforts to promote women's rights in all spheres have been a fundamental priority of the current minister of the National Women's Institute, who has been working actively both internally and externally. Among the significant achievements has been the creation of the Council of Central American Ministers for Women's Affairs, which has been incorporated into the Central American Integration System (SICA) and is promoting joint and integrated regional efforts in the economic and health fields, and in women's political participation.

Nevertheless, despite the growing response capacity of women's movements and formal government recognition of a series of women's rights, the patriarchal thinking that underlies the ideology of public institutions and political parties constitutes the main obstacle to pursuing and promoting agendas formulated and proposed by women.

### **THE WOMEN'S MOVEMENT AND ITS CONTRIBUTIONS TO THE ADVANCEMENT OF HONDURAN WOMEN IN THE 1990s**

The Honduran women's movement gained importance in the mid-1980s with the emergence of a number of women's organizations, NGOs, and private development organizations motivated by various factors: the economic crisis, the democratic transition, the involvement of Central American women in feminist meetings in Latin America and the Caribbean, as well as international events for generating policies targeted at women, and international economic assistance that appeared at this time when the Central American region was facing a political, social and economic crisis.<sup>1</sup>

This initiative to band together reflected the need to resolve the immediate problems posed for women by the economic, political and social crisis, rather than any strategic vision of gender identity.

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<sup>1</sup> *Movimiento de Mujeres en Centroamérica. Un Movimiento de Mujeres naciente Honduras*, Blanca Dole Durán, with the collaboration of Ana Patricia Centeno.



The mid-1980s also saw the emergence of various organizations or groupings of women known as “feminist movements”, which worked to spark public debate on problems of violence against women, armed conflicts, and women’s human rights, in the context of feminist meetings in Latin America and the Caribbean.

Influenced by these processes, the Government of Honduras included in its 1982/1986 and 1986/1990 development plans a series of policies and priority measures to promote the incorporation of Honduran women into the country’s development (SECPLAN: National Policy on Women, Honduras, April 1989).

In 1989, the government of José Simon Azcona assigned to its Social Development Cabinet the task of formulating and approving a National Policy on Women, signifying a government effort to legitimize sectoral proposals and create an institutional framework to coordinate the efforts of its various technical units. This process was supported by the UNDP. Although it was approved at the highest level, this policy was not implemented.

In the 1990s, the world experienced profound political, economic, social and cultural upheavals that had both positive and negative effects on Honduran women. The introduction of structural adjustment and macroeconomic stabilization policies exacerbated extreme poverty and the feminization of poverty, and had the same effect on unemployment, environmental vulnerability, and violence against women.

In that same decade, the United Nations sought to reorient all its global activities, and it accordingly convened a series of conferences and consultations to point the way to the future. Some of those world events deserve special note, for they were essential to ensuring that governments would not lose sight of the social and gender agenda: the 1993 Human Rights Conference in Vienna, the 1994 Conference on Population and Development in Cairo, the 1995 Fourth World Conference on Women in Beijing, and the 1995 World Summit for Social Development in Copenhagen. At the same time, the women’s/feminist movement was working on its own agenda of proposals at the national, subregional and regional levels, seeking to have an impact through dialogue and consensus building.

It is important to note that the feminist movement has played an increasingly large and influential role in determining and monitoring the contents of the action plans resulting from those conferences.

Despite the impact of neoliberal structural adjustment measures in worsening the economic and political inequality of women, it was during the 1990s that feminist thinking began in various ways to permeate State political structures and civil society. Women’s rights and the need to build citizenship became topics of general discussion that went beyond the confines of formal democratic models by demanding changes in institutional dynamics in order to place on the “government agenda” the proposals and demands of women in all social sectors.

Institutionalizing the gender perspective within government is another important challenge. This institutionalization is still weak, as can be seen in the scanty funding allocated to women's mechanisms, and it is viewed as a minor issue within the State apparatus.

At the end of the 1990s, there were some important changes as well in the political and practical culture (presence, town hall meetings, pressure) of the feminist leadership with respect to sectors that were traditionally left to government. This refers in particular to the relationships established between certain feminist organizations and female politicians in a process of gender awareness raising, such that it became possible to move forward within the structures of power in formulating and implementing public policies. This found expression in the approval of laws, such as the Domestic Violence Law of 1997, the law creating the National Women's Institute and the Law on Equal Opportunities for Women of 2000.

One important achievement has been the National Policy on Women and the First Equal Opportunities Plan, 2002-2007, which has involved a process of dialogue and consensus building between the National Women's Institute and the Women's Movement/Feminist Movement. This policy was officially adopted by the government in 2002.

### **COLLECTIVE SPACES OF CONVERGENCE OF THE WOMEN'S MOVEMENT/FEMINIST MOVEMENT**

Another great contribution of the women's movement/feminist movement to building democracy can be seen in the many efforts made to have the government prepare and implement policies from the perspective of gender equity, which means considering the specific needs of women, who still labour under the weight of discrimination.

In this respect, the preparation of negotiating instruments with the political parties in the electoral campaign of 2001 represented a new approach to women's exercise of their citizenship. The preparation and presentation of the Minimum Agenda of Honduran Women represented an exercise in citizenship, which resulted in signature of an undertaking with presidential candidates for the term 2002-2006, as well as the Political Pact against Violence. These documents represent measurable commitments to women on the part of the political parties, and they constitute true mechanisms of accountability.

There are also women's forums that are highly important and that have led to change. For example, the Confederation of Rural Women (*Confederación de Mujeres Campesinas*) was involved in preparing the gender policy for agriculture. The National Coordinating Council of Indigenous and Black Women was also created to highlight the importance of this group in the public agenda.

### III. PROGRESS BY THE HONDURAN GOVERNMENT IN IMPLEMENTING THE CEDAW

*Article 1. “For the purposes of the present Convention, the term “discrimination against women” shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.”*

The legal framework of the Honduran State contains no distinction, exclusion or restriction that would nullify the enjoyment of women’s human rights. Article 60 of the Constitution declares:

1. “All men are born free and equal in rights. There are no privileged classes in Honduras. All Hondurans are equal before the law. All forms of discrimination on account of sex, race, class or any other reason prejudicial to human dignity shall be punishable. The law shall establish the crimes and penalties for violators of this provision.”
2. This article is given effect through various laws and through enforcement of the Penal Code, which establishes penalties and sanctions.
3. We may say that Honduras has a broad legal framework to guarantee the rights of its citizens. The problem is 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.

We may cite rules and beliefs for taking decisions on women’s social, political and cultural rights that are based in religion and not in the national and international legal framework.

Article 2. “State Parties condemn discrimination against women in all its forms, agreed to pursue by all appropriate means and without delay a policy of eliminating discrimination against women and, to this end, undertake:

#### **Article 2.**

6. Currently, the Honduran State is working through its three branches (executive, legislative and judicial) to improve the situation and status of Honduran women by creating a legal framework, preparing policies, programmes and projects, and creating mechanisms to guarantee the implementation of that framework. We may cite:

**LAWS:**

7. The law on domestic violence, approved by Decree 132/97 of 15 November 1997.
8. The law on equal opportunities, approved by Decree 34-2000 of 28 April 2000.
9. The law creating the National Women's Institute, Decree 232-98 of 11 February 1999.
10. The Electoral Law: Decree 44-2004 of 15 May 2004: Title 6 articles 98 to 105.
11. The minimum-wage law: Executive Order STSS-154-2000 published in the Official Gazette #29320 of 6 November 2000, referring to the education bonus.
12. The Special Law on HIV/AIDS, approved by Decree in September 1999.

**POLICIES AND MECHANISMS**

13. The National Policy on Women, First National Equal Opportunities Plan: 2002-2007, which was made official policy during the government of Ricardo Maduro, by executive Decree.
14. Creation of the Honduras Institute of Childhood and the Family (IHNFA), created by law in 1988, for the purpose of offering comprehensive protection for children and adolescents, and full integration of the family.
15. The policy on gender equality in agriculture, 1999-2015, prepared in collaboration with the rural women's movement and approved by the Agricultural Development Council in March 2000.
16. The policy on sexual and reproductive health approved by the Ministry of Health in November 1999 (when the Secretary of Health was Dr. Plutarco Castellanos). Government Order 4562 of 31 December 2004 also created national standards for maternal-neonatal health care.
17. The national maternal-child policy.

**MECHANISMS:**

18. The National Women's Institute.
19. The Special Public Prosecutor's Office for Women (*Fiscalía Especial de la Mujer*), created in June 1994.

20. The family counselling offices (*consejerías de familia*) created under the Ministry of Health by Order 0079-93 and implemented in 1995 as a mechanism for the control and guarantee of human rights, to prevent and provide assistance, protection and support to victims of family violence, whether physical, mental or sexual. There are currently 15 family counselling offices nationwide.
21. The Office of the National Human Rights Commissioner, created in 1995, with a mandate to uphold the rights and freedoms recognized in the national Constitution and in the international conventions ratified by Honduras.
22. Creation of the Interagency Commission on the Law against Domestic Violence, comprising government institutions and civil society.
23. Creation of the “VIVIR” emergency hotline 114 within the Security Ministry. This was sponsored by the National Women’s Institute, with financial support from the UNDP.
24. Creation of networks to counter violence against women in different municipalities and cities of the country.
25. The National Women’s Institute has created and implemented information systems to identify violence against women, in the Supreme Court of Justice and the Attorney General’s Office.
26. Protocol for Enforcement of the Law against Domestic Violence, in coordination with the Supreme Court of Justice.
27. The National Plan to Prevent, Punish and Eradicate Violence against Women is now in the process of formulation.
28. The Manual of Rules and Procedures on Comprehensive Care for Women.

#### **AGREEMENTS AND REGULATIONS:**

29. The programming basis has been laid for a national programme of comprehensive health care for adolescents, covering sex and sexuality, comprehensive health, gender, comprehensive care, sexual and reproductive health, and gender differentiation among teenagers.
30. Interagency Agreement between the Ministry of Education and the Ministry of Health, 1995.
31. General regulations on measures to prevent occupational accidents and illnesses, Executive Order STSS-001-2002, Official Gazette 29691 of 25 January 2002, Article 430, Chapter XXVII, chemical products for use in agriculture

(prohibits pregnant or nursing women and women of childbearing age from working with agricultural chemicals).

32. Agreements were negotiated in 1996 between the Labour Ministry and INFOP to subsidize vocational training for persons who apply to the Ministry.

33. Its objective is to establish mechanisms of co-operation and education for health.

34. Areas defined: sexuality and STD, mental health, cholera and diseases that can be prevented through inoculation, breast-feeding and nutrition, and attention to the environment.

### **ACTIONS:**

36. Laws have been passed to eradicate violence against women, and to eliminate from current legislation all forms of discrimination against women.

37. Design and formulation by the National Women's Institute of the Information System on Children and Women.

38. "Gender Diagnosis" of the country.

39. A series of amendments have been made to the Penal Code contained in Decree 144-83 in order to eliminate all forms of discrimination against women, via legislative decrees 191-96, 59-97 and 127-99, and family violence has been made a crime (articles 179-A and 179-B), as has sexual harassment (article 147-A). As a result of these amendments, rape is now a publicly actionable crime, even if the victim is an adult. Article 122 has been repealed and article 142 amended.

40. The Law on Domestic Violence was created to prevent, eradicate and punish violence against women, pursuant to Decree 132-97.

41. Amendments to this Law were submitted to Congress in 2004 with a view to improving enforcement procedures, and they were approved in August 2005. Approval of the Gender Equality Law (Decree 34-2000) to eliminate all obstacles to women's full participation in all spheres; submission of proposed reforms to achieve greater applicability in the various aspects of the Law. In 2004 amendments were presented to the Penal Code (Decree 144-83), affecting Book II Title II "Crimes against sexual freedom and integrity". The definition of the crime of rape has been improved to include illegal trafficking in persons and commercial sexual exploitation.

42. The effectiveness of the government's efforts can be seen in the interagency coordination for enforcing the laws throughout the country, and not only in the major cities. There has been a steady increase in the number of offences reported.

Given the need for close monitoring of violence and discrimination against women, the Special Public Prosecutor's Office for Women was created on 6 September 1994, representing one of the most significant steps forward in the administration of justice. Its mandate is to apply justice, bringing criminal action on behalf of women who are victims of any crime, and pursuing action against domestic violence, as a means to offer women effective protection within the existing legal framework.

**Table 1**  
**Special Public Prosecutor's Office for Women**  
**Complaints received**

<b>Year</b>	<b>Complaints</b>	<b>Definitive judgments</b>	<b>% effective</b>	<b>Sources</b>
1994	8			<i>Cinco años decisivos</i> (“Five Decisive Years) 1994/1999
1995	616			<i>Cinco años decisivos</i> 1994/1999
1996	1,521			<i>Cinco años decisivos</i> 1994/1999
1997	2,400			<i>Cinco años decisivos</i> 1994/1999
1998	4,439	5245		<i>Cinco años decisivos</i> 1994/1999
1999	3,242	1,359		Annual activities report 1999
2000	7,262	161		<i>U. T. Reforma Penal</i>
2001	4,835	350		<i>U. T. Reforma Penal</i>
2002	4,383	628		<i>U. T. Reforma Penal</i>
2003	6,694	951		<i>U. T. Reforma Penal</i>
2004	9,900	1,118		<i>U. T. Reforma Penal</i>
<b>Total</b>	<b>45,300</b>	<b>9,812</b>	<b>21.66%</b>	

44. There has been a cyclical pattern in the cases of domestic violence reported in recent years. The Special Prosecutor's Office of Tegucigalpa reports that the number of cases resulting in definitive judgments is low in comparison with the complaints presented..

45. In 2000 there were 7,262 complaints, of which 4,579 went to trial. Of these, 161 resulted in definitive judgments (113 convictions and 48 acquittals), representing 2.22% of all complaints. For the following years, Table 2 presents the proportion of cases resulting in definitive judgments.

**Table 2**  
**Percentage of proceedings or cases resulting in definitive judgments**

<b>Year</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004*</b>
%	2.22	7.22	14.33	14.21	16.22

\* January-September 2004

Source: *Unidad Técnica Reforma Penal/Fiscalía* (Technical Unit on Penal Reform/Special Prosecutor's Office)

46. The Attorney General's Office, through the Special Prosecutor's Office for Women, gives specialized attention to cases of violence against women. The demands placed on the offices in Tegucigalpa and San Pedro Sula are particularly heavy, because they are located in the country's largest urban centres. Unfortunately, this factor is not reflected in the human, logistical and financial resources assigned them, and this frustrates the achievement of better results.

**Obstacles:**

47. The lack of human and logistical resources, due to the low budget allocated by the government to the Attorney General's office, which reflects the lack of awareness of this issue among senior officials who decide budgetary applications.

48. Lack of specialized courts for dealing with domestic violence. Such courts exist only in the largest cities (Tegucigalpa and San Pedro Sula); in the rest of the country, cases of domestic violence are handled by the ordinary courts. Consequently the laws relating to women's issues are not uniformly enforced, and this induces impunity and undermines the credibility of the judicial system in the eyes of women.

49. Crimes against women are slow to be investigated, because of human resource constraints and bureaucratic red tape. There is also a lack of privacy in dealing with cases. The principles established in the Domestic Violence Law are thus violated when women lay complaints before the responsible institutions.

50. "Justice operators" are now assigned to deal with cases involving the violation of women's rights.

51. Steps have been taken to eliminate discriminatory and sexist language in the Penal Code, but this is a cultural problem that will require a long time to change; in the meanwhile, certain laws, procedural codes, regulations and other legal instruments as well as educational and informative publications still contain discriminatory language. For example:



“Article 42 (Detention (*reclusión*) or imprisonment (*prisión*) of women of good reputation and of persons older than 70 years, if this does not exceed six months). If the detention term does not exceed six months, women of good reputation and persons over 70 years of age may serve their sentence at home. The same treatment shall be given to these persons if the applicable penalty is imprisonment.”

“Article 129 (Privileged abortion). If a woman induces or procures an abortion “in order to hide her shame”, she shall be liable to six months to one year of detention.”

*Article 3. “States Parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men.”*

### **Article 3**

52. As noted under article 2, the legal framework contains no legislation to limit women’s access to development, such as access to education and culture, or to health, or participation in political, economic or social activities. The only restriction applies to military personnel.

53. To apply the National Policy on Women, First Equal Opportunities Plan 2002-2007, the National Women’s Institute (INAM) has established co-operation agreements with the different ministries for implementing the policy in their respective operating plans.

54. As a result of the National Policy on Women, the gender perspective has been incorporated into the training curriculum for the national police at all levels.

55. A statistics and case monitoring system on domestic violence has been created within the judicial branch, and similar systems are being created in the Attorney General’s office and in the Security Ministry, in order to have a unified system of information on violence against women.

56. In 2005 the gender focus was incorporated into training plans and programmes of the Judiciary School, and a joint campaign was undertaken with the National Women’s Institute to provide training for all judges nationwide on the comprehensive framework of rights and on the protocol for enforcement of the Domestic Violence Law.

57. An analysis has been prepared on the interagency response to enforcement of the Domestic Violence Law.

58. Qualitative research into maternal mortality reveals that our women are suffering severe problems of mental and sexual violence.
59. A technical and regulatory protocol has been established for judges so that they can properly enforce the Domestic Violence Law. With entry into force of the new Code of Criminal Procedure in the country, integrated centres have been created to deal with complaints, and many women are now filing complaints for various offences and for domestic violence. The centres are staffed by prosecutors, public defenders, police officers, and forensic physicians.
60. With the INAM initiative and the Office of the First Lady, and support from UNFPA, the 114 emergency hotline *VIVIR* is now operating in the Security Ministry, to assist and provide guidance to women affected by any form of violence.
61. With the support of the First Lady and international co-operation, shelters are being created for battered women.
62. An interagency commission has been established to monitor enforcement of the Domestic Violence Law, comprising all institutions involved in the prevention, treatment and punishment of domestic violence.
63. The Domestic Violence Law and the Law on Equal Opportunities for Women have been translated into the Misquito, Garifuna and Tawaka languages.
64. INAM conducts a regular series of sessions to publicize the laws establishing women's rights, targeted at women in different sectors and locations.
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70. INAM conducts a regular series of sessions to publicize the laws establishing women's rights, targeted at women in different sectors and locations.
71. The National Policy on Women is being incorporated into the various aspects of the strategic plans for municipal development.
72. INAM is promoting research on the impact of domestic violence in the *maquila* establishments.
73. Research has been conducted into the impact of gender violence on the national finances, in order to quantify the outlays that the State makes through its various organs.
74. A National Plan to Prevent and Punish Violence against Women is being formulated.
75. As well, development opportunities have been enhanced and the competitiveness of micro, small and medium-sized enterprises has been improved through the adoption of policies and strategies, in consultation with stakeholders in this sector. At the same time, steps have been taken to reinforce application of the domestic legal framework governing the social sector of the economy, through the design and development of projects, training, advisory services, and technical assistance supported by various national and international co-operation agencies, primarily the National Commission for Micro, Small and Medium-Sized Enterprises (CONAMIPYME); the Micro, Small and Medium-Sized Enterprise Development Programme (PROMYPE/GTZ) sponsored by the German government; the international co-operation agency of the Republic of China (ICDF Programme/Taiwan); the National Competitiveness Programme (PNC), as well as public and private institutions that support the sector.
76. The Ministry of Industry and Commerce has signed an agreement (*Convenio*) with INAM under the National Policy on Women dealing with economic aspects. The DIFOMIPYME-SSE represents the link between the Ministry and INAM.
77. The purpose of this Agreement is to formalize the relations of co-operation and technical assistance between the two institutions in order to optimize the resources available for all the programmes and projects designed to promote the exercise of women's economic rights and to reduce poverty indicators from a perspective of equal opportunities between the sexes, as well as to improve the status of women and promote their integral development.

*Article 4.*

*“1. Adoption by States Parties of temporary special measures aimed at accelerating de facto equality between men and women shall not be considered discrimination as defined in the present Convention, but shall in no way entail as a consequence the maintenance of unequal or separate standards; these measures shall be discontinued when the objectives of equality of opportunity and treatment have been achieved.*

*“2. Adoption by States Parties of special measures, including those measures contained in the present Convention, aimed at protecting maternity shall not be considered discriminatory.”*

**Article 4**

78. The purpose of this Agreement is to formalize the relations of co-operation and technical assistance between the two institutions in order to optimize the resources available for all the programmes and projects designed to promote the exercise of women’s economic rights and to reduce poverty indicators from a perspective of equal opportunities between the sexes, as well as to improve the status of women and promote their integral development.

79. Equality of men and women in Honduras cannot be considered *de facto*, for it is regulated in the various domestic and international legal instruments that Honduras has ratified and that form part of our internal law.

80. There is protection for maternity, regulated by the Labour Code, the Law creating the Honduran Institute of Social Security, the Civil Service Law, and the Internal Regulations on Labour and Collective Contracts. These provisions include women working in the Ministry of Security and Defence (Police Women).

*Article 5.*

*“States Parties shall take all appropriate measures:*

*a) To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women;*

*b) To ensure that family education includes a proper understanding of maternity as a social function and the recognition of the common responsibility of men and women in the upbringing and development of their children, it being understood that the interest of the children is the primordial consideration in all cases.”*

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**Article 5.**

81. One of the obvious manifestations relates to the changes that have been made in the curriculum at the different levels of the military academies in order to modify the social and cultural patterns of men and women. These changes to the curriculum have been implemented through agreements signed with the National Women's Institute (INAM), which has provided ongoing technical assistance for incorporating the gender focus into the curriculum in these institutions, and at the same time a number of gender-focused study modules have been prepared. The Ministry of Education is currently reviewing and amending school textbooks. The National Pre-Basic Education Curriculum has been formulated with a gender focus.

82. With technical assistance from INAM to the National Institute for Vocational Training, the CENFA Centre in the Department of La Paz now accepts women: prior to 1994, it was reserved exclusively to men. Teaching staff are being trained in gender issues, educational modules are being prepared and the curriculum is being revised with a view to including in it the gender perspective. This has proven a successful experiment in incorporating women into agricultural training. Thanks to these processes, gender and education training has been provided for 100% of teachers in the Agricultural Training Centre and the Handicrafts Training Centre in the Valle de Angeles, as well as in the departmental directorates of six of the country's departments.

83. The Education branch of INAM has forged strategic partnerships with the Non-Formal Education Commission (CENFEANFO), which has trained teachers and more than 9000 students in gender issues in the Department of Lempira.

84. INAM has formed strategic partnerships through technical assistance agreements with the following educational institutions: the Universidad Pedagógica Francisco Morazán teaching university, the Pan American Agricultural School, the Journalism Career and the Faculty of Legal and Social Sciences.

85. Preparation and design of an education manual on the gender equity focus for boys and girls in preschool education.

86. INAM has conducted a number of studies on incorporating the gender focus into education programmes. One of these relates to "Thematic Evaluation of the Incorporation of the Gender Focus in the Design of the National Curriculum for Basic Education".

87. In the public agriculture sector, comprehensive training is being provided with a gender focus, designed to modify social and cultural patterns of the patriarchal type, together with the distribution and provision of information and teaching materials illustrating the gender focus (primers, posters, case studies, pamphlets, etc.). The immediate effect has been groundbreaking and systematic, and can be seen in attitudinal changes, and recognition and appreciation of the gender issue in

institutions, the formulation of public policies with a gender focus, implementation and application of the Gender Equity Policy in Honduran Agriculture by certain institutions of the sector.

88. The rights granted are satisfactory, for there is evidence of greater participation by women in socioeconomic activities, and a greater awareness of their duties and rights as citizens and family members.

89. To correct the problem, the State has created temporary organizational units at the institutional level. Implementation and application of the Gender Equity Policy in Honduran Agriculture by certain institutions of the sector. Nevertheless, the State is taking steps, including the preparation of conceptual frameworks, tools, methodologies and systems and other educational and informative material to help women gain access to technical and financial assistance.

90. Through *Radio Nacional de Honduras*, which falls under the Ministry of State for Culture, Arts and Sports, broadcast time is being made available for publicizing women's rights. Programming is also designed to modify discriminatory attitudes that generate violence against women, to promote family unification, and to prevent the risk of contracting HIV/AIDS.

**Obstacles:**

91. The rights granted are partially unfulfilled, because of inadequate and inequitably distributed financial resources. The shortage of funding leads to greater poverty, vulnerability, subjection, and marginalization, which undermines the human dignity of women. With respect to the factors attributed to the State in violation of their rights, there is inequality among countries (for example, developed versus developing countries), which is reflected in inequality in the terms of trade.

92. Budget shortfalls.

93. Lack of a permanent technical group comprising all government agencies coordinated by INAM, such as is needed to prepare a strategic plan for the government to eradicate social and cultural attitudes that discriminate against women.

94. Lack of coordination among the agencies of the Ministry of State for Culture, Arts and Sports and NGOs and other institutions that are directly or indirectly involved with the problem.

*Article 6.*

*“States Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women.”*

**Article 6.**

95. The commercial trafficking and exploitation of women as a way of life is duly punished in Honduras.

96. Studies have been conducted to shed light on the sexual and commercial exploitation of girls and adolescents, primarily in frontier areas. There is a national plan to eradicate the worst forms of child labour, including the exploitation of children and adolescents. There is a National Committee and there are Technical Subcommittees at the regional level to eradicate sexual and commercial exploitation. Both mechanisms are duly established and they represent public and private sector institutions and civil society organizations. The International Labour Organization has been an important source of support in steadily eliminating the worst forms of exploitation of children and adolescents.

82. At the national level, INAM has sponsored, organized and trained 55 Municipal Women's Offices and Support Committees, as a means of ensuring that municipal governments incorporate the issue of women in their local development plans and that they take concrete steps to reduce the indicators of discrimination, violence and exploitation against girls and women.

97. The Ministry of External Relations, the General Directorate of Migration and the Special Prosecutor's Office for Children have investigated and rescued Honduran girls who were working as prostitutes in Guatemala.

**Obstacles:**

98. Honduran legislation punishes the promotion or practice of prostitution and prosecutes women who engage in it, but it does not criminalize or punish the practitioners.

*Article 7.*

*“States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right:*

*a) To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies;*

*b) To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government;*

*c) To participate in nongovernmental organizations and associations concerned with the public and political life of the country.”*

## Article 7

99. The Honduran legislature approved the Law on Elections and Political Organizations by means of Decree 44-2004, Title VI, Chapter II of which establishes equality of political opportunity (articles 103, 104 and 105).

100. Chapter VI of the Equal Opportunities Law covers all aspects of women's political and social participation, and requires the Honduran State to guarantee those rights set forth in the Constitution of the Republic and in this Law.

Article 104 of the Law on Elections and Political Organizations establishes the guarantee of non-discrimination and requires the Supreme Electoral Tribunal to ensure that within the governing structures of political parties and among candidates for elected office there is no discrimination by reason of gender, creed, race, religion, or any other form of discrimination. It requires political parties, with the participation of women, to adopt internal policies on gender equity, and to report on their compliance with gender equity policy six months before the convening of internal and primary elections.

101. Article 105 of the Law calls for equitable distribution of elected positions. To achieve effective participation by women, it sets a ratio of 30% as a minimum, applicable to positions of political party directors, deputies and alternates to the National Congress and to the Central American Parliament, mayors, deputy mayors and municipal councillors. Yet this article contradicts and violates the Equal Opportunities Law, the Elections Law, and the Constitution of the Republic, in which it is stipulated that all Hondurans are equal and have equal rights to stand for election.

102. The National Policy on Women has as one of its principal thrusts the political participation of women.

103. To promote women's political participation, and in particular to highlight discrimination against women, INAM has taken a series of measures, including the following:

- Various studies to highlight women's political participation in Honduras.
- Analysis and interpretation of articles 103, 104 and 105 of the Law on Elections and Political Organizations.
- Interventions with the Ministry of the Interior and Justice and with Municipal Corporations to consider the National Policy on Women as a mechanism for women's participation, and the inclusion of projects in five thematic areas and strategic planning of municipal development.
- Training and education for 1500 female politicians and leaders of the five political parties in 16 departments of the country.
- Sponsorship, organization and creation of a Network of Women Politicians of Honduras, which subsequently decided to constitute an Association of



Women Politicians of Honduras (AMUPH), as a civil body to defend their interests and objectives and in particular to achieve political participation by women.

Parallel to this process, and with a view to supporting implementation of the National Policy on Women and in particular the political participation of women, the Association of Social Communicators for a Culture of Gender Equity has been created. By constitutional and legal mandate, women (except military personnel) have the right to vote and to stand for election, and are guaranteed to constitute a minimum of 30% of candidates for publicly elected positions.

**Table 3**  
**Women's Participation and Access to Power in Honduras**  
**1. Female Deputies**

<b>Year</b>	<b>Women</b>	<b>Men</b>	<b>Total</b>	<b>% women</b>
1995	9	119	128	7.03
1998	12	116	128	9.38
2000	12	116	128	9.38
2003	8	119	128	6.25

**2. Female Mayors**

<b>Year</b>	<b>Women</b>	<b>Men</b>	<b>Total</b>	<b>% women</b>
1995	33	260	293	11.26
1998	27	270	297	9.09
2000	27	270	298	9.06
2003	25	273	298	8.39

**3. Female Municipal Councillors**

<b>Year</b>	<b>Women</b>	<b>Men</b>	<b>Total</b>	<b>% women</b>
1995	33	1779	1812	1.82
1998	220	1627	1847	11.91
2000	220	1627	1847	11.91
2003	315	1467	1782	17.68

**4. Female Court Magistrates**

<b>Year</b>	<b>Women</b>	<b>Men</b>	<b>Total</b>	<b>% women</b>
1995	1	8	9	11.11
1998	1	8	9	11.11
2000	1	8	9	11.11
2003	8	7	15	53.33

### 5. Female Heads of Government Ministries

Year	Women	Men	Total	% women
1995	1	11	13	7.69
1998	4	11	15	26.67
2000	4	11	15	26.67
2003	2	12	14	14.29

### 6. Female Governors of Departments

Year	Women	Men	Total	% women
1995	2	16	18	11.11
1998	4	14	18	22.22
2000	3	15	18	16.67
2003	4	14	18	22.22

Source: National Elections Tribunal-2001

Note: the totals change for each period.

**Table 4**  
**Armed Forces Personnel Classified by Sex**

Category	Rank	% Men %	% Women	Total women
Regular Senior Officers	Colonels	100	0	
	Lt. Colonels	100	0	
	Majors	99.08	0.92	
	<b>Subtotal</b>	<b>99.44</b>	<b>0.56</b>	
Regular Junior Officers	Captain	99.24	0.76	
	Lieutenant	96.55	3.05	
	Sub Lt.	85.87	14.13	
	<b>Subtotal</b>	<b>93.54</b>	<b>6.46</b>	
	<b>Total category</b>	<b>95.92</b>	<b>4.08</b>	
Auxiliary Officers	Captain	59.02	40.90	
	Lieutenant	38.71	61.29	
	Sub Lt.	80.00	20.00	
	<b>Subtotal</b>	<b>61.97</b>	<b>38.03</b>	
Reserve Officers	Lieutenant	50	50	
	Sub Lt.	0	100	
	<b>Subtotal</b>	<b>33.33</b>	<b>66.67</b>	
Cadets		89.00	11.00	
NCOs		98.66	1.34	
Soldiers		93.53	6.47	
Auxiliaries		65.23	34.77	
	<b>TOTAL</b>	<b>86.15</b>	<b>13.85</b>	<b>1,590</b>

103. Article 5 of the Constitution of the Republic governs participation in the formulation of government policies, as well as access to public office, implying participation under conditions of equality in public administration.

104. In the Armed Forces, given their voluntary entry and military specialties, there are some [...] however women are gradually entering all fields: there are currently women in the weapons category, such as aviation, naval, etc.

105. There has been progress, including participation of the public and private sectors of society in formulating agricultural policies (Policy for Gender Equity in Honduran Agriculture and State Policy for the Agri-Food Sector and Rural Life in Honduras);

106. For example: farming, NGOs, professional colleges, stockbreeders' and farming associations, representatives of international agencies, etc.

107. Women are currently participating actively in all aspects of national life, and in the different spheres of civil society, NGOs and other activities. These activities are not accessible to female military personnel, because of their activity.

Despite this progress, there remain some obstacles, for example in certain processes for coordinating policies, women's proposals are not taken into account at the time of formulating plans, programmes and projects.

#### *Article 8*

*“States Parties shall take all appropriate measures to ensure to women, on equal terms with men and without any discrimination, the opportunity to represent their governments at the international level and to participate in the work of international organizations.”*

#### **Article 8**

##### General observation on its application

108. Honduras promotes the participation of women in international representation of the State, in the diplomatic career, and in different forums; in the Armed Forces they have participated only in international training, it is not known if they have served abroad.

##### **Obstacles:**

The law is not applicable with respect to levels of international participation in the defence of official access routes.

**Table 5**  
**Ministry of External Relations**  
**Diplomatic Personnel Serving Abroad**  
**Embassies**

<b>Year</b>	<b>Women</b>	<b>Men</b>	<b>Total</b>	<b>% women</b>
2002	8	20	28	28.57
2003	6	29	35	17.14
2004	6	29	35	17.14
2005	6	28	34	17.64

**Table 6**  
**Consulates**

<b>Year</b>	<b>Women</b>	<b>Men</b>	<b>Total</b>	<b>% women</b>
2002	7	7	14	50.00
2003	8	6	14	57.14
2004	7	7	14	50.00
2005	7	8	15	46.66

Source: Ministry of External Relations, Official Note 248-DGAE

#### *Article 9*

*1. States Parties shall grant women equal rights with men to acquire, change or retain their nationality. They shall ensure in particular that neither marriage to an alien nor change of nationality by the husband during marriage shall automatically change the nationality of the wife, render her stateless or force upon her the nationality of the husband.*

*2. States Parties shall grant women equal rights with men with respect to the nationality of their children.*

#### **Article 9.**

109. Article 8 of the Family Code establishes as follows: “Neither marriage nor its dissolution shall affect the nationality of the spouses or of their children.” By constitutional mandate, all male and female citizens of the Republic, without exception, may renounce their nationality and acquire the nationality of their choice.

110. Article 8 of the Family Code establishes as follows: “Neither marriage nor its dissolution shall affect the nationality of the spouses or of their children.”

111. By constitutional mandate, all male and female citizens of the Republic, without exception, may renounce their nationality and acquire the nationality of

their choice, but while within the national territory no person who is Honduran by birth may invoke foreign nationality; in this way the State protects its nationals from demands by any other State, except in cases stipulated by international convention.

112. Nationality rights also extend to the children of either parent. All these aspects are applicable to female military personnel.

To include a section in the Family Code and the Law on the National Registry of Persons regulating the use of children's surnames, both within and outside marriage, so as to preserve equality of choice and the freedom to select the surnames that children must carry.

### Part III

#### *Article 10*

*“States Parties shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education and in particular to ensure, on the basis of equality of men and women:*

*a) The same conditions for career and vocational guidance, for access to studies and for the achievement of diplomas in educational establishments of all categories in rural as well as in urban areas; this equality shall be ensured in preschool, general, technical, professional and higher technical education, as well as in all types of vocational training;*

*b) Access to the same curricula, the same examinations, teaching staff with qualifications of the same standard and school premises and equipment of the same quality;*

*c) The elimination of any stereotyped concept of the roles of men and women at all levels and in all forms of education by encouraging coeducation and other types of education which will help to achieve the same end, in particular, by the revision of textbooks and school programmes and the adaptation of teaching methods;*

*d) The same opportunities to benefit from scholarships and other study grants;*

*e) The same opportunities for access to programmes of continuing education, including adult and functional literacy programmes, particularly those aimed at reducing, at the earliest possible time, any gap in education existing between men and women.*

113. At the Universidad Autónoma de Honduras (Autonomous University of Honduras), the gender equity focus has been incorporated into the nursing curriculum, designed to strengthen the capacity of nurses to provide comprehensive

and high-quality care according to sex, age, and ethnic background; the same holds for the Professional Training Institute. This mechanism has permitted the design of a pilot programme for training young rural extension workers.

114. The following indicators show the trend from 1995 to 2003 with respect to literacy and average years of schooling. Women enjoy the same participation as men with respect to access to education; education and training for female military personnel is compulsory, under equal conditions with men.

115. There has been some progress in terms of the use of gender-neutral language among technical personnel and executives of institutions in the Public Agricultural Sector, teaching materials illustrating the gender focus for training. There is funding for formal education (university and college scholarships) for employees and their children. Signature of agreements for specialized training. There are institutional facilities to participate in sporting activities (permits, some material, dissemination, sporting materials).

### **Article 10**

116. In terms of access to education, the constitution makes it compulsory for the State to provide education to the Honduran population.

117. The Ministry of Education is responsible for implementing the stipulated measures.

118. Article 35 of the Law on Equality of Opportunities for Women allows the granting of maternity leave to pregnant students, without putting the continuity of their education at risk.

In the educational field, women have seen a significant improvement in the last 30 years: In fact, an analysis of the gender gap in 2001 shows that in that year the literacy rate for women was 75.1%, and they averaged 4.4 years of schooling, versus 73.1% and 4.1 years for men. Both these indicators favour women, and the gap in their favour is likely to widen in coming years. However, the urban-rural gap is even more important, for while the gender gap favours women by 0.3 years, the urban-rural gap is 2.1 years of schooling and 16 percentage points with respect to literacy.

The Universidad Pedagógica Francisco Morazán grants a master's degree in Gender and Education, while the Universidad Nacional Autónoma de Honduras offers an optional humanities course on women's rights.

**Table 7**

<b>Indicator</b>	<b>1995</b>	<b>1998</b>	<b>2000</b>	<b>2003</b>
Ratio of female to male illiterates	69.00	69.00	80.00	79.70

Source: INE

**Table 8**

<b>Indicator</b>	<b>1995</b>	<b>1998</b>	<b>2000</b>	<b>2003</b>
Ratio of rural to urban women aged 25 to 59 years with 10 years or more of schooling.	20.64	20.64	19.68	12.60

Source: ECLAC: Social Panorama of Latin America, 2002-2003

**Table 9**

<b>Indicator</b>	<b>1995</b>	<b>1998</b>	<b>2000</b>	<b>2003</b>
Ratio of average years of schooling for women aged 25 to 59 years in rural and urban areas	51.52	51.52	50.70	45.21

Source: ECLAC: Social Panorama of Latin America, 2002-2003

120. Among the obstacles we may mention cultural and administrative stereotypes. The willingness and the technical capability exist, but the budget is poorly distributed; despite the great efforts made, the gender issue does not constitute a priority for institutions.

#### *Article 11*

*1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights, in particular:*

*a) The right to work as an inalienable right of all human beings;*

*b) The right to the same employment opportunities, including the application of the same criteria for selection in matters of employment;*

*c) The right to free choice of profession and employment, the right to promotion, job security and all benefits and conditions of service and the right to receive vocational training and retraining, including apprenticeships, advanced vocational training and recurrent training;*

*d) The right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work;*

*e) The right to social security, particularly in cases of retirement, unemployment, sickness, invalidity and old age and other incapacity to work, as well as the right to paid leave;*

*f) The right to protection of health and safety in working conditions, including the safeguarding of the function of reproduction.*

*2. In order to prevent discrimination against women on the grounds of marriage or maternity and to ensure their effective right to work, States Parties shall take appropriate measures:*

*a) To prohibit, subject to the imposition of sanctions, dismissal on the grounds of pregnancy or of maternity leave and discrimination in dismissals on the basis of marital status;*

*b) To introduce maternity leave with pay or with comparable social benefits without loss of former employment, seniority or social allowances;*

*c) To encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of child-care facilities;*

*d) To provide special protection to women during pregnancy in types of work proved to be harmful to them.*

*3. Protective legislation relating to matters covered in this article shall be reviewed periodically in the light of scientific and technological knowledge and shall be revised, repealed or extended as necessary.”*

118. Agreement 138 on the minimum employable age, ratified in 1980, established 14 years as the minimum age at which a person is allowed to work in Honduras. In 1990 Honduras ratified the Convention on the Rights of the Child.

119. On 13 July 1996 the six Central American countries and Panama signed a Memorandum of Understanding with the ILO/IPEC committing the parties to implement the International Programme on the Elimination of Child Labour.

120. The IPEC programme has sponsored various efforts in the country to eradicate child labour, coordinated in most cases with the Ministry of Labour and Social Security.



121. In 1998 Honduras created the National Commission for the Gradual and Progressive Elimination of Child Labour, comprising the heads or legal representatives of government, business and labour organizations and NGOs interested in the issue.

122. That same year saw the creation within the Ministry of Labour and Social Security of the Programme for the Gradual and Progressive Elimination of Child Labour, designed to guarantee the rights of child and teenage workers and to impose administrative penalties on persons who violate those rights.

123. It also provides for ongoing coordination with educational institutions to bring back into the education system children and adolescents who for various reasons have dropped out of school, as an essential means of improving their living standards.

124. On 25 October 2001 Honduras ratified Convention 182 on the Elimination of the Worst Forms of Child Labour.

125. Preparation of a general analysis of the child labour situation in the country and the National Action Plan for the gradual and progressive elimination of child labour, approving as well the regulation to section 4 of the Code of Childhood and Adolescence, relating to economic exploitation.

126. In 1998 the government issued Executive Decree 17-98 creating the National Commission for the Gradual and Progressive Eradication of Child Labour in Honduras, with the First Lady as its honorary president and the Secretary of State for Labour and Social Security as its executive secretary.

127. The Child Labour Regulation came into effect in 2001, giving application to Chapter 5 of the Code of Childhood and Adolescence, including punishment for failure to observe that rule.

128. Occupational health and safety regulations for the marine fishery, pursuant to Order 116-01 of 31 May 2001.

129. Wages. The Educational Bonus Regulation (Order 154-2000 of 5 October 2000) was issued pursuant to Article 21-A of Decree 45-9-7 amending the minimum wage law.

130. The Draft Regulations on Preventive Measures governing Title V of the Labour Code, on protection of workers in the workplace, is in the process of approval.

131. Decree 62-2001 of 24 May 2001 ratified ILO Convention 182 on the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.

132. The *Mata* project was prepared in 2001, to produce a compilation of labour and social security provisions.

133. In 1999 the Department of Occupational Medicine and Safety prepared an analysis for the unit that provides care and compensation for persons disabled by workplace accidents.

134. The Occupational Risks Unit has been created, incorporating the 1999 disabilities component.

135. Manual, Labour Rights of Workers 2001.

136. Basic manual on legal and administrative procedures for filing occupational risk claims 2004.

137. The Ministry of Labour and Social Security has demonstrated its concern by creating the Programme for Working Women in Tegucigalpa and San Pedro Sula to provide protection for women against discriminatory practices.

138. The Project for the “Gradual and Progressive Elimination of Child Labour” for implementing information and dissemination of the Code of Childhood and Adolescence, creation of seven regional technical sub-councils in Copan, Danli, Juticalpa, Choluteca, La Ceiba, San Pedro Sula and Comayagua, and the Technical Council of Tegucigalpa 1999.

139. A technical assistance agreement has been signed between the National Women’s Institute and the Ministry of Labour and Social Security to integrate the gender focus into the Ministry’s plans, programmes and projects.

140. INAM has developed awareness and training programmes on gender issues, the labour market, and labour rights for employees and officials of the Ministry of Labour and Social Security, with technical support from the International Labour Organization.

The National Women’s Institute prepared a proposal for Employment with Gender Equity in 2004, covering all basic components that must be considered for women to participate in the labour market under conditions of equality with men.

**Table 10**  
**Ministry of Labour and Social Security**  
**Persons Served 2001-2004**

*Female and Minor Workers*

<b>Year</b>	<b>Women</b>	<b>Men</b>	<b>% women</b>
2001	6,185	10,230	60.46
2002	4,933	6,950	70.98
2003	405	6,627	6.11
2004	7,413	10,369	71.49
	18,936	34,176	55.41

Source: UPEG, Ministry of Labour and Social Security

**Table 11**  
**Ministry of Labour and Social Security**  
**Persons Served in Each of the Areas**  
**2001-2004**

<b>Areas</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>
Office of the General Director of Labour	10,637	13,671	15,687	12,045
Office of the General Inspector of Labour	129,516	132,786	126,930	79,166
Public Prosecutor's Office	1,890	1,026	1,022	587
Office of the General Director of Employment	9,389	11,132	13,990	10,036
Office of the General Director of Wages	28,363	22,389	60,491	11,251
Occupational Medicine, Hygiene and Safety	10,813	15,950	17,262	21,750
Protection of Children	340	530	530	584

Source: UPEG, Ministry of Labour and Social Security

141. Project on “institutional adjustment for gender equity” implemented, with six workshops on gender and legislation, government institutions, workers’ federations and confederations, in San Pedro Sula and La Ceiba, 2001.

142. Project on “promoting non-discrimination for working women”, underway since 1 October 2001.

143. “Social and Labour Study of Women in Honduras” Project.

144. Project on “social protection laws and policies in the southern agro-industrial zone, 2003-2004.

145. Manual on “Women Insist on Their Rights”, 2003.
146. Redefinition of development as it relates to female workers in the *maquila* sector in Central America, 2000-2001.
147. Investigation, inspections and reinspections of general working conditions in the *maquila* sector in 2004, in coordination with INAM.
148. Decree 1051 of 14 August 1980 gave the General Directorate of Employment the following main objectives: to help reduce unemployment and underemployment, to increase the degree of workers’ qualifications, to achieve harmonious geographic distribution of the workforce and balanced development of the labour market. The National Government Plan, referring to employment generation policy for 2002-2006, notes that adapting to the new conditions observed in the world will imply significant changes within the Honduran labour market.
149. Projects such as the following have been created:
150. With technical co-operation from the ILO, an electronic employment exchange was set up in September 2001, based on a computer programme that more effectively matches information on jobseekers with information on job openings.
151. Reforms to articles 7, 43, 44 and 45 of the Labour Code dealing with the supervision of private placement agencies and external labour market intermediation.
152. OAS project to modernize and integrate employment services through the use of labour intermediation techniques and introduction of a manual. The manual is intended to analyze and apply labour processes for placement management purposes, and the linkages whereby public employment services can make better use of their resources.
153. Assistance from the Government of Spain, which provided three experts (including Maria Dolores Garrido from 27 August to 26 November 2003) for the purpose, among others, of revising employment intermediation procedures, classifying occupations, and proposing the necessary reforms, training employment intermediators in conducting occupational interviews and in managing the supply of employment.
154. The “Revolving Fund” Project to finance efforts to ensure the continuity of activities to integrate persons with disabilities into the Honduras labour market.
155. A special “inclusive” vocational training project for young people with disabilities, in which the Ministry of Labour and Social Security stands as guarantor.

156. Establishment of “Mobile Public Service Units”.

157. Agreements signed with the Vocational Training Institute (INFOP) in 1996 establishing the framework for co-operation between the parties, and identifying the responsibilities of the executive bodies. Another agreement was signed with the Chamber of Commerce of Choloma, to promote employment generation in the municipality of Choloma, Department of Cortes, through a free electronic service that will provide information on labour supply and demand, contacts, and placement management. Another agreement was signed with ADELSAR to promote job creation in the municipality of Santa Rosa de Copan through an active jobs market that will function in the offices of the Local Strategic Development Agency of Copan.

158. Creation of a National Committee for the Well-being of Seafarers, for coordinating the creation of a *Casa de Marineros* (sailors’ centre) in the city of Puerto Cortes.

159. With entry into force of the new law governing migration and the status of foreigners, in May 2000, ministries are now coordinating for better control over foreigners working legally in our country. Statistics on working permits for foreigners who come for the first time to work in our country, issued during the last 10 years.

160. Two projects are underway in co-operation with the Inter-American Development Bank, on human capital and technical education, and on employment promotion.

161. Implementation of the Social and Nutritional Protection Project, with a subprogram on training and employment for socially at-risk youth, targeted at young people between 15 and 19 years living in poor urban areas.

162. Programme for recruiting Honduran farm workers to Canada. By means of Decree 32-2003, the General Directorate of Employment has opened the doors to neighbouring countries to recruit Honduran labour and thereby expand the sources of employment outside the national territory.

**Obstacles:**

163. The fact that the Labour Code has not been amended with respect to the special regime for women constitutes an obstacle to the enjoyment of women’s labour rights.

164. The low budget assigned to this Ministry, and the lack of modernization in many fields, means that complaints submitted by male and female workers over violation of their rights frequently go unattended.

165. Workers are often unaware of their right to adjustments to the minimum wage, and of the responsibilities and obligations of their employer under the minimum-wage rules.

166. Observance of the minimum-wage rules is not strictly monitored, and their provisions are frequently violated in various sectors of the national economy.

167. Professional association statutes are not enforced, and civil service wages have not been updated.

## **INTERNATIONAL LEGAL FRAMEWORK**

168. The international conventions adopted and ratified by Honduras include the following:

### **EMPLOYMENT. EQUALITY OF OPPORTUNITY AND TREATMENT**

169. Convention 111 concerning Discrimination in Respect of Employment and Occupations (1985)

### **CONVENTION OF BELEM DO PARA**

170. One of the conventions to prevent, punish and eradicate violence against women is the Convention of Belém do Pará, which was ratified by the National Congress of the Republic of Honduras by Decree 72-95 of June 1995.

171. With respect to the quality of employment and social protection for employment. Supported by Convention 111, and Recommendation 111 on discrimination (employment and occupation).

172. Also Convention 100, which requires that equal remuneration is to be provided for men and women workers for work of equal value.

173. The rights granted to male and female workers are satisfactory with respect to the minimum wage, which is covered in the national Constitution, the Labour Code, and Decree 103 (Minimum Wage Law), which sets pay scales without discrimination as to sex.

174. The World Health Organization defines occupational health and safety:

175. To promote and maintain the highest degree of physical, mental and social well-being of workers in all professions, to prevent all damage caused to their health by their working conditions, to protect them in their employment against the risks resulting from the presence of agents harmful to their health, to place and keep the worker in a job appropriate to his or her physiological and psychological aptitudes, and in short to adapt the job to the person, and each person to the job.

176. Article 391: Every employer or firm is required to supply and condition working premises and equipment that guarantee the safety and health of workers.

177. To this end, employers must proceed, within the time limit established by the General Inspector of Labour and in accordance with regulations issued by the executive branch, to introduce, at their own expense, such measures of hygiene and safety in the workplace as are required to prevent, reduce or eliminate occupational risks, Title and Protection for Workers during Exercise of Work Chapter I Hygiene and Safety in the Workplace.

Chapter II. OCCUPATIONAL RISKS SECTION I General Provisions Article 401:

178. All employers are required to pay the allowances stipulated in this Title, except as provided therein.

179. The employer will no longer be responsible for such allowances when they are assumed by the Honduran Institute of Social Security, consistent with the law and regulations issued by that Institute.

180. References to occupational health and safety mean that men and women are in optimal conditions to produce and have the possibility to achieve their full potential as human beings.

181. For this reason, studies have been conducted in the area of preventive health in the workplace, and the General Regulations on Preventive Measures for Occupational Accidents and Illnesses were adopted by Executive Order STSS 001-02 of 7 January 2002, providing equal protection for female and male workers, enforced through occupational hygiene and safety inspections that are conducted upon request in any business.

182. There is reference to protection from the use of agricultural chemical products:

183. Regulations for the protection of women, article 11 (2.d), article 430: agricultural chemicals may not be handled by persons under 18 years of age, by pregnant women, by nursing women or by women of childbearing age, nor by women who for reasons of health should not perform such work.

184. The Labour Code establishes conditions governing the rights of workers, in a special chapter containing the following provisions:

185. Article 144. No female worker may be dismissed on grounds of lactation.

186. Paragraph 3. A female worker who is dismissed without approval by the authority has the right to payment of compensation equivalent to 60 days' wages,

notwithstanding any compensation or allowances that may be applicable under the work contract, and an additional payment of 10 weeks of remunerated leave.

187. Article 145. In order to dismiss a female worker during pregnancy or within three months after childbirth, the employer requires the authorization of the Inspector of Labour or of the municipal mayor in places where there is no such inspector.

188. Article 140. Employers are required to grant a working mother two rest periods of 30 minutes during each day, one in the morning and one in the afternoon, in order to feed her child, without any reduction in pay, during the first six months after childbirth.

189. Article 46. The State shall permit no form of discrimination based on a person's sex or age in such a way as to nullify or alter equality of opportunities or treatment in employment or training.

190. Employers are prohibited from requesting a pregnancy test as a prerequisite for employment.

#### CHAPTER IV. EQUALITY OF OPPORTUNITIES IN THE WORKPLACE AND SOCIAL SECURITY

191. The law also prohibits any violation of labour rights resulting from pregnancy or maternity, and indeed provides for women's protection and access to conditions appropriate for the development of the pregnancy and protection of the children.

192. Protection with respect to employment, wages and other social conditions in the Armed Forces is the same for men and women, and depends on their ranking and category.

193. The recommendation invites States Parties to take steps to guarantee protection for female farm workers before and after childbirth, similar to that granted under Convention 3 to women employed in industry and trade.

194. Studies are under way to investigate working conditions at the local and regional levels in order to specify general working conditions (wages, work day, activity, hygiene and safety, preventive measures).

195. Official inspections and reinspections are conducted in order to take corrective and monetary measures. Labour problems facing women in the workplace are investigated to detect any discrimination in the exercise of their rights, and support is requested from other units of the Ministry with respect to exercise of their rights.



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196. To review existing labour legislation in order to incorporate international standards ratified by Honduras and contribute to eliminating all forms of discrimination against women.

#### PROGRAMME FOR GRADUAL AND PROGRESSIVE ELIMINATION OF CHILD LABOR

197. Compliance by employers, workers, government, families and society in general with labour regulations governing child workers.

198. Child workers enjoy special workdays that are limited to six hours or four hours, depending on their age.

199. Incorporation of child workers into the formal or vocational education system.

200. Brothers, sisters, mothers and fathers of child workers receive guidance and training on labour rights and duties.

201. Identification of poverty levels among the families of child workers.

202. Inspection of work premises and evaluation of the jobs performed by child workers.

203. Monitoring of child workers authorized by the Ministry of State.

204. Defence of workers' rights that are violated by employers (upon complaint).

205. Legal representation (power of attorney) before the courts for child workers in defending their labour rights.

#### DOMESTIC CHILD LABOR IN HONDURAS

206. 64.4% of girls working as domestic servants begin such employment before the age of 14 years, i.e. before the minimum employable age set by the ILO Convention 138 and the Honduran Code of Childhood and Adolescence.

**Table 12**  
**Days of rest for females in domestic employment, by age group**

<b>Age group</b>	<b>11-13 years</b>	<b>14-15 years</b>	<b>16-17 years</b>	<b>Total</b>
Two free days or more per week	26.3	22.4	18.0	20.5
One free day per week	55.3	71.6	74.6	70.5
One free day every two weeks	2.6	0	0.7	0.8
No time off	15.8	2.9	5.2	6.3
Other	0	1.5	1.5	1.3
No response	0	1.6	0	0.4
<b>Total</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

Source: Domestic Child Labour in Honduras “behind closed doors”, ILO/IPEC, San José, Costa Rica, 2003

207. Legal framework: child labour

208. Code of Childhood and Adolescence, Honduras, 1996; Article 125 a): Persons between the ages of 14 years and 16 years may not perform a work day that exceeds four hours.

209. Code of Childhood and Adolescence, Honduras, 1996; Article 125 b): Persons between the ages of 16 years and 18 years may not perform a work day that exceeds six hours.

#### THE EFFECTIVENESS OF WHAT THE GOVERNMENT IS DOING

When it comes to enforcing labour regulations and protecting workers’ rights against daily violations, the State takes a proactive attitude towards reconciling the two parties.

**Table 13**  
**Conciliation services**

<b>Year</b>	<b>Women assisted</b>
2002	2,255
2003	2,205
2004	1,989
2005	118
<b>Total</b>	<b>6,567</b>

211. Observance is monitored through systematic or ad hoc supervision of minimum wages paid in all economic activities and in all areas of the country, in

order to reduce violations of the minimum wage. This process can detect whether there are violations of the law: if a violation is found, steps are taken to secure the corresponding adjustments, and in this case there will be an immediate inspection to ensure that the correction has been made.

212. To raise the awareness of employers, workers and of society in general about labour rights and duties, annual revisions to the minimum wage, ad hoc inspections and reinspections, investigations into working conditions (hygiene and safety).

213. There are violations of the minimum wage.

214. Awareness and sensitization campaigns are conducted with the private sector to eliminate discrimination.

215. Creation of the Framework Law on Human Resource Training within the Economic and Social Council (CES).

216. Projects with international agencies such as IDB and World Bank to provide training for entry into the labour force.

217. Creation of tripartite coordinating bodies (CES).

218. Effective enforcement of labour legislation is sought.

219. Open and direct dialogue with social partners involved with national and international agencies and with civil society.

220. Immediate steps to develop technical capacities for conciliation and to disseminate labour and materials.

221. Design of policies and programmes in the context of prevention and social security responsibilities, to respond to the working population in a responsible manner, based on the concepts of social justice, equality, equity and solidarity in the complex issue at hand.

222. Serving the working population: a great many applications to suspend work contracts that affect male and female workers in Honduras.

223. In 1998 and 1999 a wage proposal was laid before workers and employers, taking into account the effects of Hurricane Mitch on the Honduran economy.

224. Civil society is being consulted on projects designed to address the labour market problem and to create conditions for enhancing the quality of employment with increases to workers' real incomes.

225. To define and agree on reforms to the Labour Code in the new legal institutional framework of the Ministry of Labour and Social Security.
226. Coordination with government institutions, establishing agreements to create units, programmes to promote participation and to encourage processes that will give effect to the rights of men and women in labour relationships.
227. Introduction of information systems and new forms of external co-operation, and progress in developing technical and operational capacities in formulating policies and programmes in the various departments of this Ministry.
228. Advisory services are provided to workers and employers on labour rights and duties, on compliance with laws relating to the areas of consultation, through capacity building activities.
229. Modernization of placement services.
230. Establishment of networks in the private sector.
231. Measures to improve public safety.
232. Projects to establish employment policies and strategies.

Programmes aimed at eliminating discrimination in access and employment have little impact.

**Table 14**  
**Labour Organizations**  
**Senior Positions Held by Women**

<b>President</b>	<b>Vice President</b>	<b>Treasurer</b>
84	86	96

\*474 labour organizations nationwide are registered with the Ministry.

*Article 12.*

*“1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of health care in order to ensure, on a basis of the equality of men and women, access to health care services, including those related to family planning.*

*“2. Notwithstanding the provisions of paragraph 1 of this article, States Parties shall ensure to women appropriate services in connection with pregnancy, confinement and the post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation.”*

## Article 12

### General observation on enforcement

233. Women enjoy access to medical conditions and family protection on an equal basis with men in the Armed Forces.

234. Women have free access to medical services relating to maternity and childbirth, within the State's limitations, but there are no programmes to assure adequate pre- and post-natal nutrition until children are of an age to enter formal schooling. The military health services have all the specialties necessary to offer appropriate health services to women.

In the health field there is coordination within and between institutions to promote education programmes that will foster the integral health of women, with an emphasis on sexual and reproductive health. These include:

235. "*Goce de su maternidad*" ("Enjoy Motherhood"), approving the Maternal-Child Policy, as in the Youth, Health and Population Project.

236. Through the process promoted by INAM to institutionalize gender considerations, various actions have been taken, including the following:

- Mainstreaming the gender equity focus in the health sector.
- Proposed conceptual framework for mainstreaming the gender equity focus in the manual of rules and procedures for integral women's care.
- Proposed project on health promotion and integral care for women living with HIV/AIDS.
- Preparation of methodological guidelines for gender and mainstreaming gender for teachers.
- Incorporation of the gender focus in the National Nutrition Policy.
- Incorporation of the gender focus in the strategy for empowering women with paternal co-responsibility in health and nutrition programmes.
- Formulation and preparation of manuals for teachers and students in the Nursing School of the Faculty of Medical Sciences.
- Others relating to the effects of violence against women attending the Honduran Institute of Social Security in Tegucigalpa and San Pedro Sula.

237. The Ministry of State for Health has pursued structural changes for inter-sector and interagency coordination that did not previously exist:

- 1995, the beginning of human resource training for managing the strategy to address family violence.
- Raising the awareness of human resources in the sector about the issue of family violence.
- In 1997, 16 family counselling offices were created to address family violence in nine health regions.

- A system of epidemiological surveillance has been established, with the preparation of four instruments for gathering information (SM1, SM2, SM3, epidemiological fact sheet: these are found in the annexes to the manual of rules). Creation of support groups in the centres where the programme functions. 53 local councils have been created in support of the family counselling offices. The primary objective is to lay the basis for developing strategies over a 10-year period.
- Programme for Dealing with Gender-based Violence. The rules and procedures for dealing with family violence have been published in a manual; there are special centres where cases of violence can be reported. There is institutional coordination with other State bodies: Special Prosecutor's Office for Women, Human Rights, Forensic Medicine, and there are rules, protocols and policies.

#### WHAT IS THE OUTCOME?

- 238. Women are filing more complaints.
- 239. There has been an increase in the care provided through the health services.
- 240. Rehabilitation efforts for women and men who come to the health services.
- 241. Initiatives at working with male aggressors.
- 242. Promotion of the programme through the dissemination of information by various means.

#### **Obstacles**

- 243. Efforts are focused mainly on the national capital.
- 244. The information is not collated in the central statistics of the Ministry.
- 245. Programmes, human resources and financing are inadequate to cover all the needs of battered women.
- 246. Only a low percentage of women have the opportunity to access these services.
- 247. Failure to comply with policies, laws and plans.
- 248. There is little awareness among decision-makers.

#### WHAT IS THE STATE DOING CURRENTLY TO CORRECT THIS PROBLEM?

- 249. Standardizing services.

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250. Revising and amending laws.
251. Putting the family counselling offices on a sustainable basis.
252. Prevention and rehabilitation programmes for male aggressors.
253. A Mental Health Policy has been prepared and approved.
254. Protocols for dealing with gender-based violence.
255. The programme has no nationally funded budget, and operates with economic support from the ASDI/Access Project (L. 100,000 to 150,000) in five departmental regions, with PAHO/WHO funding (L. 60,000)
256. There remains the problem that the instrument for collecting information on gender-based violence is not part of the official records system of the Ministry of Health, which means that the data are not centrally collated. Progress has been made in the Department of Olancho. In coordination with the INAM, specifically the Health and Violence Branch, a protocol is being prepared to identify and address domestic violence against women.
257. Statistics or indicators. A bulletin for monitoring gender-based violence has been revised and validated in one Family Counselling Centre and in one Health Centre.

#### HEALTH: STD/HIV/AIDS DEPARTMENT

258. The legal framework now includes the Special Law on HIV/AIDS, policies on sexual and reproductive health and prevention of HIV/AIDS, and the National AIDS Commission (CONASIDA).
259. Progress has been made in dealing with pregnancy, including HIV screening, and pre-and post-test counselling. 80% of pregnant women agree to the diagnostic test and have the right to receive comprehensive care involving antiretroviral therapy, and to receive care for transmission from mother to child.
260. Continuous pregnancy monitoring.
261. Special studies of sex workers.
262. Services are available on demand, and there has been a 60% increase in rural areas.
263. The number of comprehensive care centres to prevent mother-child transmission has risen from 13 centres in 2001 to 196 centres today.

264. Free messages are offered through the mass media, public and private, to encourage the general public to do its part in preventing AIDS.

**Obstacles:**

265. There is a rising trend of HIV/AIDS among women, demonstrating their vulnerability, due to their weakness in power relationships; the transmission of HIV/AIDS is rising among housewives: women are still not exercising their sexual rights.

266. There are no specialized, culturally adapted programmes for addressing HIV/AIDS for women who belong to ethnic groups, and their vulnerability to the disease is rising. There is no specific policy for women: policy addresses both sexes.

267. Gender ratio of HIV/AIDS cases: currently two men are affected for every woman.

There are indicators and statistics, broken down by sex.

**Table 15**  
**Ministry of Health**  
**AIDS Cases**

<b>Year</b>	<b>Females</b>	<b>Males</b>	<b>Total</b>	<b>% females affected</b>
1985	0	4	4	0
1986	4	9	13	30.77
1987	37	72	109	33.94
1988	73	139	212	34.43
1989	118	208	326	36.20
1990	273	466	739	36.94
1991	211	425	636	33.18
1992	275	586	861	31.94
1993	419	782	1201	34.89
1994	418	705	1123	37.22
1995	460	761	1221	37.67
1996	401	685	1086	36.92
1997	522	739	1261	41.40
1998	704	788	1492	47.18
1999	548	653	1201	45.63
2000	449	516	965	46.53
2001	481	549	1030	46.70
2002	497	528	1025	48.49
2003	593	671	1264	46.91
2004	282	294	576	48.96
<b>Total</b>	<b>6765</b>	<b>9580</b>	<b>16,345</b>	<b>41.39</b>



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**PROGRAMME OF INTEGRAL CARE FOR WOMEN**

268. If we take women of reproductive age as the priority group, the delivery of the Package of Basic Services includes the topic of sexual and reproductive health. This translates into documents, laws, standards, and health care protocols.

269. The Policy on Sexual and Reproductive Health has been approved and disseminated.

270. Government Order 0966/SS of 13 April 1999 authorizes voluntary female contraception, provided the woman is an adult and seeks such service voluntarily.

271. The range of family planning methods has expanded.

272. Female VSC (voluntary surgical contraception) with local anaesthesia.

273. Use of Depoprovera as an emergency contraception method.

274. Emphasis on IEC (“Information Education Communication”) campaigns in dealing with sexual and reproductive health.

275. Maternal mortality declined from 186/100,000 live births in 1990 to 108/100,000 live births in 1997.

276. Updating of the maternal-infant care standards.

277. The coverage rate for institutionally assisted childbirth rose from 54% in 1996 to 61.7% in 2001; access to postnatal services rose from 34% in 1996 to 30% in 2001; for prenatal care from 86% in 1996 to 85% in 2001; and for FP (family planning) from 52% in 1996 to 61.8% in 2001.

**Obstacles:**

278. There are organizations that are actively campaigning against the emergency contraception plan.

279. The development of some strategies has been delayed by lack of financing.

280. Women do not seek remedial care when they have suffered malpractice at the hands of service providers. This increases the risks of complications, disease and death.

281. No “total quality” services are available.

## NATIONAL PROGRAMME OF COMPREHENSIVE CARE FOR ADOLESCENTS

282. The Sexual and Reproductive Health Policy includes definition of policies for providing comprehensive care to male and female adolescents with a gender equity focus. Preparation of technical and administrative standards for comprehensive care to adolescents. Comprehensive counselling manual for adolescents. Situational diagnosis. Compendium of rights and duties of teenagers and young people. Revision of the Code of Childhood and Adolescence. Incorporation of the adolescents programme into the priorities of the Health Ministry. Within the health services, 40 facilities have been created for differentiated care. Counselling services.

283. These facilities are located in the various health regions. 20 of them are financed by the Global Fund, UMFPA, the European Union, GTZ and UNICEF.

284. They are distributed regionally as follows: Atlántida (La Ceiba and Tela); Colón (Tocoa); Cortés (Puerto Cortés and Choloma); Santa Barbara (Colinas, Santa Barbara and Quimistan); Copan (Santa Rosa de Copan and La Entrada).

285. Ocotepeque (Sinuapa and Ocotepeque).

286. Lempira (Gracias).

287. Francisco Morazan, in the Metropolitan Region; Health Centre of Villa Adela, Colonia San Miguel, Colonia San Francisco, Colonia La Alemania, Barrio El Bosque, Health Centre of La Flor del Campo.

288. Comayagua. Villa de San Antonio, Siguatepeque and Comayagua.

289. Coluteca. San Lorenzo and Choluteca.

290. El Paraiso, Canli, Buscaran, San Lucas and El Paraiso.

291. Olancho in Juticalpa.

292. In Yoro, Olanchito and El Progreso.

293. They come under the Health Ministry's Programme of Comprehensive Care for Adolescents, and the Departmental Directorates, respectively.

294. There is a contradiction with respect to the exercise of these rights, in that the Childhood Code specifies that adolescents may access services if accompanied by a relative, while the Ministry's rules say that adolescents can seek service alone.

**Obstacles:**

295. If an adolescent is not accompanied by an adult family member, he or she may be refused service (in cases of sporadic sexual abuse, even if they have been reported and punished).

296. There is no complete information provided on use of and access to care services. These services need to be promoted more widely, for they are now being expanded.

297. There is a shortage of trained human resources for providing gender-differentiated care.

298. There is no national plan for the development of youth and adolescence. In rural areas services are seldom accessible.

299. Because they are not detailed in a plan they have little impact. Gender-based violence is still at the reporting stage.

300. There are no interagency plans or working teams. There is no epidemiological profile to identify the grounds for which teenagers seek consultations.

301. There are no gender-disaggregated statistics.

**EFFECTS:**

302. Health complications: living conditions deteriorate, the risk of dying from preventable causes increases, and there is a higher risk of contracting HIV/AIDS. Increase in pregnancies, family violence, and gender-based violence.

The adolescent population is not a priority. It is included in the framework of priorities, but is not explicitly addressed by the Ministry.

*Article 13*

*“States Parties shall take all appropriate measures to eliminate discrimination against women in other areas of economic and social life in order to ensure, on a basis of the quality of men and women, the same rights, in particular:*

*a) The right to family benefits;*

*b) The right to bank loans, mortgages and other forms of financial credit;*

*c) The right to participate in recreational activities, sports and all aspects of cultural life.”*

### Article 13

303. Article 74 of the Equal Opportunities Law establishes women's access to the benefits of the Agrarian Reform Law on equal conditions with men.

304. Within the government, the institution directly responsible is the National Bank for Agricultural Development (BANADESA), which began operations on 7 April 1980, and since then has been providing support for micro, small and medium-sized producers.

305. It was only in 2003 that the loan portfolio was classified by gender through the annual operating plan. It is important to note that the specific objectives of the BANADESA annual operating plan include "promoting gender equity with the equitable participation of men and women so as to strengthen and expand opportunities under equality of conditions". The plan also sets physical and financial goals, i.e. the number of women who will receive credits, and a specific amount in relation to what men receive.

306. It is important to note that the specific objectives of the BANADESA annual operating plan include "promoting gender equity with the equitable participation of men and women so as to strengthen and expand opportunities under equality of conditions". The plan also sets physical and financial goals, i.e. the number of women who will receive credits, and a specific amount in relation to what men receive.

#### 1. TRUST FUNDS

307. BANADESA has done a great deal for women through its trust funds, which include the following:

308. *AMI-MUJER*: because of high default rates, the trust fund became depleted, and the institution is currently engaged only in recovery efforts.

309. *Cajas Rurales* (rural financial co-operatives). These are still operating, and are available to borrowers who have a good credit record with the bank. The ceiling is L. 150,000. They finance trade, industry, and livestock fattening.

Women's co-operatives. Administration of this fund was moved from BANADESA to the Women's Co-operatives, pursuant to Decree 222-2001:

**Table 16**

<b>Name of Co-operative</b>	<b>Amount (Lempiras)</b>
Cooperativa Mixta La Prosperidad	2,180,000
Cooperativa Mixta Mujeres Unidas	3,000,000
Emprendedoras Altos del Paraiso	500,000
Cooperativa Mixta Unidas para Progresar	1,520,000
Cooperativa Mixta Mujeres en Acción	1,000,000
Cooperativa Mixta Mujeres de la Sierra	1,800,000
<b>Total</b>	<b>10,000,000.</b>

310. Honduran Confederation of Rural Women (*Confederación Hondureña de Mujeres Campesinas*). In this trust fund, 100% of loans go to women, and the credit ceiling was increased from L. 40,000 to L. 150,000 through an addendum signed by the Minister of Finance, the Executive President of BANADESA and the Director of INAM on 7 October 2003 (a copy of that addendum is attached).

311. The Bank has managed the trust fund of the Honduran Confederation of Rural Women since 24 November 1999. To date, 390 women have obtained loans, for various purposes.

312. With the *Cajas Rurales* trust fund, 70% of loans go to women, and 30% to men.

**Table 17**  
**Trust Fund Portfolios**  
*Cajas Rurales*

<b>Year</b>	<b>Number of loans</b>	<b>Amount granted</b>	<b>Amount disbursed</b>
2000	11	979,802.00	979,802.00
2001	50	5,153,232.80	5,072,831.80
2002	54	6,415,698.36	6,318,298.36
2003	9	665,809.60	593,952.00
2004	38	4,778,005.00	4,729,005.00
2005	2	380,000.00	380,000.00
<b>Total</b>	<b>161</b>	<b>18,372,547.76</b>	<b>18,073,889.16</b>

**Table 18**  
**Trust Fund Portfolios**  
*Confederación Hondureña de Mujeres Campesinas*

<b>Year</b>	<b>Number of loans</b>	<b>Amount granted</b>	<b>Amount disbursed</b>
2001	14	550,000.00	533,000.00
2002	11	464,000.00	464,000.00
2003	6	240,000.00	240,000.00
2004	11	790,000.00	790,000.00
<b>Total</b>	<b>42</b>	<b>2,044,000.00</b>	<b>2,015,800.00</b>

313. BANADESA is a member of the credit committees of the *Cajas Rurales* of the Honduran Confederation of Rural Women, and ensures that all credit applications meet the requirements under the contracts.

314. Together with INAM, rural women's organizations such as CNC, COCOCH, CHMC and ALCOHMUJER assist in the provision of credit.

315. These credits are restricted exclusively to rural areas. In conclusion we may point to progress in the following areas:

316. BANADESA has already sent instructions to the Technology Department to classify the loan portfolio by sex.

317. The institution's annual operating plan includes physical and financial targets.

318. Efforts are being made to have women participate in the credit committees.

319. Progress has been made in marketing handicraft products such as handbags, belts, caps, and billfolds for export to the United States. This activity is being performed by the *Cajas Rurales* No. 1 and No. 2, located in Concordia, Department of Olancho.

320. The Rural Women's Confederations have done pioneering work in supporting women's participation and access to credit through the financial guarantees they provide.

321. It is important to note that the Trust Fund for Itinerant Tenants and Vendors of the Central District has 564 clients, 350 of whom are women engaged in business. They have an excellent credit record, demonstrating that Honduran women have a culture of repaying their loans.

322. There is very little in the way of statistical information, for the loan portfolio is not broken down by sex, but there is no doubt that it has provided significant support to women.

323. The Ministry of Industry and Commerce (SIC), through the General Directorate for Development of Micro, Small and Medium-Sized Enterprise and the Social Sector of the Economy (CIFOMIPYME-SSE), is working in various ways to improve commercial and industrial development opportunities through its support for micro, small and medium-sized enterprise.

324. The National Women's Institute has been pursuing a series of efforts to help women exercise their economic rights, including the following measures:

- a) It has signed and implemented agreements with the Ministry of Industry and Commerce and the "El Zamorano" Agricultural School to mainstream gender considerations in the plans, programmes and projects of those institutions.
- b) It has sponsored and organized the Council of Women's Ministers of Central America (COMMCA), which has been incorporated into the Central American Economic Integration System, with strong support from the Minister for the National Women's Institute of Honduras, who was serving as President Pro-tem for Central America.
- c) The COMMCA is managing and implementing the Central America Economic Agenda Project.
- d) It has promoted gender-focused information systems to visualize women's participation in economic activities.
- e) A Marketing and Negotiation Manual has been prepared for businesswomen.
- f) The Economic Agenda and Open Trade Project is now being implemented to help position gender equity on the Central American economic agenda.
- g) Training is being provided for female entrepreneurs in the micro, small and medium-sized business sector as a means of incorporating women into productive processes.
- h) Awareness and training campaigns have been conducted on competitiveness policy in support of micro, small and medium-sized enterprises, to help identify and highlight opportunities for women in economic systems.
- i) In coordination with the Honduran Institute of Vocational Training and the Ministry of Industry and Commerce, workshops have been conducted on the administrative and legal organization of businesses.

- j) Various studies have been prepared on the status of women in the economic area.
- k) A study was performed on financial mechanisms and operating strategies for giving women access to credit.
- l) Promotion and implementation of the Module on Access to Productive Resources in E-Business.
- m) Participation in various economic roundtables to give effect to the Poverty Reduction Strategy and enlist women's participation.

325. In the Armed Forces, there are recreational and sports programmes in which men and women participate on an equal footing. These include sporting competitions involving mixed teams or teams composed exclusively of women. There are no such arrangements for the rest of the population.

- a) Multiple-Use Dwellings Survey of the National Statistics Institute.
- b) Participation in formulating legislation to promote competitiveness with a gender focus; the INAM is part of the governing structure of the National Commission for Micro, Small and Medium-Sized Enterprise.
- c) Participation in various economic roundtables to give effect to the Poverty Reduction Strategy and enlist women's participation.

326. In the Armed Forces, there are recreational and sports programmes in which men and women participate on an equal footing. These include sporting competitions involving mixed teams or teams composed exclusively of women. There are no such arrangements for the rest of the population.

#### *Article 14*

*1. States Parties shall take into account the particular problems faced by rural women and the significant role which rural women play in the economic survival of their families, including their work in the non-monetary sectors of the economy, and shall take all appropriate measures to ensure the application of the provisions of the present Convention to women in rural areas.*

*2. States Parties shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, that they participate in and benefit from rural development and, in particular, shall ensure to such women the right:*

- a) To participate in the elaboration and implementation of development planning at all levels;*



- b) To have access to adequate health care facilities, including information, counselling and services in family planning;*
- c) To benefit directly from social security programmes;*
- d) To obtain all types of training and education, formal and non-formal, including that relating to functional literacy, as well as, inter alia, the benefit of all community and extension services, in order to increase their technical proficiency;*
- e) To organize self-help groups and co-operatives in order to obtain equal access to economic opportunities through employment or self-employment;*
- f) To participate in all community activities;*
- g) To have access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform as well as in land resettlement schemes;*
- h) To enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications.*

#### **Article 14.**

327. The status of rural women in Honduras. We shall consider as “rural” the population living in communities of fewer than 2,000 inhabitants, although that definition does not cover the entire scope of farming sector.

328. According to the National Statistics Institute, the female population of working age (over 10 years) is 2,671,004, of which only 32%, or 330,000 women, are in the workforce, while some 850,000 women are economically inactive (and not covered by economic statistics), although they are engaged in productive or other activities of an informal nature.

329. In all, some 45,000 rural women have been identified and recognized as visibly devoted to farming work and belonging for the most part to the small and medium-sized farm producers group. Rural women who have a recognized occupation enjoy monthly incomes that are slightly higher than those of their male counterparts (L. 1869 versus 1804). Among public employees there is no substantial difference, but among self-employed persons - those working for their own account - women’s income is 59% greater than that of men.

330. On the other hand, specific estimates show that the average income of women over 15 years of age in rural areas is less than L. 850, while the average income for men is in the order of L. 1200 per month. The explanation for this relatively great income disparity lies in the high proportion of professionals (teachers, nurses, accountants and administrators) and other non-farm occupations, which raises the

monetary earnings of the economically active rural population, rather than in the levels of agricultural productivity, where women are at a disadvantage according to figures from the 2001 Farm Survey.

331. Comparing output by product, women produce 87% of corn, 67% of rice, 12% of millet, and 11.4% of beans, which are the crops in which women are most heavily engaged.

332. Despite the existence of the Agricultural Sector Modernization and Development Law, article 79 of which establishes women's access to land, some studies suggest that there are limits of a civil nature (land is held on an individual basis, and ownership can be shared only through a de facto or matrimonial union, if so requested).

333. With respect to equal opportunities, access and results, the rights granted are satisfactory because these actions contribute significantly to improving the condition and status of women within society, and women can also obtain credit. Impact on women: changes in the status and condition of women, better quality of life, and access to productive processes.

334. There is little participation by rural women, because of exclusion and limitations from the legal viewpoint. To correct this problem, the government has included initiatives in the State Policy for the Agri-Food Sector and Rural Life.

335. We may say that, within the context of the Policy for Gender Equity in Agriculture, women are guaranteed access to productive resources, including land, and this is also reflected in the State Policy for the Agri-Food Sector and Rural Life.

336. Only a small percentage of land is held in the name of women, farming enterprises, and couples.

According to the National Agrarian Institute (INA), from 1983 to December 2004 there were 201,506 ownership titles awarded, of which 51,195 corresponded to women and 150,311 to men, in the independent sector. In 2003, 22 titles were granted to farming enterprises.

**Table 19**  
**Land titles awarded to Hondurans, by sex**

<b>Year</b>	<b>Women</b>	<b>Men</b>	<b>Total</b>	<b>% women</b>
1995	2932	9189	12,121	24.19
1998	4887	14,083	18,970	25.76
2000	3994	12,070	16,064	24.86
2003	1478	4426	5904	25.03
Total	13,291	39,768	53,059	25.04

Source: INA Land Titles Division. Report on Land Titles Issued to Men and Women 1995, 1998, 2000, 2003 in the independent sector

337. The Public Agriculture Sector has brought farmers' organizations of women and of mixed gender into the formulation of policies and the implementation of rural development programmes and projects (for example, the Policy for Gender Equity in Honduran Agriculture, the State Policy for the Agri-Food Sector and Rural Life, the Strategic Plan for the Agro-Forestry Sector, priority measures 2004-2006).

338. Some institutions of the sector have national organizational structures for carrying out activities to strengthen the farm sector: promotion, training, extension services, technical assistance, financial support, etc. Agreements have also been signed with related institutions, coordination bodies and specific alliances for rural women, and thus for rural families. Some bodies have also created mechanisms to assist product marketing, such as the Farm Sector Business Centre and the storage centres of INA.

339. Institutions of the public agricultural sector have coordinated efforts with the Ministry of Health and Family Planning to provide training to female producers (workshops, discussion groups and training courses) dealing with sexual and reproductive health (programmes and projects and technology transfer through DINADERS, DICTA, DIGEPESCA, INA).

340. The State Policy for the Agri-Food Sector and Rural Life has created the Agricultural Education, Training and Business Development Service, which is focused on developing a public-private training and development system for agribusiness, coordinating the non-formal systems for training, research, technology transfer and information, in order to build technological capacities and to establish a closer linkage between the creators and beneficiaries of wealth.

341. Organization and management of financing for training and creation of rural financial co-ops in different departments of the country in the areas of influence of the rural development projects, benefiting women's and mixed groups. Organization and training of women's groups for accessing productive resources such as seeds and inputs and tools for various crops, technology packages for organic farming, technological exchange units in cattle and swine breeding and

beekeeping. This provides access to economic opportunities and consequently improves living standards.

342. Through training in political participation, women are now actively engaged in community activities and decision-making, and have an impact on the formulation, management, negotiation, execution and monitoring of productive and social projects, as well as on the presentation of proposals. Some 1500 training sessions are held yearly, benefiting on average 80,000 male and female producers, technicians and students from various education institutions and ethnic groups, especially along the Atlantic coastline and the Islas de la Bahia islands. With creation of the *Escuela de Mayordomos* (Supervisors' School), male and female farmers have the opportunity for training in agricultural techniques applied to agribusiness, crop systems, and livestock production techniques.

343. Through the Millennium Account, funding in the amount of US\$40 million has been provided for development of the agri-food sector, and the international community will earmark US\$187.6 million for 58 policy measures contained in the 2004-2006 Strategic Sector Plan. With the Law for Strengthening the Agricultural Sector, the government has consolidated within a single legal instrument provisions for debt relief, adjustment, refinancing and rehabilitation, thereby benefiting more than 13,000 producers. Through the SAG, two farm insurance firms have been consolidated. The protected amount is L. 1.175 billion, covering 50,000 hectares of crops against drought, floods, excessive rainfall and high winds: this amount has tripled in the last three years.

344. Systems have been built to irrigate 40,000 hectares, and in the last three years 23,000 hectares have been brought under irrigation, benefiting more than 43,000 families of small rural producers - this represents 29% of all the land irrigated over the last 50 years. The SAG has helped women farmers with infrastructure projects such as pigsties, fish tanks, apiaries, chicken coops, storage centres, upgraded granaries, drying sheds, micro-irrigation systems, drainage construction, road bridges, latrines, rain cisterns, improved stoves, expansions and improvements to water systems, improvements to the water retrieval system, installation of rain gauges, etc. Work is currently underway on the "Healthy School Projects" which will benefit rural school children, training for women in such areas as poultry raising, integrated horticulture, and permanent technical assistance. The Rural Fish Farming Project is benefiting communities, villages and settlements where nutrition and food security indices are poor. Technical training has also been provided in tilapia fish rearing, harvesting and marketing (for further information see the Development of Rural Infrastructure and Irrigation section of the 2002-2003-2004 annual report of SAG).

345. The Poverty Reduction Strategy notes, on the basis of various household surveys, that poverty tends to affect women proportionately more than men, especially women who must run the household without the effective presence of a partner.

346. The government is currently seeking to mainstream gender considerations in the Poverty Reduction Strategy by means of the six sectoral roundtables for education, health, water and sanitation, agro-forestry, security and justice, and productive sectors and infrastructure.

347. To this end, on 10 March 2005 the sector roundtables were relaunched. In those roundtables, the government has adopted the sector-wide approach (SWAP) as a planning and budgetary tool in order to coordinate support for public programmes and optimize the use of resources.

348. The gender equity focus appears as a horizontal theme with five other themes: macroeconomics and competitiveness, environment and risks, decentralization and transparency. INAM has the lead role in mainstreaming the gender issue, and it sits at the various roundtables mentioned earlier.

349. Achieving the gender equity objective requires a steady effort to give across-the-board effect to the National Policy on Women and its corresponding plan. We women must not be regarded as “special group”: not only do we represent 50% of the population, but we are part of all social groups, with particular needs.

350. Structural reforms run counter to the objective of raising the level of human capital, especially when it comes to health and education: the IMF is pressing the government to reduce social spending as a way to cut the fiscal deficit. The government’s intention to lower social benefits for teachers and health workers demonstrates this contradiction.

351. The conditions that the IMF has imposed on the Government of Honduras in order to expedite the country’s entry into the Heavily Indebted Poor Countries Initiative, and the macroeconomic measures it is insisting on for the release of funding for the PRS highlight the dominant interests of transnational capital, which take precedence over any consideration of poverty reduction.

352. A comprehensive agricultural policy must include food security, for which reason it is imperative to proceed with agrarian reform, based on social and gender equity, that will not only guarantee a fair redistribution of land but will also articulate public policies for health, education, technical training, and credit. Agrarian policies show a regressive tendency. The eviction of farmers demanding land for work, the institutional weakening of INAM, the restrictions on credit and irrigation services, among other things, are contrary to the objectives for the rural sector contained in the PRS.

353. Military men and women alike can engage on the side in personal activities in both urban and rural areas without compromising the needs of the service, and can thereby produce benefits for all government programmes.

*Article 15*

*“1. States Parties shall accord to women equality with men before the law.*

*“2. States Parties shall accord to women, in civil matters, a legal capacity identical to that of men and the same opportunities to exercise that capacity. In particular, they shall give women equal rights to conclude contracts and to administer property and shall treat them equally in all stages of procedure in courts and tribunals.*

*“3. States Parties agree that all contracts and all other private instruments of any kind with a legal effect which is directed at restricting the legal capacity of women shall be deemed null and void.*

*“4. States Parties shall accord to men and women the same rights with regard to the law relating to the movement of persons and the freedom to choose their residence and domicile.”*

354. The institutions of the agricultural sector (SAG, INA) are providing training and are assisting with organization and legal procedures for male and female farmers to legalize their groups into businesses. They are also promoting and supporting legal proceedings for intellectual property (legal personality, health records, environmental licenses, bar codes, etc.).

355. Women and men in the Armed Forces enjoy equal legal treatment and civil juridical capacity in all its manifestations, under equality of conditions. Any contractual provision that restricts, limits or denies personal rights to members of the Armed Forces and constrains their freedom of circulation, residence and movement is null and void, although by law the domicile of military personnel will always be that assigned to them, without any distinction.

356. The Family Code also calls for constitution of familial property, as a means to ensure support for the family.

*Article 16*

*1. States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular shall ensure, on a basis of equality of men and women:*

*a) The same rights to enter into marriage;*

*b) The same right freely to choose a spouse and to enter into marriage only with their free and full consent;*

*c) The same rights and responsibilities during marriage and at its dissolution;*

*d) The same rights and responsibilities as parents, irrespective of their marital status, in matters relating to their children; in all cases the interests of the children shall be paramount;*

*e) The same rights to decide freely and responsibly on the number and spacing of their children and to have access to the information, education and means to enable them to exercise those rights;*

*f) The same rights and responsibilities with regard to guardianship, wardship, trusteeship and adoption of children, or similar institutions where these concepts exist in national legislation; in all cases the interests of the children shall be paramount;*

*g) The same personal rights as husband and wife, including the right to choose a family name, a profession and an occupation;*

*h) The same rights for both spouses in respect of the ownership, acquisition, management, administration, enjoyment and disposition of property, whether free of charge or for a valuable consideration.*

*2. The betrothal and marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be taken to specify a minimum age for marriage and to make the registration of marriages in an official registry compulsory.*

357. The Family Code represents progress in the legal framework by which the Honduran State regulates the institution of the family through other laws such as the Civil Code, for it stresses the need “to guarantee juridical equality of the spouses and of their common children” (article 2).

358. Article 2 of the Family Code makes it the duty of the State to protect the family and the institutions related to it, and to guarantee juridical equality of the spouses and of their common children.

359. Article 4 of the Family Code provides, for purposes of constituting the family, that the law shall recognize civil matrimony and de facto unions. With respect to minors, adoption shall be done in accordance with the provisions of this Code.

360. Despite certain weaknesses, this establishes a series of mechanisms to guarantee equality for women vis-à-vis men in a conjugal relationship. At the same time, it protects minors, establishing expressly the obligation of the parents “to provide their children the means necessary for their integral development and upbringing” (article 7).

361. There are many obstacles to making this code fully effective, particularly for women and minors. These limitations have to do with social and economic issues and with the mechanisms by which justice is applied in the country.

362. One of the greatest obstacles is the fact that most women fail to enforce their rights with respect to their children. In many cases, although they are aware that they have specific rights, they suffer from social pressure and from fear or shame in confronting their spouse or companion before the courts.

363. The cases not covered by this Code shall be governed by the general principles of law, the rules established in international conventions or treaties, duly approved, and the provisions of the Civil Code, the Code of Civil Procedure, the Law on the National Registry of Persons, and other laws that relate directly to the Family Code.

364. Article 14 of the Family Code provides furthermore that marriage is based on equality of rights and obligations of the two spouses, and that in celebrating marriage they must fulfill all the requirements and complete all of formalities required by this Code.

365. In family matters, Title II of the Equal Opportunities Law establishes equality of rights between men and women in their relationships as a couple. This law regulates all matters concerning family responsibilities, recognition of de facto union, and its effects.

366. In the Armed Forces there is full recognition of the right to freedom of marriage, the rights and responsibilities of parents with respect to each other and their children, freedom to determine the number of children, adoption, guardianship, personal rights, property rights, etc.

## **BIBLIOGRAPHY**

1. Constitution of the Republic of Honduras
2. Labour Code
3. Code of Childhood and Adolescence, Honduras, 1996
4. Regulations on Child Labour
5. International ILO Conventions
6. Convention on the Rights of the Child (ratified in 1990 by Decree 75-90).
7. International Covenant on Economic, Social and Cultural Rights (ratified 1980, Decree 960).



8. Family Code, adopted in May 1984 by Decree 76-84.
9. Penal Code, contained in Decree 144-83.
10. Law on Domestic Violence, approved by Decree 132-97 of 15 November 1997
11. Law on Equality of Opportunities, Approved by Decree 34-2000 of 28 April 2000.
12. Law creating the National Women's Institute, Decree 232-98 of 11 February 1999.
13. Electoral Law, Decree 44-2004 of 15 May 2004: Title 6, Articles 98 to 105.
14. Minimum Wage Law: Executive Order SPSS-154-2000, Published in the Official Gazette 29 320 of 6 November 2000, referring to the Educational Bonus.
15. HIV/AIDS Law, Approved by Decree 147-99 in September 1999.

## **POLICIES**

16. National Policy on Women: First National Plan for Equality of Opportunities 2002-2007, which became government policy by Executive Decree issued during the administration of Ricardo Maduro.
17. Law creating the Honduran Institute of Children and the Family (IHNFA) in 1998, the purpose of which is to provide comprehensive protection for children and adolescents, and full integration of the family.
18. Policy on Gender Equity in Honduran Agriculture 1999-2015, prepared in collaboration with the rural women's movement and approved by the Agricultural Development Congress in March 2000.
19. State Policy for the Agri-Food Sector and Rural Life, 2004-2021.
20. Policy on Sexual and Reproductive Health, approved by the Ministry of Health in November 1999 when Dr. Plutarco Castellanos was Secretary; as well, national standards for maternal-infant health care were established by Order 4562 of 31 December 2004.
21. National Policy on Mental Health, approved by the Ministry of Health on 14 January 2004, by Order 028.

## **MECHANISMS**

22. The National Women's Institute (INAM)

23. The Office of the Special Prosecutor for Women, created in June 1994 under the Attorney General's Office.

24. Family Counselling Offices of the Ministry of Health, created by Order 0079-93 and implemented in 1995.

25. Office of the National Commissioner for Human Rights, created in 1995

#### **OTHER AGREEMENTS AND REGULATIONS**

26. Programming Bases of the National Comprehensive Health Programme for Adolescents, Ministry of Health.

27. Manual of Standards for Comprehensive Care of Adolescents, Ministry of Health 2002.

28. Health and Development of Adolescents and Young People. National Comprehensive Health Programme for Adolescents. Ministry of Health, ASDI, PAHO/WHO.

29. Rules and Procedures for Addressing Family Violence, Ministry of Health.

30. Interagency Agreement between the Ministry of Education and the Ministry of Health, 1995.

31. Official Order 4562, Ministry of Health, 31 December 2004.

32. General Regulations to Prevent Occupational Accidents and Illnesses, Executive Order SPSS-001-2002, Official Gazette 29,691 of 25 January 2002, Article 430, Chapter XXVII.

33. Agreements between the Ministry of Labour and INFOP on vocational training for persons with disabilities, 1996.

34. Report on National Consultations on Child Labour in Honduras, Ministry of Labour/IPEC/UNICEF, 1998.

35. Child Domestic Labour in Honduras, Ministry of Labour/IPEC 2003.

36. Decree 103. Minimum Wage Law, Official Gazette 3 June 1991.

37. Supreme Electoral Tribunal

38. Household Survey, INE, 2000-2004.

39. Population Census 2000, INE.

40. International Conference on Human Rights (INAM 1993)
41. World Summit for Social Development (Copenhagen, 1995).
42. Fourth World Conference on Women (Beijing, 1995).
43. United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).
44. Permanent Multi-Purpose Dwellings Survey, October 1995, INE.
45. Family Code, recompiled, Jorge Fernando Martinez Gabourel, Attorney, Training Officer, National Registry of Persons of Honduras.
46. *Como Vivimos la Pobreza y Qué Tipo de Desarrollo Queremos las Mujeres* (“How We Women Experience Poverty and What Type of Development We Want”), COFEMUN, 2004.
47. Hospitalization Statistics Bulletin 2003, Ministry of Health
48. Outpatient Statistics Bulletin 2003, Ministry of Health
49. Evaluation of the Impact of the Second National Strategic Plan (PENSIDA) for the Prevention of HIV in Honduras, Ministry of Health, 2004.
50. Second Strategic Plan to Combat HIV/AIDS 2003-2007, CONASIDA, Ministry of Health.
51. HIV/AIDS in Honduras, Executive Report 2002, CONASIDA, Ministry of Health, USAID.
52. Report to the National Congress from the Attorney General’s Office, 1998.
53. *Cinco Años Decisivos* (“Five Decisive Years”), Attorney General’s Office 1999.
54. “Public Prosecutions: a Challenge”, Attorney General’s Office 1999.
55. Annual Report, Attorney General’s Office 1996.
56. Annual Report, Attorney General’s Office 1999.
57. Fish Hatchery Statistics, DIGEPESCA.
58. Agreement on Administration of Funds, Ministry of Finance/BANADESA/INA.

59. Addendum to the Agreement on Administration of Funds signed November 24, 1999 by the Ministry of Finance/BANADESA/INA.
60. Addendum II to the Agreement on Administration of Funds signed November 24, 1999 by the Ministry of Finance/BANADESA/INA.
61. Decree 222-2001, Official Gazette 28 February 2002.
62. Executive Order STSS-154-2000, Official Gazette, 6 November 2000.
63. Domestic Violence Statistics, Attorney General's Office, 2000-2004.
64. AIDS Cases 1985-2004, Ministry of Health
65. Monthly Statistics Report on the HIV/AIDS Situation, October 2004, Ministry of Health.
66. Ministry of Labour and Social Prevention, Persons Served, 2001-2004.
67. Ministry of External Relations, Official Note 248-SGAE, May 2005.
68. Personnel of the Armed Forces, by Sex, Ministry of Defence 2005.
69. Pre-Candidate Lists for Internal Elections 2005, *El Herald* newspaper, 13 January 2005

#### **REPORTS DELIVERED BY OTHER AGENCIES**

70. Ministry of Public Health
71. Ministry of Labour
72. Ministry of Economy and Commerce
73. Ministry of External Relations
74. Ministry of Culture, Arts and Sports.
75. Ministry of Agriculture and Livestock.
76. Ministry of Natural Resources.
77. Ministry of Defence.
78. Office of the Special Prosecutor for Women.
79. National Agrarian Institute, INA.

**Sources of information used for the indicators**

1. Ministry of Public Health
2. National Women's Institute
3. Ministry of Education
4. Ministry of Labour
5. Ministry of Economy and Commerce
6. Ministry of External Relations
7. Ministry of Culture, Arts and Sports
8. Ministry of Agriculture and Livestock
9. Ministry of Natural Resources
10. Ministry of the Interior
11. Ministry of Defence
12. Ministry of Finance
13. Ministry of Tourism
14. Supreme Court of Justice
15. Office of the Special Prosecutor for Women
16. National Statistics and Census Institute, INE
17. National Agrarian Institute, INA
18. Honduran Institute of Social Security, IHSS
19. Documentation Centre, Ministry of Health

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### Acronyms and Abbreviations

BANADESA	National Bank for Agricultural Development
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CES	Economic and Social Council
CESAMO	Medical-Dental Health Centre
CESAR	Rural Health Centre
CIM	Inter-American Commission of Women
EAP	Economically active population (workforce)
ECLAC	Economic Commission for Latin America and the Caribbean
IDB	Inter-American Development Bank
IHNFA	Honduran Institute for Children and the Family
IHSS	Honduran Institute of Social Security
ILO	International Labour Organization
INA	National Agrarian Institute
INAM	National Women's Institute
INE	National Statistics and Census Institute
IPEC	International Programme on the Elimination of Child Labour
OAS	Organization of American States
PRS	Poverty Reduction Strategy
SIC	Ministry of Industry and Commerce
STD	Sexually Transmitted Diseases