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COMMITTEE ON THE RIGHTS OF THE CHILD

Forty-fourth session

SUMMARY RECORD OF THE 1209th MEETING

Held at the Palais Wilson, Geneva,
on Friday, 19 January 2007, at 3 p.m.

Chairperson: Mr. DOEK

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The meeting was called to order at 3.05 p.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (agenda item 4) (continued)

Third periodic report of Honduras (continued) (CRC/C/HND/3; CRC/C/HND/Q/3 and Add.1; HRI/CORE/1/Add.96/Rev.1)

1. At the invitation of the Chairperson, the members of the delegation of Honduras took places at the Committee table.
2. Mr. SIDDIQUI asked why absolute poverty had increased and the gap between rich and poor had widened despite the introduction of the Poverty Reduction Strategy in 2001. He enquired whether the Strategy was child-sensitive and whether an independent body monitored its implementation.
3. The CHAIRPERSON wished to know the status of the two bills submitted to the National Congress in May 2004 to promote responsible paternity. He requested additional information on the support and services available to single mothers, particularly single mothers who worked outside the home, and to their children.
4. Ms. DUBÓN (Honduras), replying to questions raised at the previous meeting, said that, while the definition of childhood in article 1 of the Honduran Code on Children and Adolescents differed for boys and girls, article 180 of the Code established the age of criminal responsibility at 12 for both sexes. The Government was aware of the need to bring its domestic legislation into line with the Convention.
5. While police, prosecutors and judges had attended many joint training sessions when the Honduran Code on Children and Adolescents had been introduced in 1996, the level of training had decreased significantly since 2002. Consideration was currently being given to the provision of training in juvenile justice and domestic violence.
6. There were 48 juvenile judges working in 10 specialist juvenile courts, most of which were in San Pedro Sula and Tegucigalpa. Some courts in the regions had supernumerary judges and were supported by social workers and psychologists who followed up on cases with the Honduran Institute of Children and the Family and the Public Prosecution Department. The Family Counselling Programme under the Ministry of Health and the Telethon Foundation provided support to victims and monitored the implementation of sentences involving alternatives to imprisonment in many juvenile justice cases.
7. Reliable statistics indicated that most gang members convicted of “criminal association” were adults. Measures were being taken to improve the justice system’s database, particularly by creating a single file on each person entering the system.
8. Mr. ZERMATTEN asked whether any objective criteria had been established to justify the criminal aspect of “criminal association”.

9. Ms. DUBÓN (Honduras) said that no such criteria existed. Measures were being taken to establish objective criteria, since the police often detained young people whom they suspected of illegal association merely on the basis of their physical appearance. Many detainees had been released owing to a lack of evidence.
10. Mr. LIWSKI asked whether the Supreme Court had examined, or planned to examine, the constitutionality of the Anti-gang Law. He wished to know what measures had been taken, particularly in conjunction with the media, to quell the public's fear of gangs. It would be useful to learn what steps had been taken to integrate gang members into society, regardless of whether they had committed offences.
11. Ms. CARDONA PADILLA (Honduras) said that the Government provided young people with training opportunities while they were still at school in order to discourage them from becoming gang members. The relatively few measures taken in schools and by the media to discourage participation in gangs were not coordinated. Since not many of the young people who had been detained under the Anti-gang Law had been convicted for criminal association, the police had been given training in order to reduce the number of detentions.
12. Ms. PINEDA CARDONA (Honduras) said that the Anti-gang Law had been introduced as a result of media pressure. Although there had been two requests to examine the constitutionality of the Law, no examination had been carried out.
13. Ms. CARDONA PADILLA (Honduras) said that children had the same right as adults to join trade unions. Children who worked illegally were not usually members of trade unions. While Honduras had ratified ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, the Government recognized that some children had to work. Honduras's domestic legislation allowed children to work when it was necessary for their survival or the survival of their families. Children were not permitted to work night shifts, engage in prostitution or work in mines. With support from the International Labour Organization (ILO) the Ministry of Labour and the General Labour Inspectorate had been endeavouring to bring domestic legislation into line with the relevant international instruments to which Honduras was a party. Further measures were necessary to protect the labour rights of children living in rural areas.
14. Mr. ZERMATTEN asked whether the National Commission for the Eradication of Child Labour had a budget to implement its action plan.
15. Ms. CARDONA PADILLA (Honduras) said that, while the National Commission did not have its own budget, the Ministry of Labour and ILO provided limited funding. There had been little improvement in the protection afforded to children employed as divers, since few of the companies for which they worked had legal representation in Honduras. The Government was endeavouring to monitor the situation and was encouraging companies to guarantee workers' rights.
16. Mr. KRAPPMANN asked whether the Government consulted with children's representatives in order to find ways in which working children could combine work and education.

17. Ms. CARDONA PADILLA (Honduras) said that there was no association in Honduras that had been specifically established to protect the rights of working children. The Government encouraged employers in cities, such as San Pedro Sula and Tegucigalpa, to respect the right of working children to continue their schooling.

18. Mr. LARA WATSON (Honduras) said that, in 2006, over 2,600 children had been deported from Guatemala, Mexico and the United States of America back to Honduras. Three reception centres for returnees provided food, clothing, identity papers and money for the journey home. Whenever possible, child deportees were returned to their parents; otherwise they were placed in the care of the Honduran Institute of Children and the Family. Under an agreement with the National Vocational Training Institute, children who had been returned to Honduras had the right to vocational training in order to facilitate their reintegration into society. In cooperation with El Salvador, Guatemala, and Nicaragua, Honduras had introduced rigorous criteria for issuing passports to minors, which required the consent of both parents or of a juvenile judge. The Government was also stepping up controls at clandestine border crossings in order to stem the flow of illegal migration abroad.

19. The Ministry of Justice had taken a number of steps to address the problem of skin-divers, many of whom were quite young, who fished along the Mosquito Coast. Skin-diving was virtually the only profitable employment available in that poor region. Many divers suffered from the bends which, if not treated within 24 hours, often led to paralysis or even death. As a short-term measure, neighbouring States would soon be providing Honduras with two speedboats equipped with decompression chambers so that victims could be treated immediately at sea. Skin-divers received training to improve safety and, under Honduras's Poverty Reduction Strategy, projects were being conducted to help them find alternative employment.

20. Mr. KOTRANE asked whether Honduras had concluded any bilateral agreements with Mexico, Guatemala or the United States of America in order to dissuade Honduran children from going to those countries and to encourage Honduran children in those countries to return home. He wondered whether the Government had taken steps to inform young people about the harsh reality in those countries and the dangers of exploitation.

21. Mr. LARA WATSON (Honduras) said that a bilateral agreement had been concluded with Guatemala. Honduras also had an agreement with Mexico on the safe return of migrants. The Poverty Reduction Strategy funded initiatives to persuade children not to go abroad.

22. Mr. FILALI enquired whether the vocational training centres to which the delegation had referred existed throughout Honduras. He wished to know whether such centres were intended solely for young people who had been repatriated or whether they were also open to other minors, such as those who had been released from detention centres. With regard to alternative forms of employment in poor areas, he asked whether any funding was set aside to help young people establish their own businesses.

23. Mr. LARA WATSON (Honduras) said that a reintegration initiative for young people had recently been launched by the National Vocational Training Institute, which received government funding and contributions from private enterprises. The impact of the initiative had not yet been evaluated.

24. Ms. MEZA (Honduras) said that the reform of the health-care sector was a major priority in the Government's Poverty Reduction Strategy. The reform focused on prevention and primary health care.

25. In 2005, infant mortality had stood at 29.7 per 1,000 live births, as compared to 31.8 per 1,000 in 2003; the most recent figures had shown a further decline to 23 per 1,000. The Government was continuing its efforts to reduce infant mortality. Health coverage for children had been increased, and attention was being given to combating respiratory infections and diarrhoeal diseases. The expanded immunization programme had been very successful. Currently, no cases of polio had been reported. Health-care coverage was higher in rural areas than in urban areas.

26. The national breastfeeding programme placed emphasis on follow-up and on educating pregnant women and women who had just given birth. Under baby-friendly hospital initiatives, newborns could stay with their mothers rather than being separated from them at birth. Honduras was making efforts to reduce infant mortality by encouraging more mothers to give birth in hospital rather than at home. Honduras was also taking measures to prevent mother-to-child transmission of HIV/AIDS; the private sector had contributed to a number of government initiatives in that area.

27. The Government was endeavouring to improve childcare coverage at the community level. With the help of mobile clinics, people in remote rural areas were offered a basic package of health-care services, including immunization, baby supplements and post-natal care for mothers and children. Under the solidarity network initiative, families living in extreme poverty received vouchers, provided that their children attended school and had been vaccinated at the local health-care centre. If a child did not attend school for a few days, the vouchers were reduced. Improved care for pregnant women was another priority area.

28. Teenage pregnancies in Honduras were on the rise: teenage girls accounted for at least 30 per cent of deliveries. With the support of external stakeholders, the Ministry of Health was modernizing centres and clinics for teenage girls. The Ministry of Education planned to introduce classes on sex education and reproductive health.

29. The CHAIRPERSON asked whether girls had access to oral contraceptives or contraceptive devices.

30. Mr. ZERMATTEN stressed the importance of sex education for boys. He also asked whether the Government had any plans to amend its legislation on abortion.

31. Mr. LIWSKI asked whether any educational initiatives addressed the fact that 20 per cent of teenage girls were mothers, while only 4 per cent of teenage boys were fathers.

32. Ms. MEZA (Honduras) said that teenage boys sometimes abandoned teenage girls once they became pregnant. Teenage mothers and fathers often came from broken homes. The Ministry of Education was considering measures to address the problem.

33. Honduras was working with the Joint United Nations Programme on HIV/AIDS (UNAIDS) to combat the pandemic. Although considerable efforts had been made, the results had fallen short of expectations. The Ministry of Health had 22 HIV/AIDS centres at which patients received treatment from multidisciplinary teams. A generous donation that would enable all children to be treated with antiretroviral drugs had recently been made. Increased budgetary allocations were needed for the purchase of such drugs. The Ministry of Health was preparing initiatives to address the issue of HIV/AIDS in schools. While Honduras wished to launch an HIV/AIDS public awareness campaign, such a campaign would be very costly.

34. Mr. LIWSKI asked whether measures had been taken in obstetric practice to prevent mother-to-child transmission of HIV/AIDS. He enquired whether the difficulty in obtaining antiretroviral drugs was due to limited domestic production capacity or to the cost of purchasing drugs abroad, and whether it had been difficult for Honduras to maintain its supplies.

35. Ms. MEZA (Honduras) said that Honduras had been successful in preventing mother-to-child transmission of HIV/AIDS and contamination through blood transfusions. It was necessary to change sexual behaviour by encouraging people to remain faithful to their partners. However, male chauvinist attitudes persisted, and some men and boys refused to use condoms.

36. Honduras purchased its antiretroviral drugs. Procurement needs had been increasing because of the growing numbers of cases. Honduras's supplies of antiretroviral drugs would last until the end of 2007.

37. Specialists had been working with women throughout the country to explain to them the importance of using chlorine tablets to purify drinking water.

38. Ms. GARCÍA DE ZÚÑIGA (Honduras) said that, in 2006, considerable efforts had been made to ensure that school enrolment was free. Free education was very important, since many parents, particularly in rural areas, could not afford to send their children to school.

39. In 2006, teachers had gone on strike at many schools, and there had been a protracted confrontation with the Government. The teachers had eventually agreed to make up the time lost during the strike. They had also promised to take part in a nationwide literacy campaign. The Government was making efforts to increase school enrolment and improve attendance, particularly since 2007 had been proclaimed the year of education in Honduras. Illiteracy levels in Honduras were still high, and the new Minister for Education was considering ways of improving the education system. Progress in reducing illiteracy had been made with the help of special programmes for indigenous and other ethnic groups. Adult education programmes had also been introduced. Despite those efforts, the school dropout rates and high repeat rates continued to pose serious problems.

40. The CHAIRPERSON said that, in Honduras, more girls attended school than boys. Special efforts needed to be made to address that imbalance.

41. Mr. ZERMATTEN asked whether the planned reform of the education system focused on the need to train teachers, increase staff size and review the current curricula.

42. Mr. KRAPPMANN wished to know how adolescents who did not attend school went about finding employment, and whether there were any initiatives to help them.
43. Ms. GARCÍA DE ZÚÑIGA (Honduras) said that considerable efforts were being made to improve teacher training.
44. Ms. MEZA (Honduras) said that, in rural areas, more girls attended school than boys, who helped their fathers in the fields. Recently, however, parents were given vouchers in exchange for which they had to ensure that their children attended school. Following the recent strikes, the Government had sought to provide better training for teachers and to improve their overall situation. Under a new initiative, pupils received afternoon snacks at school.
45. Ms. DUBÓN (Honduras) said that the Francisco Morazán National Teacher Training University had recently opened several distance learning centres, which operated during weekends in remote areas, such as Nacahome or Santa Rosa de Copán. The Ministry of Education had also set up radio courses to enable working children to continue their education. Under that programme, children attended one or two classes at the weekend and did their homework during the week using material supplemented by radio.
46. Entrance examinations for the National Autonomous University of Honduras showed that students who obtained the worst scores had attended multigrade classes. Those results had led to changing the school system to monograde classes, where teachers could focus on one curriculum at a time.
47. Ms. OUEDRAOGO asked whether Honduras had considered any measures to combat violence in the education system and to inform children about violence in society at large.
48. Ms. DUBÓN (Honduras) said that, since Hondurans were generally reluctant to file complaints, the Government had undertaken a massive training programme on children's rights and on how to use the judicial system to report violence, including violence in schools. Violence did not take place so much among students as it did within their communities. The Government had placed security guards in schools in violent neighbourhoods; in the extremely violent areas, gangs and organized crime had so far avoided entering the schools.
49. Ms. CARDONA PADILLA (Honduras) said that, under the Domestic Violence Act, a domestic violence court had been established in Tegucigalpa and a judge had been appointed in San Pedro Sula to hear domestic violence cases. Women, children and the elderly could file complaints about violence with the police, Public Prosecutor's Office or local courts.
50. Ms. GARCÍA DE ZÚÑIGA (Honduras) said that Honduras did not have an inter-agency network for promoting children's rights, and there were very few municipalities where State bodies, such as the Ombudsman or the municipal children's councils were represented.
51. In order to promote children's social participation and the exercise of their rights, Honduras had set up the Network of Child Communicators. That initiative enabled children to train as journalists, present news, interact with their communities and basic social service providers, and disseminate the Convention.

52. The CHAIRPERSON asked whether the Government had planned any measures to address the rising number of AIDS orphans.

53. Ms. CARDONA PADILLA (Honduras) said that there were only two public special education centres in Honduras for children with disabilities; there was one NGO-run institution. The Government had waived registration fees for children with disabilities in order to encourage them to attend school, and had set up a special office to ensure that private companies employed disabled persons. The Government also supported the Special Olympics and the Telethon Foundation through a grant for the treatment of disabled persons.

54. Ms. MEZA (Honduras) said that the funds released from the cancellation of Honduras's foreign debt were used to reduce poverty and were distributed locally by mayors. Through the Solidarity Network, the Government was working to improve living conditions and reduce extreme poverty. The main State bodies concerned - the Ministry of Education, the Ministry of Health, the Honduran Social Investment Fund and the Family Allowance Programme were coordinating efforts to assess problems that needed solving.

55. The CHAIRPERSON asked how Honduras ensured that the money allocated by the Government was used appropriately at the local level.

56. Ms. MEZA (Honduras) said that the State Poverty Eradication Committee was responsible for visiting all municipalities that received public funds. The funds were allocated publicly and accounts had to be submitted to ensure transparency. A municipal commissioner ensured that funds were used effectively. The Transparency Act, which would enter into force within six months, gave citizens access to information on public expenditure in all municipalities.

57. Ms. CARDONA PADILLA (Honduras) said that the Supreme Audit Court allocated disbursements to municipalities on condition that they provided a description of their project, which should be planned with the help of investment consultants.

58. Ms. ORTIZ asked which institutions ensured that the Poverty Reduction Strategy funds actually benefited children. She wished to know who was in charge of promoting the municipal children's advocates and municipal children's councils at the local level.

59. Ms. GARCÍA DE ZÚÑIGA (Honduras) said that the Government's Poverty Reduction Strategy did not focus specifically on children. The Honduran Institute for Children and the Family was responsible for coordinating and monitoring the work of the municipal children's councils. Under the Covenant on Children, local authorities and international cooperation organizations were in charge of municipal children's advocates.

60. Ms. DUBÓN (Honduras) said that Honduras had introduced several measures to prevent the commercial sexual exploitation of children. In particular, the Government had requested police training centres to address the issue of child victimization. The Office of the Procurator for Children and the Family, in conjunction with courts and the police, had raided several massage parlours and brothels where children were exploited. The adults in charge of those establishments had been prosecuted, and the children had received counselling and psychological treatment.

61. Mr. LIWSKI asked whether the Government was considering any measures to protect domestic workers.
62. Ms. DUBÓN (Honduras) said that the Government had undertaken measures to identify domestic workers, who usually did not have a working permit and were therefore not registered with the Ministry of Labour. The Ministry of Labour had recently approved legislation to incorporate domestic workers into the social security system and to give them access to health services, at their employers' expense. In the next census, the National Statistics Institute would request information on the ages of all house occupants in order to identify minors who worked as domestic servants.
63. Ms. GARCÍA DE ZÚÑIGA (Honduras) said that, in 2004, the Government had established the Inter-Agency Commission against the Commercial Sexual Exploitation of Children and Adolescents. Its plan, in which both State bodies and communities would participate, had been submitted to the Government at the end of 2006 and would be implemented in 2007.
64. Mr. ZERMATTEN asked whether the Government had enlisted the help of NGOs in combating sex tourism, which was relatively new to Honduras. He enquired whether the Inter-Agency Commission's plan addressed the issue of sex tourism.
65. The CHAIRPERSON wished to know whether Honduras was taking steps to bring its domestic legislation into line with the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.
66. Ms. GARCÍA DE ZÚÑIGA (Honduras) said that the plan to which she had referred was not under the responsibility of the Honduran Institute of Children and the Family. The Inter-Agency Commission against the Commercial Sexual Exploitation of Children and Adolescents was composed of representatives of 52 State institutions and civil society organizations. Honduras took its international obligations very seriously and used the international conventions to which it was a party to guide its national policies.
67. Ms. PINEDA CARDONA (Honduras) said that Honduran judicial authorities, together with human rights officers, law enforcement officers and other officials, were setting up a project with their counterparts in El Salvador and Guatemala to improve the safety of young immigrants, particularly girls, who were often victims of sexual abuse and exploitation.
68. Ms. GARCÍA DE ZÚÑIGA (Honduras) said that, while the project was national in scope, it focused on tourist areas and on poverty-stricken border areas.
69. The CHAIRMAN requested information on the various types of support provided to single-parent families. He asked what procedures were used to control the quality of care provided in special protection homes for children and adolescents at risk.
70. Ms. GARCÍA DE ZÚÑIGA (Honduras) said that the Honduran Institute of Children and the family operated 41 day-care centres; however, the quality of care provided by such centres was poor. Inspections had revealed that those centres offered little more than supervision and meal service to children, and lacked an overall approach to children's health, education and

development. The four centres that cared for abandoned, orphaned or abused children were operated without properly trained staff. Although the Honduran Institute of Children and the Family recognized the severity of the problem and had proposed comprehensive changes, progress had been hampered by a lack of resources.

71. The CHAIRMAN asked whether there was a national policy that promoted the development of leisure facilities, particularly playgrounds, for children.

72. Ms. GARCÍA DE ZÚÑIGA (Honduras) said that there was no national policy or programme to give effect to article 31 of the Convention concerning the provision of opportunities for leisure activity. A foster care programme existed to provide a family environment for abandoned children. Foster families received a monthly allowance of 1,700 lempiras. However, inadequate supervision of the programme had led to abuse, and some families were currently hosting as many as 10 foster children.

73. Ms. ORTIZ asked whether there were regulations governing the foster care programme operated by the Honduran Institute of Children and the Family. She wished to know how many children were included in the programme and what procedure was used to determine their placement and the duration of their stay with a foster family. She enquired whether the Honduran Institute of Children and the Family considered it necessary to review the foster care programme and whether it had received assistance from the United Nations Children's Fund (UNICEF) for that purpose. With regard to institutionalized children, she wished to know what criteria were used to determine that a child was at risk and should be placed in a home, and who made such decisions. She asked whether the Government had established a programme of de-institutionalization.

74. Ms. GARCÍA DE ZÚÑIGA (Honduras) said that there were no regulations governing the foster care programme. The general guidelines that had been developed were outdated and needed to be reviewed. Some 60 children were currently enrolled in the programme. While sporadic visits to foster families were carried out, there was no systematic follow-up or evaluation of the children placed with such families.

75. The adoption regulations currently in force dated back to 1958. An adoption bill was currently under consideration by the National Congress, and a public debate on the bill would soon begin. An adoption committee, made up of representatives of various State bodies, including the Supreme Court, the Public Prosecutor's Office and the Office of the National Commissioner for Human Rights, handled requests for adoptions.

76. Mr. LIWSKI requested additional information on detention centres.

77. Ms. GARCÍA DE ZÚÑIGA (Honduras) said that detention centres were a major concern for the Honduran Institute of Children and the Family. Conditions for children in the Renaciendo and the San Pedro Sula prisons had been so bad that the Supreme Court had issued rulings containing a series of provisions with which the Institute had been required to comply within one year. It had been nearly a year since the rulings had been issued, and conditions at the two prisons had changed dramatically. Whereas children were once locked up and had no contact with the staff other than to receive their food, they currently received education, training and counselling. Children who were members of youth gangs were currently housed separately

from children being held in preventive detention. The fact that there had been three prison killings was a cause for concern. A full investigation had been carried out to determine the circumstances of the killings; the results of the investigation were still pending. There were two holding centres, one for boys and one for girls. The girls' holding centre housed 17 girls and was well staffed and provided good living conditions.

78. Ms. ORTIZ (Country Rapporteur) thanked the delegation for its frank replies to the Committee's questions. Her overall impression was that the economic, social and political structure of Honduras was not adequately suited to the needs of children. Honduras should adopt a more accepting and positive image of children, particularly adolescents. Children should be made to feel accepted, rather than rejected, by the society in which they lived. She was concerned that the authorities appeared to encourage the current high levels of emigration, since the remittances of Honduran migrant workers constituted the country's second highest source of earnings.

79. While Honduras had adopted various new laws, programmes and policies, it seemed to lack the political will and institutional capacity to implement them. In general, the Government should play a more active role in promoting those laws, develop a better-trained and more professional civil service and ensure greater transparency and accountability in the use of public funds. Children's needs should figure more prominently in Honduras's Poverty Reduction Strategy and in its plans for the use of funds resulting from debt cancellation. The many pressing human rights issues affecting children might best be addressed through efforts undertaken jointly with various Central American countries.

80. Mr. URBIZO PANTING (Honduras) said that the high level of Honduran emigration was a structural problem whose origins were to be found in three disasters: the ideological and territorial battles of the Cold War that had been waged in Central America; the neoliberal structural adjustment programmes that had been imposed on Latin American countries by the international financial institutions; and the devastation wreaked by Hurricane Mitch. Decreasing levels of international aid, and terms of trade that were geared to the economic interests of the developed world, did little to close the gap between the developed and the developing countries. He called on the Committee to help Honduras to devise policies that truly promoted and protected the rights of Honduran children.

The meeting rose at 6.05 p.m.