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#### **Committee on the Elimination of Racial Discrimination**

**Eighty-fourth session** 

3–21 February 2014

Item 6 of the provisional agenda

Consideration of reports, comments and information submitted by States parties under article 9 of the Convention

# List of themes in relation to the combined initial and second to fifth periodic reports of Honduras (CERD/C/HND/1-5)

## Note by the Country Rapporteur

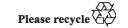
The Committee on the Elimination of Racial Discrimination decided at its seventy-sixth session (A/65/18, para. 85) that the Country Rapporteur would send to the State party concerned a short list of themes with a view to guiding and focusing the dialogue between the State party's delegation and the Committee during the consideration of the State party's report. This document contains a list of such themes. This is not an exhaustive list; other issues may also be raised in the course of the dialogue. No written replies are required.

# 1. The legal, institutional and public policy framework for combating racial discrimination (arts. 2, 4, 6 and 7)

- (a) The definition of racial discrimination and the preliminary bill to amend article 321 and other articles of the Criminal Code (CERD/C/HND/1-5, paras. 15 and 17);
- (b) Information on constitutional initiatives focusing on the recognition of the country's ethnic and cultural diversity;
- (c) Information on the operation and activities of the Ministry for Indigenous and Afro-Honduran Peoples and of the National Commission against Racism (CERD/C/HND/1-5, para. 33);
- (d) Information on the implementation and funding of the Strategic Plan for the Comprehensive Development of the Indigenous Peoples of Honduras (CERD/C/HND/1-5, para. 207), the National Plan of Action against Racism and Racial Discrimination and the National Action Plan on Human Rights and information on their impact on indigenous and Afro-Honduran peoples (CERD/C/HND/1-5, paras. 75 and 76);

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- (e) Information on the status of the special bill for the promotion of the comprehensive development of the indigenous peoples and peoples of African descent of Honduras;
- (f) Information on the implementation of the International Labour Organization (ILO) Indigenous and Tribal Peoples Convention, 1989 (No. 169), particularly with respect to the right to prior informed consultation (CERD/C/HND/1-5, paras. 192 and 193);
- (g) Information on the mandate, activities, independence and funding allocations of the National Commissioner for Human Rights and on the steps taken by the Commissioner to combat racial discrimination;
- (h) Information on the implementation of the Declaration and Plan of Action of the First World Summit of Afro-Descendants, held in La Ceiba.

#### 2. Situation of indigenous and Afro-Honduran peoples and communities (arts. 1–7)

- (a) Results of the 2013 national census, including disaggregated statistics on indigenous and Afro-Honduran peoples and communities (English-speaking and otherwise), which can serve as a basis for a more accurate evaluation of the status of these peoples and communities and of the use of a self-identification question in that census;
- (b) Information on the measures adopted to safeguard indigenous peoples' right to their ancestral lands and the steps taken to resolve existing land disputes;
- (c) Information on the operation of the Intersectoral Commission on Certification, Enlargement, Disencumbrance and Protection of the Lands of the Garífuna and Miskito Communities of Honduras;
- (d) Information on poverty and extreme poverty in indigenous and Afro-Honduran communities whose members lack access to basic services and exhibit high levels of undernourishment, with these levels being particularly high among children;
- (e) The right to education and differentials in illiteracy rates for indigenous and Afro-Honduran peoples;
- (f) Information on the implementation and outputs of the National Programme of Education for Indigenous Ethnic and Afro-Antillean Groups in Honduras (CERD/C/HND/1-5, para. 304);
- (g) The right to work, differentials between the nationwide labour-force participation rate and the labour-force participation rate for indigenous and Afro-Honduran peoples, and the measures put in place to close this gap;
- (h) The extent to which indigenous and Afro-Honduran peoples have more limited access to water and sanitation and to decent housing than the national average;
- (i) The status of the Miskito peoples and particularly of the disabled divers among them.

# 3. The participation of indigenous and Afro-Honduran peoples in political affairs and public life (arts. 2, 5 and 6)

- (a) Effective mechanisms to promote participation by indigenous and Afro-Honduran peoples in all areas of government and, in particular, the status of the bill on political and electoral participation (CERD/C/HND/1-5, para. 197);
- (b) Information on the work of the Special Liaison Committee for the Indigenous and Afro-Honduran Peoples in the National Congress (A/HRC/WG.6/9/HND/1, para. 119).

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### 4. Human rights defenders (art. 5)

Steps taken to protect indigenous human rights defenders who are threatened or persecuted and mechanisms in place for investigating incidents of this sort.

#### 5. The justice system as a means of combating racial discrimination (arts. 5 and 6)

- (a) Steps taken to help members of vulnerable groups, including indigenous peoples, migrant workers, Afro-Hondurans and other minorities, to obtain genuine access to justice;
- (b) The mandate and work of the Office of the Special Prosecutor for Ethnic Groups and Cultural Heritage (CERD/C/HND/1-5, para. 63) and the steps taken to document and process complaints and reports of racial discrimination against indigenous peoples and Afro-Honduran communities.

### 6. Indigenous and Afro-Honduran women (arts. 2 and 5)

- (a) Information on the development of a gender equity and equality policy focusing on indigenous and Afro-Honduran peoples (CERD/C/HND/1-5, para. 104);
- (b) Implementation by the labour ministries of activities under the Programme for Working Women focusing specifically on indigenous and Afro-Honduran women (CERD/C/HND/1-5, para. 344).

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