



**International covenant
on civil and
political rights**

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**List of issues to be taken up in connection with the consideration of
the initial report of HONDURAS (CCPR/C/HND/2005/1)**

**Constitutional and legal framework within which the Covenant
and the Optional Protocol are implemented (art. 2)**

1. Please indicate what position the Covenant occupies in the internal legal hierarchy, what steps have been taken to disseminate it, whether individuals can invoke it directly in the courts and whether any have done so in specific cases. Supply examples of the practical application of the Covenant.
2. Please provide information on practical steps taken to investigate human rights violations and punish those responsible, and to compensate the victims, especially with regard to enforced disappearances of persons.
3. Please indicate to what extent the powers of the Inter-agency Commission on Human Rights set up by Government decree in the Office of the President duplicate or overlap those of the Office of the National Human Rights Commissioner. Indicate specific measures that have been taken or are planned to preserve the functional independence of the Office of the National Human Rights Commissioner as a national agency for the protection of human rights.

**Equality between the sexes and non-discrimination
(arts. 2.1, 3, 25 and 26)**

4. Please provide information on the practical outcome of the steps taken to combat discrimination against women with regard to access to and participation in elected office and civil service posts (report, paras. 31, 33 and 35).

**Violence against women and domestic violence
(arts. 3, 6, 7 and 24)**

5. Please indicate what steps have been taken in response to reports of violent deaths of women, especially in San Pedro Sula, and what penalties have been imposed on those responsible. Have the police been provided with training to ensure that they do not treat such acts as private matters and routinely shelve the cases? What other steps are planned to reduce the number of cases of domestic violence against women?

**Right to life, prohibition of torture and cruel, inhuman
or degrading treatment or punishment, right to security
of person (arts. 6, 7, 9 and 24)**

6. What practical steps have been taken to prevent extrajudicial deaths of children, in particular those reportedly involving street children and children and young people from economically vulnerable groups? Please also state what measures have been taken to identify, investigate and punish those responsible. In cases involving officials of the State party, what additional disciplinary steps have been taken, and what has been done to provide compensation and reparation for injury suffered by the victims and their families (report, paras. 45 ff.)?

7. Please provide information on practical steps that have been taken to investigate and punish those responsible for the ill-treatment and death of persons held in adult detention centres and detention centres for minors. Please also provide information on the effectiveness of the steps taken in response to the events of April 2003 at El Porvenir prison in La Ceiba, when 68 persons died, and in May 2004 at the San Pedro Sula prison, when 107 persons died, most of them minors (report, para. 57).

8. Please provide information on steps taken to prevent the excessive use of force and firearms by police and military personnel on urban security duty (report, para. 210), which is alleged to have caused extrajudicial deaths; and on the compatibility between article 39 of the Police and Social Coexistence Act and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.

9. Please state what steps have been taken to prevent ill-treatment, threats, intimidation and attacks on human rights defenders and to investigate and punish those responsible.

Prohibition of slavery and forced labour (arts. 8 and 24)

10. What steps are the Honduran authorities taking to prevent and punish the trafficking of human beings for purposes of sexual exploitation and to eradicate child labour and the economic exploitation of children?

Personal safety and protection against arbitrary detention (art. 9)

11. Please indicate what steps the State party has taken to reduce the duration of pretrial detention and prevent the build-up of excessive numbers of unconvicted prisoners, particularly members of youth gangs (*maras*) charged with unlawful association.

12. Please provide information on steps taken to eradicate the practices of detention on suspicion and arbitrary detention referred to in the State party's report (paras. 85, 87 and 88).

Prison conditions (art. 10)

13. Please provide information on steps taken to remedy the problems of overcrowding and poor prison conditions and to improve the situation of minors in detention.

Right to a fair trial (art. 14)

14. Please provide information on the mechanisms to guarantee the independence of the judiciary and the proper functioning of the judicial service.

15. Please provide information on the steps taken to allow detainees - particularly minors held for alleged membership of youth gangs - access to their families and to lawyers.

Right to freedom of expression (art. 19)

16. Please provide information on steps taken by the State party to ensure respect for the right to seek, receive and disseminate information, given in particular that prior censorship continues to apply and contempt of court is still classified as a criminal offence. Please also provide information on cases of threats against, attacks on and deaths of journalists and press workers, and on any proceedings instituted against journalists for defamation.

Freedom of association (art. 22)

17. Please state whether there are any restrictions in practice on the formation of trade unions and provide information on effective steps taken to guarantee freedom of association.

Rights of the child and minority rights (arts. 16, 24 and 27)

18. Please provide information on any steps planned to ensure birth registration nationwide, especially in rural areas and indigenous communities.

19. Please provide specific information on problems affecting the indigenous communities and communities of African origin in Honduras (report, para. 15), such as non-recognition of their rights to ancestral land, seizure of communal land, little or no political participation by members of those communities, discrimination, lack of access to public services, including bilingual education, and poor working conditions. Indicate steps that have been taken in connection with these situations.
