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Replies of Honduras to the list of issues in relation to its third periodic report*

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* The present document is being issued without formal editing.



I. Introduction

1. The State of Honduras submitted its third periodic report to the Committee on Economic, Social and Cultural Rights¹ on 4 November 2021, in accordance with articles 16 and 17 of the International Covenant on Economic, Social and Cultural Rights (hereafter “the Covenant”).
2. In accordance with the simplified reporting procedure, the Committee sent to the State the list of issues relating to its third periodic report.² Honduras is pleased to submit its report in reply to the list of issues.
3. In preparing this report, which was the responsibility of the Ministry of Human Rights, the Ministry coordinated with the three branches of Government, as well as decentralized entities that are members of the System for the Monitoring of Recommendations.
4. The report summarizes the legislative, administrative and judicial measures adopted by the State in the period 2021–2023 and the main challenges faced by the Solidarity Government of President Iris Xiomara Castro Sarmiento.

II. Replies to the list of issues (E/C.12/HND/Q/3)

General information

5. Question 2. Regarding examples of cases in which the economic, social and cultural rights enshrined in the Covenant have been invoked before the courts, in 2021, the Administrative Court of San Pedro Sula ruled in favour of the *amparo* action filed by the Tolupán Indigenous People of San Francisco de Locomapa, Yoro Department, in connection with the non-application of Executive Decree No. PCM-025-2020 promulgated during the coronavirus disease (COVID-19) pandemic. As a result, the municipal authorities of Yoro were ordered to restore the right to food and health for the entire tribe, without discrimination of any kind.
6. On 10 May 2023, the Constitutional Chamber of the Supreme Court handed down a judgment granting *amparo* and urging the Municipality of Yoro to safeguard the rights of the Tolupán Tribe, with a focus on protecting their right to food and health in an equitable manner. The judgment underscored the need to respect, protect and promote the economic, social and cultural rights of this community.³
7. The Court recognized that the constitutional rights of Indigenous communities and the specific regulations on Indigenous Peoples and Afro-Hondurans had been violated. In addition, it ordered that a plan to guarantee the availability of food be developed, with the involvement of tribal leaders, and its implementation be overseen by the Public Prosecution Service.
8. Question 3. To reduce widespread violence and crime, the Government has taken a series of measures that have led to a reduction in homicide rates. In 2022, 3,455 homicides were recorded, for an average of 10.16 homicides per day. According to records as of 6 December 2023, this figure dropped by 590 to 2,865 homicides, for an average of 8.43 homicides per day.⁴
9. A decree was adopted declaring a partial state of emergency⁵ to address the situation stemming from the increase in crime. This has resulted in a significant reduction in the

¹ E/C.12/HND/3.

² E/C.12/HND/Q/3.

³ Judiciary. Case No. AA-576-21 (2023).

<https://jurisprudencia.poderjudicial.gob.hn/ConsultaHN/PDFAmparo.aspx?opcion=1®=15258>.

⁴ Data from the Police Statistics Department.

⁵ Executive Decree No. PCM-24-2023.

homicide rate, the dismantling of over 150 criminal gangs, 3,445 house searches and the issuance of 3,134 arrest warrants.⁶

10. The primary mandate of the Police Directorate on Gangs and Organized Crime, which was established in 2022 to strengthen the fight against organized crime, extortion and related crimes, is to prevent and deter crime.

11. The National Police, with the support of the Police Investigation Directorate and other directorates, launched Operation Cabañas in December 2022 to reduce crime, resulting in 41 arrest warrants for various offences, 27 arrests in flagrante delicto for various infractions, 1 arrest warrant and 43 court ordered house searches.⁷

12. In 2023, Operation Candado was launched in the Sula Valley. During the 18 days of the operation, there were 71 per cent fewer homicides in the area compared to the same period in 2021 and 2022.⁸

13. The Office of the Under-Secretary for Preventive Security and Human Rights at the Ministry of Security was involved in the consultations on the development of the Comprehensive Policy on Harmonious Social Relations with a gender and human rights perspective, focused on five strategic areas. The objective was to gather proposals for action in the field of human security, taking a comprehensive view of persons and their safety.⁹

14. The Office of the Special Prosecutor for Offences against Life has carried out actions, including applications for prosecution, training, victim support and arrest operations to dismantle criminal gangs.

15. The State budget (Legislative Decree No. 157-2022) includes funds to strengthen the various units investigating violent deaths of women and femicides under the Technical Criminal Investigation Agency, the Office of the Special Prosecutor for Offences against Life, the Office of the Special Prosecutor for Women and the specialized comprehensive support units.

16. The Solidarity Government has reinvigorated the Inter-agency Commission for Monitoring Investigations of Violent Deaths of Women and Femicides to prevent and investigate violent deaths and femicide cases.

17. The Inter-agency Commission has set up two technical committees, which have referred 104 cases to the Public Prosecution Service and the Police Investigation Directorate. It also provided advice regarding the bill on a comprehensive law on violence against women and the National Plan to Combat Violence against Women. To address the issue of missing women, a technical assistance request was made to UN-Women in 2022 concerning the drafting of the Purple Alert Immediate Search for Missing Women Act.

18. As part of a government reorganization, the Ministry of Women's Affairs was established¹⁰ to lead budgetary analysis and planning with a gender focus in keeping with the Government Plan for the Rejuvenation of Honduras (2022–2026)¹¹ and international commitments.

19. To provide immediate assistance and protection to women victims of violence, the Ministry of Security and the Ministry of Women's Affairs signed an agreement on the implementation of the 114-MUJER hotline, which was launched in December 2023 at the Live without Fear information event in Tegucigalpa.¹²

⁶ Ministry of Security (20 May 2023) Decree No. PCM-24-2023. <https://www.policianacional.gob.hn/noticias/22774>.

⁷ Ministry of Security (14 April 2023). <https://www.policianacional.gob.hn/noticias/22031>.

⁸ Ministry of Security (13 July 2023). <https://seguridad.gob.hn/operacion-candado-valle-de-sula-redujo-un-83-de-homicidios-en-la-zona/>.

⁹ Ministry of Security (20 September 2023). <https://www.policianacional.gob.hn/noticias/25317>.

¹⁰ Executive Decree No. PCM-05-2022.

¹¹ “Libre”. Government Plan for the Rejuvenation of Honduras 2022–2026. <https://www.libre.hn/plan-de-gobierno-de-xiomara-2022-2026>.

¹² Ministry of Security (5 December 2023). <https://www.policianacional.gob.hn/noticias/27287>.

20. In 2022, the first shelter for women rescued from human trafficking was opened in the northern part of the country, with capacity for 30 women.¹³ In December 2023, the Ministry of Women's Affairs, in coordination with the Central District mayor's office, set up the technical monitoring committee for the construction of the first State-run shelter.¹⁴

21. Regarding the offences of trafficking and sexual exploitation, the Inter-Institutional Commission against Commercial Sexual Exploitation and Trafficking in Persons is working on amendments to the Criminal Code concerning the offence of trafficking in persons at the national, departmental and municipal levels.

22. In 2021, 21 rulings were handed down concerning the offences of exploitation and trafficking in persons, 29 individuals were convicted and 132 cases were initiated following applications for prosecution. In 2022, there were 31 rulings, 36 individuals were convicted and 22 cases were brought.¹⁵

23. In terms of victim assistance, the Immediate Response Team of the Inter-Institutional Commission against Commercial Sexual Exploitation and Trafficking in Persons, rescued 133 victims in the country and rescued and repatriated 24 victims from abroad between 2021 and 2022. In addition, the cases of 320 victims identified in previous years were followed up, bringing the total number of beneficiaries to 477 direct victims and 601 indirect victims; a further 66 cases were closed.¹⁶

24. With regard to Indigenous Peoples and Afro-Hondurans, the Office of the Special Prosecutor for Ethnic Groups and Cultural Heritage has prosecuted cases of violations of Indigenous rights, has filed applications for prosecution for offences including usurpation and exploitation of natural resources, has provided training to community leaders and officials and has developed protocols.

25. Question 4. To ensure the effective protection of human rights defenders, the Office of the Special Prosecutor for the Protection of Human Rights Defenders, Journalists, Social Communicators and Justice Officials takes legal action against staff, public officials or private individuals who attack human rights defenders on account of their work. The 2023 budget included an allocation of 5,491,089 lempiras for this purpose.

26. In order to rejuvenate the National Protection Mechanism, the Office of the Special Prosecutor conducted a preliminary diagnosis of the state of the Mechanism in July 2022. Having found that the budget was insufficient, in coordination with the Ministry of Finance, it increased the 2023 allocation to L20 million.

27. In addition, the Mechanism's units were restructured with a focus on providing a multidisciplinary response to beneficiaries, thus achieving a multi-perspective approach.

28. As of November 2023, the Mechanism reported that protection measures were in place for 767 persons, including 185 active cases (138 human rights defenders, 15 journalists, 16 social communicators and 16 justice officials), 115 individual cases and 70 collective cases.

29. Of the 138 human rights defender cases, 49 related to environmental matters, 29 to land, 19 to ancestral and cultural heritage, 13 to the lesbian, gay, bisexual, transgender, intersex and queer community, 11 to water, 9 to women, 3 to due process and access to justice, 3 to children and adolescents and 2 to education.

30. From 2019 to 2023, the Office of the Special Prosecutor for Offences against Life recorded eight cases of offences against defenders. Six individuals in three cases were

¹³ Inter-Institutional Commission against Commercial Sexual Exploitation and Trafficking in Persons. Honduras national report on prevention and prosecution of offences of human trafficking and sexual exploitation and assistance for victims, 2022.

¹⁴ (15 December 2023). <https://www.instagram.com/p/C0nqPT3uB0j/?igshid=MzRIODBiNWFIZA==>.

¹⁵ Honduras national report on prevention and prosecution of offences of human trafficking and sexual exploitation and assistance for victims. Available at: https://api.iaip.gob.hn/api/public/serve_archivo/?idarchivo=MTkyMjg5NQ==.

¹⁶ Inter-Institutional Commission against Commercial Sexual Exploitation and Trafficking in Persons. 2021 and 2022 Annual Reports.

convicted of offences against the lives of three defenders, and six individuals were convicted of similar offences in three further cases. It also initiated an investigation into the murder of two environmental defenders in the community of Guapinol.

31. Question 5. Among the measures adopted to counteract the negative impact of the COVID-19 pandemic, the Central Bank of Honduras made a series of adjustments to its monetary policy to mitigate possible repercussions on the economy, including:¹⁷

- (a) Reduction in the monetary policy rate of 0.75 points to 4.50 per cent;
- (b) Reduction in the interest rate for private creditors from 6.25 per cent to 5.50 per cent;
- (c) Continued offers of repurchase agreements to the financial system, with the extension of the maximum deadline from 14 to 28 days and a reduction in rates from 7 per cent to 6.25 per cent;
- (d) Setting of the interest rate on investments at 4.50 per cent;
- (e) Suspension of daily bond auctions to provide greater liquidity for the financial system. Provision for an injection of approximately L10.6 billion.

32. The Central Bank of Honduras reported also taking the following measures:

- (a) Suspension of loan payments to the Honduran Production and Housing Bank for three months. Allocation of L200 million to support the construction sector, thus benefiting 200 families and protecting 1,000 jobs;
- (b) Fast-tracking of L2.5 billion in agricultural loans through the Honduran Production and Housing Bank for food security;
- (c) Establishment of a L51 million fund to support 5,000 small and medium-sized enterprises;
- (d) Allocation of L200 million to agricultural producers in the Dry Corridor;
- (e) Authorization to issue debt of up to US\$ 2.5 billion for the pandemic response through financial operations led by the Ministry of Finance;
- (f) Confirmation by the International Monetary Fund of an allocation of US\$ 143 million to strengthen the management of the crisis through stand-by arrangements and credit facility approved in 2019.

33. Question 6. Regarding the measures adopted by businesses and the State to prevent economic projects from having an adverse impact on the enjoyment of rights, particularly by Indigenous Peoples and Afro-Hondurans, the Ministry of Natural Resources and the Environment is working towards the adoption of an environmental policy and an amendment to the General Environmental Act.

34. The Business and Human Rights Sectoral Round Table, comprised of representatives of the Government, civil society organizations and the business sector, was established in 2022 to develop the first action plan in line with the United Nations Guiding Principles on Business and Human Rights. In 2023, the members of the Round Table received training in the Guiding Principles, and the Ministry of Human Rights held the Business and Human Rights Forum.

35. Question 7. Regarding subparagraph (a) on the impacts of climate change on the enjoyment of economic, social and cultural rights, the Ministry of Natural Resources and the Environment has introduced a new process for updating the nationally determined contributions for 2024 to appropriately monitor, report on and verify mitigation measures and to monitor trends in the adaptation measures under the nationally determined contributions. In addition, the preparation of the biennial transparency report is set to begin.

¹⁷ United Nations Development Programme (UNDP) Report on the economic and social impact of the COVID-19 pandemic and policy recommendations for Honduras.

36. Several mitigation measures have been implemented, such as nationally appropriate mitigation actions for sustainable livestock farming, electric mobility and energy efficiency initiatives and the reduction of gas emissions, among others; however, emissions reductions have yet to be quantified.

37. Regarding subparagraph (b) on climate change governance, the Inter-Institutional Technical Committee on Climate Change was established as a separate entity from the National Climate Change Adaptation Committee made up of climate change interest groups.

38. Executive Decree PCM-123–2021 strengthens the regulation and implementation of the National Climate Change Adaptation Plan and the alignment of investments with a focus on climate change adaptation. Guidelines on planning and responding in an appropriate, coordinated and sustained manner to the adverse impacts of climate change are to be established.

39. Through the National Institute for the Conservation and Development of Forests, Protected Areas and Forest Life and the Governing Board of the Fund for the Management of Protected Areas and Forest Life, 27 contracts valued at L68 million were awarded to organizations that co-manage protected areas for the purpose of the conservation and management of these spaces.

40. The new strategy includes involving the Fund in a conservation project in the Río Plátano Biosphere Reserve.¹⁸

41. Regarding subparagraph (c), to strengthen the response to natural and/or health-related disasters and reduce associated financial risk, the Ministry of Finance developed an implementation plan for the Strategy on the Financial Management of Disaster Risk 2021–2024, with support from the Inter-American Development Bank and the World Bank.¹⁹ The objective is to define responsibilities, activities, products and result indicators for each of the five strategic areas and thus enable comprehensive risk management.

42. In addition, the legal and regulatory framework for risk management, the National Risk Management System Act, is being updated. In order to build institutional capacity, the Standing Commission on Disaster Preparedness was elevated to the rank of ministry – the Ministry of Risk Management and Contingency Planning – through Executive Decree No. PCM-005-2022.

43. Regarding subparagraph (d), the entity in charge of climate change adaptation measures and policies is the Ministry of Natural Resources and the Environment, which is committed to complying with the commitments made upon accession to the United Nations Framework Convention on Climate Change, through the National Climate Change Directorate.²⁰

44. The National Climate Change Directorate set up the Inter-Institutional Technical Committee on Climate Change, which includes policy and technical representatives from governmental and non-governmental institutions, civil society and academia. The Directorate ensures that Indigenous Peoples and Afro-Hondurans take part in the Inter-Institutional Technical Committee, the National Mitigation Committee and the National Adaptation Committee.

45. Question 8. With regard to the approval of the draft bill on the Council of the Judiciary and Judicial Service, the National Congress established a commission in March 2023 to develop a law on a new body to replace the Council of the Judiciary, which the Supreme Court had previously considered unconstitutional. The task of this commission is to examine in detail the ruling that led to the dissolution of the Council and draft a new law defining the structure, scope and powers of the institution.

¹⁸ National Institute for the Conservation and Development of Forests, Protected Areas and Forest Life (18 November 2023). <https://icf.gob.hn/2023/11/18/historica-inversion-para-conservacion-de-areas-protégidas/>.

¹⁹ https://www.sefin.gob.hn/download_file.php?download_file=/wp-content/uploads/2021/08/2021-2024-piegfrd.pdf.

²⁰ Executive Decree No. PCM-022-2010.

46. Regarding the judicial selection and appointment process, the National Congress adopted several laws during the 2022 legislature to strengthen the election process for new Supreme Court judges in the period 2023–2030, including:

(a) Special Act on the Organization and Functioning of the Nominations Committee,²¹ including with regard to the nomination of candidates for Supreme Court judgeships;

(b) Legislative Decree No. 2-2023, according to which Supreme Court judges are elected for seven years on the basis of a list of 15 candidates submitted by the Nominations Committee;

(c) Election of the new members of the Supreme Court by agreement between the majority parties. It is worth noting that gender equity was respected, with the election of eight women and seven men judges, led by Judge Rebeca Ráquel Obando, who was elected President of the Supreme Court.

General provisions of the Covenant (art. 1–5)

Right to freely dispose of natural wealth and resources (art. 1 (2))

47. Question 9. Concerning the legislative framework on prior consultation, the Inter-Institutional Commission for Compliance with International Judgments has initiated the process of identifying national regulations that violate the human rights of Indigenous Peoples and Afro-Hondurans. Furthermore, the Ministry of Labour and Social Security is working on the preliminary draft of a law on free, prior and informed consultation.

48. The Indigenous and Afro-Honduran Groups Liaison Committee of the National Congress developed the 2022–2025 strategic plan and agenda aimed at eliminating obstacles to the realization of the right to free, prior and informed consultation in line with international standards, drafting bills on territorial regularization focused on ancestral peoples who have been dispossessed of their lands (Miskito, Tawahka and Garifuna Peoples) and proposing laws, programmes and investments designed to enhance the exercise of economic, social, cultural and environmental rights by these peoples.

49. In May 2022, the Ministry of Labour and Social Security, with technical assistance from the United Nations Development Programme (UNDP) and the International Labour Organization, developed a draft comprehensive strategy on training and the promotion of spaces for interaction with Indigenous Peoples and Afro-Hondurans with a focus on rights and social participation. Through an investment of US\$ 500,000, the goal is to create spaces for the provision of technical legal training in international standards and to support the dissemination strategy with a view to the development and establishment of a mechanism for the realization of the right to free, prior and informed consultation.

50. With regard to subparagraph (a) on the participation of Indigenous Peoples and Afro-Hondurans in consultation measures and mechanisms, as reported under the preceding question, efforts are being made to identify national laws that violate the human rights of Indigenous Peoples and Afro-Hondurans and to develop draft legislation on free, prior and informed consultation.

51. The Ministry of Social Development was established in 2022, abolishing the former Ministry of Development and Social Inclusion. The National Coordination Office for Indigenous Peoples and Afro-Hondurans, which replaced the former Directorate for Indigenous and Afro-Honduran Peoples, is part of the new Ministry. The functions of the National Coordination Office include the coordination of free, prior and informed consultation.

52. Concerning subparagraph (b), there is currently no law on free, prior and informed consultation; however, consultations with Indigenous Peoples and Afro-Honduran

²¹ Legislative Decree No. 74-2022.

communities have been carried out regarding projects that may affect their lands and resources. These include:

(a) In 2018, a consultation on the implementation of a photovoltaic energy project and the site for the project was carried out with the Misquito Territorial Council of Diunat in Brus Laguna, Gracias a Dios Department, in which 435 members of the Araslaya, Kusuapaika, Twuitanta and Brus Laguna communities took part. Since the consultation yielded positive results, the project was rolled out under the poverty reduction strategy, with financing from the Inter-American Development Bank;

In August 2023, President Castro Sarmiento inaugurated the Mosquitia solar power plant,²² which consists of 741 solar panels and a 400-kilowatt photovoltaic system with 420 kW of energy storage capacity. This involved an investment of L115.7 million, benefiting 14,000 inhabitants directly or indirectly.

(b) In November 2019, at a public town hall meeting, the population of Tocoa declared the municipality “mining free” and demanded that the mining company Los Pinares withdraw from the area.

53. It is important to note that the amendment to Article 67-A of the General Mining Act, which applies directly to investment projects, establishes the obligation to conduct consultations. The decision to grant a concession is contingent on a favourable outcome in the consultations. In addition, in the case of projects to be implemented in the territory of Indigenous Peoples and Afro-Hondurans, free, prior and information consultations must be carried out in accordance with the International Labour Organization (ILO) Indigenous and Tribal Peoples Convention, 1989 (No. 169).²³

54. Pursuant to the General Mining Act, the Environment and Safety Unit of the Honduran Institute of Geology and Mines conducts environmental checks on mining projects to ensure their compliance with technical and legal measures to prevent environmental damage and safeguard life and health.

55. The Mining Conflict Prevention and Management Unit established by the Honduran Institute of Geology and Mines has set up a committee that participates in the Technical Round Table on Environmental Conflict.

56. Regarding subparagraph (c), to guarantee the protection of the land and resources of Indigenous Peoples and Afro-Hondurans, the Office of the Special Prosecutor for Ethnic Groups and Cultural Heritage handles complaints of offences that directly affect their individual and collective rights as well as national cultural heritage.

57. The Office of the Special Prosecutor for Ethnic Groups and Cultural Heritage investigates and prosecutes cases where the right to consultation of Indigenous Peoples and Afro-Hondurans has been infringed. Nine applications for prosecution have been filed for failure to comply with the duty to consult, resulting in the conviction of a senior official.

58. To make legal security and access to land a State policy and to end the neglect of the agricultural sector since 2009, in June 2023, President Castro Sarmiento established the Agricultural Security and Access to Land Commission, composed of the National Agrarian Institute, the Property Institute, the Ministry of Social Development, the Ministry of Security, the Ministry of National Defence, the National Congress, the Public Prosecution Service and the Judiciary.²⁴

59. With regard to subparagraph (d), the Organic Act on Employment and Economic Development Areas was repealed by Legislative Decree No. 33-2022.²⁵

60. The Ministry of Human Rights has made several field visits to the English-speaking black community of Crawfish Rock in the Bay Islands to identify any rights violations and

²² Channel 8 (8 August 2023). <https://n9.cl/89vyu>.

²³ Legislative Decree No. 109-2019, Official Gazette No. 35.107.

²⁴ Ministry of People’s Power (19 June 2023). <https://n9.cl/nwb1u> and (6 June 2023). <https://n9.cl/1se4k>.

²⁵ Legislative Decree No. 33-2022, Official Gazette No. 35.907. <https://www.tsc.gob.hn/web/leyes/Decreto-33-2022.pdf>.

basic needs and provide inhabitants with appropriate assistance. On 8 December 2023, the Ministry conducted a second field visit to follow up on the commitments made, such as the provision of training in national protection and human rights standards, and to respond to the call by the presidential commissioner to set up an inter-institutional body tasked with abolishing the employment and economic development areas.

Maximum available resources (art. 2 (1))

61. Question 10. Regarding subparagraph (a) on poverty indicators, the National Statistics Institute conducts the continuous multipurpose household survey. In 2019, before the COVID-19 pandemic, the percentage of households living in poverty was 59.3 per cent.

62. Due to the impact of COVID-19 and hurricanes Eta and Iota, which reduced economic activity along with salaried and independent employment, work-generated income dropped, causing the percentage of households living in poverty to increase to 73.6 per cent in 2021.²⁶

63. As a result of economic recovery, indicators show that poverty levels are returning to pre-pandemic levels. The total number of households living in poverty in 2023 was 64.1 per cent, or a reduction of 9.5 percentage points compared to 2021. In rural areas, the poverty rate fell 11.9 percentage points, from 76 per cent in 2021 to 64.1 per cent in 2023. In urban areas, the poverty rate slipped 7.8 percentage points, from 71.8 per cent to 64 per cent.²⁷

National poverty statistics 2013–2023

| Indicator | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2021 ^P | 2022 | 2023 |
|---|-------|-------|-------|-------|-------|------|-------|-------------------|------|------|
| Poverty* | 64.50 | 62.8 | 63.78 | 60.90 | 68.84 | 61.9 | 59.3 | 73.6 | | 64.1 |
| Relative poverty* | 21.94 | 23.1 | 23.78 | 22.50 | 23.58 | 23.1 | 22.6 | 19.9 | | 22.6 |
| Extreme poverty | 42.56 | 39.7 | 39.99 | 38.40 | 44.19 | 38.7 | 36.7 | 53.7 | | 41.5 |
| Percentage of people in households with per capita income of <USD 1 | 22.55 | 18.16 | 18.75 | 20.06 | 20.88 | 19.9 | 38.05 | 32.30 | | NA |
| Gini coefficient (income inequality) | 0.54 | 0.52 | 0.51 | 0.52 | 0.52 | 0.53 | 0.52 | 0.55 | NA | |

Source: National Statistics Institute (country data 2012–2020)²⁸ and executive summary of LXXII EPHPM 2021.

* Percentage of households.

^P Preliminary, July 2023.

NA: Not available.

64. Regarding subparagraph (c), gross domestic product (GDP) at market prices is L776,635 million, a relative variation of 13.5 percentage points in 2022 compared to 2021. GDP per capita is L80,919 on the basis of a population of 9.6 million used by the Central Bank of Honduras.²⁹

²⁶ National Statistics Institute. Executive Summary LXXII EPHPM (June 2021).

<https://edgnrfnypo5.exactdn.com/wp-content/uploads/2021/11/Resumen-ejecutivo-INE-EPHPM-2021.pdf>.

²⁷ (13 December 2023) <https://ine.gob.hn/v4/2023/12/05/el-instituto-nacional-de-estadistica-ine-socializa-logros-significativos-en-la-reduccion-de-la-pobreza-en-honduras/#:~:text=The%20indicator%20of%20poverty%20at,a%2041.5%25%20in%20the%202023>.

²⁸ National Statistics Institute. (7 December 2023) <https://ine.gob.hn/v4/cifras-de-pais/>.

²⁹ Central Bank of Honduras, 2023.

GDP, relative variation in GDP and GDP per capita, 2014–2022

| <i>Indicator</i> | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 ^p | 2020 ^p | 2021 ^p | 2022 ^p |
|---------------------------|---------|---------|---------|---------|---------|-------------------|-------------------|-------------------|-------------------|
| GDP (in million L) | 414 634 | 460 405 | 495 922 | 543 403 | 575 285 | 614 918 | 585 734 | 684 204 | 776 636 |
| Relative variation in GDP | 10.1 | 11.0 | 7.7 | 9.6 | 5.9 | 6.9 | -4.7. | 16.8 | 13.5 |
| GDP per capita (L) | 49 173 | 53 682 | 56 865 | 61 332 | 63 752 | 67190 | 62 953 | 72 397 | 80 919 |
| Population (thousands) | 8.432 | 8.577 | 8.721 | 8.860 | 9.024 | 9.152 | 9.304 | 9.451 | 9.598 |

Source: Central Bank of Honduras.

^p Preliminary.

65. The public debt of the central Government was US\$ 16,817.6 million in 2022, or 54.2 per cent of GDP, representing a decrease of 5.1 per cent compared to 2021. As for the source of funds, 51.6 per cent is foreign debt, while 48.4 per cent is domestic. According to the Ministry of Finance, the increase in debt in 2020 can be explained by the raising of domestic and foreign revenue to address the effects of COVID-19 and the humanitarian emergency caused by hurricanes Eta and Iota.

Public debt of the central government, 2014–2022

| <i>Indicator</i> | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | 2021 | 2022 ^p |
|--------------------|---------|---------|---------|----------|----------|----------|----------|----------|-------------------|
| Foreign debt* | 5 423.4 | 5 732.6 | 5 840.3 | 6 780.1 | 6 961.5 | 7 319.1 | 8 290.7 | 8 290.7 | 8 670.2 |
| Domestic debt* | 3 259.5 | 3 461.9 | 3 929.4 | 4 144.5 | 4 513.2 | 4 829.9 | 6 102.9 | 7 388.5 | 8 149.4 |
| Total public debt* | 8 682.8 | 9 174.5 | 9 769.6 | 10 924.6 | 11 517.7 | 12 149.0 | 14 309.2 | 15 679.2 | 16 817.6 |
| Debt/GDP | 45.0 | 44.7 | 46.3 | 47.7 | 48.5 | 48.6 | 58.9 | 59.3 | 54.2 |

Source: Central Bank of Honduras.

* Millions of US\$.

^p Preliminary, 21 April 2023.

66. Regarding subparagraph (e) and the proportion of the public budget allocated to social spending, in April 2022, the National Congress approved the modification of the general budget for the 2022 fiscal year, including additional spending of L52,272.3 million.³⁰ The increase in spending is aimed at priority sectors and is focused on the provision of targeted attention to groups in vulnerable situations, economic reactivation, job creation and the improvement of household income, the standard of living and social well-being.

67. To maximize resources, the Government has considered a proposal to progressively reduce exemptions in order to achieve a more equitable tax system and progressively increase tax revenue collection.³¹

68. Regarding subparagraph (d) and policies to address the pandemic, a fiscal and financial emergency was declared through Legislative Decree No. 08-2022³² with a view to comprehensively addressing the fiscal and financial crisis inherited from the previous Government, restoring balance and reactivating economic growth. Furthermore, in 2022–2023, the Ministry of Finance was authorized, where necessary, to directly take out domestic and foreign loans, reallocate available external resources, issue debt on the national or international market and conduct other public credit operations under the financial conditions in force at the time of their negotiation.

³⁰ Legislative Decree No. 30-2022, Official Gazette No. 35.894.

³¹ Ministry of Finance, Tax Policy Department. Memorandum Mo. DGPT-M-063-2023.

³² Official Gazette No. 35.849. <https://www.tsc.gob.hn/web/leyes/Decreto-8-2022.pdf>.

69. Through the reformulation of the 2022 budget, the medium-term macro fiscal framework for the period 2023–2026³³ was approved in May 2022, as was an increase of the percentage of the non-financial public sector fiscal deficit by up to 4.9 per cent of GDP set at L759,533 million in the framework.³⁴

70. In addition, article 191 on municipal transfers was amended to instruct municipal corporations to invest between 5 per cent and 20 per cent of transfers in the COVID-19 response. Ten per cent should also be allocated to improving municipal investment in order to promote the micro, small and medium-sized business sector and to support agricultural and tourism infrastructure and business development centres, among others.

71. To address the agriculture and food crisis, the Solidarity Government ordered the economic and financial reactivation of the National Bank for Agricultural Development.

Corruption

72. Question 11. To combat corruption, the Ministry for Transparency and the Fight against Corruption was established in 2022³⁵ to prevent and combat corruption in the exercise of public and private functions, in accordance with the guidelines of the Office of the President under the governmental agenda, through the design, promotion, coordination, supervision and evaluation of anti-corruption policies, strategies and programmes to promote transparency and good governance practices.

73. The Ministry for Transparency and the Fight against Corruption has conducted 12 campaigns to raise awareness of the importance of having a robust system for promoting transparency and combating corruption. It has also made recommendations on transparency issues to various government entities and has drafted reports.

74. The Ministry for Transparency and the Fight against Corruption launched the Open Government Action Plan (2023–2025) and is working on a national open data policy and the construction of a national open data portal.

75. Complaints mechanisms include the complaints management 130-hotline and other complaints mechanisms, such as digital channels and mailboxes.

76. In addition, the National Congress has taken a series of legislative measures concerning transparency and corruption:

(a) Repeal of the Act on the classification of public documents relating to national security and defence³⁶ (known as the Official Secrets Act);

(b) Disqualification of information categorized as reserved under the above-mentioned law;

(c) Repeal of decrees authorizing the creation of monopolistic contracts or agreements³⁷ and transfer of the funds to the Treasury;

(d) Adoption of the regulations for the enforcement of the decree on the termination and liquidation of monopolistic contracts.³⁸

77. Pursuant to Legislative Decree 67-2022, the Specialized Prosecution Unit to Combat Corruption Networks will have the power to bring criminal action *ex officio* in cases of high-impact public corruption and corruption networks without having to obtain prior approval from the Attorney-General or any other authority.³⁹

³³ Executive Decree No. PCM-15-2022, Official Gazette No. 35.938.
<https://www.tsc.gob.hn/web/leyes/PCM-15-2022.pdf>.

³⁴ Legislative Decree No. 30-2022.

³⁵ Executive Decree No. PCM-05-2022.

³⁶ Legislative Decree No. 12-2022, Official Gazette No. 35.873.

³⁷ Legislative Decree No. 66-2022, Official Gazette No. 35.950.

³⁸ Executive Agreement No. 395-2022.

³⁹ Official Gazette No. 35.950.

Non-discrimination (art. 2 (2))

78. Question 12. As for provisions prohibiting discrimination, the National Coordination Office for Indigenous Peoples and Afro-Hondurans is drafting a new comprehensive public policy on racism and discrimination against Indigenous Peoples and Afro-Hondurans.⁴⁰

79. In 2023, the National Centre for Public Policy Studies of the Ministry of Social Development began the information dissemination process with the support of 54 strategic stakeholders representing organizations of Indigenous Peoples and Afro-Hondurans, government ministries, cooperation agencies and academia. The document “Foundation for the development of a new comprehensive policy on Indigenous Peoples and Afro-Hondurans” has been prepared.

80. In October 2022, the Ministry of Human Rights, the Ministry of Social Development and the SOMOS Centre for Development and Cooperation signed an agreement establishing the basis for collaboration on monitoring the implementation of the National Human Rights Action Plan and international recommendations, focusing on the rights of the lesbian, gay, bisexual, transgender, intersex and queer (LGBTIQ+) community. Training in LGBTIQ+ issues has been provided to public servants of both ministries.

Equal rights of men and women (art. 3)

81. Question 13. Regarding women’s right to the enjoyment of economic, social and cultural rights, comprehensive assistance is provided to women through Cities for Women Programme centres around the country. The budget allocated to the National Directorate of the Cities for Women Programme in 2023 was L149,892,382, an increase of 27.36 per cent over 2022.

Assistance and services provided at Cities for Women Programme centres, 2019–2023

| <i>Year</i> | <i>Assistance</i> | <i>Services</i> |
|--------------|-------------------|------------------|
| 2019 | 181 273 | 379 550 |
| 2020 | 128 402 | 339 552 |
| 2021 | 228 474 | 609 570 |
| 2022 | 235 565 | 829 593 |
| 2023* | 233 901 | 841 751 |
| Total | 1 007 615 | 2 999 986 |

Source: Cities for Women Programme 2022 Annual Report, p. 12.⁴¹

* Cabinet Committee for Social Development, 2023 Outcome Report, p. 91.

82. The Cities for Women Programme has led actions to reduce gender inequality in access to credit by signing agreements with several partners to develop financial products with a gender focus. Furthermore, training is provided to expand employment options.

83. Concerning the economic empowerment of women, the Ministry of Women’s Affairs signed a cooperation agreement with the National Service for Entrepreneurship and Small Businesses in February 2023, through which assistance has been provided to 625 women from various organizations, 157 of whom have prepared business plans to obtain financing from CREDIMUJER. In addition, 185 women have received up to L20,000 in seed capital from the Vulnerable Women project. The intention is to expand the project to more than 500 women entrepreneurs in 2024.

84. Regarding the labour participation rate, the Ministry of Labour and Social Security reported that the gap in 2022–2023 was due to the negative impact of COVID-19, which

⁴⁰ Ministry of Social Development/ National Centre for Public Policy Studies/ National Coordination Office for Indigenous Peoples and Afro-Hondurans (July 2023). <https://n9.cl/bkxlo>.

⁴¹ Cities for Women Programme, 2022 Annual Report, p. 12. Available at: <https://www.ciudadmujer.gob.hn/noticias/>.

resulted in labour participation of 36.3 per cent among women compared to 74.3 per cent for men in 2023.

III. Specific provisions of the Covenant (arts. 6–15)

Right to work (art. 6)

85. Question 14. Regarding disaggregated employment statistics, the country data compiled by the National Statistics Institute show the following:

Economically active population (EAP) 2019–2022

| Indicator | 2019 | 2020 | 2021 | 2022 |
|------------------------|---------|---------|---------|---------|
| EAP | 4 220.3 | 4 103.4 | 4 071.2 | 3 986.4 |
| EAP employed | 3 979.8 | 3 655.7 | 3 722.4 | 3 630.0 |
| Open unemployment rate | 5.7 | 10.9 | NA | NA |

Source: National Statistics Institute (country data 2012–2020).

NA: Not available.

86. The continuous multipurpose household survey conducted in March 2023 revealed that the national unemployment rate was 7.4 per cent. When broken down by sex, the data showed a higher rate among women (10.7 per cent) than among men (5.3 per cent). In urban areas, the rate was 11.8 per cent for women compared to 7 per cent for men while, in rural areas, it was 8.5 per cent for women compared to 3.4 per cent for men.

87. It should be noted that the Sí Empleo unit has provided services to 10,756 young persons aged 18 to 30 (5,577 women and 5,179 men).⁴² Of the young beneficiaries, 66 are Garifuna, 42 are Lenca and 28 are Miskito.

88. Question 15. Regarding whether the minimum wage is high enough to guarantee decent living conditions for workers, according to the Ministry of Labour and Social Security, the current minimum wage is L12,377.73,⁴³ an increase of 9.8 per cent over 2022, in line with the Central Bank of Honduras inflation index, which stood at 9.8 per cent at the end of 2022. Between 2019 and 2023, there were two income-earners per household, which were composed on average of four people.

Average monthly minimum wage and cost of basic food basket, 2019–2023

| Indicator | 2019 | 2020 | 2021 | 2022 | 2023 |
|--|----------|-----------|-----------|-----------|-----------|
| Average monthly minimum wage (Lempiras) | 9 443.24 | 10 022.04 | 10 601.67 | 11 278.75 | 12 377.73 |
| Increase (%) | 5.98 | 6.13 | 5.78 | 6.38 | 9.74 |
| Cost basic food basket (list of 30 products) | 8 616.85 | 9 085.85 | 9 158.40 | 10 744.45 | 12 091.80 |

Source: Ministry of Labour and Social Security.

89. Question 16. In order to improve the living conditions of Miskito divers engaged in dive fishing and address the issue of this activity, rules of procedure for the Inter-Institutional Commission to Address and Prevent the Problems Associated with Dive Fishing,⁴⁴ as well as the Occupational Safety and Health Rules for Deep-Sea Dive Fishing,⁴⁵ were adopted in 2020.

90. The Inter-Institutional Commission to Address and Prevent the Problems Associated with Dive Fishing is currently chaired by the National Coordination Office for Indigenous

⁴² Source: Empléate programme, 2022 to August 2023.

⁴³ Agreement No. STSS-308-2022. Official Gazette No. 35.892.

⁴⁴ Agreement No. CIAPEB-001-2018.

⁴⁵ Agreement No. STSS-577-2020.

Peoples and Afro-Hondurans, which is responsible for the implementation of the Commission's multi-year strategic plan for the period 2020–2025.

91. In order to care for divers with decompression sickness and address working conditions, a visit was conducted in 2023 to establish operational processes, gather information and strengthen Ministry of Labour and Social Security offices in Puerto Lempira. The following actions were taken during the visit:

- (a) Coordination meeting with the Association of Disabled Honduran Miskito Divers;
- (b) Introductory discussion on occupational medicine;
- (c) Training in the Occupational Safety and Health Rules for Deep-Sea Dive Fishing and discussion on decompression sickness and its effects on workers' health; 101 people took part in the training, including active divers, scuba divers, diving instructors and representatives of the Association of Disabled Honduran Miskito Divers;
- (d) Home visits and structured interviews for socioeconomic studies;
- (e) Support for training sessions in Kaukira, Gracias a Dios Department, on occupational health and safety, in which 50 people took part;
- (f) Monitoring of the implementation of the Empléate-Plus programme.

92. In March 2023, the Government acknowledged international responsibility in compliance with the operative section of the judgment in the *Miskito divers (Lemoth Morris et al.) v. Honduras* case. In addition, more than L700,000 were allocated to the Decompression Syndrome Clinic for the purchase of medical supplies, improvement of facilities and care for divers with disabilities. The acquisition of two hyperbaric chambers is also under way.

93. In the period 2022–2023, the Directorate General of the Merchant Navy certified eight labour inspectors in the maritime safety course to carry out inspections on the high seas. In addition, the basic national maritime safety course was given to inspectors of the technical committee of the Inter-Institutional Commission to Address and Prevent the Problems Associated with Dive Fishing (officials from the Ministries of Labour, Health and Human Rights).⁴⁶

94. In 2022, the Commission and World Vision, through a workshop on maritime safety, certified 11 inspectors in the responsibilities and competencies of Commission institutions, the first safe diving guide, the United Nations Declaration on the Rights of Indigenous Peoples, ILO Convention No. 169 and the friendly settlement mechanism.⁴⁷

95. Within the framework of the Commission, inspectors from the Directorate General of the Merchant Navy, the Ministry of Labour and Social Security, the Ministry of Health, the General Directorate of Fisheries and Aquaculture of the Ministry of Agriculture and Livestock and the Honduran Navy carried out ordinary inspections and drew up comprehensive detailed reports on ports from which fishing vessels set sail, in keeping with the ILO Labour Inspection Convention, 1947 (No. 81) and local regulations. Between July and September 2023, 79 fishing vessel certificates were issued, in application of the sanctions and procedures established in the Occupational Safety and Health Rules for Deep-Sea Dive Fishing.

Trade union rights (art. 8)

96. Question 18. To safeguard trade union rights and prevent violations and reprisals against trade unionists, between 2019 and 2023, the Office of the Special Prosecutor for Human Rights recorded two convictions, one of which has been confirmed following an

⁴⁶ Directorate General of the Merchant Navy. Inter-Institutional Commission to Address and Prevent the Problems Associated with Dive Fishing. <https://marinamercante.gob.hn/ciaped/>.

⁴⁷ Ministry of Social Development (28 April 2022). <https://sedesol.gob.hn/ciapeb-y-world-vision-certifican-a-inspectores-para-supervisar-y-mejorar-las-condiciones-de-pesca-por-buceo-en-la-mosquitia/>.

application by the public prosecutor. No crimes against trade unionists were reported in 2021. In 2023, 13 workers in the maquila sector, including four trade union members, were allegedly victims of violations; investigations are under way.

97. The Public Prosecution Service conducts ordinary and extraordinary inspections and provides technical advisory services to promote and monitor compliance with labour regulations. It also collaborates on compliance strategies in organized sectors, including labour unions, either through promotion activities or the filing of complaints.

Social security (art. 9)

98. Question 19. The Framework Act on the Social Protection System was repealed in April 2022 after having been declared unconstitutional.⁴⁸ The ruling was based on the violation of 11 articles of the Constitution.

Protection of the family and children (art. 10)

99. Question 20. Regarding the implementation of the Road Map for the Elimination of All Forms of Child Labour, an independent survey on child labour, designed by ILO⁴⁹ and incorporating key aspects adapted to the national context, was conducted. The survey was run in 287 municipalities nationwide; the data are currently being organized with a view to their analysis and the publication of the results.

100. Child labour is most prevalent in rural areas, with 67.8 per cent of the 219,115 child workers.

101. Child workers are mainly found in sectors such as agriculture, forestry, hunting and fishing (51.8 per cent), wholesale and retail trade (18.6 per cent), manufacturing (9.6 per cent) and construction (6.6 per cent).

102. The National Commission for the Progressive Elimination of Child Labour was established to protect against the worst forms of child labour and is made up of different government ministries, private enterprises, workers' organizations and civil society organizations.

103. The National Commission's strategic plan, developed by six key institutions, is designed to coordinate projects on the prevention and eradication of child labour and guide decision-making and resource management.

104. Question 21. The Directorate for Children, Adolescents and Families is taking action on the National Policy on Early Childhood, Childhood and Adolescence 2024–2033 aimed at establishing guidelines to realize the rights of children and adolescents.

105. Pursuant to the Government Plan 2022–2026, the new Ministry for Children and Families will become operational on 1 January 2024,⁵⁰ thus replacing the Directorate for Children, Adolescents and Families.

Adequate standard of living (art. 11)

106. Question 22. Salient measures taken to combat poverty include:

(a) The establishment of the Solidarity Network Programme as a decentralized entity of the Ministry of Social Development with technical, financial and administrative autonomy. The Programme seeks to reduce extreme poverty through the implementation of programmes and projects focused on vulnerable populations. From 2022 to 2023, 2,007 target villages nationwide, where more than 83 per cent of families live in extreme poverty, benefited from the Programme, including a total of L2,191 million for women heads of household;

⁴⁸ SCO-0858-2015.

⁴⁹ https://www.ilo.org/ipecc/Informationresources/WCMS_IPEC_PUB_793/lang--es/index.htm.

⁵⁰ Executive Decree No. PCM-41-2023, Official Gazette No. 36.357.

(b) The launch of the Rural Productive Banks programme. In the first phase, 1,200 banks, each endowed with L100,000, were set up to enable producers, women and campesino groups to develop various economic initiatives;

(c) The distribution of conditional cash transfers by the Solidarity Network⁵¹ with a focus on social protection, income-generating opportunities, empowerment, education, health, infrastructure and the environment. Some 138,267 households benefited from these transfers in 2022,⁵² while the L100 million invested in conditional cash transfers in 2023 reached 206,853 households;

(d) The introduction of the Solidarity Action Programme⁵³ as a decentralized entity of the Ministry of Social Development with technical, financial and administrative autonomy, which has the mandate to provide social assistance to people in vulnerable groups;

(e) Provision of support, through the Hope Fund and Aid Kits programme of the Solidarity Action Programme, to persons displaced by natural disasters, environmental hazards, pandemics and epidemics, benefiting 103,000 people for an investment of L105 million;

(f) The roll-out of the Our Roots programme by the Ministry of Social Development, developed with support from over 20 State institutions and the participation of more than 300 representatives of organizations of Indigenous Peoples and Afro-Hondurans.⁵⁴ It seeks to ensure that social anti-poverty programmes are implemented taking into account inequality and the needs of Indigenous Peoples and Afro-Hondurans;

(g) The establishment of an intersectoral committee to popularize new models of solidarity housing and thereby improve the living conditions of the poorest families and reduce the housing deficit of 1.4 million homes.

107. Question 23. To prevent conflicts over access to land, especially in the Bajo Aguán area, a tripartite commission was established to play a crucial role in seeking agreements and consensus aimed at ending conflicts.⁵⁵

108. The commission is composed of representatives of the Office of the President, the Ministry of Human Rights, the Office of the United Nations High Commissioner for Human Rights (OHCHR) and international lawyers nominated by the Agrarian Platform. Its main task will be to investigate possible rights violations in Bajo Aguán and to comprehensively address challenges related to access to land.

109. Furthermore, meetings have been held with the Aguán Agrarian Platform, the Municipal Committee for the Defence of Common and Public Goods and the Coordinating Committee of Community Organizations⁵⁶ pursuant to the Agreement signed on 22 February 2022 between the central Government and the campesino organizations.⁵⁷

110. As mentioned above, the Agricultural Security and Access to Land Commission has also been established.

111. To coordinate the State response to and provide solutions for social conflicts, in 2022 the Ministry of Human Rights set up inter-institutional committees on the prevention and management of social conflicts. As of November 2023, 16 inter-institutional committees have been established at the department level, along with the National Inter-Institutional Committee on the Prevention and Management of Social Conflicts.

112. The National Inter-Institutional Committee, with assistance from OHCHR, formulated the Inter-Institutional Coordination Protocol on Land, Territory and Environmental Conflicts, which was disseminated in November 2023.⁵⁸ In addition, with the

⁵¹ Ministerial Decision No. 036-SEDESOL-2022, Official Gazette No. 36.064.

⁵² Solidarity Network. 2022 Annual Report.

⁵³ Executive Decree No. PCM-22-2022, Official Gazette No. 35.999.

⁵⁴ Ministry of Social Development (4 August 2022). <https://n9.cl/i3wn8>.

⁵⁵ Poder Popular (People's Power), Issue No. 15 (15 August 2022), p. 4. <https://n9.cl/8bxtp>.

⁵⁶ (8 March 2023) at: <https://n9.cl/fhrmr>.

⁵⁷ Ibid. pp. 7–17.

⁵⁸ Ministry of Human Rights (17 November 2023). <https://n9.cl/qve1r>.

support of UNDP, 26 public servants completed the Diploma in Conflict Resolution, Peace and Development⁵⁹ and became certified as trainers of trainers in conflict resolution, peace and development.

113. In order to strengthen the capacity of members of the National Inter-Institutional Committee to provide a technical response, the Ministry of Human Rights held:

- (a) A workshop on how to analyse social conflicts;⁶⁰
- (b) A workshop on the Coordination Protocol;
- (c) A workshop on taking a gender and human rights approach to the management of agricultural conflict.⁶¹

114. A protocol on conflict and forced evictions has been developed to coordinate response and follow-up efforts in eviction cases.

115. In 2022, the Ministry of Human Rights supported the inhabitants of the Lenca Indigenous community of Tierras del Padre, interceding in the eviction of the over 100 families living in the area⁶² and providing humanitarian assistance. In addition, it submitted a legal opinion to the judiciary with the aim of ensuring that the eviction order complied with international standards.⁶³ The Ministry of Human Rights also provided advice to the National Police regarding standards on the use of force and forced evictions of Indigenous communities.⁶⁴

116. Question 24. The actions taken in response to internal displacement include:

(a) The adoption in December 2022 of Legislative Decree No. 154-2022 containing the Act on the prevention of internal displacement and assistance and protection for internally displaced persons,⁶⁵ which was developed with support from OHCHR;

(b) The development, with advice from the Office of the United Nations High Commissioner for Refugees (UNHCR), of a protocol on forced displacement designed to prevent future social conflicts and displacement;

(c) The review in November 2023, by the General Registers Directorate of the Property Institute and UNHCR, of the Institute's manual on the harmonization of criteria for registration of real estate in order to incorporate protections for the housing, land and property rights of persons who have been or are at risk of being internally displaced by violence;⁶⁶

(d) The provision of assistance to 331 displaced persons under the emergency humanitarian assistance mechanism.⁶⁷

117. To mitigate the impact of natural disasters, especially hurricanes Eta and Iota, which hit in 2020, the following measures were taken:

- (a) A nationwide public disaster and state of emergency were declared;⁶⁸
- (b) Operation "You Are Not Alone" was launched, consisting of large-scale clean-up operations in neighbourhoods, communities and hamlets affected by the rains across the country and in the Sula Valley. The reconstruction phase has begun in the affected areas;⁶⁹
- (c) Humanitarian aid, consisting of food rations and COVID-19 supplies, was delivered by Air Force helicopters to the Departments of Ocotepeque, Yoro, Cortés and Santa Bárbara;

⁵⁹ UNDP. (27 May 2022). <https://n9.cl/mro1m>.

⁶⁰ Directorate General of the Merchant Navy. (23 November 2023) at: <https://n9.cl/fhrmr>.

⁶¹ Ministry of Social Development (23 August 2022). <https://n9.cl/f7c17>.

⁶² Press release of the Ministry of Human Rights (11 February 2022). <https://n9.cl/judoy>.

⁶³ Inter-American Commission on Human Rights. 2022 Annual Report, p. 1134. <https://n9.cl/8yuo5>.

⁶⁴ Ministry of Human Rights, 2022 Annual Report.

⁶⁵ Legislative Decree No. 154-2022. Official Gazette No. 36.184.

⁶⁶ (15 November 2023) at: <https://n9.cl/fhrmr>.

⁶⁷ Results-based Management Division. 2022 report on key institutional results.

⁶⁸ Executive Decree No. PCM-120-2020, Official Gazette No. 35.446.

⁶⁹ Pan American Health Organization report. (22 November 2020).

(d) The Standing Commission on Disaster Preparedness assessed the damage to houses and delivered humanitarian aid to affected villages;

(e) Displaced persons were provided with decent accommodation to ensure that they enjoyed safe, healthy and hygienic conditions, as well as sufficient food, during their displacement. Members of the same family were placed together;

(f) Ministries and decentralized public institutions were instructed to prioritize the execution of plans, programmes and projects to address the situation arising from the national public disaster;

(g) The construction of hydroelectric projects was approved.⁷⁰

118. The assistance provided in relation to both storms consisted of food aid and supplies for 140 municipalities nationwide, including 146,804 food rations, 6,612 mattresses, 17,919 blankets, 9,402 zinc sheets and 10,359 kits (containing cleaning supplies, hygiene products, baby items, cooking implements and dishes).⁷¹

119. To address the negative impact of recent tropical storm Julia and safeguard the life and integrity of the population, a 90-day state of emergency was declared⁷² and the Ministry of Finance was instructed to allocate L314.7 million for 174 affected municipalities and over L31.9 million to the Standing Commission on Disaster Preparedness. Some 658 shelters were set up nationwide and food was secured for 12,000 families (60,000 people) in emergency situations. The Ministry of Social Development delivered 23 containers with 582,500 pounds of food (6,500 boxes and 5,500 sacks), 14 containers with 3,600 basic necessities for shelters and 3,995 cleaning tools at a cost of L86 million.

120. To incorporate a gender perspective in policies and measures for the protection of people affected by natural disasters and emergencies, the Act on the protection of women in humanitarian crises, natural disasters and emergencies was adopted.⁷³

121. Question 25. To protect water resources and ensure access to water under the Government Plan 2022–2026, the country was declared free of open-pit mining in February 2022.⁷⁴ In addition, the Ministry of Natural Resources and the Environment cancelled permits for extraction activities that were harmful to the environment, threatened natural resources and public health and limited access to water as a human right.

122. Likewise, environmental licenses, permits and concessions will be reviewed, monitored and cancelled. Actions will be taken in natural areas of high ecological value to ensure their conservation and preserve common benefits.⁷⁵

123. To improve the environment and people's health, the following actions are being taken:

(a) Treatment of special and hazardous waste;

(b) Implementation of 10 climate change adaptation measures;

(c) Strengthening of the network of hydrometeorological stations through the establishment of 93 stations in various communities;

(d) Launch of the Comprehensive Yojoa Lake Conservation Plan, including suspension of environmental operating licenses for large-scale industrial aquaculture, which has contributed to the degradation of the lake;

(e) Launch of the Father Andrés Tamayo Programme with the goal of conserving 24,000 hectares of forest;

⁷⁰ Executive Decree No. PCM-138-2020, Official Gazette No. 35.479.

⁷¹ United Nations Disaster Assessment and Coordination Team (15 December 2020).

⁷² Executive Decree No. PCM-024-2022.

⁷³ Legislative Decree No. 9-2023, Official Gazette No. 36.217.

⁷⁴ Bio Diversidad LA (2 March 2022). <https://n9.cl/jpo1t>.

⁷⁵ Ministry of Natural Resources and the Environment communiqué (28 February 2022).

(f) Identification of 115 forest nurseries to strengthen 150 municipalities, with an average production capacity of 100,000 plants each;

(g) Evaluation of 6,532 hectares with a view to initiating active restoration processes;

(h) Roll-out of a mobile surveillance and monitoring system covering 200,000 hectares to enable identification of and response to 77 active pest infestations;

(i) Surveillance of approximately 298,155 hectares, including 40 protected areas in four forest areas, namely, Atlantic, Río Plátano biosphere, Francisco Morazán and Valle.

124. The National Institute for the Conservation and Development of Forests, Protected Areas and Forest Life is implementing a strategic plan to combat illegal logging, which includes satellite monitoring, the installation of checkpoints by the inter-institutional task force on environmental offences and projects, such as the Father Andrés Tamayo Programme, to curb deforestation, conserve fauna, recover lost areas and generate local employment.⁷⁶

125. A total of L200 million, from the European Union and the Government, have been allocated for these actions.

126. The National Institute for the Conservation and Development of Forests, Protected Areas and Forest Life reported the following results for 2022:

(a) Protection and conservation of 3.1 million hectares of forest;

(b) Extraction of 266,000 m³ of timber from areas under sustainable forest management;

(c) Restoration of 4,495,000 hectares of forest in microbasins that supply water to different communities;

(d) Restoration of 6,000 hectares of land under agroforestry and forest-pastoral systems;

(e) Control and prevention of forest fires on 50,000 hectares of naturally regenerated forest;

(f) Sustainable use of 689,000 hectares of forest.

127. Question 26. With regard to food security, the promotion of local agricultural production and small-scale farmers, the Solidarity Network launched the Rural Productive Banks programme to strengthen the capacities of 2,007 villages identified by the Solidarity Network. There are currently 1,927 organized Banks and 1,774 legalized Banks, and L60 million have been allocated for the assignment of legal personality.⁷⁷

128. To strengthen local agriculture value chains in target villages, the Solidarity Network, in collaboration with the National Sustainable Rural Development Programme⁷⁸ of the Ministry of Agriculture, delivered metal silos for the storage of basic grains to 31 Banks in 31 villages across 7 municipalities of Colón Department.

129. The Ministry of Agriculture issued productive technology packages to 289,460 families for the production of basic grains in both planting cycles.

130. Each package is worth L5,800 and contains 20 pounds of corn seed or 40 pounds of beans, urea fertilizer, 12-24-12 fertilizer and a phytosanitary kit; 40 per cent of Bank members have received the benefit. A total of L700 million were invested in the productive technology packages programme in 2022; this was increased by L300 million in 2023 for the benefit of 350,000 small-scale farmers.

131. The Ministry of Agriculture has provided technical assistance through the implementation of 49 tools and recommendations for the management and sustainable development of different crops. It has also prepared 16,295 hectares for the production of

⁷⁶ (12 December 2023) <https://www.elheraldo.hn/brandedcontent/deinteres/activa-campana-salvemos-la-biosfera-del-rio-platano-para-recuperar-la-mosquitia-AH15471256>.

⁷⁷ <https://senprende.hn/?p=12821>.

⁷⁸ Legislative Decree No. 12-2000.

genetically enhanced basic grains;⁷⁹ has supported the export of 4,962,818 quintals of coffee, 28,620,090 kg of shrimp, and 10,422,600 kg of tilapia; and has provided support for the production and distribution of 1,027,600 fingerlings to aquaculture producers.

Right to physical and mental health (art. 12)

132. Question 27. To guarantee access to health services and achieve universal coverage, the Ministry of Health has put in place policies and mechanisms to guarantee continuous services to the entire population, with emphasis on priority groups, through the Integrated Health Services Networks tasked with implementing the focus on primary health care.

133. The Solidarity Government, in collaboration with the Inter-American Development Bank, has signed a credit agreement for a total of US\$ 150 million for the construction of two specialized hospitals to ensure the provision of quality health services.

134. Achievements of the Ministry of Health in 2022 in relation to three components of the National Health Policy⁸⁰ include:

(a) As of September 2022, of the 104 prioritized municipalities, 92 municipalities in 15 departments remain under decentralized management and 2 municipalities in Valle have returned to the centralized network;

(b) Of the estimated population in 2022, 1,652,207 inhabitants (17.2 per cent of the population) have primary care coverage under the decentralized system;

(c) In 2022, 41 Integrated Health Services Networks were operating, or 59 per cent of the baseline, as well as two more Networks operating under centralized management compared to 2021;

(d) Twenty-one health facilities received the status of polyclinic;

(e) According to the General Directorate of Integrated Health Services Networks, 390 family health units are serving the population of underprivileged municipalities;

(f) There are currently 25 hospitals under centralized management and 7 under decentralized management, of which two are fee-paying;

(g) The backlog of applications for health licences for tier III complex health-care providers (160 establishments) that had accumulated before, during and after the COVID-19 pandemic was reduced by 51 per cent.

135. In 2022, the drug supply in secondary care was 68 per cent (vital drugs, 73 per cent; essential drugs, 67 per cent; and non-essential drugs, 59 per cent). Of the 32 hospitals that were evaluated, 16 had a supply of between 60 to 84 per cent.⁸¹

136. Question 28. Regarding the COVID-19 vaccine, the Act on universal free vaccination against COVID-19⁸² was adopted to guarantee free access to the vaccine through the cooperation of public and private institutions authorized by the Ministry of Health. Through the COVID-19 Vaccine Global Access (COVAX) Facility, 18,467,267 doses were obtained.⁸³

Procurement of COVID-19 vaccines, 2021–2022

| <i>Type of vaccine</i> | <i>Procurement mechanism</i> | <i>Number of doses</i> |
|---|---------------------------------|------------------------|
| Pfizer, Moderna, Astra-Zeneca and Sputnik V | Bilateral purchase and donation | 15 360 467 |
| Pfizer pediatric | Bilateral purchase and donation | 3 106 800 |

Source: Health Surveillance Unit/Ministry of Health 2022.

⁷⁹ Ibid. Results-based Management Division. p. 23.

⁸⁰ Ministry of Health/Management Planning and Evaluation Unit. 2022 Annual Report, pp. 7–8.

⁸¹ Ibid. Results-based Management Division. p. 50.

⁸² Legislative Decree No. 162-2020, Official Gazette No. 35.452.

⁸³ Ibid. Ministry of Health/Management Planning and Evaluation Unit, p. 134.

137. Vaccination coverage in 2021–2022 included two doses for children aged 5 to 11 years, two doses and a booster for those aged 12 and older, and two doses and two boosters for priority groups. A total of 16,096,811 doses were administered to the eligible population of 7,575,148 people (6,405,645 first doses, 5,675,207 second doses and 4,015,959 third and booster doses), including 125,985 doses administered to foreign nationals.⁸⁴

138. Although vaccines were available, coverage for the third and booster doses decreased to 55 per cent because many people refused to be immunized. The Ministry of Health, with support from the World Bank, rolled out the Vaccination Deployment Strategy in all municipalities around the country.

139. Question 29. Regarding the repeal of Decision No. 2744-2009, in March 2023, President Castro Sarmiento and the Minister of Health signed Executive Decision No. 75-2023 guaranteeing access to, use, purchase and sale of emergency contraceptives, thereby nullifying the aforementioned decision prohibiting their use and commercialization.⁸⁵

140. To ensure safe and effective access to emergency contraceptives, the Health Regulation Agency⁸⁶ authorized the requisite registrations to ensure their commercialization and guarantee compliance with strict manufacturing and labelling standards.⁸⁷

Right to education (arts. 13–14)

141. Question 30. In response to the closure of education facilities during the COVID-19 pandemic, the Ministry of Education adopted the “We Want You Studying at Home” strategy, which prioritizes curricular content and the distribution of workbooks to children in rural areas who do not have access to the Internet or other means of communication.

142. The Ministry of Education launched the National Digital Education Transformation Programme to narrow the digital divide and strengthen teachers’ technological skills and pedagogical strategies.⁸⁸

143. The first pilot involves 71 educational facilities in 16 departments, with a focus on technological devices, connectivity, teacher training and new pedagogical techniques. The Programme is funded by the Strategic Agency for Productive, Environmental and Social Projects and the Solidarity Network and has provided tablets to some 9,100 students and laptops to 1,024 teachers.

144. Regarding access to education for children and adolescents, there are 23,756 educational facilities nationwide (92 per cent State-run and 8 per cent not). Achievements of the Ministry of Education in 2023 include:

- (a) Adoption of free tuition at the national level to ensure access to education;
- (b) Reduction of the dropout rate from 2.8 per cent to 1.5 per cent compared to 2022, thus reversing the downward trend in enrolment;
- (c) Increase of educational coverage by 7 per cent through the establishment of 274 distance education institutions benefiting 49,511 students;
- (d) Implementation of the José Manuel Flores Arguijo National Literacy Programme, in collaboration with Cuba, using that country’s “Yes, I Can” methodology. As a result, 134,877 people learned to read and 100 municipalities were declared free of illiteracy;
- (e) The school feeding programme benefited 1.2 million children in 20,031 schools;
- (f) Under the school infrastructure programme, construction, repair, replacement and expansion projects were carried out at 1,534 educational facilities;

⁸⁴ COVID-19 Vaccination Bulletin. Issue 46 (25 February 2021–30 December 2022).

⁸⁵ Decision No. 75-2023, Official Gazette No. 36.174.

⁸⁶ Executive Decree PCM-032–2017 and Legislative Decree 7-2021.

⁸⁷ Poder Popular (People’s Power), (2022) <https://n9.cl/sh398>.

⁸⁸ Ministry of the Interior (29 September 2022) <https://gobiernosolidario.sgjd.gob.hn/2263/gobierno-lanza-el-programa-nacional-de-transformacion-educativa-digital/>.

(g) Furniture was delivered to educational facilities, including 25,882 individual desks (primary and lower secondary), 2,903 three-person desks (preschool) and 1,550 blackboards, and 71 computer rooms were set up;

(h) Creation of 2,468 school gardens;

(i) Updating of the curriculum, incorporating seven new specific educational tools to boost arts education;

(j) The course on the Tutorial Learning System;

(k) Establishment of six agricultural schools in the Departments of Gracias a Dios, Santa Bárbara, Cortés, Valle, Atlántida and El Paraíso and the enrolment of 1,315 students, including 18 on scholarships;

(l) Establishment of five English academies in the Departments of Ocotepeque, Francisco Morazán, La Paz, Atlántida and Santa Bárbara;

(m) Establishment of educational facilities in the national women's prison, thus guaranteeing the right to education of persons deprived of liberty.

145. To strengthen cultural and linguistic diversity and the education of Indigenous and Afro-Honduran children, 1,223 Intercultural Bilingual Education Centres were set up in 2022. Five bilingual ordinary schools have been established in the Departments of Ocotepeque, Francisco Morazán, La Paz, Atlántida and Santa Bárbara. Furthermore, the Centre for Popular Culture and the Maya-Chortí Advancement Institute were inaugurated and are now in operation.

146. Regarding measures to prevent bullying, the Office of the Special Prosecutor for the Protection of Children has defined in its strategic plan actions to promote rights and prevent violence in general and bullying in particular, by holding workshops and forums aimed at different sectors, including the police, prosecutors, teachers, children and parents.

147. The Ministry of Security continues to implement the Gang Resistance and Training (GREAT) Programme, which provides training to prevent children and adolescents from becoming involved in gangs and prevent bullying.

Cultural rights (art. 15)

148. Question 31. Regarding measures to guarantee access to the benefits of scientific progress, in 2022, the National Secretariat for Science, Technology and Innovation and the Honduran Institute of Science, Technology and Innovation raised awareness among and encouraged the population to participate in research and development and innovation activities and provided training to 787 people.

149. Lastly, two community centres for science, technology and innovation have been established; the first was inaugurated in the community of Palacios in San Francisco Bulnes, Gracias a Dios Department, to reach, through virtual classrooms, remote areas with fewer opportunities for access to knowledge and technology transfer.