



Economic and Social Council

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Committee on Economic, Social and Cultural Rights

Concluding observations on the third periodic report of Honduras*

1. The Committee considered the third periodic report of Honduras¹ at its 35th and 36th meetings,² held on 11 and 12 September 2024, and adopted the present concluding observations at its 59th meeting, held on 27 September 2024.

A. Introduction

2. The Committee welcomes the submission of the third periodic report and the supplementary information provided in the replies to the list of issues.³ The Committee also expresses its appreciation for the open and constructive dialogue held with the delegation of the State party and thanks the delegation for its oral replies and the supplementary information provided during the dialogue.

B. Positive aspects

3. The Committee welcomes the legislative, institutional and public policy measures taken by the State party for the protection and progressive realization of economic, social and cultural rights, including the ratification of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, in 2018; the creation of the Specialized Prosecution Unit to Combat Corruption Networks, in 2020; the adoption of the Act for the Prevention of Internal Displacement and the Protection and Care of Internally Displaced Persons, in 2023; and the other measures indicated in the present concluding observations.

C. Principal subjects of concern and recommendations

State of emergency

4. The Committee recognizes the challenges posed by violence and security issues in the State party. However, it is seriously concerned about the continual extensions of the state of emergency since December 2022, the militarized approach to public security and the impact of these measures on economic, social and cultural rights.

5. **The Committee recommends that the State party ensure that any exceptional measures introduced in the context of a state of emergency are strictly necessary, proportional and temporary, are subject to judicial review and are consistent with the limitations provided for in article 4 of the Covenant. Moreover, the Committee endorses**

* Adopted by the Committee at its seventy-sixth session (9–27 September 2024).

¹ E/C.12/HND/3.

² See E/C.12/2024/SR.35 and E/C.12/2024/SR.36.

³ E/C.12/HND/RQ/3.



the relevant recommendations of the Human Rights Committee⁴ and urges the State party to ensure that any measures taken to address violence and security challenges emphasize a human rights-based approach to prevention, investigation and punishment.

Domestic application of the Covenant

6. The Committee notes that the Covenant is directly applicable in the legal order of the State party. However, it regrets that little information was provided on judicial decisions invoking the Covenant, the implementation of such decisions and the small number of communications submitted under the Optional Protocol.

7. **The Committee recommends that the State party intensify efforts to familiarize judges, magistrates, lawyers, members of the National Congress and civil society with the Covenant and the individual communications procedure under the Optional Protocol and that it raise awareness in that regard, *inter alia* through specific training programmes. The Committee recommends that the State party be guided by the Committee's general comment No. 9 (1998) on the domestic application of the Covenant. It also recommends that the State party take the necessary measures to ensure that all judicial decisions on economic, social and cultural rights, in particular the *amparo* ruling in favour of the Tolupán Indigenous People in Yoro, are implemented in a timely manner.**

Human rights defenders

8. The Committee is concerned about numerous reports that defenders of economic, social, cultural, environmental and land rights have been victims of attacks, intimidation, violence, delegitimization, killings and disappearances. It is also concerned about the lack of adequate measures to protect them and the persistence of impunity in these cases.

9. The Committee recommends that the State party:

(a) **Continue to strengthen the National System for the Protection of Human Rights Defenders, Journalists, Social Communicators and Justice Officials and the national protection mechanism by allocating the necessary financial, technical and human resources, and ensure that attacks on human rights defenders are promptly, impartially and thoroughly investigated;**

(b) **Bear in mind the Committee's statement on human rights defenders and economic, social and cultural rights,⁵ the Human Rights Committee's recommendations on human rights defenders⁶ and the plan for strengthening the National System for the Protection of Human Rights Defenders, Journalists, Social Communicators and Justice Operators, presented by the Office of the United Nations High Commissioner for Human Rights in Honduras.**

Business and human rights

10. The Committee takes note of the establishment of the Business and Human Rights Sectoral Round Table. However, it is concerned about the absence of a comprehensive regulatory framework on human rights due diligence, the lack of adequate consultation with communities, substandard environmental assessments and the impacts of extractive projects on the environment and the economic, social and cultural rights of disadvantaged groups. It is also concerned that the legal provisions repealing Legislative Decree No. 236-2012 on employment and economic development zones have not yet taken full legal effect.

11. The Committee recommends that the State party:

(a) **Establish a clear regulatory framework for companies operating within its jurisdiction to ensure that they exercise human rights due diligence to avoid or mitigate any negative impacts on economic, social and cultural rights, and be guided by**

⁴ [CCPR/C/HND/CO/3](#), para. 10.

⁵ [E/C.12/2016/2](#).

⁶ [CCPR/C/HND/CO/3](#), paras. 41–44.

the Committee's general comment No. 24 (2017) on State obligations under the Covenant in the context of business activities;

(b) Adopt a national action plan on business and human rights, taking account of the guidance on national action plans on business and human rights of the Working Group on the issue of human rights and transnational corporations and other business enterprises;

(c) Review and adjust the environmental regulatory framework and the licensing process to ensure that public, independent and systematic environmental and human rights impact assessments are carried out and that broad and participatory consultations are held with affected communities;

(d) Effectively repeal Legislative Decree No. 236-2012, ensuring that employment and economic development zones are registered under the special regimes in force and ensuring the right of Indigenous and Afro-Honduran peoples to participation, as well as their right to be consulted and to free, prior and informed consent;

(e) Ensure that all investments, whether by international financial institutions or private entities, especially those linked to natural resource exploitation and business activities, strictly comply with the obligations set out in the Covenant;

(f) Establish a transparent and independent monitoring and oversight mechanism that allows for the continuous supervision of investment projects and business activities to assess their compatibility with the rights protected under the Covenant.

Climate change mitigation

12. The Committee is concerned about reports that the State party is not on track to meet its nationally determined contribution and about the increase in net emissions in the energy, agriculture, land-use, land-use change and forestry sectors.

13. **The Committee recommends that the State party take the necessary measures to meet its nationally determined contribution under the Paris Agreement, focusing on the energy, agriculture, land-use, land-use change and forestry sectors, replacing fossil fuels in its energy matrix, promoting renewable energy sources and formulating a coherent policy framework at all levels of government. The Committee refers the State party to its statement on climate change and the Covenant.⁷**

Right to be consulted and to free, prior and informed consent

14. The Committee is concerned about reports that the authorities have granted licences for extractive and development projects on the lands and territories of Indigenous and Afro-Honduran peoples without duly consulting them to obtain their free, prior and informed consent (art. 1).

15. **The Committee endorses the relevant recommendations of the Human Rights Committee⁸ and urges the State party to take the necessary measures to guarantee the right to be consulted and to free, prior and informed consent. The Committee also recommends that the State party:**

(a) Ensure that prior consultations are carried out systematically and transparently to obtain the free, prior and informed consent of Indigenous and Afro-Honduran peoples before licences are granted for natural resource exploitation and business activities on the lands and territories that they have traditionally owned, occupied or used;

⁷ E/C.12/2018/1.

⁸ CCPR/C/HND/CO/3, paras. 45–48.

(b) **Ensure that Indigenous and Afro-Honduran peoples affected by extractive projects and business activities are consulted, receive compensation for any damage or loss suffered and obtain tangible benefits from such activities.**

Maximum available resources

16. The Committee takes note of the bill on tax fairness. The Committee is concerned about the low ratio of tax revenues to gross domestic product and the high dependence on indirect taxes. It is also concerned about the ineffectiveness of some transfer programmes in ensuring that transfers reach the intended beneficiaries, the high levels of poverty and inequality and the socioeconomic effects of the coronavirus disease (COVID-19) pandemic (art. 2 (1)).

17. **The Committee recommends that the State party:**

(a) **Make the tax system more progressive while broadening the tax base, improving tax collection and addressing tax evasion and tax fraud to ensure a fair redistribution of the benefits of economic growth and to maximize the resources allocated to economic, social and cultural rights;**

(b) **Evaluate fiscal policy with the participation of social actors, analysing its distributive effects and the tax burden on disadvantaged sectors and groups.**

Corruption

18. While noting the measures adopted, the Committee is concerned that they are not sufficient to combat corruption and impunity in the State party (art. 2 (1)).

19. **The Committee recommends that the State party:**

(a) **Strengthen measures to combat corruption, including by adopting the bill on effective collaboration and the national transparency and anti-corruption strategy and establishing an international mechanism to combat corruption and impunity;**

(b) **Strengthen the capacities of anti-corruption bodies by allocating adequate financial, human and technical resources and strengthening judicial independence to effectively fight corruption.**

Public debt

20. The Committee is concerned about the high level of public debt, the declaration of a financial and fiscal emergency in 2022 to address it and the significant percentage of the budget allocated to debt service. It is also concerned that efforts to control debt could lead to austerity measures, limiting the fiscal space for the realization of Covenant rights (art. 2 (1)).

21. **The Committee recommends that the State party:**

(a) **Assess the impact of budgetary adjustments on Covenant rights and take measures to avoid negatively affecting their enjoyment;**

(b) **Take appropriate measures, in coordination with international financial institutions and other creditors, to ensure that public debt commitments do not reduce fiscal space or divert resources needed to meet Covenant obligations, and refer to the Committee's statement on public debt, austerity measures and the Covenant.⁹**

Non-discrimination

22. The Committee takes note of the anti-discrimination provisions of the Criminal Code in force since 2020. However, the absence of a comprehensive legal framework for combating discrimination remains a cause of concern. The Committee is also concerned about the prevalence of socioeconomic, racial and gender inequalities and about social stigmatization, violence and discrimination against disadvantaged and marginalized groups (art. 2 (2)).

⁹ E/C.12/2016/1.

23. **The Committee recommends that the State party:**

- (a) Ensure that the legal framework to combat discrimination complies with international human rights standards, article 2 (2) of the Covenant and the Committee's general comment No. 20 (2009) on non-discrimination in economic, social and cultural rights and that it prohibits direct and indirect discrimination on any grounds in all areas covered by the Covenant, and, in this regard, take account of the Practical Guide to Developing Comprehensive Anti-Discrimination Legislation;¹⁰
- (b) Ensure that victims of discrimination and violence have access to effective remedies, including the possibility of obtaining redress;
- (c) Effectively prevent and combat discrimination against Indigenous persons, Afro-Hondurans, persons with disabilities, persons living with HIV/AIDS, refugees, asylum-seekers and persons in situations of human mobility through awareness campaigns and affirmative action, to ensure the full enjoyment of all Covenant rights without discrimination;
- (d) Conduct investigations and administer justice in cases of discrimination and violence based on sexual orientation, gender identity or gender expression, whether in the public sphere or as domestic violence, while ensuring the enjoyment of all Covenant rights, and take account of advisory opinion No. 24/17 of the Inter-American Court of Human Rights on gender identity, and equality and non-discrimination of same-sex couples;
- (e) Adopt a procedure for the recognition of gender identity that allows individuals to amend their identity data on their identity documents and in the public records.

Equal rights of women and men

24. While noting the measures adopted, the Committee is concerned about the persistent gender inequality and high rates of femicidal violence that undermine women's economic, social and cultural rights (arts. 3 and 10).

25. **In the light of the commitments made by the State party under the Human Rights 75 initiative, the Committee recommends that the State party:**

- (a) Strengthen measures to combat gender stereotypes, bring about a change in attitudes and ensure women's equal access to employment, social security, health care and health services, education, land and income-generating activities, in particular for women who are Afro-Honduran, Indigenous, in situations of human mobility, refugees or asylum-seekers, lesbian, bisexual, intersex or transgender, and be guided by the Committee's general comment No. 16 (2005) on the equal right of men and women to the enjoyment of all economic, social and cultural rights;
- (b) Ensure women's access to justice, comprehensively address gender-based violence by adopting appropriate legislation, public policies and investigation protocols and provide comprehensive protection and assistance to victims.

Right to work

26. The Committee takes note of the National Employment Policy of Honduras 2017–2028. However, it is concerned about reports of barriers hindering access to decent work and about the high levels of unemployment and underemployment affecting disadvantaged individuals and groups (art. 6).

27. **The Committee recommends that the State party:**

- (a) Adopt a comprehensive strategy to promote employment and ensure access to decent work, including a plan of action with specific, time-bound goals, paying special attention to women, youth, persons with disabilities and Indigenous,

¹⁰ See <https://www.ohchr.org/en/publications/policy-and-methodological-publications/protecting-minority-rights-practical-guide>.

Afro-Honduran, lesbian, gay, bisexual, transgender and intersex persons, particularly in coastal areas and the Honduran Dry Corridor region, and be guided by the Committee's general comment No. 18 (2005) on the right to work;

(b) Continue to give priority to technical and vocational training programmes, adapting them to the needs of both the labour market and the individuals and groups most affected by unemployment and underemployment, especially in coastal areas and the Honduran Dry Corridor region.

Informal sector

28. The Committee is concerned about the large number of people working in the informal sector, who face precarious conditions and limited access to labour rights and social security (arts. 6, 7 and 9).

29. **The Committee recommends that the State party:**

(a) Expand the coverage of labour laws, social security and labour inspection services to include workers in the informal sector, with special attention to subsistence agriculture, artisanal fishing and aquaculture and informal trade;

(b) Redouble efforts to facilitate the transition of workers from the informal to the formal economy, with special attention to women and populations in coastal areas and the Honduran Dry Corridor region, and take into account the International Labour Organization (ILO) Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204).

Right to just and favourable conditions of work

30. The Committee is concerned about precarious working conditions such as excessive working hours, low wages and limited job stability in some sectors, which expose workers to abuse and exploitation. It is also concerned about cases of discrimination and harassment in the workplace (art. 7).

31. **The Committee recommends that the State party:**

(a) Take the necessary measures to ensure that all workers in the agricultural, maquiladora export, domestic service and dive fishing and industrial fishing sectors enjoy the same working conditions as other workers, both in law and in practice, by addressing abusive and exploitative conditions, ensuring effective enforcement of maximum working hours and mandated rest and leisure time and protection against unfair dismissal, and be guided by the Committee's general comment No. 23 (2016) on the right to just and favourable conditions of work;

(b) Take measures to ensure that refugees and asylum-seekers enjoy treatment that is no less favourable than that of national workers in terms of access to employment, remuneration and working conditions, and take account of the Committee's statement on the duties of States towards refugees and migrants under the Covenant;¹¹

(c) Establish effective monitoring and reporting mechanisms to ensure compliance with labour laws and regulations and to address all forms of discrimination and harassment in the workplace, and provide access to redress for workers whose rights have been violated;

(d) Adopt a law on domestic workers and ratify the ILO Domestic Workers Convention, 2011 (No. 189) and the ILO Violence and Harassment Convention, 2019 (No. 190).

Minimum wage

32. The Committee is concerned that a significant number of workers do not receive the minimum wage and that the minimum wage is not sufficient to ensure a decent standard of

¹¹ E/C.12/2017/1.

living for workers and their families. It is also concerned that bilateral minimum wage agreements in some sectors are not subject to gradual annual adjustment through tripartite review (arts. 7 and 8).

33. **The Committee recommends that the State party, in accordance with article 7 (a) (ii) of the Covenant, ensure adequate remuneration for all workers to provide them with a decent living for themselves and their families, particularly in the maquila, agricultural, domestic service and dive fishing and industrial fishing sectors. It also recommends that the State party periodically adjust wages to reflect the cost of living and ensure tripartite social dialogue on wages with gradual annual adjustments in all sectors, particularly the maquiladora export sector.**

Occupational safety and health

34. The Committee is concerned about the inadequacy of measures to protect occupational safety and health and about the limited capacity and resources to conduct labour inspections (art. 7).

35. **The Committee recommends that the State party:**

(a) **Establish a comprehensive occupational safety and health system covering all workers, with special attention to the maquiladora export, agricultural, domestic service and artisanal fishing, dive fishing and industrial fishing sectors, to ensure protection against work accidents and occupational diseases;**

(b) **Ensure that the labour inspection mechanism has the mandate and the human, technical and financial resources necessary to initiate and carry out more effective inspections in all workplaces, taking into account the specific conditions of each sector, including the informal sector;**

(c) **Adopt a law on occupational health and ratify the ILO Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187) and the ILO Occupational Safety and Health Convention, 1981 (No. 155).**

Trade union rights

36. The Committee is concerned about regulatory provisions that restrict the effective exercise of the right to form trade unions and the right to strike. It is also concerned about cases of anti-union violence and discrimination, including killings of members of the trade union movement (art. 8).

37. **The Committee recommends that the State party:**

(a) **Review and amend the provisions of the Labour Code and the Criminal Code that restrict trade union rights, ensuring their conformity with article 8 of the Covenant;**

(b) **Take all necessary measures to protect persons involved in union activities and strikes, and duly prevent, investigate and punish all forms of anti-union discrimination and violence.**

Right to social security

38. The Committee notes that a bill on social security was drawn up after the repeal, in 2022, of the Framework Act on the Social Protection System. However, it remains concerned that a large part of the population is still outside the social security system and that the State party does not yet have a universal social security system that guarantees minimum levels of social security for the entire population (art. 9).

39. **The Committee recommends that the State party:**

(a) **Redouble its efforts to develop a social security system that is adequate and accessible to all and, in particular, that guarantees universal social coverage and provides sufficient benefits to all persons, especially the most disadvantaged and marginalized groups, to ensure that they have a decent standard of living, and that covers all social risks and contingencies;**

(b) **Expand the coverage of cash transfer programmes for all disadvantaged and marginalized families to ensure that they have decent living conditions, with special attention to coastal areas, the Honduran Dry Corridor and the villages with the highest poverty rates;**

(c) **Take the necessary measures to introduce social protection floors that include social guarantees and access to basic services and, in this regard, be guided by the Committee's general comment No. 19 (2007) on the right to social security and its statement on social protection floors as an essential element of the right to social security and of the Sustainable Development Goals.¹²**

Protection of the family and children

40. While noting the measures taken, the Committee is concerned about the ineffectiveness of the regulatory and oversight framework in eradicating the worst forms of child labour and the risks of exploitation and abuse to which children and adolescents are exposed in some sectors (art. 10).

41. **The Committee recommends that the State party:**

(a) **Harmonize the Labour Code and child labour regulations with the provisions of the Covenant and international standards;**

(b) **Step up efforts to combat the worst forms of child labour in the agricultural, mining, fishing and domestic service sectors by enforcing labour laws, strengthening labour inspections, imposing appropriate penalties and providing remedies for victims.**

Poverty

42. While taking note of the Solidarity Action Programme and the Solidarity Network, the Committee remains concerned about the high rates of poverty and extreme poverty among disadvantaged and marginalized individuals and groups, particularly in rural and remote areas (art. 11).

43. The Committee recommends that the State party adopt a multidimensional national plan of action to eradicate poverty, including clear and measurable targets, that addresses both the root causes of poverty and the additional effects of year-on-year inflation and the COVID-19 pandemic, paying special attention to disadvantaged and marginalized groups, especially women heads of household, and prioritizing the villages with the highest poverty rates, as well as coastal areas and the Honduran Dry Corridor region, and that it allocate sufficient resources for monitoring and implementation.

Right to food

44. The Committee notes the measures taken in respect of food security. However, it is concerned about the high rates of food insecurity among disadvantaged groups. It is also concerned at the persistence of challenges such as poverty, limited access to nutritious food, vulnerability to climate change and disasters, crop failures and disparities in the availability and distribution of food, especially in rural and remote areas (art. 11).

45. **The Committee recommends that the State party:**

(a) **Adopt a legislative and institutional framework and a comprehensive strategy to guarantee the right to adequate food and to combat food insecurity and malnutrition, and be guided by the Committee's general comment No. 12 (1999) on the right to adequate food;**

(b) **Ensure that food programmes respect the right to food, consult with disadvantaged groups, support local agriculture and fisheries and strengthen small-scale producers and community initiatives by facilitating access to appropriate**

¹² See E/C.12/2015/1.

technologies and local markets, particularly in coastal areas and the Honduran Dry Corridor region;

(c) Take all necessary measures to strengthen the food security component in the process of updating the national adaptation plan by improving access to a varied diet and creating diversified, resilient and nutrition-sensitive food systems;

(d) Take into account the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security.

Right to water and sanitation

46. While noting that the State party has declared itself free of open-pit mining, the Committee remains concerned about reports of contamination of water resources by extractive and agricultural projects. It is also concerned about the limited access to safe drinking water and sanitation in rural and remote areas (art. 11).

47. The Committee recommends that the State party:

(a) Strengthen measures to protect water resources, including surface, ground and transboundary waters, from the impacts of extractive and agricultural activities and climate change to protect the livelihoods of downstream communities, and be guided by the Committee's general comment No. 15 (2002) on the right to water;

(b) Strengthen measures to ensure sufficient, accessible and affordable drinking water supply and sanitation services in peripheral and remote areas, particularly in coastal areas and the Honduran Dry Corridor region.

Environment and climate change adaptation

48. The Committee takes note of the process of updating the National Climate Change Adaptation Plan. However, it is concerned about the State party's vulnerability to climate change and disasters such as floods and droughts and about long-term changes such as sea level rise and temperature increase. It is also concerned about the impacts of extractive projects, deforestation and poor management of waste and effluents, which exacerbate the vulnerability of disadvantaged groups and contribute to displacement and migration (art. 11).

49. The Committee recommends that the State party:

(a) Ensure the equitable and sustainable management of natural resources, including forests and fisheries, with the participation of Indigenous and Afro-Honduran peoples, small-scale farmers and artisanal fishers, affected communities, civil society and competent authorities;

(b) Mainstream the human rights approach in all adaptation and loss and damage measures, including the update of the National Climate Change Adaptation Plan, the draft bill on climate change and the Special Act on Carbon Transactions for Climate Justice, with broad participation and in consultation with the most affected groups, taking their specific needs into account;

(c) Strengthen adaptation measures with early warning systems, financial inclusion and social security for the most vulnerable communities and groups, giving priority to resilient infrastructure and developing contingency and livelihood recovery plans, in consultation with affected communities;

(d) Take specific, deliberate steps to protect coastal communities and densely populated areas from sea level rise and flooding;

(e) Intensify measures for the proper management of waste and effluents, especially in remote, rural and coastal areas;

(f) Strengthen international cooperation to obtain financial and technological support for climate change mitigation and response measures, including under the Warsaw International Mechanism for Loss and Damage associated with Climate Change Impacts;

(g) **Take account of the recommendations made by the Special Rapporteur on the promotion and protection of human rights in the context of climate change following his visit to Honduras.¹³**

Land rights

50. The Committee takes note of the protocol for the prevention of conflicts related to land, territory and the environment. However, it is concerned about reports of unequal access to land, lack of legal security and natural resource hoarding, which undermine the rights of disadvantaged groups and contribute to social conflict, violence, evictions, displacement and migration (art. 11).

51. **The Committee recommends that the State party:**

(a) **Ensure equitable access to land, territory and natural resources by expediting agrarian reform and the modernization of land registries, safeguard use and tenure rights, especially for peasants and other historically excluded groups, and be guided by the Committee's general comment No. 26 (2022) on land and economic, social and cultural rights;**

(b) **Simplify and harmonize the legal and regulatory frameworks for land and natural resource management, ensuring transparency and coordination between the different levels of public administration responsible;**

(c) **Ensure access to effective legal remedies and reparations for victims of human rights violations related to land conflicts;**

(d) **Implement mechanisms to address the conflict in Bajo Aguán by providing for reparation measures and guarantees of non-repetition, including the tripartite commission created under the February 2022 agreements between the Government and peasant groups in Bajo Aguán.**

Forced evictions

52. The Committee is concerned about reports of evictions under Decree No. 93-2021 involving the excessive use of force and a lack of judicial oversight and about the destruction of property and crops affecting the economic, social and cultural rights of disadvantaged and marginalized groups (art. 11).

53. **The Committee recommends that the State party repeal Decree No. 93-2021 and ensure that any unavoidable evictions are carried out in accordance with due process, without the use of force and with judicial oversight; are preceded by consultations with the persons affected and consideration of possible alternative measures; and are subject to appeals by the victims that result in the recovery of property, return to homes or land, or receipt of an adequate alternative and appropriate compensation, and that it be guided by the Committee's general comment No. 7 (1997) on forced evictions and by the basic principles and guidelines on development-based evictions and displacement.¹⁴**

Rights of Indigenous and Afro-Honduran peoples

54. The Committee is concerned about the complex and slow process of registering and demarcating the lands of Indigenous and Afro-Honduran peoples and about cases of eviction, dispossession and displacement of these peoples due to land disputes and the impact of extractive projects carried out on their customary territories without consultation or free, prior and informed consent (arts. 1, 11 and 15).

55. **The Committee recommends that the State party:**

(a) **Adopt, in consultation with Indigenous and Afro-Honduran peoples and with their free, prior and informed consent, measures to expedite the delimitation of lands and territories that they have traditionally owned, occupied or used, as well as the**

¹³ A/HRC/56/46/Add.1.

¹⁴ A/HRC/4/18, annex I.

granting of titles pertaining to such lands, while preventing intrusion or interference by third parties;

(b) Ensure that Indigenous and Afro-Honduran peoples are not dispossessed or displaced from their customary lands, territories and resources without their free, prior and informed consent;

(c) Take measures to enable Indigenous and Afro-Honduran peoples to preserve and express their identity, culture, languages and traditions and to maintain their spiritual relationship with their customary lands;

(d) Fully implement the judgments of the Inter-American Court of Human Rights in this regard.¹⁵

Migrants and internally displaced persons

56. The Committee is concerned about the persistence of violence, land conflicts, evictions and vulnerability to climate change, which contribute to displacement and migration. It is also concerned about the humanitarian challenges faced by migrants and internally displaced persons, their difficulties in accessing social programmes to ensure their economic, social and cultural rights and the risk of disappearance (art. 11).

57. **The Committee recommends that the State party:**

(a) Develop public policies to prevent forced displacement and implement the Act for the Prevention of Internal Displacement and the Protection and Care of Internally Displaced Persons, focusing on the rights to work, physical and mental health and education;

(b) Strengthen institutional capacities to address the humanitarian needs of migrants and internally displaced persons by improving temporary shelters, expanding reception capacity and ensuring access to food, drinking water, sanitation, hygiene and health services;

(c) Ensure that internally displaced persons are covered by social policies and programmes, including by establishing clear criteria for their identification and access and enabling them to receive documentation and support during displacement and resettlement;

(d) Take account of the recommendations of the Working Group on Enforced or Involuntary Disappearances¹⁶ and the Committee on Enforced Disappearances concerning disappearances in the context of migration.¹⁷

Right to health

58. The Committee takes note of the bill on the national health system and the progressive increase in the health budget. However, it remains concerned about challenges in terms of the infrastructure, quality and availability of health services and the supply of medicines, especially in rural areas and for disadvantaged groups (art. 12).

59. **The Committee recommends that the State party continue to allocate sufficient resources to the health sector and improve the accessibility, availability and quality of health services, especially in rural and remote areas and for disadvantaged groups. It also recommends that the State party continue to invest in improving the infrastructure of the primary care system and ensure that hospitals have the necessary staff, supplies and medicines.**

¹⁵ See *Case of the Garifuna Community of San Juan and its Members v. Honduras, Case of the Garifuna Community of Triunfo de la Cruz and its Members v. Honduras and Case of the Punta Piedra Garifuna Community and its Members v. Honduras*.

¹⁶ A/HRC/54/22/Add.2.

¹⁷ CED/C/HND/OAI/1, paras. 42–53.

Right to sexual and reproductive health

60. The Committee takes note of Executive Decision No. 75-2023 on emergency contraceptives. However, it remains concerned about the total prohibition of abortion, without exceptions, and about the high rate of teenage pregnancy in the State party (arts. 3 and 12).

61. **The Committee recommends that the State party:**

(a) **Review the prohibition of abortion to make it compatible with the integrity, autonomy and health of women, and be guided by the Committee's general comment No. 22 (2016) on the right to sexual and reproductive health and the World Health Organization abortion care guideline;**

(b) **Ensure that quality sexual and reproductive health information and services, including contraceptive methods and emergency contraception, are made available through the public health system to all women and adolescents, especially in rural or remote areas, to prevent early pregnancy and sexually transmitted infections;**

(c) **Include comprehensive, age-appropriate sexual and reproductive health education for both sexes in primary and secondary school curricula, focusing on responsible behaviour and the prevention of teenage pregnancy;**

(d) **Take into consideration the recommendations of the Human Rights Committee¹⁸ and the Committee on the Elimination of Discrimination against Women¹⁹ on voluntary termination of pregnancy and sexual and reproductive rights.**

Drug policy

62. The Committee is concerned about the punitive approach being taken to drug use and about the limited availability and accessibility of harm reduction and rehabilitation programmes (art. 12).

63. **The Committee recommends that the State party review its legal framework to ensure a human rights-based approach to drug use, ensuring that harm reduction programmes, healthcare and health services, psychological support and rehabilitation for persons who use drugs are available and accessible, and eliminate obstacles that might limit access to them, in particular for persons who use drugs and belong to the most disadvantaged or marginalized groups.**

Right to education

64. While noting the measures taken by the State party, the Committee is concerned about:

(a) The poor quality of education, due to insufficient resource allocation, lack of teaching staff, inadequate infrastructure and educational materials and lack of services such as drinking water, sanitation, electricity and Internet;

(b) The high proportion of out-of-school children, particularly Indigenous and Afro-Honduran children, and low enrolment rates in preschool and secondary education;

(c) High illiteracy rates, particularly among Indigenous and Afro-Honduran women and girls in rural areas;

(d) Serious cases of bullying based on sexual orientation, gender identity or gender expression and the persistence of gender stereotypes in educational materials (arts. 3, 13 and 14).

65. **The Committee recommends that the State party:**

(a) **Strengthen measures to improve the quality of education by increasing resources, improving teacher training and remuneration, improving educational**

¹⁸ [CCPR/C/HND/CO/3](#), paras. 17 and 18.

¹⁹ [CEDAW/C/HND/CO/9](#), paras. 38 and 39.

materials and incorporating human rights education into school curricula, and be guided by the Committee's general comment No. 13 (1999) on the right to education;

(b) Continue to improve school infrastructure by ensuring access to drinking water, adequate sanitary facilities, electricity and Internet;

(c) Redouble its efforts to increase enrolment in primary and secondary education and expand the availability of preschool education;

(d) Take measures to increase the literacy rate by guaranteeing universal, free access to basic education for all, with a special focus on Indigenous and Afro-Honduran women and girls in rural areas;

(e) Protect all children from bullying and violence in schools and increase efforts to prevent these phenomena and promote understanding and tolerance;

(f) Take effective measures to eliminate discriminatory gender stereotypes in educational materials and ensure that educational institutions and teaching staff do not perpetuate such stereotypes.

Right to participate in and to enjoy the benefits of scientific progress

66. The Committee is concerned at the low level of public resources devoted to scientific research and outreach. It is also concerned about negative gender stereotypes that impede women's substantive equality in the field of science and their underrepresentation in the fields of science, technology, engineering and mathematics. Furthermore, it is concerned about limited Internet access and low digital literacy, which hinder citizen participation, access to information and the closing of the digital divide (arts. 3 and 15).

67. **The Committee recommends that the State party:**

(a) Increase the public budget for scientific research and outreach;

(b) Adopt the necessary measures to combat gender stereotypes and promote women's and girls' access to professional careers in science, technology, engineering and mathematics;

(c) Accelerate universal access to the Internet and improve digital literacy in remote areas, especially among women and Indigenous and Afro-Honduran peoples, in order to bridge the digital divide, increase citizen participation and combat disinformation, and be guided by the Committee's general comment No. 25 (2020) on science and economic, social and cultural rights.

D. Other recommendations

68. The Committee recommends that the State party ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women and the Optional Protocol to the Convention on the Rights of the Child on a communications procedure.

69. The Committee recommends that the State party take fully into account its obligations under the Covenant and ensure the full enjoyment of the rights enshrined therein in the implementation of the 2030 Agenda for Sustainable Development at the national level, including in the recovery from the COVID-19 pandemic, with international assistance and cooperation when needed. Achievement of the Sustainable Development Goals would be significantly facilitated by the State party establishing independent mechanisms to monitor progress and treating beneficiaries of public programmes as rights holders who can claim entitlements. Moreover, the Committee recommends that the State party support the global commitment of the decade of action to achieve the Sustainable Development Goals. Implementing the Goals on the basis of the principles of participation, accountability and non-discrimination would ensure

that no one is left behind. In this regard, the Committee draws the State party's attention to its statement on the pledge to leave no one behind.²⁰

70. The Committee requests that the State party disseminate the present concluding observations widely at all levels of society, including at the national, departmental and municipal levels, in particular among parliamentarians, public officials and judicial authorities, and that it inform the Committee in its next periodic report about the steps taken to implement them. The Committee emphasizes the crucial role that the National Congress plays in implementing the present concluding observations and encourages the State party to ensure its involvement in future reporting and follow-up procedures. The Committee encourages the State party to continue engaging with non-governmental organizations and other members of civil society and with Indigenous and Afro-Honduran peoples in the follow-up to the present concluding observations and in the process of consultation at the national level prior to the submission of its next periodic report.

71. In accordance with the procedure on follow-up to concluding observations adopted by the Committee, the State party is requested to provide, within 24 months of the adoption of the present concluding observations (31 October 2026), information on the implementation of the recommendations contained in paragraphs 11 (b) (business and human rights), 51 (d) (land rights) and 55 (a) (rights of Indigenous and Afro-Honduran peoples).

72. The Committee requests the State party to submit its fourth periodic report in accordance with article 16 of the Covenant by 31 October 2029, unless otherwise notified as a result of a change in the review cycle. In accordance with General Assembly resolution 68/268, the word limit for the report is 21,200 words. In addition, it invites the State party to update its common core document, as necessary, in accordance with the harmonized guidelines on reporting under the international human rights treaties.

²⁰ E/C.12/2019/1.