



# International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

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## Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families

### Concluding observations on the second periodic report of Honduras\*

1. The Committee examined the second periodic report of Honduras<sup>1</sup> at its 619th and 620th meetings,<sup>2</sup> held on 8 December 2025. At its 626th meeting, held on 11 December 2025, it adopted the present concluding observations.

#### A. Introduction

2. The Committee welcomes the submission of the second periodic report of Honduras, due in 2021, under article 73 of the Convention, as well as the State Party's replies<sup>3</sup> to the list of issues in relation to its second periodic report.<sup>4</sup> The Committee also appreciates the information provided during the dialogue by the delegation, which was led by the Deputy Minister for Consular and Migration Affairs. The delegation also included representatives from the Ministry of Human Rights, the Ministry of Foreign Affairs and International Cooperation, the National Institute of Migration and the Permanent Mission of Honduras to the United Nations Office and other international organizations in Geneva.

3. The Committee appreciates the frank and constructive dialogue with the high-level delegation. It also appreciates the extensive information provided by the State Party's representatives and the constructive approach to the dialogue, which facilitated joint analysis and reflection. The Committee is also grateful for the replies and additional information submitted within 24 hours of the dialogue.

4. The Committee recognizes that the State Party is a country of origin, transit, destination and return for migrant workers and members of their families. It also notes that a considerable number of migrant workers and members of their families have transited the State Party from north to south and from south to north, many of them in vulnerable situations and in need of food, shelter and water, as well as international protection. The families include children of all ages and nursing and pregnant women. The Committee also notes the challenges faced by the State Party due to persistent internal displacement arising from structural causes such as violence. Similarly, the Committee recognizes that, since early 2025, there has been a considerable increase in the number of Honduran migrants and members of their families deported from third countries, in particular the United States of America. The Committee takes note of the amnesties granted by the State Party to migrant workers who were in transit between 2022 and 2024, which suspend administrative penalties for entry through unauthorized border crossings, as well as of efforts to allocate budgetary resources

\* Adopted by the Committee at its forty-first session (1–11 December 2025).

<sup>1</sup> [CMW/C/HND/2](#).

<sup>2</sup> See [CMW/C/SR.619](#) and [CMW/C/SR.620](#).

<sup>3</sup> [CMW/C/HND/RQ/2](#).

<sup>4</sup> [CMW/C/HND/Q/2](#).



to address cases of deportation of migrant workers and members of their families, including through consular assistance, medical support, legal assistance and protection services.

## **B. Positive aspects**

5. The Committee welcomes the efforts made and actions taken by the State Party to promote and protect the rights of migrant workers and members of their families. It welcomes, in particular:

(a) The signing, on 13 May 2024, of the Ibero-American Multilateral Agreement on Social Security;

(b) The endorsement, in 2022, of the Los Angeles Declaration on Migration and Protection.

6. The Committee acknowledges that the State Party has been developing a regulatory framework based on national legislation and bilateral and multilateral cooperation agreements. The Committee also welcomes the adoption of the following legislative and regulatory measures:

(a) The amendments to the Act on the Protection of Honduran Migrants and Members of Their Families (Legislative Decree No. 54-2024 of 15 May 2024) with regard to the budget allocated to the Solidarity Fund for Honduran Migrants;

(b) The Act for the Prevention of Internal Displacement and the Protection and Care of Internally Displaced Persons (Legislative Decree No. 154-2022 of 21 December 2022), which applies to returnees who left the country owing to violence and are in need of protection;

(c) The Act on the National DNA Database System (Legislative Decree No. 57-2023 of 9 August 2023), which is particularly important in efforts to search for missing persons;

(d) The amendments to the Criminal Code (Legislative Decree No. 93-2021 of 7 October 2021), which establish the offence of trafficking in persons, including exploitation in conditions of slavery, servitude, forced labour or services and forced displacement;

(e) The Special Act on Economic Stimuli and Social Protection to Address the Impact of Coronavirus Disease (COVID-19) (Legislative Decree No. 31-2020 of 13 March 2020);

(f) The Labour Inspection Act (Legislative Decree No. 178-2016 of 23 January 2017) and its Regulations (Legislative Decree No. 168-2019, dated 5 July 2019);

(g) Ministerial Agreement No. 374-2025 of 29 July 2025, which approved guidelines for the recognition of residency for persons who have resided in Honduras continuously, persons who work in the country and persons who have applied for residency on humanitarian or public interest grounds or on the basis of family ties or kinship;

(h) The Regulation adopting the special regime for visa-free entry, including for humanitarian reasons and employment (Executive Agreement No. 77-2023 of 9 March 2023);

(i) The General Regulations of the Act on the Protection of Honduran Migrants and Members of Their Families (Executive Agreement No. 01-SG-2020 of 23 January 2020);

(j) The Regulation on Protected Adolescent Labour (Executive Agreement STSS-578-2020 of 30 October 2020).

7. The Committee also welcomes the following institutional and public policy measures:

(a) The adoption of the National Emergency Strategy for the Protection of Honduran Migrants, through Executive Decree PCM-08-2025 of 7 February 2025, which sets out measures for the protection of Honduran migrants in an irregular situation or in transit or who are returning from the United States, including legal and social assistance programmes such as “Sister, Brother, Come Home” (article 7), through which financial support vouchers are provided to migrants who have returned voluntarily or by force;

(b) The adoption of the 2024–2025 National Reintegration Plan in June 2024, which sets out reintegration and assistance measures for returnees;

(c) The creation of the Migration Governance Council (Executive Decree PCM 21-2024 of 6 August 2024) to coordinate the national migration agenda, with a focus on women, young people and LGBTIQ+ individuals, as well as on the reunification of unaccompanied children and adolescents;

(d) The creation in 2022, by the National Congress, of the Special Commission on Migration, which is aimed at ensuring the participation of civil society organizations in migration-related issues;

(e) The creation of the Comprehensive System for the Protection of the Rights of Children and Adolescents in Honduras (Executive Decree PCM 27-2014 of 6 June 2014), the establishment of municipal committees tasked with upholding the rights of children and adolescents in 2019 and the 2024–2033 National Policy for Early Childhood, Childhood and Adolescence, all of which are focused on multiple action areas relating to the protection of children in the context of migration;

(f) The establishment of the 2017–2028 National Employment Policy, adopted in April 2017, which includes measures to promote access to employment for migrant workers;

(g) Approval of the 2021–2025 Road Map for the Elimination of All Forms of Child Labour (Agreement STSS-177-2021 of 1 June 2021) and the Protocol for the Referral of Children Engaged in Child Labour to State Social Programmes (Agreement STSS-389-2019 of 30 July 2019);

(h) The expansion, between 2017 and 2021, of the consular network in destination countries such as the United States and Mexico; the introduction, starting in 2024, of 17 mobile consulates in the United States; and the adoption of guidelines on searching for missing migrants, providing support for detained migrants and ensuring specialized protection for children and adolescents, as well as on return, repatriation and reintegration.

8. The Committee notes with satisfaction that the State Party voted in favour of the Global Compact for Safe, Orderly and Regular Migration, which was adopted by the General Assembly in resolution 73/195, and that it is one of the champion countries for the Global Compact. The Committee recommends that the State Party continue to take measures to implement the Global Compact, in accordance with its international obligations under the Convention and other international human rights instruments.

## **C. Principal subjects of concern and recommendations**

### **1. General measures of implementation (arts. 73 and 84)**

#### **Legislation and application**

9. The Committee notes the adoption of legislative measures and sectoral and demographic policies that have enabled the State Party to respond to situations such as the increase in the number of migrant workers and members of their families who are in transit or returning. However, the Committee reiterates its concern that the revision and amendment processes have not yet been completed to bring the Act on the Protection of Honduran Migrants and Members of Their Families (Legislative Decree No. 106-2013) and its Regulations (Executive Agreement No. 01-SG-2020 of 23 January 2020) fully into line with the Convention and other human rights treaties in force in the State Party. It also regrets the delay in adopting legislation aimed at protecting children, including in the context of migration, as well as in adopting a comprehensive, sustainable and humane public migration policy for Honduras and the accompanying strategic framework and monitoring and action plan, which have been in preparation since 2020.

10. The Committee reiterates its previous recommendation<sup>5</sup> and recommends that the State Party:

(a) Submit to the National Congress, as soon as possible, the draft amendments to the Act on the Protection of Honduran Migrants and Members of Their Families and encourage the discussion and approval thereof, in order to achieve a regulatory framework that is in accordance with the Convention and other human rights treaties in force in the State Party, as well as with the recommendations made in the present concluding observations and with all the standards developed by the Committee;

(b) Expedite the preparation and presentation to the National Congress of the bill on the protection of children and adolescents, which includes provisions for the protection of the rights of all children in the context of migration, without regard to their migration status or that of their parents;

(c) Take the necessary measures for the approval and effective implementation of a comprehensive, sustainable and humane public migration policy for Honduras and the accompanying strategic framework and monitoring and action plan, ensuring that its objectives are in harmony with the provisions of the Convention and other applicable human rights treaties.

#### Articles 76 and 77

11. The Committee notes with concern that the State Party has not yet made the declarations provided for in articles 76 and 77 of the Convention recognizing the competence of the Committee to receive communications from States Parties and individuals.

12. The Committee reiterates its previous recommendation<sup>6</sup> and urges the State Party to make the declarations provided for in articles 76 and 77 of the Convention as soon as possible.

#### Ratification of relevant instruments

13. The Committee notes with concern that:

(a) The State Party has not yet ratified International Labour Organization (ILO) Conventions No. 97, No. 143, No. 155, No. 181, No. 187, No. 189 and No. 190, which provide a framework for the protection of migrant workers that is aligned with and complementary to the Convention;

(b) Several optional protocols to the main human rights instruments are still pending ratification.

14. The Committee underscores the recommendations made by the Working Group on the Universal Periodic Review of the Human Rights Council in November 2025 during the consideration of the report submitted by Honduras in the context of the fourth cycle of the universal periodic review<sup>7</sup> and recommends that the State Party:

(a) Ratify or accede to the relevant ILO conventions as soon as possible, namely, the Migration for Employment Convention (Revised), 1949 (No. 97), the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143), the Occupational Safety and Health Convention, 1981 (No. 155), the Private Employment Agencies Convention, 1997 (No. 181), the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187), the Domestic Workers Convention, 2011 (No. 189) and the Violence and Harassment Convention, 2019 (No. 190), in consultation with actors from all sectors of society, including trade unions, organizations working for the rights of migrant workers, and women's and youth organizations, and ensuring their participation in the ratification process;

<sup>5</sup> CMW/C/HND/CO/1, para. 11.

<sup>6</sup> Ibid., para. 13.

<sup>7</sup> See A/HRC/61/12.

(b) **Adopt, in consultation with the private sector and workers, the legislation and action plans necessary for the implementation of the ILO conventions to which it is a Party;**

(c) **Ratify, as soon as possible, the international human rights instruments to which it is not yet a Party, including the Optional Protocol to the Convention on the Rights of the Child on a communications procedure and the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women.**

#### **Data collection**

15. The Committee notes the efforts made to prepare the State Party's first migration profile and cooperate with international organizations, as well as to conduct surveys at the municipal level and collect data on the needs of migrants in transit in the State Party. However, the Committee notes with concern:

(a) The persistent lack of disaggregated data on the situation of migrant workers, including undocumented migrants, asylum-seekers and refugees;

(b) The underreporting of migrant workers in official migration statistics, according to which there are only 37,912 migrant workers in the territory of the State Party;

(c) The limited qualitative information on the situation of migrants in the State Party and of Honduran nationals in third countries, including the lack of information on the reasons for migration, and on Indigenous persons and Hondurans of African descent who are internally displaced or in situations of forced migration.

16. **The Committee reiterates its previous recommendations<sup>8</sup> and recommends that, in line with target 17.18 of the Sustainable Development Goals, the State Party:**

(a) **Ensure that the next national population census includes questions and indicators on the number and situation of migrant workers and members of their families, taking into account factors such as migration status, disability, age, nationality, gender identity, sexual orientation and ethnic origin;**

(b) **Make arrangements for the collection of statistics on migrant workers and members of their families through the State Party's statistical systems and ensure that the statistics collected are used to shape the development and implementation of legislation and public policies on migration and in areas including employment, education, health, access to justice, gender equality and comprehensive child development;**

(c) **Ensure the regular collection by the Consular and Migration Observatory of Honduras of qualitative and quantitative statistics, including on returnees from third countries, and promote the participation of civil society organizations in the adoption of qualitative criteria for data collection;**

(d) **Prepare studies aimed at understanding the situation of migrant workers and members of their families, migrant workers in transit and nationals working abroad and members of their families, including those in an irregular situation, as well as the number of Hondurans, including Indigenous persons and Hondurans of African descent, who leave the country voluntarily or by force or who are internally displaced.**

#### **Independent monitoring**

17. The Committee takes note of the reaccreditation of the Office of the National Commissioner for Human Rights with category A status by the Global Alliance of National Human Rights Institutions, as well as of the work of the Office of the Ombudsman for Human Mobility and its regional and departmental offices. The Committee notes with concern, however, that the share of the national budget allocated to the Office of the National Commissioner for Human Rights remains minimal, at 0.3%, and that it is expected to be further reduced in 2026. It is also concerned about the limited legal representation available

<sup>8</sup> CMW/C/HND/CO/1, para. 19.

for children and adults involved in administrative proceedings relating to residency, as well as in cases of detention and expulsion, and in terms of providing legal advice on redress mechanisms for harm caused to victims who have suffered human rights violations in the State Party or abroad.

**18. The Committee reiterates its previous recommendations<sup>9</sup> and recommends that the State Party:**

(a) **Establish a sustainable increase in the budget allocated to the Office of the National Commissioner for Human Rights and ensure, through the provision of sufficient human and technical resources, the independent exercise of its mandate at the national, regional and departmental levels;**

(b) **Ensure that the Office of the National Commissioner for Human Rights has the authority to intervene in administrative decisions related to migration and the determination of refugee status, in order to ensure that procedural guarantees are respected and to prevent human rights violations arising from detention, decisions on residency status and expulsion. The State Party must ensure that the Office of the National Commissioner for Human Rights can offer legal assistance to direct or indirect victims in proceedings brought before authorities in Honduras or abroad.**

#### **Participation of civil society**

19. The Committee is concerned about the information received regarding the lack of participation by the Office of the National Commissioner for Human Rights and civil society in discussions on legislative instruments concerning migrant workers and members of their families, including returnees, as well as in the issuance of public policy instruments on enforced disappearance, such as the Missing Persons Search Protocol.

**20. The Committee recommends that the State Party strengthen mechanisms for consultation and effective participation by the Office of the National Commissioner for Human Rights and civil society in legislative and public policy processes related to the rights of migrant workers and members of their families and other processes that may have an impact on their rights, including strengthening their participation in the regular meetings of the National Forum on Migration, giving adequate consideration to proposals arising from public consultations and conducting consultations using digital channels to ensure the widest possible participation.**

## **2. General principles (arts. 7 and 83)**

### **Non-discrimination**

21. The Committee notes that the Criminal Code establishes the offence of discrimination on various grounds. However, the Committee is concerned about:

(a) The absence of a law aimed at giving effect to the right to equality and non-discrimination and addressing it in a comprehensive manner, including in terms of multiple and intersectional discrimination involving migration status and factors such as age, sex, disability, socioeconomic status, gender identity, sexual orientation and ethnic origin;

(b) Intersectional discrimination that increases the risk of female migrant workers and members of their families experiencing gender-based violence and other forms of discrimination and marginalization on migration routes and while applying for asylum or residing in the destination country or in the context of returns;

(c) Persistent discrimination affecting persons with disabilities, who face restrictions on entering and residing in the country, and the absence of legislative measures designed to protect accessibility for migrants with disabilities.

**22. The Committee recommends that, in accordance with joint general recommendation No. 38 (2025) of the Committee on the Elimination of Racial Discrimination and general comment No. 7 (2025) of the Committee on the Protection**

<sup>9</sup> Ibid., para. 21.

**of the Rights of All Migrant Workers and Members of Their Families and joint general recommendation No. 39/general comment No. 8 (2025), on eradicating xenophobia towards migrants and others perceived as such, the State Party:**

- (a) Adopt comprehensive public policies, including appropriate legislation, to address manifestations of xenophobia and multiple and intersectional discrimination affecting migrants and members of their families, both in the State Party and in the countries of destination of Honduran migrant workers and members of their families;**
- (b) Develop mechanisms for intersectoral coordination, including the participation of civil society and organizations of racialized persons, in order to effectively implement the policy on preventing and eradicating xenophobia and racism, with a particular focus on their impact on the rights of migrants and members of their families;**
- (c) Develop and implement a foreign policy, including consular protection protocols, aimed at preventing xenophobia against Honduran migrant workers and members of their families by authorities and private actors in destination countries and at facilitating access to justice and redress for victims of xenophobia and discrimination;**
- (d) Take appropriate measures to implement the recommendations of the Committee on the Elimination of Discrimination against Women regarding migrant,<sup>10</sup> refugee, returnee and displaced women through the introduction of urgent and long-term strategies to ensure the protection of their rights, including economic, social and cultural rights;**
- (e) Reform legislative provisions that place restrictions on the entry of migrant workers and members of their families on the basis of disability and other factors prohibited under the principle of non-discrimination.**

#### **Access to justice**

23. The Committee takes note of the information provided on the option for migrant workers to file complaints with the Directorate General of Labour Inspection. However, the Committee remains concerned about:

- (a) The limitations of the mechanisms available to migrant workers and members of their families, including those in an irregular situation, for access to justice and redress in cases of discrimination and in matters not related to employment, such as detention and expulsion, and the discretionary power of the National Institute of Migration to refer cases to the Public Prosecution Service for investigation;**
- (b) The lack of protection for migrant women who are domestic workers, who are unable to file complaints due to fear of reprisals and the absence of mechanisms for monitoring and inspecting domestic work in the State Party;**
- (c) The absence of disaggregated data on complaints handled by bodies such as the Office of the National Commissioner for Human Rights and other authorities, and the mechanism of the Directorate General of Labour Inspection within the Ministry of Labour and Social Security, and on complaints filed with the courts for violations of the labour rights of migrant workers, as well as for all types of offences committed against migrants in transit or residing in the State Party or against Honduran migrants in transit and destination countries.**

**24. The Committee reiterates its previous recommendations<sup>11</sup> and the guidance provided by the Committee on Enforced Disappearances, in its concluding observations,<sup>12</sup> in relation to the investigation of the crime of enforced disappearance and recommends that the State Party:**

- (a) Allow migrant workers and members of their families, irrespective of their migration status, to directly file legal appeals, including with the Office of the**

<sup>10</sup> CEDAW/C/HND/CO/9, paras. 13 and 47.

<sup>11</sup> CMW/C/HND/CO/1, para. 29.

<sup>12</sup> CED/C/HND/CO/1, para. 25.

**Public Prosecutor, in connection with protection from discrimination, including in areas other than employment, with the aim of giving effect to their rights under the Convention;**

(b) **Establish a confidential reporting mechanism for migrant domestic workers and a response mechanism that provides for prompt investigations, protective measures and reparations for domestic workers;**

(c) **Compile properly disaggregated statistics on the number of complaints filed with the Office of the National Commissioner for Human Rights and other authorities by migrant workers and members of their families, as well as any associated legal proceedings initiated, and compile data on complaints, investigations and convictions relating to crimes committed against migrant workers and members of their families in the State Party or in countries of transit and destination.**

### **3. Human rights of all migrant workers and members of their families (arts. 8–35)**

#### **Border management and migrants in transit**

25. The Committee takes note of the measures in place to manage migration at its borders and in the context of the return of persons from third countries, whether voluntarily or by force. It also notes the establishment of the Centres for Migrant Returnees in Belén, Omoa and San Pedro Sula and the creation of the Refugee Commission, which is responsible for processing asylum applications and protecting migrants in transit. However, the Committee notes with concern:

(a) The adoption of bilateral agreements that do not reflect the rights and guarantees provided for in the Convention and other human rights treaties in force in the State Party;

(b) The situation with regard to mistreatment of migrant workers in transit and the stigmatization, discrimination and economic exploitation to which they are subjected in border areas;

(c) The limited nature of access in border areas, for undocumented or temporary migrant workers and members of their families or those who are in transit, to humanitarian assistance and social programmes.

**26. The Committee recommends that, in accordance with the Recommended Principles and Guidelines on Human Rights at International Borders of the Office of the United Nations High Commissioner for Human Rights, the State Party:**

(a) **Ensure that its policies and practices in border management and migration control, including bilateral agreements, comply with the Convention and other human rights treaties;**

(b) **Adopt procedures to investigate complaints of ill-treatment by officials in border areas and impose disciplinary sanctions on officials who violate the rights of migrant workers who are in transit, irrespective of their status;**

(c) **Adopt permanent programmes and flexible and accessible procedures for migrant workers in order to facilitate the regularization of their migration status, access to humanitarian assistance and social programmes and, more generally, to enable them to exercise their rights during their stay in or transit through Honduras.**

#### **Right to life, integrity and repatriation**

27. The Committee takes note of the information, provided by the State Party in follow-up to the Committee's recommendations,<sup>13</sup> on mechanisms to combat trafficking in persons, violence and disappearances, such as the Council on Disappeared Migrants, the protocol on the search for missing Honduran migrants and regional agreements for the exchange of

<sup>13</sup> See [CMW/C/HND/CO/1/Add.1](#).



information on enforced disappearance, data collection and the search for persons who are missing or unaccounted for. However, the Committee remains concerned about:

(a) The high levels of gender-based violence and, in particular, the rate of femicide in the State Party, which stands at 5.1 per 100,000 inhabitants, which, in combination with high levels of impunity for these crimes and a lack of protection for victims, are among the structural causes of migration. It is also concerned about the multiple forms of violence, such as gender-based violence, extortion, abduction, murder and other crimes, suffered by migrants, including children, during transit through the State Party and along the migration route, particularly in Mexico;

(b) The persistent risk of enforced disappearance of migrant workers (814 cases of disappeared Honduran migrants as of February 2025), the low number of related investigations, the low number of persons whose remains have been identified and the insufficient action taken by the State in terms of identification, the barriers faced by the relatives of disappeared persons in filing formal complaints and participating in investigations within the framework of the Mechanism for Mexican Support Abroad in Search and Investigation Activities and the fact that, in the Protocol for the Search for Missing Honduran Migrants, no provision is made for them to participate in search activities;

(c) The underreporting of cases of disappearance and the failure to introduce a single register of information on disappeared migrants, as well as the lack of information on access to redress mechanisms for the children of disappeared migrants and on the public resources allocated to committees of family members of disappeared migrants.

**28. The Committee recommends that the State Party:**

(a) **Develop a comprehensive strategy for the prevention of violence, including gender-based violence, that includes early warning and risk identification mechanisms, effective channels for access to justice and redress and protocols for the timely provision of comprehensive protection to victims and the prompt and thorough investigation of complaints, and take specific measures to prevent violence, in particular gender-based violence and gang violence, against returnees;**

(b) **Adopt a national policy based on the prevention, investigation and punishment of cases of disappearance of migrants that guarantees effective search and identification procedures, family involvement and access to justice, using a transnational, humanitarian and human rights-based approach, and includes elements aimed at seeking out structural causes, stepping up awareness campaigns targeting migrants' communities of origin and migrants in transit and publicizing protection mechanisms in transit areas;**

(c) **Ensure the implementation of the protocol on the search for missing Honduran migrants, based on the principle of the presumption of life and with the active participation of victims' families;**

(d) **Strengthen the full implementation of the Mechanism for Mexican Support Abroad in Search and Investigation Activities, in accordance with the previous recommendation;<sup>14</sup>**

(e) **Allocate human, technical and financial resources for the search, location, recovery, identification and return of remains and for the strengthening of forensic capacities;**

(f) **Ensure uniformity in registers so that investigations can be conducted in cases of disappeared migrants, and enter into agreements with countries of origin and transit of migrants present in the State Party to allow for the investigation and identification of nationals of those countries who are at risk of disappearance;**

(g) **Adopt protection mechanisms for the children of missing migrants, including protection against threats to their life and integrity and the provision of up-to-date information about progress made in search processes, in a format**

<sup>14</sup> CMW/C/HND/CO/1, para. 33.

**appropriate to their gender and age, and ensure financial and psychosocial support, as well as family reunification and access to expedited mechanisms for receiving complaints and obtaining justice and reparation, including those provided through the Mechanism for Mexican Support Abroad in Search and Investigation Activities.**

#### **Detention, expulsion and consular assistance**

29. The Committee notes the measures taken by the State Party to respond to the impact on the rights of Honduran migrant workers and members of their families of the measures adopted since early 2025 by the Government of the United States of America, including support for Honduran nationals affected by legal proceedings brought before courts in the United States. The Committee notes with particular concern:

(a) The need to strengthen foreign policy and consular protection measures in response to cases of the arbitrary arrest, detention and expulsion of migrant workers and members of their families from the United States, which violate, inter alia, the rights to liberty and family life, children's rights, the principle of non-refoulement, the prohibition of ill-treatment, racism and xenophobia, and basic guarantees of due process;

(b) The limited information and the risks of violations of rights and guarantees, including the right to asylum and the principle of non-refoulement, in respect of migrant workers from third countries to Honduras, against the backdrop of the policy of offshoring of migration control activities by the United States, through the implementation of the cooperation agreement between the two countries approved in mid-2025;

(c) The termination, as of September 2025, of temporary protected status for Honduran nationals in the United States and the significant impact this will have on the rights of Honduran migrant workers and members of their families.

#### **30. The Committee recommends that the State Party:**

(a) **Strengthen all aspects of consular protection and of foreign policy areas relating to bilateral and regional diplomacy, with the aim of defending and upholding the rights of Honduran migrant workers and members of their families in destination countries, with a particular focus on the United States. In particular, strengthen and increase the human, technical and financial resources of the consular service to provide consular protection, including legal assistance, accessible information on procedural guarantees, regular visits and comprehensive assistance to persons who are in detention or facing expulsion;**

(b) **Strengthen initiatives aimed at providing legal assistance and representation in court, such as agreements with law firms and specialized organizations, so that Honduran migrant workers and members of their families can defend their rights in the context of detention and expulsion proceedings, including protection against arbitrary detention and expulsion, as well as initiatives aimed at guaranteeing the rights of children to comprehensive development and to family life and strengthening protection for persons at risk of expulsion following the termination of temporary protected status;**

(c) **Adopt appropriate legislative and operational measures to enable migrant workers and members of their families who have been detained and deported to file complaints through transnational justice mechanisms, ensure that their rights are adequately protected and provide them with access to redress for any harm caused by violations of their rights in the context of such proceedings. Among other things, these procedures should enable affected persons to request measures to protect their right to life and personal integrity, access to redress and other relevant rights, including the right to family reunification in the appropriate country, on the basis of the best interests of the child;**

(d) **Take all necessary measures to ensure that the rights and guarantees set forth in the Convention and other applicable treaties are respected, including the rights to asylum and non-refoulement, in the context of the adoption and implementation of bilateral and multilateral agreements, and in particular in relation to the cooperation**

**agreement signed with the United States, which provides for the return of third-country nationals who have applied for asylum.**

#### **Right to social security**

31. The Committee notes with concern the difficulties faced by returnee migrant workers and members of their families in enjoying the rights acquired through their contributions to the social security system of the United States and the absence of any measures taken by the State Party to facilitate their access to those benefits. It is also concerned that the legislation in the State Party lacks provisions allowing migrant workers in an irregular situation to join the Honduran social security and pensions system.

32. **The Committee recommends that the State Party take all necessary measures, including the provision of legal assistance and information services and through bilateral agreements, in order to facilitate access for returnee migrant workers and members of their families in Honduras to the administrative procedures necessary for them to effectively enjoy their social security rights as acquired through their contributions to the social security system of the United States. It also recommends that the State Party make the necessary adjustments to its legislation and provide for social protection systems that allow workers to enrol in Honduran pension funds.**

#### **Right to health**

33. The Committee takes note of the measures adopted with regard to the mental health of returnees, as well as of the preparation of new regulations on mental health. However, it is concerned about the lack of adequate measures to ensure comprehensive psychosocial assistance for returnees, including unaccompanied children, who in many cases have experienced trauma during the migration process as a result of, for example, the risks to which they are exposed while in transit and the treatment they have suffered during arrest, detention and expulsion procedures. In some cases, such trauma has led to the acquisition of psychosocial disabilities. The Committee is concerned about reports it has received of cases in which individuals have been sent to psychiatric institutions on the basis of a psychiatric diagnosis and where they are exposed to unsanitary conditions, overcrowding, a lack of basic services and ill-treatment.

34. **The Committee recommends that the State Party:**

(a) **Adopt, as soon as possible, the legislative, procedural and operational measures necessary to bring mental health regulations and policies into line with the provisions of all human rights treaties in force in the State Party, in particular the Convention on the Rights of Persons with Disabilities and the general comments of the associated Committee;**

(b) **Adopt effective programmes and measures to guarantee access to comprehensive community-based mental health services for migrant workers and members of their families who return to the country with psychosocial disabilities;**

(c) **Avoid transferring migrants to psychiatric institutions and, where necessary, prevent and investigate any cases of ill-treatment or abuse of other rights in respect of migrants in psychiatric institutions in the State Party or Honduran migrants in similar institutions in other States; adopt legislative and other measures to implement a comprehensive rights-based mental health policy, promote the deinstitutionalization of persons with disabilities in the State Party, based on the rights set forth in the Convention on the Rights of Persons with Disabilities and other applicable treaties, and provide persons with psychosocial disabilities with the support they need to live independently in the community; and provide psychosocial assistance to Honduran migrant workers abroad and engage in efforts to ensure that the treatment provided by the authorities of the respective State complies with the provisions of applicable international treaties.**

### Right to education

35. The Committee is concerned about the existence of certain barriers to access to education for the children of undocumented migrant workers, given that some educational institutions and schools require children's birth certificates or national identity documents, as well as about the lack of appropriate measures to facilitate bilingual education and accessible information for non-Spanish-speaking children and about stigmatizing attitudes in schools that cause emotional consequences for children, including low self-esteem.

36. **The Committee recommends that the State Party prevent and eliminate any practice that denies or restricts access to education for children with irregular migration status by adopting educational guidelines that allow for the registration and enrolment of migrant children in the education system and their continued attendance. It also recommends that measures be taken to ensure the linguistic integration of non-Spanish-speaking migrant children into the education system, for example through specialized courses and educational integration support, in parallel with their regular classes. The Committee also recommends that the State Party adopt the measures on education policies, social inclusion and prevention of xenophobia set forth in joint general recommendation No. 39 (2025) of the Committee on the Elimination of Racial Discrimination and general comment No. 8 (2025) of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families on thematic guidelines for eradicating xenophobia towards migrants and others perceived as such.**

### Children in migration situations

37. The Committee takes note of the establishment of the Ministry for Children, Adolescents and the Family in 2023 and of the National Protocol for the Comprehensive Care and Protection of Children in Migration Situations, as well as the signing by Guatemala and Honduras of the Binational Protocol for the Protection and Care of Unaccompanied Migrant Children and Adolescents. However, the Committee is concerned about:

(a) The lack of disaggregated statistics on and assessments of the situation of migrant children and adolescents, including unaccompanied minors, asylum-seekers, refugees and returnees;

(b) The persistent risk of violence against migrant children and adolescents, including those in transit through the State Party and other countries in the migration corridor, as well as during the detention and expulsion of Honduran migrant children from Mexico and the United States;

(c) The lack of information on the effects of measures for the effective and sustainable reintegration, using a rights-based approach, of returnee children and adolescents, and on the situation of children, whether nationals of Honduras or of the United States, who have been separated from their families as a result of deportation from the United States and who have not yet been reunited with their families;

(d) The lack of information about the situation of and the support available to children – whether nationals of the United States or dual nationals – who enter Honduras with their parents after being deported from the United States.

38. **The Committee, recalling the recommendations issued by the Committee on the Rights of the Child,<sup>15</sup> its own previous recommendations<sup>16</sup> and the recommendations set forth in joint general comment No. 3 of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families/No. 22 of the Committee on the Rights of the Child (2017) and joint general comment No. 4/No. 23 (2017), recommends that the State Party:**

(a) **Strengthen measures to protect the rights of all children in the context of migration, including budgetary and operational measures that reinforce the capacities of the Ministry for Children, Adolescents and the Family and all authorities in the child**

<sup>15</sup> CRC/C/HND/CO/6-7, para. 44.

<sup>16</sup> CMW/C/HND/CO/1, para. 55.

protection system, ensuring that the best interests of the child are the primary criterion guiding policies and practices, including those of migration agencies;

(b) Establish a system for the collection of qualitative and quantitative data, using a rights-based approach, on all categories of children and adolescents in migration contexts, ensuring the documentation of cases of violations of children's rights and the mechanisms in place to prevent such violations, determine the relevant responsibilities and adopt effective and timely redress measures;

(c) Adopt a comprehensive prevention and protection strategy with regard to violence against children and adolescents in migration situations, with a particular focus on girls, including long-term psychosocial support, socioeconomic support and access to justice and redress for any harm caused, ensuring that children are duly heard and participate in the relevant processes, according to their age and level of maturity and in accordance with the principle of progressive autonomy;

(d) Conduct periodic evaluations, with the participation of civil society, on the impact and results of plans for the reintegration and inclusion of migrant children and adolescents, irrespective of their migration status, taking into account aspects such as inclusion in education, the community and cultural life and their safe return to their families of origin, and ensure that the results of these evaluations shape decision-making processes and government and international cooperation programmes in this area;

(e) Adopt guidelines and actions aimed at ensuring the inclusion of children arriving in the State Party who are nationals of the United States or who have dual nationality, particularly by ensuring their social integration and access for them to the education system and to psychosocial support that encourages sociocultural adaptation and is appropriate for their age, sex and gender.

#### **Transfer of earnings and savings upon termination of stay**

39. The Committee notes the sustained growth in remittances and, in particular, the macroeconomic impact of the contribution made by Honduran migrant workers, given that in recent years they have contributed approximately 25% of the country's gross domestic product. However, it regrets that budgetary and other measures to strengthen the protection of the rights of Honduran migrant workers in countries of transit and destination do not proportionally reflect this significant contribution.

#### **40. The Committee recommends that the State Party:**

(a) Take all appropriate budgetary and other measures to strengthen policies and practices to protect the rights of all Honduran migrant workers and members of their families and provide them with assistance in countries of transit and destination;

(b) Based on the previous recommendation,<sup>17</sup> provide avenues for the productive use of remittances by recipient families by publicizing the relevant programmes and regulating and implementing the funds that are created for this purpose.

#### **4. Other rights of migrant workers and members of their families who are documented or in a regular situation (arts. 36–56)**

##### **Freedom of movement and right to choose residence**

41. The Committee welcomes the adoption of the Act for the Prevention of Internal Displacement and the Protection and Care of Internally Displaced Persons, which applies to returnees in need of protection. The Committee is nevertheless concerned about ongoing internal displacement, which disproportionately affects women, and the multiple causes thereof, including gender-based violence and other forms of violence and exploitation, the development of public megaprojects or the activities of transnational companies in the ancestral territories of Indigenous communities, the activities of gangs and other illegal

<sup>17</sup> CMW/C/HND/CO/1, para. 45.

groups and climate disasters and emergencies, which in many cases lead people to migrate to other countries.

**42. The Committee recommends that the State Party:**

(a) **Ensure, as a matter of priority, the adoption of a strategy to prevent and respond to forced displacement that takes into account the differential impacts on women, Indigenous Peoples and Afro-Hondurans, children, persons with disabilities and returnees; and, in particular, adopt and implement appropriate measures aimed at preventing forced internal displacement that leads to international migration, in coordination with policies aimed at, inter alia, preventing all forms of violence, guaranteeing the rights of returnee migrant workers and members of their families, children, women, Indigenous Peoples, persons with disabilities and Afro-Hondurans and ensuring access to justice, efforts to combat impunity and corruption, effective and sustainable protection for victims and access to mechanisms for redress and restitution of rights;**

(b) **Approve regulations for the implementation of the Act for the Prevention of Internal Displacement and the Protection and Care of Internally Displaced Persons and protocols to protect women, and allocate budgets for temporary protection in shelters;**

(c) **Take specific measures to eradicate forced evictions of Indigenous communities from their ancestral lands – including by guaranteeing the right to ownership of those lands – in order to prevent the possibility of forced international migration;**

(d) **Reduce the effects of climate change on migration by strengthening the resilience of vulnerable communities, using an inclusive approach.**

**Right to vote and to be elected in the country of origin**

43. The Committee takes note of the legislative measures enshrining recognition of the principle of parity in the electoral sphere. However, it is concerned about the continued restrictions on the right to vote for migrant workers in third countries such as Spain, which stem from a discriminatory decision by the National Electoral Council in which the exercise of that right was recognized only for Honduran migrant workers residing in the United States.

**44. The Committee recommends that the State Party take the necessary measures to recognize and ensure the effective exercise of the right to vote for all Honduran migrant workers and members of their families abroad, in all electoral processes currently provided for in law, without distinction on the basis of country of residence.**

**Family reunification**

45. The Committee takes note of the information regarding temporary and/or permanent residency permits granted to persons of Venezuelan origin and other nationalities for reasons including marriage and family ties, as well as the cooperation agreements concluded with the United States aimed at facilitating family reunification processes through the Honduran Embassy in that country. However, the Committee is concerned about the absence of accessible legal and operational provisions aimed at guaranteeing the right to family reunification on humanitarian grounds for common-law couples and other family members. It is also concerned about the lack of information on mechanisms aimed at family reunification for migrant workers of Haitian origin.

**46. The Committee recommends that the State Party:**

(a) **Take the necessary legislative, public policy and other measures to ensure the protection of the family unit for migrant workers and to facilitate the reunification of migrant workers with members of their families, in line with the Convention, the standards of the Committee and the provisions of other applicable human rights treaties;**

(b) **Ensure that workers of Haitian origin have access to assistance services in the context of migration and, upon request, to family reunification, without**

discrimination on the basis of language, religion, Afrodescendent identity, socioeconomic status or other factors;

(c) **Strengthen the activities of the Embassy and consular offices in the United States, with the aim of facilitating the exercise of the right to family reunification for Honduran nationals with relatives residing in that country, and make efforts to prevent such reunification from being conducted through irregular and unsafe channels.**

#### **Border and seasonal workers**

47. The Committee is concerned about the precarious situation faced by border and seasonal workers in the State Party, for example, excessive working hours, low wages and lack of access to basic hygiene, adequate housing and social security. It is also concerned about irregular recruitment mechanisms that impede the establishment of formal labour relations and the recognition of workers' rights, as well as about cases of violence and exploitation directed against workers and affecting, in particular, young people working in agriculture and other sectors.

48. **The Committee recommends that the State Party:**

(a) **Recognize border workers as a category in its labour and migration legislation, thereby facilitating their protection as migrant workers, and strengthen the infrastructure and institutional presence of entities responsible for labour regulation and protection;**

(b) **Conduct a comprehensive review of its policies to ensure that migrant workers, without distinction, have access to healthcare, education and social assistance, with special attention paid to those in an irregular situation or who are in transit in the State Party, particularly in border regions and rural areas.**

#### **5. Promotion of sound, equitable, humane and lawful conditions in connection with the international migration of workers and members of their families (arts. 64–71)**

##### **Migrant women**

49. The Committee notes with concern that migrant women who are domestic workers in the State Party and in countries of destination such as Spain face serious risks of discrimination in obtaining decent work, particularly those in an irregular situation, given the inadequate legislative framework on domestic work. In particular, it is concerned that cases of harassment and labour exploitation in destination countries are not reported owing to a fear of reprisals or threats of expulsion if complaints are filed concerning violence perpetrated by employers. The Committee is also concerned about discrimination faced by migrant women and LGBTIQ+ persons in obtaining access to health services owing to stigmatization and attitudinal barriers among health providers.

50. **The Committee recommends that the State Party:**

(a) **As a matter of urgency, initiate the process of ratifying the ILO Domestic Workers Convention, 2011 (No. 189) and harmonize its legislation so that domestic work is recognized and protected;**

(b) **Establish the obligation for labour inspectors to monitor the working conditions of migrant women who are domestic workers, including those in an irregular situation, in accordance with the Committee's general comment No. 1 (2011);**

(c) **Disseminate, among female migrant workers, information on international protection for domestic work and create confidential communication and reporting channels that enable them to report cases of harassment, abuse and violations of their labour rights in Honduras and in destination countries and to obtain adequate protection and redress;**

(d) **Adopt sex- and gender-sensitive health sector guidelines aimed at preventing the stigmatization of, and the denial of health services to, women and LGBTIQ+ persons, taking account of the intersection between sex, gender and migration status.**

### **Return and reintegration**

51. The Committee takes note of the development of the 2024–2025 National Reintegration Plan and the participation of civil society organizations in the design of the Plan and in the consultative process on the operational regulations for the Fund for the Protection and Care of Forcibly Displaced Persons, as well as of the information on the financial assistance available for the reintegration of returnees. However, the Committee is concerned about the gap between the number of returnees and the results obtained in terms of job placement, the lack of information on reasonable accommodations and support available for the employment of returnees with disabilities and the absence of differentiated measures for population groups such as women, older persons and children. It is also concerned about the situation of third-country nationals who return to their countries of origin from Honduras without receiving adequate information or protection measures with respect to the conditions of their return.

52. **The Committee recommends that, in line with article 67 of the Convention and target 10.7 of the Sustainable Development Goals, the State Party:**

**(a) Adopt long-term return and reintegration strategies and plans for the implementation thereof, with the participation of civil society and the business sector, and ensuring the provision of psychosocial, educational and economic support in the context of return. In this regard, the State Party should:**

- (i) Conduct periodic monitoring of the results of the reintegration policy;**
- (ii) Ensure a smooth transition from the emergency assistance provided through the Centres for Migrant Returnees to safe and sustainable returns;**
- (iii) Take measures to prevent further expulsions in the context of readmissions and returns, in accordance with due process;**
- (iv) Ensure maximum geographic coverage of reintegration plans, with a particular focus on rural areas;**
- (v) Ensure, among their objectives, greater access to formal employment and strengthened oversight of employment agencies in order to prevent cases of trafficking in persons;**
- (vi) Provide long-term follow-up of the social reintegration and sustainable reintegration processes for returnees, with a focus on rights;**

**(b) Take specific measures to promote reintegration for female returnees through measures to strengthen entrepreneurship, the delivery of education for employment and the preservation of their economic independence, including through access to flexible long-term credit and the benefits offered by housing and vocational training programmes in non-traditional sectors, including information and communications technologies, scientific research and engineering;**

**(c) Create individualized community-based support systems to enable the reintegration of persons with disabilities who have been displaced or who have returned to Honduras or to their territories of origin, and take measures to prevent institutionalization, including among child returnees;**

**(d) Promote the development of community-based care and support policies and systems that include returnees and members of their families and recognize the paid care work performed by those who provide care and support in the home and in public institutions and the rights of those who require care and support;**

**(e) Provide migrant workers and members of their families with accessible information, in a language they understand, about the procedural guarantees associated with returning to their countries of origin.**



### Trafficking in persons

53. The Committee notes the information on the adoption of the Act on Shelters for Women Victims and Survivors of Violence in Honduras (Legislative Decree No. 28-2024), the criminal law reforms aimed at broadening the scope of conduct that constitutes the offence of trafficking and the projects for the provision of support to victims of trafficking in persons, including the increase in the budget allocated to the provision of support for direct and indirect victims of trafficking. However, the Committee is concerned about:

- (a) The high risk of sexual exploitation and trafficking faced by children in the State Party, as well as the repercussions of being indirect victims of trafficking;
- (b) The lack of effective oversight of employment agencies that operate without formal registration or with expired authorization and which continue to engage in exploitative labour practices;
- (c) The current limitations on access to mechanisms to provide redress for harm caused to victims of trafficking.

54. **The Committee recalls its previous recommendations<sup>18</sup> and recommends that the State Party:**

- (a) Periodically refresh its strategy for preventing trafficking in persons and exploitation to include specific guidelines for preventing the risks of trafficking with respect to children and adolescents and ensure a sustained increase in the resources allocated to the Support Fund for Victims of Trafficking in Persons, thereby enabling the expansion of the network of shelters and specialized protection centres for victims of exploitation and trafficking;**
- (b) Ensure the monitoring and supervision of all employment agencies and order the closure of any such agencies that are involved in labour exploitation, including those operating in tourist areas;**
- (c) Ensure that victims of trafficking can take administrative and judicial action to claim reparation for rights violations, including through psychosocial support, to address the harm caused by trafficking and other forms of exploitation.**

### International cooperation with countries of transit and destination

55. The Committee is concerned about the limited information available on the situation of Honduran migrant workers and members of their families in countries in the region, such as Costa Rica, El Salvador and Panama, including information on bilateral and regional agreements with those countries. The Committee is also concerned about the working conditions, including situations of exploitation and other forms of abuse, experienced by migrant health workers of Cuban origin working in the State Party under a cooperation agreement with Cuba (medical brigades).

56. **The Committee recommends that the State Party promote a comprehensive regional and bilateral cooperation strategy that addresses working conditions and other Convention rights for Honduran migrant workers and members of their families residing in Costa Rica, El Salvador and Panama, including protection from exploitation, informal employment, arbitrary detention and expulsion, and facilitates access to programmes and other means of regularization available in each country. It also recommends that the State Party collect and disseminate information on the situation of Honduran migrant workers and members of their families in Central America and the Caribbean. The Committee recommends that the State Party take all necessary measures to ensure that all the rights recognized in the Convention, including equal treatment in employment, protection from exploitation and access to justice in the event of violation of these or other rights, are effectively protected and fully guaranteed for all migrant workers in the State Party, including those who have arrived under bilateral cooperation agreements.**

<sup>18</sup> CMW/C/HND/CO/1, para. 57.

**Measures to address migrant workers in an irregular situation**

57. The Committee, while noting some temporary measures, is concerned about the absence of a policy for the regularization of the status of migrant workers and members of their families in the State Party, as well as of Honduran migrants in other countries.

58. **The Committee recommends that the State Party:**

(a) **Adopt a comprehensive policy that guarantees accessible and affordable regularization procedures for migrant workers and members of their families who are in an irregular situation, including unaccompanied children and adolescents;**

(b) **Take measures to strengthen efforts to provide support aimed at facilitating access, for Honduran migrant workers and members of their families who are living abroad, to the regularization mechanisms available in their country of residence.**

**6. Dissemination and follow-up****Dissemination**

59. **The Committee requests the State Party to ensure the timely dissemination of the present concluding observations, in the official languages of the State Party, to the relevant State institutions, including to government ministries, the legislature, the judiciary and relevant local authorities, as well as to non-governmental organizations and other members of civil society.**

**Technical assistance**

60. **The Committee recommends that the State Party further avail itself of international and intergovernmental assistance for the implementation of the recommendations contained in the present concluding observations in line with the 2030 Agenda for Sustainable Development. It also recommends that the State Party continue its cooperation with the specialized agencies and programmes of the United Nations.**

**Follow-up to concluding observations**

61. **The Committee requests the State Party to provide, within two years (that is, by 1 January 2028), written information on the implementation of the recommendations contained in paragraphs 10 (legislation and application), 28 (right to life, integrity and repatriation), 30 (detention, expulsion and consular assistance) and 34 (right to health) above.**

**Next periodic report**

62. **The State Party's third periodic report must be submitted by 1 January 2031. The Committee will adopt a list of issues prior to reporting under the simplified reporting procedure at one of its sessions preceding this date, unless the State Party explicitly opts for the traditional reporting procedure. The Committee draws the State Party's attention to its harmonized treaty-specific guidelines.<sup>19</sup>**

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<sup>19</sup> [HRI/GEN/2/Rev.6](#).