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<u>Tab</u>	<u>Title</u>	<u>Page(s)</u>
<b>A.</b>	<p><b>World Report 2022 (Honduras), Human Rights Watch, <i>available here:</i></b>  <a href="https://www.hrw.org/world-report/2022/country-chapters/honduras">https://www.hrw.org/world-report/2022/country-chapters/honduras</a></p> <ul style="list-style-type: none"> <li>• “Honduras has the highest rate of femicide—defined as the killing of a woman by a man because of her gender—in Latin America, the UN Economic Commission for Latin America and the Caribbean reports. As of August 5, 174 femicides have been committed in Honduras in 2021 according to the Women's Rights Center, a Honduran nongovernmental organization.”</li> <li>• “Women with disabilities are not included in general policies to prevent violence against women. Honduras lacks a comprehensive legislative framework that includes women with disabilities and policies to combat domestic violence.”</li> <li>• “Girls and adolescents younger than 19 carry 15 percent of all pregnancies, the Monitoring Mechanism of the Belém do Pará Convention reported in 2016. Thirty-four percent of women ages 20 to 24 had married when they were 15 to 19, a UN Population Fund study conducted from 2005 to 2019 found.”</li> <li>• “Honduras’ fragile institutions fail to protect the rights of children, including adolescents, and ensure that they have access to basic services such as education and healthcare, the IACHR reported in 2019.”</li> </ul>	<p><i>p. 1-9</i></p> <p><i>p.5</i></p> <p><i>p.5</i></p> <p><i>p.5</i></p> <p><i>p.6</i></p>
<b>B.</b>	<p><b>2021 Country Reports on Human Rights Practices: Honduras, US Department of State, <i>available here:</i></b>  <a href="https://www.state.gov/reports/2021-country-reports-on-human-rights-practices/honduras/">https://www.state.gov/reports/2021-country-reports-on-human-rights-practices/honduras/</a></p> <ul style="list-style-type: none"> <li>• “Significant human rights issues included credible reports of: unlawful or arbitrary killings, including extrajudicial killings; torture and cases of cruel, inhuman, or degrading treatment or punishment by government agents ; harsh and life threatening prison conditions; arbitrary arrest or detention; serious restrictions on free expression and media, including threats to media members by criminal elements and the existence of criminal libel laws; serious government corruption; lack of investigation of and accountability for gender-based violence; and crimes involving violence or threats of violence against indigenous and Afro-descendant communities, and against lesbian, gay, bisexual, transgender, queer, and intersex persons.”</li> <li>• “Organized criminal groups, including local and transnational gangs and narcotics traffickers, were significant perpetrators of violent crimes and committed acts of homicide, torture, kidnapping, extortion, human trafficking, intimidation, and other threats and violence directed against human rights defenders, judicial authorities, lawyers, business community members, journalists, bloggers, women, and other vulnerable populations. The government investigated and prosecuted some of these crimes, but impunity was widespread.”</li> <li>• “There were areas where authorities could not assure freedom of movement because of criminal activity and a lack of significant government presence.”</li> <li>• “Transiting migrants and asylum seekers with pending cases were vulnerable to abuse and sexual exploitation by criminal organizations. Women, children, and LGBTQI+ migrants and asylum seekers with pending cases were especially vulnerable to abuse. Asylum seekers and refugees continued to face acute protection risks in border zones.”</li> <li>• “The law criminalizes all forms of rape of women or men, including spousal rape. The government considers rape a crime of public concern, and the state prosecutes rapists</li> </ul>	<p><i>p.10-36</i></p> <p><i>p.10</i></p> <p><i>p.11</i></p> <p><i>p.20</i></p> <p><i>p.21</i></p>

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	<p>even if victims do not press charges. The penalties for rape range from nine to 13 years’ imprisonment. The law was not effectively enforced, and weak public institutional structures contributed to the inadequate enforcement.”</p> <ul style="list-style-type: none"> <li>• “Civil society groups reported that women often did not report domestic violence or withdrew charges because they feared, or were economically dependent on, the aggressor. In addition women experienced delays in accessing justice due to police who failed to process complaints in a timely manner or judicial system officials who deferred scheduling hearings. Institutions such as the National Women’s Institute attempted to enhance the government’s response to domestic violence by opening three additional women’s centers in the country. These efforts were insufficient due to limited political will, inadequate staffing, limited or no services in rural areas, absence of or inadequate training and awareness of domestic violence among police and other authorities, and a pattern of male-dominant culture and norms.”</li> <li>• “Although the law accords women and men the same legal rights and status, including property rights in divorce cases, many women did not fully enjoy such rights due to barriers in access to justice and lack of information regarding legal protections. Most women in the workforce engaged in lower-status and lower-paying informal occupations, such as domestic service, without the benefit of legal protections. By law women have equal access to educational opportunities.”</li> <li>• “Child abuse remained a serious problem. The law establishes prison sentences of up to two and one-half years for child abuse. As of June the Violence Observatory reported killings of 80 persons younger than 18.”</li> <li>• “The commercial sexual exploitation of children, especially in sex trafficking, remained a problem. The country was a destination for child sex tourism, particularly in the tourist area of the Bay Islands. The legal age of consent is 18. There is no statutory rape law, but the penalty for rape of a minor younger than 14 is 12 to 17 years in prison, or nine to 13 years in prison if the victim is 14 or older. Penalties for facilitating child sex trafficking are six to 12 years in prison and monetary fines. The law prohibits the use of children younger than 18 for exhibitions or performances of a sexual nature or in the production of pornography.”</li> <li>• “Civil society organizations reported that common causes of forced displacement for youth included death threats for failure to pay extortion, Page 18 attempted recruitment by gangs, witnessing criminal activity by gangs or organized criminal groups, domestic violence, attempted kidnappings, family members’ involvement in drug dealing, victimization by traffickers, rape including commercial sexual exploitation by gangs, discrimination based on sexual orientation or gender identity, sexual harassment, and discrimination for having a chronic medical condition.”</li> </ul>	<p><b>p.24</b></p> <p><b>p.24</b></p> <p><b>p.25</b></p> <p><b>p.27</b></p> <p><b>p.27</b></p> <p><b>p.27</b></p>
<p><b>C.</b></p>	<p>Amnesty International: <b>Honduras: Attack on sexual and reproductive rights</b> January 28, 2021, <i>available here:</i>  <a href="https://www.amnesty.org/en/documents/amr37/3594/2021/en/?utm_source=annual_report">https://www.amnesty.org/en/documents/amr37/3594/2021/en/?utm_source=annual_report</a></p> <ul style="list-style-type: none"> <li>• “On 21 January, the Honduran Congress approved the first reading of a bill that would reform the Constitution to increase the number of votes needed to change the articles that prohibit abortion and marriage between people of the same sex. If ratified, the bill would effectively block future attempts to decriminalize abortion under any</li> </ul>	<p><b>p.37-38</b></p> <p><b>p.37</b></p>

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	<p>circumstances or to legislate in favour of equal marriage. The bill must be ratified by three quarters of the Congress and will be discussed on 28 January. It is expected to be voted on this same day. We demand Congress to reject this pernicious bill.”</p> <ul style="list-style-type: none"> <li>• “We write to you as we are extremely concerned about the implications of a bill that was recently approved by the Congress of Honduras in its first reading and will be imminently presented to Congress for ratification. By seeking to make it essentially impossible to block any future attempts to change Honduras’ legislation regarding access to abortion and marriage equality, the bill represents a shameful attack on sexual and reproductive rights and a serious breach of Honduras’ international human rights obligations.”</li> <li>• “If ratified, the bill would perpetuate a violation of human rights, specifically the sexual and reproductive rights that women, girls, people with reproductive capacity and LGBTI people have suffered for decades in Honduras. Restricting access to abortion causes a serious and urgent public health problem, leading to avoidable deaths of women and pregnant people, generally from the most vulnerable sectors of the population. A vote in favour of this bill is a vote in favour of clandestine abortions and a vote against public health and human rights.”</li> <li>• “Under the new Penal Code that entered into force in June 2020, abortion continues to be criminalized in all cases, including when the life and health of the woman is at risk or when the pregnancy is the result of sexual violence. Honduras is one of nine countries in the world that continues to prohibit any form of abortion.”</li> </ul>	<p style="text-align: right;"><b>p.37</b></p> <p style="text-align: right;"><b>p.37</b></p> <p style="text-align: right;"><b>p.38</b></p>
<p><b>D.</b></p>	<p><b>Little to Celebrate: 5 Facts about Women and Violence in El Salvador, Guatemala, and Honduras 3/8/22, available here: <a href="https://www.wola.org/2022/03/women-violence-northern-triangle-5-facts/">https://www.wola.org/2022/03/women-violence-northern-triangle-5-facts/</a></b></p> <ul style="list-style-type: none"> <li>• “Women and girls in El Salvador, Guatemala and Honduras, known as the Northern Triangle of Central America, confront extreme levels of gender-based violence, which is worsened by corruption, weak institutions, and a culture of impunity toward perpetrators. For marginalized, indigenous and Afro-descendent women and for the many at the forefront of social movements, accessing protection and justice is even more challenging due to the lack of political will and many capacity gaps within the criminal justice systems.”</li> <li>• “Women make up more than half the population of the Northern Triangle and are the main breadwinners in the vast majority of single-headed households. However, gender-based violence and impunity force many to flee their homes to other cities and towns or leave their countries in an attempt to reach other countries, including the United States.”</li> <li>• “Women in the region face some of the highest homicide rates in the world. At 13.8 per 100,000, El Salvador’s rate was the highest in the region in 2017, although many females’ killings were not appropriately classified as femicide. Guatemala does appropriately classify the majority of killings of women, but Honduras does so the least of the three countries.”</li> <li>• “Thousands of women report violence in their homes every year – more than 57,000 in 2020 in Guatemala alone. The true figure is likely significantly higher, as officials do</li> </ul>	<p style="text-align: right;"><b>p.39-43</b></p> <p style="text-align: right;"><b>p.39</b></p> <p style="text-align: right;"><b>p.39</b></p> <p style="text-align: right;"><b>p.39</b></p>

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	<p>not always document their cases, and many women are too afraid to speak up amidst threats to their lives and few places to seek shelter.” (2018: 6286, 2019: 10553)</p> <ul style="list-style-type: none"> <li>• “Sexual assault and rape are also common, and underreported, across the region. The vast majority of cases are never investigated.” (2017:2960, 2018: 2971, 2019: 2781, 2020: 2146)</li> <li>• “Less than 20 percent of police in each country are women. This is problematic because it deprives abuse survivors of a place where they can feel safe to report the crimes they suffer.” (2017: 18.6%, 2018:18.9%, 2019:20%, 2020:19.1%)</li> <li>• “In all three countries, women constitute a large share of justice sector workers. In Honduras, for example, the majority of judges and public defenders are women. In El Salvador, the majority of public defenders and prosecutors are women. But, serious barriers to obtaining justice, Including limited investigations, case overload and corruption, mean impunity prevails in the majority of cases of violence against women.”</li> </ul>	<p style="text-align: right;"><b>p.39</b></p> <p style="text-align: right;"><b>p.39</b></p> <p style="text-align: right;"><b>p.40</b></p>
<p style="text-align: center;"><b>E.</b></p>	<p><b>International Rescue Committee Watch List 2022: Crisis in Honduras – Ongoing Violence and Climate Shocks 1/26/22, available here: <a href="https://www.rescue.org/article/crisis-honduras-ongoing-violence-and-climate-shocks">https://www.rescue.org/article/crisis-honduras-ongoing-violence-and-climate-shocks</a></b></p> <ul style="list-style-type: none"> <li>• “Already vulnerable people in Honduras live in an evolving humanitarian crisis,” says IRC protection coordinator Zuleyma Chahin. “Women, children, the LGBTQ+ community, and returnees face ever growing conflict and risks, from the effects of climate change to the impacts of COVID-19 and violence—at home and on the streets.”</li> <li>• “Chronic violence will continue to cause major displacement and create particular risks for women and children.”</li> <li>• “Gang violence and organized crime are leading causes of displacement from Honduras. While homicide rates have dropped in recent years, Honduras is still the most dangerous country in the region, with 38 homicides per 100,000 people. Gender-based violence in Honduras is also among the highest in the region and has increased during the pandemic. Indeed, Honduras is seeing a plague of “femicides”—a woman is murdered every 36 hours, mostly by an intimate partner. Many women are choosing to flee the violence in their communities. In addition, gang recruitment of minors has contributed to the increasing numbers of families and unaccompanied children leaving Honduras for Mexico, some planning to travel onward to the U.S.. So long as violence in Honduras continues without impunity, major displacement will persist in 2022.”</li> <li>• “Women, children and the LGBTQ+ community are the ones most affected and we have seen the demand for services skyrocket, while the organizations delivering aid need increased resources to be able to staff up to meet the urgent needs,” says Meg Galas, director for northern Central America at the IRC.”</li> </ul>	<p style="text-align: right;"><b>p.44-46</b></p> <p style="text-align: right;"><b>p.44</b></p> <p style="text-align: right;"><b>p.44</b></p> <p style="text-align: right;"><b>p.45</b></p> <p style="text-align: right;"><b>p.46</b></p>
<p style="text-align: center;"><b>F.</b></p>	<p><b>UN: Violence against Women, the Other Pandemic Impacting Honduras 12/8/21, available here: <a href="https://unsdg.un.org/latest/stories/violence-against-women-other-pandemic-impacting-honduras">https://unsdg.un.org/latest/stories/violence-against-women-other-pandemic-impacting-honduras</a></b></p>	<p style="text-align: right;"><b>p.47-57</b></p>

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	<ul style="list-style-type: none"> <li>• Honduras has the highest femicide rate in the Latin American region, with 6.2 cases per 100,000 inhabitants. In 2020, 278 women were murdered in the country and, as of November 2021, more than 240 women have lost their lives violently. During the pandemic, violence cases against women increased significantly; the number of emergency calls rose to 282 per day.“</li> <li>• “The law on safe houses, which has been stalled in the National Congress since 2018, aims to recognize and fund safe houses to provide care for survivors of multiple forms of violence, ensuring their wellbeing and that of their families. Civil society continues to advocate for this law to be passed and the United Nations has joined in these efforts.”</li> <li>• “Media activism must be part of the change of paradigm; data plays a key role in understanding the impact on the Honduran population of how media report on violence against women. A large number of media have distorted the population’s perception on violence against women by informing about it in a way that makes it seem as if these are isolated cases, when the reality is that this is an endemic issue in the Honduran society.”</li> <li>• “Among the findings is that nine out of 10 news stories promote the dissemination of morbid details, include inadequate justifications and stereotypical reporting, which adds on to the misrepresentation of reality, which affects how this type of news is understood and interpreted by the public.”</li> </ul>	<p style="text-align: right;"><b>p.47</b></p> <p style="text-align: right;"><b>p.49</b></p> <p style="text-align: right;"><b>p.53</b></p> <p style="text-align: right;"><b>p.53</b></p>
<p style="text-align: center;"><b>I.</b></p>	<p><b>UNHCR Urges More Effective Action Against Gender-Based Violence in the North of Central America 12/6/21, available here:</b>  <a href="https://www.unhcr.org/news/press/2021/12/61ae0e8a4/unhcr-urges-effective-action-against-gender-based-violence-north-central.html">https://www.unhcr.org/news/press/2021/12/61ae0e8a4/unhcr-urges-effective-action-against-gender-based-violence-north-central.html</a></p> <ul style="list-style-type: none"> <li>• “In response to alarming levels of gender-based violence in the north of Central America, UNHCR, the UN Refugee Agency, is calling for more effective, innovative and immediate measures to protect the rights of women, girls and LGBTIQ+ people on the move in the region.”</li> <li>• “Gender-based violence, often underreported and statistically invisible, is one of the primary push factors driving women, girls and members of the LGBTIQ+ community to flee their homes in El Salvador, Honduras and Guatemala. At the same time, it is one of the key risks they face as they search for safety.”</li> <li>• “The situation became critical during pandemic-related lockdowns, which heightened incidents and risks. Once border restrictions on movements were lifted in recent months, women and girls were prominent among the unprecedented number of people who were forced to flee their homes.”</li> <li>• “Street gangs frequently target women and girls, forcing them into sexual slavery. Criminals also use sexual assault – or the threat of it – as a weapon to force family members into illicit activities. When women and girls are perceived as having ties to a particular gang, they can be targeted by rivals. Women and girls can also suffer abuse or rape, or even be killed as part of gang initiation rites.”</li> <li>• “A recent study in Honduras showed that violence against women was a determining factor in displacement, particularly for those who had leadership roles and</li> </ul>	<p style="text-align: right;"><b>p.58-62</b></p> <p style="text-align: right;"><b>p.59</b></p> <p style="text-align: right;"><b>p.59</b></p> <p style="text-align: right;"><b>p.59</b></p> <p style="text-align: right;"><b>p.59</b></p> <p style="text-align: right;"><b>p.59</b></p>

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	<p>relationships with members of gangs or security forces. LGBTIQ+ people, especially trans-gender women, are also particularly vulnerable to extortion, exploitation and persecution. In El Salvador, the NGO Comcavis Trans reports that nearly two-thirds of the LGBTIQ+ people they assisted this year were fleeing from criminal gangs, with death threats given as the primary reason. In Honduras, the NGO Cattrachas reports 373 violent murders of LGBTIQ+ persons since 2009. But even when they flee for safety, many women, girls and members of the LGBTIQ+ community are vulnerable to trafficking, assault and rape, particularly when resorting to smuggling networks or crossing borders at informal points.”</p>	
<p><b>H.</b></p>	<p><b>A Look into Gender Violence and Women’s Rights in Honduras 11/19/20, available here: <a href="https://www.borgenmagazine.com/womens-rights-in-honduras/">https://www.borgenmagazine.com/womens-rights-in-honduras/</a></b></p> <ul style="list-style-type: none"> <li>• “Gender inequality in Honduras is cemented in a social and cultural understanding of a woman’s role. Women are expected to tend to the domestic front and must balance professional work with the responsibility of raising their children and managing a household. The result is that “men are twice as likely to be employed in Honduras than women.” Gender stereotypes also filter the types of employment available to women. Typically male-held jobs are difficult for women to break into, and even if they are able to, they are paid less than their male colleagues.” <span style="float: right;"><b>p.63</b></span></li> <li>• “A lack of professional opportunities affects Honduran women’s’ overall economic independence. While homeownership lands around 59% for men in Honduras, it is only 38% for women. Women are also more likely to suffer from extreme poverty, as they make up the majority of Hondurans who survive on less than \$2 a day.” <span style="float: right;"><b>p.64</b></span></li> <li>• “Labeled “one of the most dangerous places on Earth to be a woman”, Honduras is home to rampant gender violence. The violence stems in part from Honduras’ culture of sexism and machismo attitudes: the belief that men are “strong and unemotional, while women are vulnerable and needy.” Violence against women is a show of power and an effort to establish male authority.” <span style="float: right;"><b>p.64</b></span></li> <li>• “This desire to prove one’s masculinity greatly endangers women, both inside and outside of their homes. According to a 2014 report by Protection International, 27% of Honduran women “have suffered physical violence at one time or another in their lives.” In 2012, of the accusations reported to the Public Prosecutor’s Office regarding violence against women, 74.6% involved domestic and family violence and 20% involved sex crimes. An analyst at Honduras’ Center for Women’s Rights, told ABC News, “Men can do anything they want to women in Honduras.” <span style="float: right;"><b>p.64</b></span></li> <li>• “Femicide, which is defined as “the killing of a woman or girl, in particular by a man and on account of her gender”, is also a constant threat to women in Honduras. An article by the Latin America Working Group cited that in 2017 alone there were 388 femicides in Honduras, meaning that “over 32 women were killed on average every month.” <span style="float: right;"><b>p.64</b></span></li> <li>• “Despite these overwhelming numbers, most perpetrators are not punished. A United Nations report in 2014 found that “ 95% of cases of sexual violence and femicide in Honduras were never even investigated.” This rate of impunity leaves thousands of women with no semblance of justice after being abused. It also means that many women are deterred from reporting their abuse due to a lack of faith in the <span style="float: right;"><b>p.64</b></span></li> </ul>	<p><b>p.63-67</b></p>

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	<p>government’s ability to protect them. Impunity is not the only way that the Honduran Government fails to protect its women. Emergency contraception and abortions are illegal, meaning that, even in the case of rape, women must carry an unwanted pregnancy to term.”</p> <ul style="list-style-type: none"> <li>• “The threats to women’s rights in Honduras has increased migration to the United States. The number of asylum seekers hailing from Honduras, El Salvador and Guatemala has risen by 800% between 2012 to 2017. Furthermore, 82% of women from these three countries, seek asylum due to a fear of violence and persecution. However, the wish for asylum is rarely fulfilled. In 2018, for instance, of the thousands of asylum seekers from Honduras, only 21% of cases were approved. These numbers mean that thousands of women and children who have risked their lives to journey to the border are sent back home to the danger and violence they wish to escape.”</li> </ul>	<b>p.64</b>
<b>i.</b>	<p><b>Femicide in Honduras: Women Dismissed by their own Government 8/8/20, available here: <a href="https://contracorriente.red/en/2020/08/08/femicide-in-honduras-women-dismissed-by-their-own-government/">https://contracorriente.red/en/2020/08/08/femicide-in-honduras-women-dismissed-by-their-own-government/</a></b></p> <ul style="list-style-type: none"> <li>• “Only 15 cases of femicide in Honduras have resulted in convictions since the country criminalized femicide in 2013. These cases are brought before a justice system that is poorly trained in gender issues, and recent legislation has reduced the penalties for crimes of violence against women. Women who dare to report domestic violence do not receive timely care and attention – they are not safe – and this can end in femicide.”</li> <li>• “In April 2013, the crime of femicide entered into effect in the Criminal Code. However, the Public Prosecutor’s Office only began reporting data on this crime in 2017, four years later. Only 30 cases of femicide have been prosecuted through 2019. This number stands in sharp contrast to the 7,041 reports of murder, infanticide, parricide and homicide filed between 2008 and 2009, in which the victim was female.”</li> <li>• “Most of these cases have not been prosecuted. Between 2010 and 2019, only 35% of the cases received by the Public Prosecutor’s Office were brought before the courts. Of the 104 cases of femicide that reached the Supreme Court of Justice between 2014 and 2019, only 23 have been adjudicated. Seven of these cases were acquittals, 15 were convictions, and the resolution of one case is not clear since the case file indicates that it involved two charges – a femicide and a misdemeanor. The perpetrator was acquitted of one charge and convicted of the other, but the case documentation does not specify which one.”</li> <li>• “CDM’s Gilda Rivera says that one of the biggest difficulties women have in their pursuit of justice is weak institutional commitment. “Even among people working in the justice system, machismo and an oppressive attitude towards women is commonplace. Plus, our institutions are plagued by corruption, where powerful men often receive lenient sentences or decisions that favor them,” says Rivera.”</li> <li>• “Since 2008, the Public Prosecutor’s Office has only received 11 training courses on the subject of femicide, while the judiciary has only received one course offered by the</li> </ul>	<p><b>p.68-87</b></p> <p><b>p.68</b></p> <p><b>p.69</b></p> <p><b>p.70</b></p> <p><b>p.72</b></p> <p><b>p.73</b></p>

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	<p>Honduran Center for Women’s Studies (Centro de Estudios de la Mujer Honduras, CEM-H).”</p> <ul style="list-style-type: none"> <li>• “Men who have been formally charged with femicide are also sometimes charged with a variety of other crimes such as abortion (forcing a woman to have an abortion), acts of lust, breaking and entering, murder, simple homicide, illegally bearing weapons, illicit association, aggravated threats and robbery. Yet domestic violence charges never appear on anyone’s records.”</li> </ul>	<b>p.77</b>
	<ul style="list-style-type: none"> <li>• ““The Supreme Court receives an annual average of at least 20,000 domestic violence cases. Fifty percent of these cases are vacated because the woman is financially dependent on the man and cannot continue with the case, or because they fall back into the cycle of violence,” says Ana Concepción Romero, coordinator of the 6/23/22, 3:35 PM Femicide in Honduras: women dismissed by their own government - Contra Corriente <a href="https://contracorriente.red/en/2020/08/08/femicide-in-honduras-women-dismissed-by-their-own-government/">https://contracorriente.red/en/2020/08/08/femicide-in-honduras-women-dismissed-by-their-own-government/</a> 11/20 Domestic Violence Courts. “The rate of recidivism can only be reduced if a model of comprehensive care exists. Ideally, by the time a case gets to the courts, the woman’s claims have truly been heeded, and she recognizes that if she doesn’t pursue the case, the cycle of violence is going to continue.”</li> </ul>	<b>p.77</b>
	<ul style="list-style-type: none"> <li>• “Honduran law recognizes various types of domestic violence, including physical, psychological, sexual and property violence. Those convicted of these offenses without causing damages classified as crimes under the Criminal Code are sentenced to 1-3 months of community service. Failure to complete the community service leads to a new offense of contempt of court, which is punishable by a 1-3 year prison sentence. The current Criminal Code punishes the crime of domestic violence with a 1-3 year prison sentence, and a 2-4 year prison sentence if aggravated by bodily harm, home invasion, drug use, and more. A sentence of less than five years may be commuted to a fine of ten lempiras (US\$0.40) per day of the imposed prison sentence.”</li> </ul>	<b>p.78</b>
	<ul style="list-style-type: none"> <li>• “In Honduras, the only specific law pertaining to violence against women is the Law Against Domestic Violence, approved in October 1997. This makes Honduras one of six Latin American countries that, despite having ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), does not have a law that comprehensively addresses gender-based violence. For the first time, the new Criminal Code criminalizes violence against women and devotes an entire chapter to the crime. However, the statutory penalties for these cases are weaker than in the previous code. Despite having been passed in 2018, the new code is still awaiting action by the executive branch, which could decide to repeal or amend the law. Women’s organizations point out that the new Criminal Code weakens the sentences for crimes of violence against women, and even eliminates some. The sentence for femicide has been reduced to 20-30 years in prison; previously it was 30-40 years. Similarly, the sentence for rape has been reduced to 9-13 years; previously, it was 10-15 years. ”</li> </ul>	<b>p.80</b>
	<ul style="list-style-type: none"> <li>• “MESECVI points out that there is also no explicit regulation in the Criminal Code on rape and sexual abuse within marriage and de facto unions. According to information MESECVI obtained from Honduras’ National Demographic and Health Survey</li> </ul>	<b>p.80</b>

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DOMESTIC VIOLENCE**

*Updated 6/27/22*

	<p>(Encuesta Nacional de Demografía y Salud – ENDESA), 22% of the women who reported having a husband or partner indicated that they had experienced one of three forms of violence (physical, psychological, or sexual) by their partner during the previous 12 months. Furthermore, 21% were victims of psychological abuse, 10% of physical violence, 3% of sexual violence, and 11% were physically and sexually abused.”</p> <ul style="list-style-type: none"><li>• “In Honduras, the Public Prosecutor’s Office has two femicide units: one in the special prosecutor’s office for the protection of women, and the other in the prosecutor’s office for crimes against life. Femicide cases are heard by 14 nonspecialized sentencing courts in the judiciary. However, in 2019, some of the feminist organizations represented in the commission issued a follow-up report claiming that, “there have been just a few, mostly verbal reports of these crimes, and most didn’t even result in an arrest warrant.” Additionally, only 21% of the funds earmarked for preventing and investigating violence against women have been disbursed, and it isn’t clear what the money has been spent on.”</li></ul>	<p><b><i>p.81</i></b></p>
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# Honduras

## *Events of 2021*

Supporters of Honduran environmental and Indigenous rights activist, Berta Cáceres, hold signs with her name and likeness during the trial of Roberto David Castillo, who was charged with her murder, outside of the Supreme Court building in Tegucigalpa, Honduras, on April 6, 2021. The trial began five years after the prize-winning activist's murder.

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Violent organized crime continues to disrupt Honduran society and push many people to leave the country. Journalists; environmental activists; human rights defenders; lesbian, gay, bisexual, and transgender (LGBT) individuals; and people with disabilities are among the groups targeted for violence.

Impunity remains the norm. Efforts to reform public security institutions have stalled. Marred by corruption and abuse, the judiciary and police remain largely ineffective. Support and resources from a four-year Organization of American States (OAS) mission to strengthen the fight against corruption and impunity, concluded in January 2020, have not produced lasting reforms. Anti-corruption prosecutors have been left defenseless.

## Gangs



members, the National Police reported.

Gangs exercise territorial control over some neighborhoods and extort residents throughout the country. They forcibly recruit children and sexually abuse women, girls, and LGBT people. Gangs kill, disappear, rape, or displace those who resist.

Gangs, particularly the Mara Salvatrucha (MS-13) and the 18th Street Gang (Barrio 18), are considered largely responsible for Honduras' murder rate, and are infamous for extortion and drug peddling. Although Honduras has reduced its homicide rate by half since 2011, it remains one of the world's highest, with 44.8 murders per 100,000 population in 2019.

Historically, governments have responded to organized crime with iron-fist security strategies. In 2018, the government created a special force to fight gangs (Fuerza Nacional Anti Maras y Pandillas), with members from the police, military, and Attorney General's Office.

Weak state institutions and abuses by security forces have contributed to persistent gang violence. There have been repeated allegations of collusion between security forces and criminal organizations.

## Criminal Justice System and Impunity

The criminal justice system regularly fails to hold accountable those responsible for crimes and abuses.

Judges face interference—including political pressure, threats, and harassment—from the executive branch, private actors with connections to government, and gangs. Prosecutors and whistleblowers have received death threats. The Supreme Court, particularly its president, exerts excessive control over the appointment and removal of judges, and career instability limits judges' independence.

In January 2020, the government shut down the Mission to Support the Fight against Corruption and Impunity in Honduras (MACCIH). Established in 2016 by the government and the OAS, MACCIH contributed to the prosecution of 133 people, including congresspeople and senior officials, 14 of whom stood trial.

Since MACCIH left, the Attorney General's Office has harassed and intimidated the head of its own anti-corruption criminal enterprise office, Prosecutor Luis Javier Santos, and members of



## Human Rights Defenders

In 2019, the UN special rapporteur on the situation of human rights defenders called Honduras one of the most dangerous countries for them in Latin America. Activists say the government's Mechanism for the Protection of Journalists, Human Rights Defenders, and Justice Activists, created in 2015, is ineffective.

In June 2021, the Inter-American Commission on Human Rights (IACHR) estimated a 90 percent rate of impunity for crimes committed against human rights defenders in Honduras. The IACHR received information on frequent threats of lawsuits and prosecutions, including for slander and libel, hindering human rights work in Honduras.

In July, the Office of the High Commissioner of Human Rights (OHCHR) and the IACHR urged the government to refrain from charging Garifuna women with damage, threats, theft, and usurpation of lands. Honduras has failed to uphold the Garifuna's right to collective tenure over their lands and to promptly and adequately investigate threats and acts of harassment against community leaders, the IACHR stated in 2020.

In August, a former director of the Honduran hydroelectric company DESA was convicted of organizing the 2016 assassination of environmental and Indigenous rights defender Berta Cáceres, who opposed construction of a hydroelectric dam on the Gualcarque river. In 2019, seven others were convicted for carrying out the killing. The trial has been marred by irregularities.

## Attacks on Journalists

Honduras is one of the Western Hemisphere's deadliest countries for journalists, with security forces representing their biggest threat, Reporters Without Borders noted in 2021. Since 2010, 42 journalists have been killed, UNESCO reported. According to the Inter-American Press Association, 29 journalists were beneficiaries of official protective measures.

In February, journalist Henry Fiallos and his family received anonymous death threats after he covered a femicide in which police officers were implicated. In August, he reported having been brutally beaten by police officers while doing his job.

## Internal Displacement, Migration, and Asylum

were internally displaced because of violence between 2004 and 2018, the government reported. In 2020, hurricanes Eta and Iota forced more than 55,000 to move into temporary shelters, according to the Red Cross.

The groups most likely to be internally displaced are children subjected to forced gang recruitment, professionals and business owners who face extortion, domestic violence survivors, and LGBT people and members of ethnic minorities who face violence and discrimination, the IACHR has reported. Rural communities subject to increased food insecurity due to prolonged drought and extreme weather events are also vulnerable to displacement.

A bill was introduced in 2019 to prevent, assist, and protect people internally displaced by violence. In June 2020, Congress passed a new penal code that introduced the crime of internal displacement, punishing, with prison sentences of six to nine years, those who, through violence or intimidation, force someone to abandon or change their place of living.

In January 2021, the IACHR and the UN special rapporteur on the human rights of internally displaced persons urged the government to adopt a law protecting internally displaced people.

From January to September 2021, 31,894 Hondurans requested asylum in Mexico, the Mexican Commission for Refugee Aid (COMAR) reported—filing more than 35 percent of Mexico's total asylum petitions. From January to July, 7,007 accompanied and 676 unaccompanied Honduran children requested asylum. In a 2020 survey by UNHCR and UNICEF, half of Hondurans interviewed in Mexico named violence as the main reason for their leaving.

As of October 17, 42,357 Hondurans were deported in 2021 to Honduras—more than the total throughout 2020—the government reported. Of those, 37,114 were deported from Mexico and 4,689 from the US. Human Rights Watch documented mass expulsion of migrants and asylum seekers, including Hondurans, from Mexico to a remote jungle in Guatemala.

## Sexual Orientation and Gender Identity

LGBT people are frequently targets of discrimination, extortion, and violence from gangs, the national civil police and military police, and members of the public. Discrimination is also common in schools, the workplace, and in the home. Violence against LGBT individuals displaces many internally and forces others to leave the country to seek asylum.



coup. The court found that Hernández suffered harassment by police the night before she was killed, the police and military had effective control of the streets on the night she died, and Honduras conducted no effective investigation into her killing. The court ordered Honduras to train security forces to investigate anti-LGBT violence and to adopt a process allowing people to change the gender listed on their documents to match their identity.

In January, Congress voted to increase the majority needed to amend Honduras's constitutional ban on same sex marriage from two-thirds to three-quarters, thereby further entrenching the prohibition.

In September, President Hernández accused those who advocate for same-sex marriage of “attacking Christian principles” and “the notion of the family.”

## Women's and Girls' Rights

Honduras has the highest rate of femicide—defined as the killing of a woman by a man because of her gender—in Latin America, the UN Economic Commission for Latin America and the Caribbean reports.

As of August 5, 174 femicides have been committed in Honduras in 2021 according to the Women's Rights Center, a Honduran nongovernmental organization. In 2013, Honduras reformed the penal code to recognize femicide as a crime.

Women with disabilities are not included in general policies to prevent violence against women. Honduras lacks a comprehensive legislative framework that includes women with disabilities and policies to combat domestic violence.

Abortion is illegal in Honduras under all circumstances, with prison sentences of up to six years. The law also sanctions abortion providers. In January, legislators increased the majority needed to amend the provision banning abortion from two-thirds to three-quarters.

Girls and adolescents younger than 19 carry 15 percent of all pregnancies, the Monitoring Mechanism of the Belém do Pará Convention reported in 2016. Thirty-four percent of women ages 20 to 24 had married when they were 15 to 19, a UN Population Fund study conducted from 2005 to 2019 found.

## Children's Rights



reported in 2019.

In 2019, more than 360,000 children between 5 and 17 years old worked, and only half of children under 18 years old attended school, according to the National Statistics Unit.

The Covid-19 pandemic has further limited access to education. Schools were closed in March 2020 and had not yet returned to full in-person classes by September 2021.

Child recruitment by gangs has caused many children to flee and abandon school. The average age of first contact with gangs is 13 years old, a 2020 UN Development Programme report found.

## Prison Conditions

As of September, more than 20,000 people were detained in prisons with capacity for under 11,000. More than half of the men and two-thirds of the women were in pretrial detention, according to official statistics.

Overcrowding, inadequate nutrition, poor sanitation, beatings, intra-gang violence, and killings are endemic in prisons.

After 37 detainees were killed in a 2019 wave of gang violence, President Juan Orlando Hernández declared a state of emergency—extended to December 2021—and put prisons under military control. Assassinations and violence continue under military supervision. From January to June, the OV-UNAH documented eight violent deaths in prisons.

To reduce overcrowding in response to the pandemic, the legislature approved alternatives to pretrial detention and judges have released more than 1,600 people. However, many petitions for pandemic release have been rejected.

## Key International Actors

In February, the US announced suspension and planned termination of the “asylum cooperative agreement” signed with Honduras in 2019, whereby Honduras had agreed to receive non-Honduran asylum-seekers transferred from the US.

Several UN special rapporteurs and the Working Group on Enforced or Involuntary Disappearances warned, in April, of growing numbers of migrants from Honduras, Guatemala,

Honduras voted in favor of an OAS resolution rejecting Venezuela’s December 2020 elections, which have been widely considered fraudulent. However, in June and October 2021 it abstained from OAS resolutions condemning arrests of Nicaraguan presidential opposition candidates and critics and demanding their release.

In July, the US released the “Engel List,” listing individuals from Honduras, El Salvador, and Guatemala allegedly associated with corruption and undemocratic acts. It named 21 from Honduras, including former President Porfirio Lobo Sosa (2010-2014), who became ineligible for visas and admission to the US.

In September, the OAS and Honduras signed an agreement to allow an OAS electoral observation mission to the November elections to elect president, legislators, and local authorities.

In October, Honduras was elected as a member of the UN Human Rights Council for the 2022-2024 term.

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# HONDURAS 2021 HUMAN RIGHTS REPORT

## EXECUTIVE SUMMARY

Honduras is a constitutional, multiparty republic. The most recent national and local elections were held in November. Voters elected Xiomara Castro of the LIBRE Party as president for a four-year term scheduled to begin in January 2022. International observers generally recognized the elections as free and fair.

The Honduran National Police maintain internal security and report to the Secretariat of Security. The armed forces, which report to the Secretariat of Defense, are responsible for external security but also exercise some domestic security responsibilities in support of the national police and other civilian authorities. Some larger cities have police forces that operate independently of the national police and report to municipal authorities. The Military Police of Public Order report to military authorities but conduct operations sanctioned by civilian security officials as well as by military leaders. The National Interinstitutional Security Force coordinates the overlapping responsibilities of the national police, military police of public order, National Intelligence Directorate, and Public Ministry during interagency operations. Civilian authorities at times did not maintain effective control over security forces. There were credible reports that members of the security forces committed some abuses.

Significant human rights issues included credible reports of: unlawful or arbitrary killings, including extrajudicial killings; torture and cases of cruel, inhuman, or degrading treatment or punishment by government agents; harsh and life-threatening prison conditions; arbitrary arrest or detention; serious restrictions on free expression and media, including threats to media members by criminal elements and the existence of criminal libel laws; serious government corruption; lack of investigation of and accountability for gender-based violence; and crimes involving violence or threats of violence against indigenous and Afro-descendant communities, and against lesbian, gay, bisexual, transgender, queer, and intersex persons.

The government prosecuted some officials who committed abuses, including

government corruption, but a weak judicial system and corruption were major obstacles to obtaining convictions.

Organized criminal groups, including local and transnational gangs and narcotics traffickers, were significant perpetrators of violent crimes and committed acts of homicide, torture, kidnapping, extortion, human trafficking, intimidation, and other threats and violence directed against human rights defenders, judicial authorities, lawyers, business community members, journalists, bloggers, women, and other vulnerable populations. The government investigated and prosecuted some of these crimes, but impunity was widespread.

## **Section 1. Respect for the Integrity of the Person**

### **a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings**

There were reports that the government or its agents committed arbitrary or unlawful killings. The reported killings took place during law enforcement operations or were linked to criminal activity by government agents. The Ministry of Security's Directorate of Disciplinary Police Affairs investigated members of the Honduran National Police accused of human rights abuses. The Office of the Inspector General of the Armed Forces and the Humanitarian Law Directorate investigated and arrested members of the military accused of human rights abuses.

The National Human Rights Commission (CONADEH) reported 15 arbitrary or unlawful killings by security forces as of August. The Public Ministry reported two such cases in judicial processing and five other cases under investigation as of September.

On April 27, the Public Ministry filed an indictment against police officer Jarol Rolando Perdomo Sarmiento for the February 6 murder of Keyla Martinez in La Esperanza, Intibuca Department. Perdomo allegedly killed Keyla Martinez after she was detained for violating the country's COVID-19 curfew.

The government continued to prosecute individuals allegedly involved in the 2016 killing of environmental and indigenous activist Berta Caceres. On July 5, the National Tribunal Court found Roberto David Castillo Mejia guilty for his role as

one of the alleged intellectual authors of her murder.

There were reports of violence related to land conflicts and criminal activity. On July 6, unknown assailants shot and killed land rights defender Juan Manuel Moncada in Tocoa, Colon Department. Authorities continued to investigate the incident.

Organized criminal groups, such as drug traffickers and local and transnational gangs including MS-13 and the 18th Street gang, committed killings, extortion, kidnappings, human trafficking, and intimidation of police, prosecutors, journalists, women, human rights defenders, and others. Major urban centers and drug trafficking routes experienced the highest rates of violence.

On July 25, media reported individuals shot and killed Liberal Party congressional candidate and former congresswoman Carolina Echeverria Haylock in Tegucigalpa. In September police arrested Denis Abel Ordonez, Michael Andre Mejia, and Walter Antonio Matute Raudales in connection with her murder. Media linked her killing to organized criminal groups and drug trafficking organizations.

## **b. Disappearance**

There were no credible reports of disappearances by or on behalf of government authorities.

## **c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment**

Although the law prohibits such practices, government officials received complaints and investigated alleged abuses by members of the security forces on the streets and in detention centers.

CONADEH reported 69 cases of alleged torture or cruel and inhuman treatment by security forces through August, while the Public Ministry received 18 such reports. The quasi-governmental National Committee for the Prevention of Torture, Cruel, Inhuman, or Degrading Treatment (CONAPREV) received 18 complaints of the use of torture or cruel and inhuman treatment through August.

Corruption along with a lack of investigative resources and judicial delays led to widespread impunity, including in security forces. The Directorate of Disciplinary Police Affairs investigated abuses by police forces. The directorate issued 1,379 recommendations to the Ministry of Security for disciplinary actions as of September following internal investigations of national police members. The Office of the Inspector General of the Armed Forces and the Humanitarian Law Directorate investigated abuses by the military. CONADEH received complaints involving human rights abuses and referred them to the Public Ministry for investigation. The Secretariat of Human Rights provided training to security forces to reinforce respect for human rights. Through September the secretariat trained 2,626 law enforcement officials in human rights and international humanitarian law.

### **Prison and Detention Center Conditions**

Prison conditions were harsh and at times life threatening due to pervasive gang-related violence and the government's failure to control criminal activity within the prisons. Prisoners suffered from overcrowding, insufficient access to food and water, violence, and alleged abuse by prison officials.

**Physical Conditions:** Prisoners suffered from severe overcrowding, malnutrition, lack of adequate sanitation and medical care, and, in some prisons, lack of adequate ventilation and lighting. The Secretariat of Human Rights reported that as of September 7, the total prison population was 20,768 in 25 prisons and one detention center. According to the secretariat, the system was designed for approximately 10,600 inmates.

The government failed to control pervasive gang-related violence and criminal activity within the prisons. Many prisons lacked sufficient security personnel. Many prisoners had access to weapons and other contraband, inmates attacked other inmates with impunity, and inmates and their associates outside prison threatened prison officials and their families. These conditions contributed to an unstable, dangerous environment in the penitentiary system. Media reported prison riots, violent confrontations, and killings between gang members in prisons throughout the year.

CONAPREV reported 13 violent deaths in prisons as of September. On June 17, a riot between alleged members of the 18th Street and MS-13 gangs in the maximum-security prison La Tolva in Moroceli, El Paraiso Department, resulted in five dead and 39 injured.

As of September the Secretariat of Human Rights reported the country's pretrial detention center held 33 individuals. The center, administered by the National Prison Institute, was on a military installation and received some support services from the military. The government used the pretrial detention center to hold high-profile suspects and those in need of additional security, including police and military officials. The government closed two pretrial detention centers in April due to low numbers of these types of pretrial detainees. Long periods of pretrial detention remained common and problematic, with many other pretrial detainees held in the general population with convicted prisoners.

Authorities did not generally segregate those with tuberculosis or other infectious diseases from the general prison population; as of September the National Prison Institute reported 106 prisoners had been treated for tuberculosis. The lack of space for social distancing combined with the lack of adequate sanitation made prison conditions even more life threatening during the COVID-19 pandemic. The Secretariat of Human Rights reported three prisoner deaths due to COVID-19 through September. There was limited support for persons with mental illnesses or disabilities. CONAPREV reported every prison had a functioning health clinic with at least one medical professional, but basic medical supplies and medicines were in short supply throughout the prison system. In most prisons only inmates who purchased bottled water or had water filters in their cells had access to potable water.

**Administration:** The judicial system is legally responsible for monitoring prison conditions and providing for the rights of prisoners. The government tasks CONAPREV with visiting prisons and making recommendations for protecting the rights of prisoners. CONAPREV conducted 138 visits to prisons as of September. Media noted that family members often faced long delays or were unable to visit detainees.

**Independent Monitoring:** The government generally permitted prison visits by

independent local and international human rights observers, including the International Committee of the Red Cross.

#### **d. Arbitrary Arrest or Detention**

The law prohibits arbitrary arrest and detention and provides for the right of any person to challenge the lawfulness of his or her arrest or detention in court. The Inter-American Commission on Human Rights reported that authorities at times failed to enforce these requirements effectively.

##### **Arrest Procedures and Treatment of Detainees**

The law provides that police may make arrests only with a warrant unless they make the arrest during the commission of a crime, there is strong suspicion that a person has committed a crime and might otherwise evade criminal prosecution, or they encounter a person in possession of evidence related to a crime. The law requires police to inform persons of the grounds for their arrest and bring detainees before a competent judicial authority within 24 hours. It stipulates that a prosecutor has 24 additional hours to decide if there is probable cause for indictment, whereupon a judge has 24 more hours to decide whether to issue a temporary detention order. Such an order may be effective for up to six days, after which the judge must hold a pretrial hearing to examine whether there is probable cause to continue pretrial detention. The law allows persons charged with some felonies to avail themselves of bail and gives prisoners the right of prompt access to family members. The law allows the release of other suspects pending formal charges, on the condition that they periodically report to authorities, although management of this reporting mechanism was often weak. The government generally respected these provisions. Persons suspected of any of 21 specific felonies must remain in custody, pending the conclusion of judicial proceedings against them. Some judges, however, ruled that such suspects may be released on the condition that they continue to report periodically to authorities. The law grants prisoners the right to prompt access to a lawyer of their choice and, if indigent, to government-provided counsel, although the public defender mechanism was weak, and authorities did not always abide by these requirements.

**Arbitrary Arrest:** CONADEH reported 38 reports of arbitrary arrest through

August. The Public Ministry reported seven cases of alleged illegal detention or arbitrary arrest as of September.

**Pretrial Detention:** Judicial inefficiency, corruption, and insufficient resources delayed proceedings in the criminal justice system, and lengthy pretrial detention was a serious problem. For crimes with minimum sentences of six years' imprisonment, the law authorizes pretrial detention of up to two years. The prosecution may request an additional six-month extension, but many detainees remained in pretrial detention much longer, including for more time than the maximum period of incarceration for their alleged crime. The law does not authorize pretrial detention for crimes with a maximum sentence of five years or less.

The law mandates that authorities release detainees whose cases have not yet come to trial and whose time in pretrial detention already exceeds the maximum prison sentence for their alleged crime. Nonetheless, many prisoners remained in custody after completing their full sentences, and sometimes even after an acquittal, because officials failed to process their releases expeditiously.

### **e. Denial of Fair Public Trial**

The law provides for an independent judiciary, but the justice system was poorly funded and staffed, inadequately equipped, often ineffective, and subject to intimidation, corruption, politicization, and patronage. Low salaries and a lack of internal controls rendered judicial officials susceptible to bribery. Powerful special interests, including organized criminal groups, exercised influence on the outcomes of some court proceedings.

### **Trial Procedures**

The law provides for the right to a fair and public trial; however, the judiciary did not always enforce this right.

The law presumes an accused person is innocent. The accused has the right to an initial hearing before a judge, to ask for bail, consult with legal counsel in a timely manner, have a lawyer provided by the state if necessary, and request an appeal. Defendants may receive free assistance from an interpreter. The law permits

defendants to confront witnesses against them and offer witnesses and evidence in their defense. Defendants may not be compelled to testify or confess guilt. Authorities generally respected these rights.

Credible observers noted problems in trial procedures, such as a lack of admissible evidence, judicial corruption, witness intimidation, and an ineffective witness protection program.

### **Political Prisoners and Detainees**

There were no credible reports of political prisoners or detainees.

### **Civil Judicial Procedures and Remedies**

The law establishes an independent and impartial judiciary in civil matters, including access to a court to seek damages for human rights violations. Litigants may sue a criminal defendant for damages if authorized by a criminal court. Individuals and organizations may appeal adverse domestic decisions to the Inter-American Human Rights System.

### **f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence**

Although the law generally prohibits such actions, a legal exception allows government authorities to enter a private residence to prevent a crime or in case of another emergency. There were credible complaints that police occasionally failed to obtain the required authorization before entering private homes. As of September CONADEH had received 33 complaints.

## **Section 2. Respect for Civil Liberties**

### **a. Freedom of Expression, Including for Members of the Press and Other Media**

The law provides for freedom of expression, including for members of the press and other media, with some restrictions, and the government generally respected this right. An independent press and a functioning democratic political system

combined to promote freedom of expression, including for members of the media.

The government allocated a budget of nearly 21 million lempiras (\$865,000) for the continued operation of a protection mechanism for journalists, human rights defenders, and judicial-sector operators. As of August it continued to provide protection to 12 journalists, among other types of activists and human rights defenders. Some nongovernmental organizations (NGOs) expressed concern regarding weak implementation of the law and limited resources available to operate the government's protection mechanism. Civil society organizations criticized the government's failure to investigate threats adequately.

The Honduran National Police's Special Victim's Investigations Unit, formerly known as the Violent Crimes Task Force, investigated crimes against high-profile and particularly vulnerable victims, including journalists as well as judges, lawyers, and members of the lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) community.

**Censorship or Content Restrictions:** Media members and NGOs stated the press self-censored due to fear of retaliation from organized criminal groups or corrupt government officials.

**Libel/Slander Laws:** Citizens, including public officials, may initiate criminal proceedings for libel and slander. No cases were reported during the year.

**Nongovernmental Impact:** Some journalists and other members of civil society reported threats from members of organized criminal groups. It was unclear how many of these threats were related to the victims' professions or activism. Several anonymous social media sites, possibly linked to political parties, criticized journalists (as well as activists and civil society organizations) who were critical of the government or opposition party policies.

### **Internet Freedom**

The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports that the government monitored private online communications without appropriate legal authority.

## **Academic Freedom and Cultural Events**

There were no government restrictions on academic freedom or cultural events.

### **b. Freedoms of Peaceful Assembly and Association**

The constitution provides for the freedoms of peaceful assembly and association, and the government generally respected these rights.

#### **Freedom of Peaceful Assembly**

The law provides for freedom of peaceful assembly, and the government generally respected this right. On October 7, in a special session held during the Francisco Morazan national holiday, the National Congress passed a change to the penal code expanding the definition of “encroachment” (trespassing) by designating streets and parks as protected spaces and redefining groups of protesters to include as few as two persons. The change increases the penalty from two to four years to four to six years. The law entered into force on November 1.

#### **Freedom of Association**

The law provides for freedom of association, and the government generally respected this right. The law prohibits illicit association, defined as gatherings by persons bearing arms, explosive devices, or dangerous objects with the purpose of committing a crime, and prescribes prison terms of two to four years and a moderate fine for anyone who convokes or directs an illicit meeting or demonstration. The law prohibits police from unionizing (see section 7.a.).

On October 7, the National Congress passed changes to the money-laundering law to designate civil society organizations as politically exposed persons due to organizations’ use of foreign aid. The designation requires banks to impose a higher level of scrutiny on politically exposed persons’ financial transactions.

### **c. Freedom of Religion**

See the Department of State’s *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

#### **d. Freedom of Movement and the Right to Leave the Country**

The law provides for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights. The national curfew instituted in response to COVID-19, however, limited the freedom of internal movement and affected the freedom to leave the country, including for individuals at risk of or subject to persecution or torture. The government ended the curfew on October 1.

**In-country Movement:** There were areas where authorities could not assure freedom of movement because of criminal activity and a lack of significant government presence.

#### **e. Status and Treatment of Internally Displaced Persons**

The Internal Displacement Monitoring Center estimated there were approximately 247,000 internally displaced persons (IDPs) due to violence in the country as of 2020. According to UN reports from 2020, transnational gang activity was a primary contributor to violence-related internal displacement. In addition the center estimated approximately 937,000 individuals were forcibly displaced by natural disasters during 2020. Official data on forced internal displacement, especially displacement due to violence, was limited in part because gangs controlled many of the neighborhoods that were sources of internal displacement (see section 6, Displaced Children). NGOs reported IDPs were at increased risk of victimization and exploitation by criminal groups, which was also often the cause of displacement.

The government maintained the Interinstitutional Commission for the Protection of Persons Displaced by Violence and created the Directorate for the Protection of Persons Internally Displaced by Violence within the Secretariat of Human Rights. The secretariat reported assisting 127 IDPs as of August. Both the secretariat and the commission focused on developing policies to address IDPs. Under the Comprehensive Regional Protection and Solutions Framework, with significant support from the Office of the UN High Commissioner for Refugees (UNHCR), the government continued to build capacity to provide services to vulnerable populations, including IDPs, those at risk of forced displacement, refugees, and

returned migrants. Despite incremental progress, government capacities remained relatively nascent and limited.

## **f. Protection of Refugees**

The government cooperated with UNHCR and other humanitarian organizations that provide protection and assistance to refugees and other persons of concern.

**Access to Asylum:** The law provides for granting asylum or refugee status. The government had a nascent system to provide legal protection to refugees. Its operations to receive and process cases were reliant on substantial support from UNHCR.

**Abuse of Migrants and Refugees:** Transiting migrants and asylum seekers with pending cases were vulnerable to abuse and sexual exploitation by criminal organizations. Women, children, and LGBTQI+ migrants and asylum seekers with pending cases were especially vulnerable to abuse. Asylum seekers and refugees continued to face acute protection risks in border zones.

## **Section 3. Freedom to Participate in the Political Process**

The law provides citizens the right to choose their government in free and fair periodic elections held by secret ballot and based on nearly universal and equal suffrage. The law does not permit active members of the military or civilian security forces to vote. The constitution prohibits practicing clergy from running for office or participating in political campaigns.

### **Elections and Political Participation**

**Recent Elections:** In November Xiomara Castro of the LIBRE Party won a four-year presidential term in elections that were generally considered free, fair, and transparent. Some NGOs reported irregularities, including late delivery of technology needed to transmit results, late opening of the polls, poll workers with varying degrees of preparation and knowledge of the electoral law and processes, and lack of transparency in campaign financing. International observers acknowledged some of these irregularities but reported they were not systematic and not widespread enough to affect the outcome of the presidential election.

Observers noted several significant improvements in transparency procedures, including electoral reforms, an updated voter registry and new national identification cards, and new technology that included a biometric verification system and a preliminary results transmission system.

**Participation of Women and Members of Minority Groups:** No laws limit the participation of women or members of minority groups in the political process, and they did participate.

## **Section 4. Corruption and Lack of Transparency in Government**

The law provides for criminal penalties for corruption by officials, but authorities did not implement the law effectively, and officials continued to engage in corrupt practices with impunity. There were numerous reports of government corruption during the year. A revision to the penal code that entered into force in June 2020 broadly reduces criminal penalties for corruption by officials. Inconsistent, retroactive implementation of provisions of the revised code led to logjams in the legal system and impunity for some of the accused. Backsliding occurred in cases brought during the four-year mandate of the OAS Mission to Support the Fight Against Corruption and Impunity in Honduras; several of its cases were dismissed or postponed as courts heard appeals based on the new code. The government took some steps to address corruption at high levels in government agencies, including arresting and charging senior officials on COVID-related procurement corruption. The government launched a new Ministry of Transparency in November 2020 to address some of these concerns. Anticorruption efforts remained an area of concern, as did the government's ability to protect justice-sector officials, such as prosecutors and judges. Civil society continued to criticize the law for classification of documents related to security and national defense, saying it limited transparency and allowed officials to use the classification of documents to obscure wrongdoing.

**Corruption:** The new trial of former first lady Rosa Elena Bonilla de Lobo on charges of fraud and misappropriation of public funds, originally set to commence in March, was twice delayed for medical reasons. Periodic medical evaluations

had not found Lobo healthy enough to proceed. Her most recent evaluation was in August, and the court declared her fit to stand trial in September. Her retrial was scheduled for February 2022.

Marco Bogran, former director of INVEST-H, the Honduran government entity tasked with providing coronavirus pandemic relief contracts to private firms, remained in pretrial detention awaiting his next court appearance, scheduled for January 31, 2022. Bogran was arrested in October 2020 on two corruption charges for embezzling an estimated 1.14 billion lempiras (\$47 million) in public funds and funneling a contract for mobile hospitals to his uncle, Napoleon Corrales. He was arrested again in April for separate but related charges.

In January the government funded the opening of a UN Office of Drugs and Crime office to begin a government transparency project and support the drafting of the country's first national anticorruption strategy.

## **Section 5. Governmental Posture Towards International and Nongovernmental Investigation of Alleged Abuses of Human Rights**

A wide variety of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were somewhat cooperative and responsive to their views, but some human rights organizations criticized government officials for lack of access and responsiveness.

**Government Human Rights Bodies:** A semiautonomous commissioner for human rights, Blanca Izaguirre, served as an ombudsperson and investigated complaints of human rights abuses. With offices throughout the country, the ombudsperson received cases that otherwise might not have risen to national attention. The Secretariat of Human Rights served as an effective advocate for human rights within the government. The Public Ministry's Office of the Special Prosecutor for Human Rights handled cases involving charges of human rights abuses by government officials. The Public Ministry also has the Special Prosecutor's Office for the Protection of Human Rights Defenders, Journalists, Social Communicators, and Justice Officials. There is also a Human Rights

Committee in the National Congress. The Ministries of Security and of Defense both have human rights offices that coordinate human rights-related activities with the Secretariat of Human Rights.

## **Section 6. Discrimination and Societal Abuses**

### **Women**

**Rape and Domestic Violence:** The law criminalizes all forms of rape of women or men, including spousal rape. The government considers rape a crime of public concern, and the state prosecutes rapists even if victims do not press charges. The penalties for rape range from nine to 13 years' imprisonment. The law was not effectively enforced, and weak public institutional structures contributed to the inadequate enforcement.

The law does not criminalize domestic violence but provides penalties of up to 12 years in prison for violence against a family member, depending on the severity of the assault and aggravating circumstances. If a victim's physical injuries do not reach the severity required to categorize the violence as a criminal act, the legal penalty for a first offense is a sentence of one to three months of community service. Survivors of domestic violence are entitled to certain protective measures, such as removing the abuser from the home and prohibiting the abuser from visiting the victim's work or other frequently visited places. Abusers caught in the act may be detained for up to 24 hours as a preventive measure. The law provides a maximum sentence of three years in prison for disobeying a restraining order connected with the crime of violence against a woman.

Civil society groups reported that women often did not report domestic violence or withdrew charges because they feared, or were economically dependent on, the aggressor. In addition women experienced delays in accessing justice due to police who failed to process complaints in a timely manner or judicial system officials who deferred scheduling hearings. Institutions such as the National Women's Institute attempted to enhance the government's response to domestic violence by opening three additional women's centers in the country. These efforts were insufficient due to limited political will, inadequate staffing, limited or no services in rural areas, absence of or inadequate training and awareness of domestic

violence among police and other authorities, and a pattern of male-dominant culture and norms.

In cooperation with the UN Development Program (UNDP), the government operated consolidated reporting centers in Tegucigalpa and San Pedro Sula where women could report crimes, seek medical and psychological attention, and receive other services. These reporting centers were in addition to the 298 government-operated women's offices – one in each municipality – that provided a wide array of services to women, focusing on education, personal finance, health, social and political participation, environmental stewardship, and prevention of gender-based violence.

**Sexual Harassment:** The law criminalizes sexual harassment, including in employment. Violators face penalties of one to three years in prison and possible suspension of their professional licenses, but the government did not effectively enforce the law.

**Reproductive Rights:** There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

Contraception supplies continued to be limited. The law prohibits the sale, distribution, and use of emergency contraception for any reason, including for survivors of sexual violence. The government provided victims of sexual violence access to other health-care services.

Although 74 percent of births were attended by skilled health care personnel, NGOs reported significant gaps in obstetric care, especially in rural areas. The World Bank reported in 2018 that the adolescent birth rate was 72 births per 1,000 girls ages 15 to 19.

**Discrimination:** Although the law accords women and men the same legal rights and status, including property rights in divorce cases, many women did not fully enjoy such rights due to barriers in access to justice and lack of information regarding legal protections. Most women in the workforce engaged in lower-status and lower-paying informal occupations, such as domestic service, without the benefit of legal protections. By law women have equal access to educational opportunities.

## **Systemic Racial or Ethnic Violence and Discrimination**

The law criminalizes discrimination based on race and ethnicity and includes crimes committed against individuals because of race or ethnicity as aggravating circumstances to increase penalties for criminal offenses. Nevertheless, social discrimination against racial and ethnic groups persisted, as did physical violence.

As of September the Public Ministry had received nine reports of racial or ethnic discrimination. CONADEH received four reports as of August.

On March 3, unknown assailants killed Martin Pandy, president of the Garifuna community of Corozal, and another community member. Pandy was a human rights and land rights activist.

The government's National Policy to Combat Racism and Racial Discrimination seeks to promote equality and combat discrimination related to the country's seven indigenous and two Afro-descendent groups, with a focus on social and political participation; access to education, health care, justice, and employment opportunities; and rights to ancestral lands and natural resources. NGOs reported the government did not effectively combat discrimination and promote equal access to government services or employment opportunities.

## **Indigenous Peoples**

In the 2013 census, approximately 8.5 percent of the population identified themselves as members of indigenous communities, but other estimates were higher. Indigenous groups included the Miskito, Tawahka, Pech, Tolupan, Lenca, Maya-Chorti, and Nahua. They had limited representation in the national government and consequently little direct input into decisions affecting their lands, cultures, traditions, and the allocation of natural resources.

Indigenous communities continued to report threats and acts of violence against them and against community and environmental activists. Violence was often rooted in a broader context of conflict over land and natural resources, extensive corruption, lack of transparency and community consultation, other criminal activity, and limited state ability to protect the rights of vulnerable communities.

Ethnic minority rights leaders, international NGOs, and farmworker organizations claimed the government failed to redress actions taken by security forces, government agencies, private individuals, and businesses to dislodge farmers and indigenous persons from lands over which they claimed ownership based on land reform law or ancestral land titles.

Persons from indigenous and Afro-descendant communities continued to experience discrimination in employment, education, housing, and health services. A 2019 Inter-American Commission on Human Rights report noted there were insufficient hospital beds and inadequate supplies at the only hospital that serviced Gracias a Dios Department, home to most of the Miskito community.

## **Children**

**Birth Registration:** Children derive citizenship by birth in the country, from the citizenship of their parents, or by naturalization.

**Child Abuse:** Child abuse remained a serious problem. The law establishes prison sentences of up to two and one-half years for child abuse. As of June the Violence Observatory reported killings of 80 persons younger than 18.

**Child, Early, and Forced Marriage:** The minimum legal age of marriage for both boys and girls is 18. According to UNICEF, 34 percent of women and 12 percent of men ages 20 to 24 married before age 18.

**Sexual Exploitation of Children:** The commercial sexual exploitation of children, especially in sex trafficking, remained a problem. The country was a destination for child sex tourism, particularly in the tourist area of the Bay Islands. The legal age of consent is 18. There is no statutory rape law, but the penalty for rape of a minor younger than 14 is 12 to 17 years in prison, or nine to 13 years in prison if the victim is 14 or older. Penalties for facilitating child sex trafficking are six to 12 years in prison and monetary fines. The law prohibits the use of children younger than 18 for exhibitions or performances of a sexual nature or in the production of pornography.

**Displaced Children:** Civil society organizations reported that common causes of forced displacement for youth included death threats for failure to pay extortion,

attempted recruitment by gangs, witnessing criminal activity by gangs or organized criminal groups, domestic violence, attempted kidnappings, family members' involvement in drug dealing, victimization by traffickers, rape including commercial sexual exploitation by gangs, discrimination based on sexual orientation or gender identity, sexual harassment, and discrimination for having a chronic medical condition.

**International Child Abductions:** The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data/reported-cases.html>.

## **Anti-Semitism**

The Jewish community numbered approximately 275 members. There were no reports of anti-Semitic acts.

## **Trafficking in Persons**

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

## **Persons with Disabilities**

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities. The Public Ministry is responsible for prosecuting violations. The law requires that persons with disabilities have access to buildings, but few buildings were accessible, and the government did not effectively implement laws or programs to provide such access.

Through August CONADEH received six reports of discrimination against individuals with disabilities. The Public Ministry received one report of discrimination based on an individual's disability as of September. The incident allegedly occurred in a place of employment.

The government has an Office for Persons with Disabilities located within the

Ministry of Development and Social Inclusion, but its ability to provide services to persons with disabilities was limited. Mental health professionals expressed concern regarding social stigma by families and communities against persons with mental disabilities and a lack of access to mental health care throughout the country.

According to government estimates, children with disabilities attended school at a lower rate than the general population. World Bank statistics from 2020 put net enrollment for primary school above 90 percent, but the National Center for Social Sector Information stated that 43 percent of persons with disabilities received no formal education.

### **HIV and AIDS Social Stigma**

Persons with HIV and AIDS continued to be targets of discrimination, and they suffered disproportionately from gender-based violence.

### **Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation and Gender Identity**

The Cattrachas Lesbian Network reported 17 violent deaths of LGBTQI+ persons as of August. On March 28, transgender activist Vanessa Zuniga was killed in Tela, Atlantida Department. Vanessa worked as a volunteer in the Association for Prevention and Education in Health, Sexuality, AIDS, and Human Rights.

Same-sex sexual activity has been legal since 1899; however, same-sex couples and households headed by same-sex couples are not eligible for the same legal protections available to opposite-sex married couples. The law criminalizes discrimination based on sexual orientation and gender identity characteristics and includes crimes committed against individuals because of their sexual orientation or gender identity as aggravating circumstances to increase penalties for criminal offenses. Nevertheless, social discrimination against LGBTQI+ persons persisted, as did physical violence. Impunity for such crimes remained high, as was the impunity rate for all types of crime.

LGBTQI+ rights groups asserted that government agencies and private employers engaged in discriminatory hiring practices. Transgender women were particularly

vulnerable to employment and education discrimination; many could find employment only as sex workers, increasing their vulnerability to violence and extortion. Transgender persons are prohibited from changing their legal gender status.

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The law grants workers the right to form and join unions of their choice, bargain collectively, and strike. It prohibits employer retribution against employees for engaging in trade union activities. The law places restrictions on these rights, such as requiring that a recognized trade union represent at least 30 workers, prohibiting foreign nationals from holding union offices, and requiring that union officials work in the same substantive area of the business as the workers they represent. The law prohibits members of the armed forces and police, as well as certain other public employees, from forming labor unions.

The law requires an employer to begin collective bargaining once workers establish a union, and it specifies that if more than one union exists at a company, the employer must negotiate with the largest.

The law allows only local unions to call strikes, prohibits labor federations and confederations from calling strikes, and requires that a two-thirds majority of both union and nonunion employees at an enterprise approve a strike. The law prohibits workers from legally striking until after they have attempted and failed to come to agreement with their employer, and it requires workers and employers to participate in a mediation and conciliation process. In addition the law prohibits strikes in a wide range of economic activities that the government has designated as essential services or that it considers would affect the rights of individuals in the larger community to security, health, education, and economic and social well-being.

The law permits workers in public health care, social security, staple food production, and public utilities (municipal sanitation, water, electricity, and telecommunications) to strike if they continue to provide basic services. The law

also requires that public-sector workers involved in the refining, transportation, and distribution of petroleum products submit their grievances to the Secretariat of Labor and Social Security (STSS) before striking. The law permits strikes by workers in export-processing zones and free zones for companies that provide services to industrial parks, but it requires that strikes not impede the operations of other factories in such parks. The STSS has the power to declare a work stoppage illegal, and employers may discipline employees consistent with their internal regulations, including by firing strikers, if the STSS rules that a work stoppage is illegal.

The government did not effectively enforce the law. Employers frequently refused to comply with STSS orders that required them to reinstate workers who had been dismissed for participating in union activities. Both the STSS and the courts may order a company to reinstate workers, but the STSS lacked the personnel and transportation resources to verify compliance. By law the STSS may fine companies that violate the right to freedom of association. The law permits fines, and while the monetary penalty is commensurate with those for other laws involving denials of civil rights, such as discrimination, the failure of the government to collect the fines facilitated continued labor law violations.

Workers had difficulty exercising the rights to form and join unions and to engage in collective bargaining, and the government failed to enforce applicable laws effectively. Public-sector trade unionists raised concerns regarding government interference in trade union activities, including its suspension or ignoring of collective agreements and its dismissals of union members and leaders.

Some employers either refused to engage in collective bargaining or made it very difficult to do so. Some companies also delayed appointing or failed to appoint representatives for required STSS-led mediation, a practice that prolonged the mediation process and impeded the right to strike. There were allegations that companies used collective pacts, which are collective contracts with nonunionized workers, to prevent unionization and collective bargaining because only one collective contract may exist in each workplace. Unions also raised concerns regarding the use of temporary contracts and part-time employment, suggesting that employers used these mechanisms to prevent unionization and avoid providing full benefits. The government investigated violence and threats of violence against

union leaders. Impunity for such crimes remained high, as was the impunity rate for all types of crime.

On April 23, the Public Ministry arrested and charged Josue Exequiel Martinez Martinez, Siriaco Mejia Santos, Francisco Lopez Lazo, and Mario Anibal Lopez Velasquez for the December 2020 murder of Felix Vasquez. Vasquez was the leader of the Union of Field Workers, a member of the Lenca community, an environmental activist, and a LIBRE Party candidate for Congress. The accused were in pretrial detention awaiting the next phase of the judicial process.

## **b. Prohibition of Forced or Compulsory Labor**

The law prohibits all forms of forced labor, but the government did not effectively implement or enforce the law. Administrative penalties were insufficient to deter violations and were rarely enforced. On October 7, the National Congress increased penalties for forced labor under the trafficking-in-persons article of the penal code from five to eight years' imprisonment to 10 to 15 years, bringing the penalties in line with the penalties for other analogous serious crimes, such as kidnapping. Authorities often did not effectively enforce the law.

Forced labor occurred in street vending, domestic service, the transport of drugs and other illicit goods, other criminal activity, and the informal sector. Victims were primarily impoverished individuals in both rural and urban areas (see section 7.c.). Children, including from indigenous and Afro-descendant communities, particularly Miskito boys, were at risk for forced labor in the agriculture, manufacturing, fishing, mining, construction, and hospitality industries. The law requires prisoners to work at least five hours a day, six days a week. Regulations for implementing the law remained under development as of November. The Secretariat of Human Rights stated it was taking every precaution to protect prisoners' rights and assure that the work provided opportunities for prisoners to develop skills they could use in legal economic activities after their release.

Also see the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

### **c. Prohibition of Child Labor and Minimum Age for Employment**

The law prohibits all the worst forms of child labor. The law regulates child labor, sets the minimum age for employment at age 14, and regulates the hours and types of work that minors younger than 18 may perform. By law all minors between the ages of 14 and 18 in most industries must receive special permission from the STSS to work, and the STSS must perform a home study to verify that there is an economic need for the child to work and that the child does not work outside the country or in hazardous conditions, including in offshore fishing. The STSS did not approve any authorizations through September. Most children who worked did so without STSS permits. If the STSS grants permission, children between 14 and 16 may work a maximum of four hours a day, and those between 16 and 18 may work up to six hours a day. The law prohibits night work and overtime for minors younger than 18, but the STSS may grant special permission for minors between the ages of 16 to 18 to work in the evening if such employment does not adversely affect their education.

The law requires individuals and companies that employ more than 20 school-age children at their facilities to provide a location for a school.

The government did not effectively enforce the law. Fines for child labor were not sufficient to deter violations and not commensurate with penalties for other analogous serious crimes, such as kidnapping. The law also imposes prison sentences of up to two years, eight months for child labor violations that endanger the life or morality of a child age 16 or 17 and up to three years, four months for children younger than 16. The STSS completed 29 child labor inspections as of September and identified 13 minors working without permission. Estimates of the number of children younger than 18 in the country's workforce ranged from 370,000 to 510,000. Children often worked on melon, coffee, okra, and sugarcane plantations as well as in other agricultural production; scavenged at garbage dumps; worked in the forestry and fishing sectors; worked as domestic servants; peddled goods such as fruit; begged; washed cars; hauled goods; and labored in limestone quarrying and lime production. Most child labor occurred in rural areas. Children often worked alongside family members in agriculture and other work, such as fishing, construction, transportation, and small businesses. Some of the worst forms of child labor occurred, including commercial sexual exploitation of

children, and NGOs reported that gangs often forced children to commit crimes (see section 6, Children).

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings>.

#### **d. Discrimination with Respect to Employment and Occupation**

The law prohibits employment discrimination based on gender, age, sexual orientation, gender identity, political opinion or affiliation, marital status, race or ethnicity, national origin, language, place of residence, religion, family or economic situation, disability, or health. Penalties include prison sentences of up to two years and monetary fines. The law prohibits employers from requiring pregnancy tests as a prerequisite for employment; penalties were not sufficient to deter violations. The government did not effectively enforce these laws and regulations, although penalties were commensurate with laws related to civil rights, such as election interference. The law states that a woman's employment should be appropriate according to her physical state and capacity. There were no reports of this law being used to limit women's employment.

Many employers discriminated against women. Persons with disabilities, indigenous and Afro-descendant persons, LGBTQI+ persons, and persons with HIV or AIDS also faced discrimination in employment and occupation (see section 6).

#### **e. Acceptable Conditions of Work**

**Wage and Hour Laws:** There are 45 categories of monthly minimum wage, based on the industry and the size of a company's workforce; the minimum average was above the poverty line. The law does not cover domestic workers, the vast majority of whom were women.

The law applies equally to citizens and foreigners, regardless of gender, and prescribes a maximum eight-hour shift per day for most workers, a 44-hour workweek, and at least one 24-hour rest period for every six days of work. It also provides for paid national holidays and annual leave. The law requires overtime pay, bans excessive compulsory overtime, limits overtime to four hours a day for a

maximum workday of 12 hours, and prohibits the practice of requiring workers to complete work quotas before leaving their place of employment.

In some industries, including agriculture, domestic service, and security, employers did not respect maternity rights or pay minimum wage, overtime, or vacation. In these sectors employers frequently paid workers for the standard 44-hour workweek irrespective of any additional hours they worked. In security and domestic service sectors, workers were frequently forced to work more than 60 hours per week but paid only for 44 hours.

The STSS is responsible for enforcing the national minimum wage, hours of work, and occupational health and safety law, but it did so inconsistently and ineffectively. Civil society continued to raise problems with minimum wage violations, highlighting agricultural companies in the south as frequent violators. The law permits fines, and while the monetary penalty is sufficient to deter violations and commensurate with the penalties for similar crimes, such as fraud, the failure of the government to collect those fines facilitated continued labor code violations. As of September inspectors conducted 8,846 total inspections, compared with 4,102 total inspections for the same period in 2020. The number of inspections increased significantly as the STSS resumed normal inspections, suspended in 2020 due to the COVID-19 pandemic. As of September the STSS had an insufficient number of inspectors to enforce the law effectively.

Because labor inspectors continued to be concentrated in Tegucigalpa and San Pedro Sula, full labor inspections and follow-up visits to confirm compliance were far less frequent in other parts of the country. Many inspectors asked workers to provide them with transportation so that they could conduct inspections, since the STSS could not pay for travel to worksites. Credible allegations of corruption in the STSS continued.

**Occupational Safety and Health:** The government did not effectively enforce occupational safety and health standards, particularly in the construction, garment assembly, and agricultural sectors, as well as in the informal economy. Penalties for violations of occupational safety and health law were commensurate with penalties for similar crimes. There was no information available on any major industrial accidents. Employers rarely paid the minimum wage in the agricultural

sector and paid it inconsistently in other sectors. Employers frequently penalized agricultural workers for taking legally authorized days off. Health-care workers protested the lack of adequate protective equipment and delayed salary payments during the COVID-19 pandemic.

By law workers may remove themselves from situations that endanger their health or safety without jeopardizing continued employment. Under the new inspection law, the STSS has the authority temporarily to shut down workplaces where there is an imminent danger of fatalities; however, there were not enough trained inspectors to deter violations sufficiently.

While all formal workers are entitled to social security, there were reports that both public- and private-sector employers failed to pay into the social security system. The STSS may levy a fine against companies that fail to pay social security obligations, but the amount was not sufficient to deter violations.

**Informal Sector:** According to the STSS, approximately 75 percent of workers worked in the informal economy, equivalent to approximately 2.7 million persons. There were different methodologies to measure the size of the informal economy, and a March 2020 UNDP report estimated that 82 percent of workers were part of the informal economy. This definition included workers who did not contribute to any form of social security protection, and thus it may have undercounted underemployed workers who rely on jobs in both the formal and informal sectors. According to UNDP data, informal workers played a large role in nearly every industry, including agriculture and fishing; mining; manufacturing; utilities; construction; wholesale retail, hotels, and restaurants; transport and storage; and personal services. These workers are not covered by the contributory social security system and are not protected by the labor code.

# URGENT ACTION

## ATTACK ON SEXUAL AND REPRODUCTIVE RIGHTS

On 21 January, the Honduran Congress approved the first reading of a bill that would reform the Constitution to increase the number of votes needed to change the articles that prohibit abortion and marriage between people of the same sex. If ratified, the bill would effectively block future attempts to decriminalize abortion under any circumstances or to legislate in favour of equal marriage. The bill must be ratified by three quarters of the Congress and will be discussed on 28 January. It is expected to be voted on this same day. We demand Congress to reject this pernicious bill.

### TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

**Mr. Mauricio Oliva**  
**President of the Congress**  
Calle Bolívar, Tegucigalpa M.D.C. 11101  
Email: molivah08@hotmail.com  
Twitter: @DrMauriciolivaH

Dear Mauricio Oliva,

*We write to you as we are extremely concerned about the implications of a bill that was recently approved by the Congress of Honduras in its first reading and will be imminently presented to Congress for ratification. By seeking to make it essentially impossible to block any future attempts to change Honduras' legislation regarding access to abortion and marriage equality, the bill represents a shameful attack on sexual and reproductive rights and a serious breach of Honduras' international human rights obligations.*

*If ratified, the bill would perpetuate a violation of human rights, specifically the sexual and reproductive rights that women, girls, people with reproductive capacity and LGBTI people have suffered for decades in Honduras.*

*Restricting access to abortion causes a serious and urgent public health problem, leading to avoidable deaths of women and pregnant people, generally from the most vulnerable sectors of the population. A vote in favour of this bill is a vote in favour of clandestine abortions and a vote against public health and human rights.*

*Equally, by continuing down the path of prohibiting marriage between people of the same sex, Honduras will sustain inequalities, perpetuate discrimination and stigmatization of LGBTI people, preventing them from enjoying a whole range of other rights. Same-sex relationships need to be recognized equally and on the same basis and with the same rights as those of opposite-sex couples.*

***Therefore, we call on to you to honour your commitment and meet Honduras's obligations under international human rights law to respect, protect, and fulfil the rights of women, girls and LGBTI people to life, health, autonomy and dignity by rejecting this pernicious bill.***

Yours sincerely,

## ADDITIONAL INFORMATION

In April 2017, Honduras missed a historic opportunity to protect women's rights and guarantee them access to safe and legal abortion. Despite recommendations made by International human rights [bodies](#) and [mechanisms](#), the National Congress of Honduras decided to maintain the total ban on abortion.

Under the new Penal Code that entered into force in June 2020, abortion continues to be criminalized in all cases, including when the life and health of the woman is at risk or when the pregnancy is the result of sexual violence. Honduras is one of nine countries in the world that continues to prohibit any form of abortion.

According to an analysis based on data from the Ministry of Health in 2018, the NGO Women's Rights Center noted that 75% of maternal hospital deaths could have been prevented if the pregnancy had been terminated. During the analysis of legal files of women of women criminalized for abortion, CDM also found 47 criminal files against women prosecuted for abortion.

Marriage between people of the same sex is also explicitly prohibited in the Honduran Constitution.

**PREFERRED LANGUAGE TO ADDRESS TARGET: SPANISH**

You can also write in your own language.

**PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 25 February 2021**

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

**NAME AND PREFERRED PRONOUN: Honduran women at risk (Them, theirs)**

**LINK TO PREVIOUS UA: n/a**



(AP Photo/Oliver de Ros)

8 MAR 2022 | NEWS

## Little to Celebrate: 5 Facts about Women and Violence in El Salvador, Guatemala and Honduras

Women and girls in El Salvador, Guatemala and Honduras, known as the Northern Triangle of Central America, confront extreme levels of gender-based violence, which is worsened by corruption, weak institutions, and a culture of impunity toward perpetrators. For marginalized, indigenous and Afro-descendent women and for the many at the forefront of social movements, accessing protection and justice is even more challenging due to the lack of political will and many capacity gaps within the criminal justice systems.

Women make up more than [half the population](#) of the Northern Triangle and are the main breadwinners in the vast [majority](#) of single-headed [households](#). However, gender-based violence and impunity force many to flee their homes to other cities and towns or leave their countries in an attempt to reach other countries, including the United States.

Strengthening justice systems to reduce impunity and developing comprehensive mechanisms and policies to tackle gender-based violence, working alongside civil society organizations, should be a top priority for these governments.

Here are five facts that demonstrate why authorities must do more to ensure women and girls can enjoy a life free from violence and abuse:

- 1. Women in the region face some of the highest homicide rates in the world. At 13.8 per 100,000, El Salvador’s rate was the highest in the region in 2017, although many females’ killings were not appropriately classified as femicide. Guatemala does appropriately classify the majority of killings of women, but Honduras does so the least of the three countries.**

Sources: [World Bank](#), [ORMUSA](#), [ICCPG](#).

- 2. Thousands of women report violence in their homes every year – more than 57,000 in 2020 in Guatemala alone. The true figure is likely significantly higher, as officials do not always document their cases, and many women are too afraid to speak up amidst threats to their lives and few places to seek shelter.**

Number of Reports of Domestic and Intrafamilial Violence and Violence against Women

	El Salvador	Guatemala	Honduras
2018		55,965	6,286
2019	2,621*	59,605	10,553
2020	1,407	57,292	
2021	1,310		

Sources: [ICCPG Mirador Judicial](#) for Guatemala, [ORMUSA](#) for El Salvador, [IUDPAS](#) for Honduras.

**3. Sexual assault and rape are also common, and underreported, across the region. The vast majority of cases are never investigated.**

Number of Reports for Rape and Other Sexual Violence

	El Salvador	Guatemala	Honduras
2017	4253	14,382	2960
2018		14,588	2971
2019		14,995	2781
2020	2665		2146
2021	3284		

Source: [WOLA Central America Monitor](#) and [ORMUSA](#) for El Salvador (2020 and 2021).

**4. Less than 20 percent of police in each country are women. This is problematic because it deprives abuse survivors of a place where they can feel safe to report the crimes they suffer.**

Percentage of Females in Police Force

	El Salvador	Guatemala	Honduras
2017	15.4	14.7	18.6
2018		14.9	18.9
2019		15.6	20
2020		15.7	19.1

Source: [Central America Monitor](#).

**5. In all three countries, women constitute a large share of justice sector workers. In Honduras, for example, the majority of judges and public defenders are women. In El Salvador, the majority of public defenders and prosecutors are women. But, serious barriers to obtaining justice, including limited investigations, case overload and corruption, mean impunity prevails in the majority of cases of violence against women.**

Percentage of Female Judges

	El Salvador	Guatemala	Honduras
2014	49	42.5	48
2015		41.5	53
2016		42.2	53
2017		40.5	53

Source: [WOLA Central America Monitor](#).

Percentage of Female Public Defenders

	El Salvador	Guatemala	Honduras
2014	58	46.2	66
2015		46.9	66
2016		48.2	66

2017	47.2	68
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Source: [WOLA Central America Monitor](#).

Most of the information presented above is part of WOLA's Central America Monitor. Visit <https://www.wola.org/central-america-monitor/> to learn more about human rights, gender, violence, corruption and other issues affecting the region.

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## **Crisis in Honduras: Ongoing violence and climate shocks**

Here are three reasons the International Rescue Committee’s Emergency Watchlist ranks Honduras among 20 countries most at risk of worsening humanitarian crisis in 2022.

January 26, 2022

### **HONDURAS CRISIS FACTS**

- Population: 10.1 million
- 2.8 million people in need of humanitarian aid
- 36% of funding received for 2021 Humanitarian Response Plan
- One woman killed every 36 hours
- 937,000 disaster-induced displacements in 2020
- 3.3 million people facing crisis or worse levels of food insecurity in 2022

### **Support the IRC's response**

Chronic violence, climate crisis and the impacts of COVID-19 have deepened humanitarian needs and driven displacement. Here’s what you need to know about the growing crisis in Honduras.

Since 2020, the number of Hondurans in need of humanitarian assistance has more than doubled, while food insecurity has increased due to consecutive climate shocks, rising food prices and the economic impacts of COVID-19. Nearly 3.3 million people, or one in three Hondurans, were experiencing crisis or worse levels of food insecurity by late 2021. While Honduras is not seeing the political armed conflict common in most Watchlist countries this year, criminal gang violence is widespread. Allegations that senior politicians had been benefiting financially from the drug trade contributed to the unrest.

“Already vulnerable people in Honduras live in an evolving humanitarian crisis,” says IRC protection coordinator Zuleyma Chahin. “Women, children, the LGBTQ+ community, and returnees face ever growing conflict and risks, from the effects of climate change to the impacts of COVID-19 and violence—at home and on the streets.”



A Honduran woman and her children manage to cross the remnants of a bridge destroyed by Hurricane Iota.

Photo: Getty images for the IRC

### **Humanitarian risks in 2022**

#### **Chronic violence will continue to cause major displacement and create particular risks for women and children.**

Gang violence and organized crime are leading causes of displacement from Honduras. While homicide rates have dropped in recent years, Honduras is still the most dangerous country in the region, with 38 homicides per 100,000 people. Gender-based violence in Honduras is also among the highest in the region and has increased during the pandemic. Indeed, Honduras is seeing a plague of “femicides”—a woman is murdered every 36 hours, mostly by an intimate partner. Many women are choosing to flee the violence in their communities. In addition, gang recruitment of minors has contributed to the increasing numbers of families and unaccompanied children leaving Honduras for Mexico, some planning to travel onward to the U.S.. So long as violence in Honduras continues without impunity, major displacement will persist in 2022.

#### **Climate-induced crises will contribute to food insecurity and economic decline.**

Category 5 hurricanes Eta and Iota hit Honduras in November 2020 and have had enduring impacts on farmers—and the public generally—by destroying subsistence farms, killing livestock by the hundreds of thousands and reducing agricultural production. The storms, among other shocks, led to higher levels of food scarcity while weakening the state’s capacity to cope with displacement. Honduras is exposed to other climate shocks as well. Prolonged droughts have undermined food production, while in October 2021 a wildfire in the Guanaja region affected thousands.

## **COVID-19 is deepening health needs.**

Access to health care services was a concern in Honduras prior to the pandemic, particularly for rural and economically marginalized communities. Poor health infrastructure and limited access to sanitation services has contributed to the spread of the virus. As a result, humanitarian needs for food, health, nutrition and protection have increased. With just 39% of the population fully vaccinated as of December 2021, the health risks associated with the pandemic will remain a concern long into 2022.

Along with Honduras, the IRC also identified Haiti and Venezuela as the countries most at risk of experiencing deteriorating humanitarian [crises in 2022 in Latin America and the Caribbean](#).

Read more about the [top 10 crises the world can't ignore in 2022](#), learn [how the IRC selected these countries](#), and download the full [2022 Emergency Watchlist report](#) for data citations and profiles of all 20 crisis countries on the IRC's list.

## **Urgent focus for a new administration**

The inauguration of Xiomara Castro, elected Honduras's first female president, is scheduled for January 27 with U.S. vice president Kamala Harris, King Felipe VI of Spain and other world leaders slated to attend.

The IRC is [calling for stronger international cooperation](#) to address the humanitarian crisis that displaces hundreds of thousands from Honduras, [El Salvador](#) and Guatemala every year.

"Women, children and the LGBTQ+ community are the ones most affected and we have seen the demand for services skyrocket, while the organizations delivering aid need increased resources to be able to staff up to meet the urgent needs," says Meg Galas, director for northern Central America at the IRC.

*Women, children and the LGBTQ+ community are the ones most affected and we have seen the demand for services skyrocket...*

"It is essential to address the root causes of forced migration, a strategy that the current U.S. administration is adopting. At the same time, we need to acknowledge that it will take time for systems to change, but families across Honduras cannot wait—they have immediate needs to be safe and secure. We need to address these immediate needs too."

## **How the IRC helps in Honduras**

The IRC serves people and families in vulnerable situations or at increased risk for violence and displacement, including those who are uprooted by violence or returning after seeking safety in other countries. We provide cash to help people meet basic needs. We provide specialized support for survivors of gender-based violence; create safe spaces for women, youth and the LGBTQ+ community; and also offer psychosocial counseling and social work support. We also provide critical, up-to-date information and support from trained moderators through [CuéntaNos](#), a digital platform that is part of the Global Signpost project.



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Story

## Violence against women, the other pandemic impacting Honduras

08 December 2021



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## End Violence against Women and Girls Now! #16Days of Activism #OrangeTheWorld

“I was housebound. My partner did not like me to go out, not even to church. If I did, I would get beaten up”, explained a survivor of gender-based violence—who spoke anonymously with us to protect her safety—during a visit of UN authorities to a safe house.

Honduras has the highest femicide rate in the Latin American region, with **6.2 cases per 100,000 inhabitants**. In 2020, **278 women were murdered in the country** and, as of November 2021, more than 240 women have lost their lives violently.

During the pandemic, violence cases against women increased significantly; the number of emergency calls rose to 282 per day.

# Laws to support survivors



Caption: Ana Cruz of Asociación Calidad de Vida, an anti-violence organization.

Photo: © UN Honduras

“Our message is that we shouldn’t leave women’s and feminist institutions that fight to eradicate violence against women alone [on their mission]”, said Ana Cruz of Asociación Calidad de Vida, an anti-violence organization. “It is urgent to pass the law on safe houses where women who manage to get away from violent situations are taken care of”.

The law on safe houses, which has been stalled in the National Congress since 2018, aims to recognize and fund safe houses to provide care for survivors of multiple forms of violence, ensuring their wellbeing and that of their families. Civil society continues to advocate for this law to be passed and the United Nations has joined in these efforts.

"My respect to the brave women survivors of domestic violence! My appreciation and congratulations to Ana Cruz and the fantastic work of safe houses! The law on safe houses needs to be passed!", expressed the UN Resident Coordinator in Honduras, Alice Shackelford, on Twitter.



Caption: UN Resident Coordinator in Honduras, Alice Shackelford meets with survivors at a local safe house.

Photo: © UN Honduras

## Mobilizing the public for positive change

Massay Crisantho is one of the 21 most influential people named ambassadors to help advocate on ending violence against women and girls by the United Nations in Honduras.

“Through this initiative I can be a spokesperson for women who experience this type of violence and I can use my platforms to inform and raise awareness about the issue in a male-dominated society where we normalize this type of situation”, said Massay Crisantho, who is an activist and advocate for the human rights and the culture of the Garifuna ethnic community.



Caption: Activist Massay Crisantho uses her influence and far-reaching platforms to advocate for the rights of women and girls in the country.

Photo: © UN Honduras/Allan Chan

It is not only women who must strengthen a social movement that contributes to breaking gender stereotype paradigms and cycles of sexism that lead to gender-based violence.

"I think it is important that young people, and particularly men, raise awareness about this type of violence," added Daniel Vijil, from the youth institution El Milenio. "Indeed, women are the affected ones, but as men, we have a greater opportunity to influence other men and make them reflect on how we impact our sisters, friends and colleagues with our behaviour".

## Education as a force for change

The United Nations Population Fund ([UNFPA](#)), through the [Spotlight Initiative](#) and in partnership with civil society organizations, launched the "The Other Pandemic" campaign in order to activate a social movement to address and prevent gender-based violence.

"I am a survivor of domestic violence and I am lucky to be alive," said Rosa Maria Perez at the launch of the campaign. "Two years ago, I came asking for help at a time when I couldn't take it anymore, to the extent that I intended to attempt against my life, with no hope for anything. Shall I live on, or shall I die? My decision was to die." The campaign includes a docuseries in which the testimonies of women survivors, like Rosa María, are central to raise awareness among the Honduran population on zero tolerance of all forms of violence against women and girls. The campaign and its different audiovisual assets have been broadcasted by over 15 media outlets nationwide and free of charge, including the country's most-watched TV network.

## The role of data to help end violence against women



Caption: On 25th November, women and men rallied together to raise awareness of the increasing femicide rates and growing violence against women and girls at a UN-supported event.

Photo: © UN Honduras

Media activism must be part of the change of paradigm; data plays a key role in understanding the impact on the Honduran population of how media report on violence against women. A large number of media have distorted the population's perception on violence against women by informing about it in a way that makes it seem as if these are isolated cases, when the reality is that this is an endemic issue in the Honduran society.

A study conducted by the Spotlight Initiative and civil society partners—including the University Institute for Democracy, Peace and Security (IUDPAS) of the National Autonomous University of Honduras (UNAH) and the communications company Sien—provided data on how media messages about violence against women are framed in the news.

Among the findings is that nine out of 10 news stories promote the dissemination of morbid details, include inadequate justifications and stereotypical reporting, which adds on to the misrepresentation of reality, which affects how this type of news is understood and interpreted by the public. As a result of this study, [UN Women](#) will be organizing trainings for media outlets on objective and respectful journalism in these types of subjects.

During the presentation of these findings, Alice Shackelford called for "changing the narrative and expressing our intolerance towards this type of violence".

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**"The issue of gender-based violence is a central human rights issue. The women who have lost their lives violently this year are women who can no longer contribute to the economy and development of Honduras", she regretted.**

In Honduras, the United Nations is committed to continue working together with a wide range of sectors of the country in achieving a more just and equitable society, where it isn't dangerous to be a woman.

*Story written by Maria Elena Cálix, Communications and Advocacy Officer at the Office of the Resident Coordinator in Honduras. Pilar Lagos, Allan Chan, and Paul VanDeCarr from the Development Coordination Office (DCO) provided editorial support. For more information on the work of the United Nations in Honduras, visit [Honduras.UN.org](https://honduras.un.org). To find out more about the results of our work in this area and in others, read the [UNSDG Chair's report on the Office for Development Coordination](#).*

## UN entities involved in this initiative

### UN WOMEN

United Nations Entity for Gender Equality and the Empowerment of Women

### UNFPA

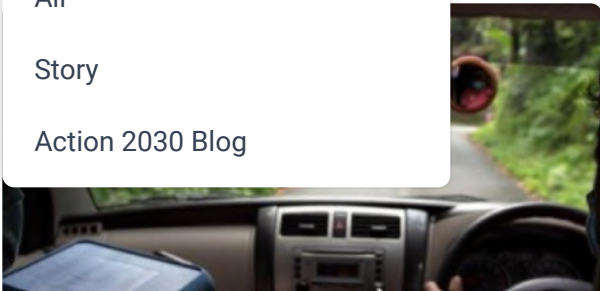
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# UNHCR urges more effective action against gender-based violence in the north of Central America

06 December 2021 | [Español](#) | [Français](#) | [عربي](#)



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murdered. During the attack, she was also shot four times and had to have her leg amputated. \*Name changed for protection reasons © UNHCR/Daniel Dreifuss

In response to alarming levels of gender-based violence in the north of Central America, UNHCR, the UN Refugee Agency, is calling for more effective, innovative and immediate measures to protect the rights of women, girls and LGBTIQ+ people on the move in the region.

Gender-based violence, often underreported and statistically invisible, is one of the primary push factors driving women, girls and members of the LGBTIQ+ community to flee their homes in El Salvador, Honduras and Guatemala. At the same time, it is one of the key risks they face as they search for safety.

The situation became critical during pandemic-related lockdowns, which heightened incidents and risks. Once border restrictions on movements were lifted in recent months, women and girls were prominent among the unprecedented number of people who were forced to flee their homes.

“It is unacceptable that gender-based violence continues to drive women, girls and LGBTIQ+ people from their homes and remains one of the major risks they face during their displacement. National authorities must ensure they are able to access asylum and seek protection, and scale up prevention and response measures,” said Gillian Triggs, UNHCR’s Assistant High Commissioner for Protection.

Street gangs frequently target women and girls, forcing them into sexual slavery. Criminals also use sexual assault – or the threat of it – as a weapon to force family members into illicit activities. When women and girls are perceived as having ties to a particular gang, they can be targeted by rivals. Women and girls can also suffer abuse or rape, or even be killed as part of gang initiation rites.

A [recent study](#) in Honduras showed that violence against women was a determining factor in displacement, particularly for those who had leadership roles and relationships with members of gangs or security forces.

LGBTIQ+ people, especially trans-gender women, are also particularly vulnerable to extortion, exploitation and persecution. In El Salvador, the NGO Comcavis Trans reports that nearly two-thirds of the LGBTIQ+ people they assisted this year were fleeing from criminal gangs, with death threats given as the primary reason. In Honduras, the NGO Cattrachas reports 373 violent murders of LGBTIQ+ persons since 2009.

But even when they flee for safety, many women, girls and members of the LGBTIQ+ community are vulnerable to trafficking, assault and rape, particularly when resorting to smuggling networks or crossing borders at informal points.

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One response in the region is a programme that uses roving vans, known as [UNIVETs](#), launched in Guatemala by UNHCR and the Secretariat Against Sexual Violence, Exploitation and Trafficking in Persons. UNIVETS travel to remote locations and along transit routes, to provide information and support to survivors of gender-based violence.

Fighting gender-based violence is a key focus of the Comprehensive Regional Framework for Protection and Solutions (MIRPS), a regional mechanism for solidarity and responsibility sharing, which includes Belize, Costa Rica, El Salvador, Guatemala, Honduras, Mexico and Panama.

To discuss ways to improve protection and solutions for women and girls in Central America and Mexico, Triggs will participate on 7 December in a high-level event organized by the Government of Canada, the chair of the MIRPS Support Platform.

The panel discussion with experts from the region will explore gender-based violence as a root cause of displacement, advancing solutions, and women's empowerment.

#### Notes to editors:

- [Click here](#) to follow the discussion with Gillian Triggs on 7 December at 16:00-17:30 CET.
- [Click here](#) to access a multimedia story on gender-based violence in Central America.

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## A Look into Gender Violence and Women's Rights in Honduras

ON NOVEMBER 19, 2020

WORLD NEWS

SEATTLE, Washington — In Honduras, minimal opportunities, a sexist culture and a lack of government protection leave women facing a constant threat of violence and abuse. Women's rights in Honduras are often not respected and are regularly violated.

### Lack of Opportunities

Gender inequality in Honduras is cemented in a social and cultural understanding of a woman's role. Women are expected to tend to the domestic front and must balance professional work with the responsibility of raising their children and managing a household. The result is that "men are [twice as likely](#) to be employed in Honduras than women." Gender stereotypes also filter the types of employment available to women. Typically male-held jobs are difficult for women to break into, and even if they are able to, [they are paid less](#) than their male colleagues.

A lack of professional opportunities affects Honduran women's overall economic independence. While homeownership lands around 59% for men in Honduras, it is only 38% for women. Women are also more likely to suffer from extreme poverty, as they make up the majority of Hondurans who survive on [less than \\$2 a day](#).

## Violence Against Women

Labeled "one of the [most dangerous places](#) on Earth to be a woman", Honduras is home to rampant gender violence. The violence stems in part from Honduras' culture of sexism and [machismo attitudes](#): the belief that men are "strong and unemotional, while women are vulnerable and needy." Violence against women is a show of power and an effort to establish male authority.

This desire to prove one's masculinity greatly endangers women, both inside and outside of their homes. According to a 2014 report by Protection International, [27% of Honduran women](#) "have suffered physical violence at one time or another in their lives." In 2012, of the accusations reported to the Public Prosecutor's Office regarding violence against women, [74.6% involved domestic and family violence](#) and 20% involved sex crimes. An analyst at Honduras' Center for Women's Rights, [told ABC News](#), "Men can do anything they want to women in Honduras."

[Femicide](#), which is defined as "the killing of a woman or girl, in particular by a man and on account of her gender", is also a constant threat to women in Honduras. An article by the Latin America Working Group cited that in 2017 alone there were [388 femicides in Honduras](#), meaning that "over 32 women were killed on average every month."

Despite these overwhelming numbers, most perpetrators are not punished. A United Nations report in 2014 found that "[95% of cases](#) of sexual violence and femicide in Honduras were never even investigated." This rate of impunity leaves thousands of women with no semblance of justice after being abused. It also means that many women are deterred from reporting their abuse due to a lack of faith in the government's ability to protect them. Impunity is not the only way that the Honduran Government fails to protect its women. Emergency contraception and [abortions are illegal](#), meaning that, even in the case of rape, women must carry an unwanted pregnancy to term.

## Migration to the United States

The threats to women's rights in Honduras has increased migration to the United States. The number of asylum seekers hailing from Honduras, El Salvador and Guatemala has [risen by 800%](#) between 2012 to 2017. Furthermore, [82% of women](#) from these three countries, seek asylum due to a fear of violence and persecution.

However, the wish for asylum is rarely fulfilled. In 2018, for instance, of the thousands of asylum seekers from Honduras, [only 21% of cases were approved](#).

These numbers mean that thousands of women and children who have risked their lives to journey to the border are sent back home to the danger and violence they wish to escape.

## Fighting for Women's Rights in Honduras

Fortunately, there are organizations that are leading the fight for women's rights in Honduras. [Ciudad Mujer](#) is an initiative that supports the safety and success of women in Honduras. The organization offers a variety of in-person programs, including those in education, sexual and reproductive health, protection of women's rights, economic autonomy as well as adolescent and child care. Ciudad Mujer also offers virtual services, an essential tool during the COVID-19 pandemic.

Organizations such as Ciudad Mujer provide invaluable resources to support women's rights in Honduras. However, more needs to be done by the Honduran Government in order to protect women from violence and hold perpetrators accountable. Honduras needs political and systematic changes in order to tackle the country's culture of sexism and abuse and assure that women can finally feel safe in their country.

– *Jessica Blatt*

Photo: [pixabay](#)



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## Femicide in Honduras: women dismissed by their own government



📅 AUGUST 8, 2020 -

🔍 IN-DEPTH INVESTIGATIONS, SEXUAL AND REPRODUCTIVE RIGHTS, STATION OF SILENCE



*Only 15 cases of femicide in Honduras have resulted in convictions since the country criminalized femicide in 2013. These cases are brought before a justice system that is poorly trained in gender issues, and recent legislation has reduced the penalties for crimes of violence against women. Women who dare to report domestic violence do not receive timely care and attention – they are not safe – and this can end in femicide.*

*By Vienna Herrera / Contracorriente  
Illustrations by Alberto Rodríguez Collía*

*From the special series **Outposts of Silence (Estación del Silencio)\****

*Translation: John Turnure*

Heidy Garcia still bears the scars of the violence she has endured for years. On October 23, 2018, her ex-partner tried to kill her with a machete. Now 39 years old, her face and body are scarred, and her health has deteriorated. There is still so much pain and fear.

Heidy had to report Andres Martinez for domestic violence five times to get a restraining order. However, no one checked whether the order was enforced, and he returned one day.

“So that he could finish killing me,” says Heidy, who was assaulted the day after her birthday, after she returned home from lunch with a friend. He attacked her in front of her youngest daughter as she was cooking dinner for her children.

“He was going to hit me in the face, but I jerked away out of reflex, and I screamed ‘You’re killing me!’ He said, ‘Yeah, and I’m going to finish you off now,’”

Heidy managed to escape that attack and was admitted to the National University Teaching Hospital (Hospital Escuela Universitario).

Heidy’s case of attempted femicide is now pending before the Supreme Court of Justice. The number of other pending femicide cases is not known; the judiciary did not respond to a freedom of information request placed by Contra Corriente.

In April 2013, the crime of femicide entered into effect in the **Criminal Code**. However, the Public Prosecutor’s Office only began reporting data on this crime in

2017, four years later. Only 30 cases of femicide have been prosecuted through 2019. This number stands in sharp contrast to the 7,041 reports of murder, infanticide, parricide and homicide filed between 2008 and 2009, in which the victim was female.

Most of these cases have not been prosecuted. Between 2010 and 2019, only 35% of the cases received by the Public Prosecutor's Office were brought before the courts. Of the 104 cases of femicide that reached the Supreme Court of Justice between 2014 and 2019, only 23 have been adjudicated. Seven of these cases were acquittals, 15 were convictions, and the resolution of one case is not clear since the case file indicates that it involved two charges – a femicide and a misdemeanor. The perpetrator was acquitted of one charge and convicted of the other, but the case documentation does not specify which one.



### **Avoidable revictimization**

Women's organizations say that more than 90% of the reported femicides go unpunished. "Our perception is that the justice system is less committed to solving

these crimes,” says Gilda Rivera, director and founder of the Center for Women’s Rights (Centro de Derechos de Mujeres – CDM). “Crimes against women are widespread because the justice system clearly views them as unimportant.”

The moment Heidi got to the hospital, she began demanding justice. She immediately asked a police officer from a specialized investigative unit called the DPI (Dirección Policial de Investigación) assigned to the Teaching Hospital to write down her attacker’s identification number. She expected the police to act quickly.

But Andres Martinez was not immediately arrested. Two months later, when Heidi found out where he was, she prodded DPI officers to go after him. “I’m doing your job for you. I’m the victim here and I’m doing your job for you. If you won’t help me, I’ll go to the media,” said Heidi. The police consented, but only if she agreed to go along with them. Heidi reluctantly agreed, even though she was afraid of being attacked again.

Alejandra Salgado, a lawyer with the Quality of Life Association (Asociación Calidad de Vida) who protected Heidi after the attack, reports that women like Heidi frequently must conduct their own investigations to provide proof to the police of the violence they faced. This puts their lives in danger. “If she hadn’t moved away, who knows what would have happened to her,” says Salgado.



### **A system allied with sexism and impunity**

CDM's Gilda Rivera says that one of the biggest difficulties women have in their pursuit of justice is weak institutional commitment. "Even among people working in the justice system, machismo and an oppressive attitude towards women is commonplace. Plus, our institutions are plagued by corruption, where powerful men often receive lenient sentences or decisions that favor them," says Rivera.

The CDM knows the system well, as it has championed the case of Vanessa Zepeda for years. Zepeda, a nurse, was murdered in 2010 by her ex-partner, neurosurgeon Rafael Sierra. In 2015, Sierra was sentenced to 15 years in prison for murder.

"But Sierra then escaped," says Rivera. "Hours earlier, he had been at work at the Honduran Social Security Institute [Instituto Hondureño de Seguridad Social], and someone tipped him off about his prison sentence. This is how the justice system works here," says Rivera. "The Public Prosecutor's Office has been unable to do anything in this case."

Five years have gone by and Sierra is still at large.

“In Honduras, a dead woman is just a statistic,” said Vanessa Zepeda’s mother, Bessy Alonzo. “My daughter’s killer murdered her knowing it doesn’t matter if you kill a woman in this country. I read about women being murdered every time I pick up a newspaper. What’s going on here? How many women have to die like this? Why doesn’t the government help us? There is no justice.” Alonzo was quoted in the Oxfam Honduras report “The risk of being a woman in Honduras” (**El riesgo de ser mujer en Honduras.**)



Since 2008, the Public Prosecutor’s Office has only received 11 training courses on the subject of femicide, while the judiciary has only received one course offered by the Honduran Center for Women’s Studies (Centro de Estudios de la Mujer-Honduras, CEM-H).

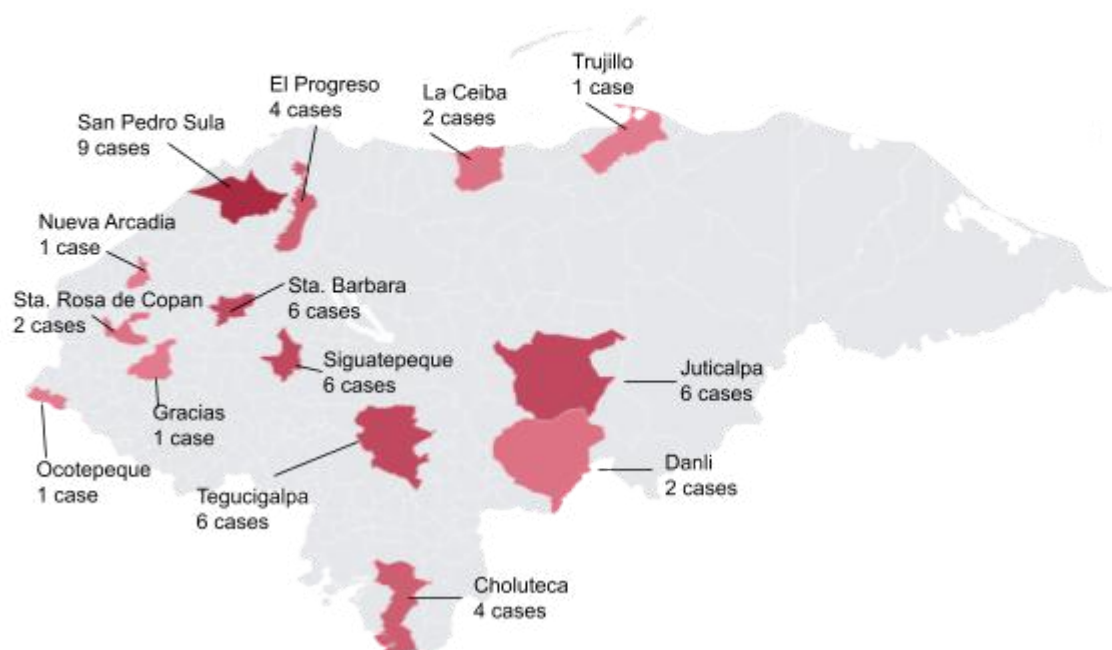
For CDM’s Gilda Rivera, the problem goes much deeper than insufficient training and is rooted in unequal power relationships.

“Power is heavily centralized in authority figures who are allowed to do what they want. People often say that those working in the judicial system need more training. That may be true, but we also know some people who have access to training, yet continue to act the same way,” Rivera says.

The Follow-up Mechanism to the Belém do Pará Convention (MESECVI) issued a [2017 report on the reality in Honduras](#), stating that although the country’s Criminal Code prohibits conciliation between parties in sexual and domestic violence crimes, “... it is not applicable to all crimes of violence against women. According to information received by MESECVI, justice officials continue to allow conciliation, despite the provisions of the Law against Domestic Violence.” MESECVI has asked the Honduran government to prohibit conciliation in cases of violence against women.

## Honduras: 104 femicide cases

The Honduran judiciary has recorded a total of 104 cases of femicide (but has not provided a breakdown by municipality and department); 51 of these cases were assigned to sentencing courts and are included in this map.



*Source: Honduran judiciary.*

## **Searching for safe haven, against all odds**

Even though Heidy managed to have her ex-partner imprisoned for what he did to her, she still doesn't feel safe. In 2019, she started to get lots of phone calls from different numbers, but the voice on the other end was always the same – her attacker. At first, he apologized and promised that if she withdrew the charges, he would work to support her and their daughter. Heidy replied, “When you did this to me, you lost all your rights.”

Then, Andres Martinez started threatening her.

“I'll tell you one thing, I didn't kill you before, but I'm not going to leave it at that. You better watch out because I'm going to kill you, I'm letting this [jail time] go to waste,” she says he told her.

Hearing these threats, Heidy went to the Public Prosecutor's Office. They tapped her cell phone and gave her security protection for a while.



That's when she decided to leave the country. She first presented her case to the Secretariat of Human Rights, which provided her with documentation to back up the threats on her life. But she says that her case was assigned to a policeman who showed up just once, to ask for her signature on something.

After all the suffering and threats she endured, Heidi's predicament got even more difficult. She had bought a home on her own, but never had enough money to pay for the deed registration. This became a source of constant friction with Andrés because he wouldn't let her work to pay the registration, unless she included him in the deed as a co-owner. Now she can't live in the house and lives with a relative, who recently started asking her to leave. And she's struggling to find work because she lost significant mobility in one arm after the assault.

"I was thinking of migrating, but they [the Secretariat of Human Rights] told me that they didn't get people out of the country and they tried to stop us from emigrating," says Heidi. "I'm afraid to leave because of my children, but I'm also afraid to stay here."

Heidy also requested help from the United Nations High Commissioner for Refugees (UNHCR), but her request was denied because Andrés Martínez still shares custody of their daughter.

Alejandra Salgado, Heidy's attorney, says that they petitioned the Family Court to give sole custody of their daughter to Heidy, but were denied. They were told they had to wait for the sentencing decision of the assault case. The Honduran Civil Code states that child custody can be stripped from a parent "due to the protracted insanity of a parent, if a parent is unable to administer his/her own affairs, or due to a protracted absence by a parent that seriously jeopardizes the child because the parent fails to provide child support." In the same chapter, the law indicates that such child custody rulings can only be adjudicated by a judge.

Dilcia Castillo, a social worker with the Quality of Life Association, says Heidy is afraid that the entire judicial system will let her down. "The authorities won't help her. She doesn't need a temporary solution, she needs a permanent one."

### **Domestic violence: ignored and neglected**

"When we have a femicide case, it's because the government has failed to fulfill its prevention role. It has been unable to provide the necessary conditions to protect women, and a woman has lost her life as a result of this ineffectiveness," said Supreme Court justice Tirza Flores during a [forum on femicide](#).

Men who have been formally charged with femicide are also sometimes charged with a variety of other crimes such as abortion (forcing a woman to have an abortion), acts of lust, breaking and entering, murder, simple homicide, illegally bearing weapons, illicit association, aggravated threats and robbery. Yet domestic violence charges never appear on anyone's records.

"The Supreme Court receives an annual average of at least 20,000 domestic violence cases. Fifty percent of these cases are vacated because the woman is financially dependent on the man and cannot continue with the case, or because they fall back into the cycle of violence," says Ana Concepción Romero, coordinator of the

Domestic Violence Courts. “The rate of recidivism can only be reduced if a model of comprehensive care exists. Ideally, by the time a case gets to the courts, the woman’s claims have truly been heeded, and she recognizes that if she doesn’t pursue the case, the cycle of violence is going to continue.”

**Read more here: *An avoidable femicide***

Alejandra Salgado, Heidy’s attorney, says: “The government needs to get serious about domestic violence. We’ve heard about ignored domestic violence charges that later become attempted femicide cases. Men are no longer afraid of being arrested for domestic violence because they know the only punishment will be to do some community service like picking up trash or making piñatas.”

Honduran law recognizes various types of domestic violence, including physical, psychological, sexual and property violence. Those convicted of these offenses without causing damages classified as crimes under the Criminal Code are sentenced to 1-3 months of community service. Failure to complete the community service leads to a new offense of contempt of court, which is punishable by a 1-3 year prison sentence.

The current Criminal Code punishes the crime of domestic violence with a 1-3 year prison sentence, and a 2-4 year prison sentence if aggravated by bodily harm, home invasion, drug use, and more. A sentence of less than five years may be commuted to a fine of ten lempiras (US\$0.40) per day of the imposed prison sentence.

Heidy claims to have been the victim of all these types of violence, and even suffered a miscarriage caused by one of her ex-partner’s blows. After the femicide attempt, Heidy sought shelter in one of Honduras’ seven women’s shelters. (They are located in Tegucigalpa, Santa Rosa de Copán, La Ceiba, San Pedro Sula, La Esperanza, Choluteca and Puerto Cortés.) They are all private institutions supported by foundations or non-governmental organizations.



President Juan Orlando Hernández's administration created the Ciudad Mujer program to improve women's quality of life. The program runs centers that offer support for financial independence, care and protection from violence, sexual and reproductive health, and community education. But none operate as shelters.

Idania Amador, a psychologist with the Quality of Life Association, says that Ciudad Mujer does not provide enough support for women. They've made requests to Ciudad Mujer for financial and institutional support for high-risk cases, but so far haven't received any.

"Our interaction with Ciudad Mujer is that they'll refer domestic violence cases to us at the shelter, but then don't deliver on their promises. They bring us women who have nowhere to go from here, so we want to make sure they support us in finding permanent homes for them. The only thing they really help us with is giving clients priority appointments with the doctors," explains Amador.

## Regressive laws

In Honduras, the only specific law pertaining to violence against women is the Law Against Domestic Violence, approved in October 1997. This makes Honduras one of six Latin American countries that, despite having ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), does not have a law that comprehensively addresses gender-based violence.

For the first time, the new Criminal Code criminalizes violence against women and devotes an entire chapter to the crime. However, the statutory penalties for these cases are weaker than in the previous code. Despite having been passed in 2018, the new code is still awaiting action by the executive branch, which could decide to repeal or amend the law.

Women's organizations point out that the new Criminal Code weakens the sentences for crimes of violence against women, and even eliminates some. The sentence for femicide has been reduced to 20-30 years in prison; previously it was 30-40 years. Similarly, the sentence for rape has been reduced to 9-13 years; previously, it was 10-15 years.

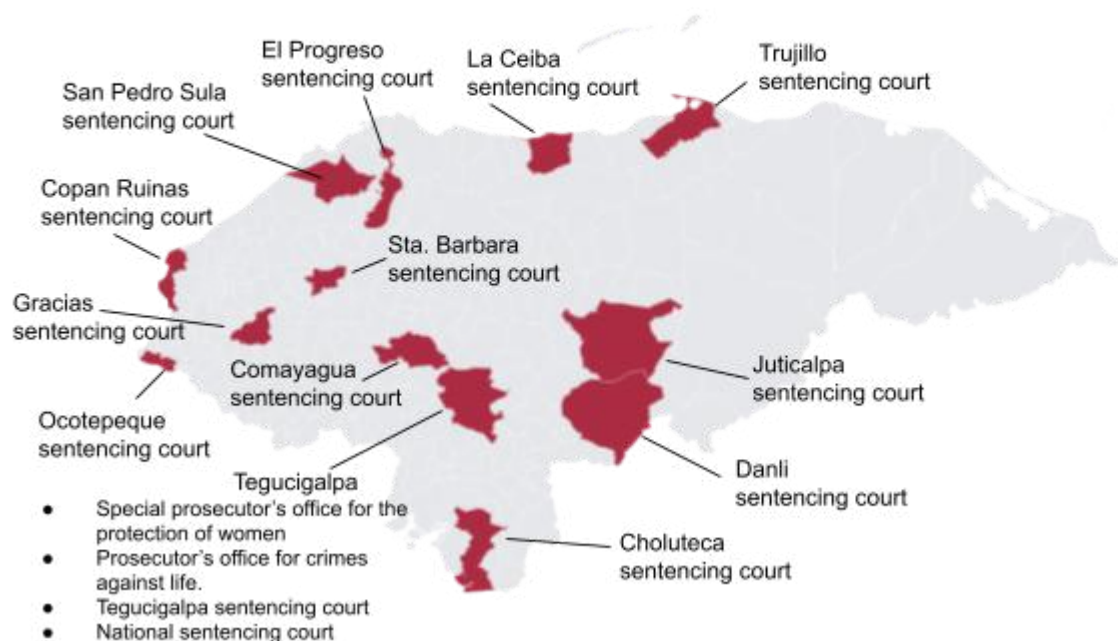
MESECVI points out that there is also no explicit regulation in the Criminal Code on rape and sexual abuse within marriage and de facto unions. According to information MESECVI obtained from Honduras' National Demographic and Health Survey (Encuesta Nacional de Demografía y Salud – ENDESA), 22% of the women who reported having a husband or partner indicated that they had experienced one of three forms of violence (physical, psychological, or sexual) by their partner during the previous 12 months. Furthermore, 21% were victims of psychological abuse, 10% of physical violence, 3% of sexual violence, and 11% were physically and sexually abused.

For Gilda Rivera, the most serious problem is not the weaker penalties. “I don't think acts of violence against women will decrease because of longer sentences – that's a monitoring and punishing strategy. I believe that violence against women will decline through preventive measures and greater government responsibility, rather than through punishment.”

So far, government measures to address violence against women include the **creation in 2016** of a special investigative unit (Unidad de Investigación de Muertes Violentas de Mujeres y Femicidios) within the Public Prosecutor's technical agency for criminal investigation (Agencia Técnica de Investigación Criminal – ATIC). At the same time, an inter-institutional commission for monitoring violent deaths and femicides (Comisión Interinstitucional de Seguimiento a Muertes Violentas y Femicidios) was established and began work in 2018. It is composed of government institutions and representatives from women's organizations.

## Honduras: 2 femicide units and 14 courts

In Honduras, the Public Prosecutor's Office has two femicide units: one in the special prosecutor's office for the protection of women, and the other in the prosecutor's office for crimes against life. Femicide cases are heard by 14 non-specialized sentencing courts in the judiciary.



Sources: Honduran Public Prosecutor's Office and Judiciary.

However, in 2019, some of the feminist organizations represented in the commission issued a follow-up **report** claiming that, “there have been just a few, mostly verbal

reports of these crimes, and most didn't even result in an arrest warrant." Additionally, only 21% of the funds earmarked for preventing and investigating violence against women have been disbursed, and it isn't clear what the money has been spent on.

ATIC spokesperson Jorge Galindo told *Contracorriente* that the special investigative unit only operates in San Pedro Sula and Tegucigalpa, and travels to other regions when high profile crimes occur.

Regarding the cases investigated by the unit so far, Galindo says that "All of them involve violent deaths of women. The prosecutor then determines if the crime of femicide has occurred". He adds that there are only 50 ATIC agents to investigate crimes nationwide.

A **social audit** of ATIC's research unit conducted by various women's organizations and Oxfam International, reports that as of 2018, only 28 cases had been opened, of which only four were for femicide.

The projection for the first three years foresaw that, "the special investigative unit would investigate 220 cases of women who had been murdered or were victims of femicide. However, this target has not been met," the report notes. "There is no data on the result of ATIC's commitment in this regard."

Two years after Heidi survived a femicide attack, she is still waiting for her attacker to be sentenced, scheduled for October 21, 2020. After taking action on her own to seek justice, she says she doesn't feel safe.

"There's no way I'll ever live in peace. I'll always be afraid," she says. "I can't give him time to think about what he wants to do to me, to find another way to attack me."

Heidi doesn't trust the protection her country can provide. It has failed her so many times.

\* “Outpost of Silence” (*Estación del silencio*) is a transnational project coordinated by *Agencia Ocote* that investigates and analyzes violence against women in Mesoamerica. This article is part of a first report on femicide by the following organizations: *Agencia Ocote* (Guatemala), *elFaro* (El Salvador) y *ContraCorriente* (Honduras).

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