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Second periodic reports due in 2006

Honduras*


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I. Introduction

1. On behalf of the State of Honduras and in my capacity as Minister for Human Rights, Justice, Interior and Decentralization, it is with profound satisfaction and commitment to the Honduran people that I hereby submit to the United Nations Committee on Economic, Social and Cultural Rights, pursuant to articles 16 and 17 of the International Covenant on Economic, Social and Cultural Rights, the second periodic report of the State of Honduras on the implementation of the Covenant, which was ratified by Honduras on 17 February 1981. The initial report of Honduras was submitted in 1998 and was considered by the Committee on Economic, Social and Cultural Rights at its twenty-fifth session, held from 23 April to 11 May 2001, at which the Committee also adopted concluding observations on the report.

2. Pursuant to the mandate conferred by the General Act on Public Administration, the Ministry of Human Rights, Justice, Interior and Decentralization acts to guarantee respect for the human person as the supreme goal of society and the State, mainstreaming the human rights approach in its activities. It does so within the framework of the Public Policy and National Action Plan on Human Rights, which provide policy guidance in four strategic areas: human security, justice system, democracy and vulnerable population groups.

3. Honduras acknowledges that its second periodic report on the implementation of the International Covenant on Economic, Social and Cultural Rights should have been submitted by 30 June 2006 at the latest, a responsibility that it failed to fulfil because there was no government body legally mandated to assume the relevant international commitments and obligations.

4. Technical and financial assistance from the European Union through the Honduras Human Rights Support Programme (PADH), the Office of the United Nations High Commissioner for Human Rights (OHCHR), the United Nations Development Programme (UNDP) and the Swiss Agency for Development and Cooperation, as well as the Honduran Government's commitment to complying with the human rights treaties and conventions to which the State is a party, enabled this report to be drafted with the broad, active participation of representatives of State and government ministries and institutions and the active participation of civil society groups, sectors and organizations.

5. Honduras recognizes that major challenges remain in the area of economic, social and cultural rights, such as high poverty levels, the high cost of living, limited access to goods and services, unemployment and underemployment, a breakdown of law and order and a situation of discrimination, inequality and social exclusion. However, it also acknowledges the need to continue promoting constitutional, legal and administrative measures and working with society at large to ensure that people acquire greater skills and enjoy greater opportunities to improve their living conditions and exercise and demand their human rights.

6. The coordinated action of the different State ministries and institutions provides an opportunity for implementing meaningful public policies, plans, programmes and projects in the country that are designed to make it possible for everyone to exercise their rights. However, better outcomes will be achieved if the country's development process is conducted in cooperation with civil society and the population in general as agents of their own development.

7. The State of Honduras reiterates its firm commitment to continue promoting, with technical assistance from the Committee, all kinds of actions to comply with the provisions of the International Covenant on Economic, Social and Cultural Rights, within the

framework of its commitments and obligations as the guarantor of all fundamental rights and freedoms, including Hondurans' enjoyment and exercise of their economic, social and cultural rights.

Rigoberto **Chang Castillo**
Minister for Human Rights,
Justice, Interior and Decentralization

II. Implementation of the articles of the Covenant

Article 1 Self-determination

8. *The right of self-determination is recognized in a number of international instruments* to which Honduras is a party, such as the Charter of the United Nations, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. To ensure the exercise of that right, the State of Honduras incorporated it as a principle in article 15 of the 1982 Constitution of the Republic.¹

9. The principle of self-determination of indigenous and Afro-Honduran peoples applies to their communities, their sovereignty and their right to the land, their culture, their lifestyle and their close relationship with the environment. This principle is set out in chapter 3 of the Property Act² and in the Forests, Protected Areas and Wildlife Act.³ In public policy, it is enunciated in the strategic area on vulnerable population groups and in the chapter on rights of indigenous and Afro-Honduran peoples of the Public Policy and National Action Plan on Human Rights.⁴ The Social Protection Policy⁵ applies a territorial, environmental and multicultural approach in addition to a human rights approach, and takes a life cycle approach to members of indigenous or Afro-Honduran peoples.

10. In the context of International Labour Organization (ILO) Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries, the process of designing a national mechanism for prior consultation and free and informed consent is currently under way. ILO is supporting this process, which involves the participation of the Ministry of Energy, Natural Resources, Environment and Mines, working in coordination with the Ministry of Development and Social Inclusion, the Ministry of Labour and Social Security and the Ministry of Human Rights, Justice, Interior and Decentralization, and the participation of representatives of the nine culturally differentiated peoples, the private sector and workers.⁶

¹ Article 15. Honduras endorses the principles and practices of international law that promote human solidarity, respect for the self-determination of peoples, non-intervention and the consolidation of universal peace and democracy. Honduras proclaims as absolute the validity and mandatory enforcement of international arbitral and judicial rulings. Decree No. 131 of 11 January 1982.

² Decree No. 82-2004 published in Official Gazette No. 30428 of 24 July 2004, Property Act (annex 1).

³ Decree No. 156-2007 published in Official Gazette No. 31544 of 26 February 2008, Forests, Protected Areas and Wildlife Act (annex 2).

⁴ Executive Decree No. PCM-003-2013 of 12 March 2013 published in Official Gazette No. 33073 of 12 March 2013, Public Policy and National Action Plan on Human Rights (annex 3).

⁵ Executive Decree No. PCM-008-2012 of 8 March 2012 published in Official Gazette No. 32784 of 28 March 2012, Social Protection Policy (annex 4).

⁶ Medium-term progress report prepared by the Ministry of Justice and Human Rights on compliance with the recommendations made to the State of Honduras in the context of the Universal Periodic Review before the Human Rights Council of the United Nations.

11. With regard to the recommendation in paragraph 44 of the concluding observations of the Committee on Economic, Social and Cultural Rights on the initial report of Honduras (E/C.12/1/Add.1), the National Agrarian Institute (INA) issued 158 land titles to indigenous and Afro-Honduran peoples between 2001 and 2013, of which 63 went to Lenca communities, 11 to Garífuna communities, four to Pech communities, 10 to Tolupán communities, seven to Miskito communities and 63 to Chortí communities.

12. With respect to the recommendation in paragraph 45 of the Committee's concluding observations, note should be taken of article 67 of the new General Mining Act, adopted by the National Congress by means of Legislative Decree No. 238-2012 and published in Official Gazette No. 33088 of 2 April 2013, which has now entered into force.⁷

Article 2

Impact of international cooperation on the rights recognized in the Covenant

13. With regard to the recommendation in paragraph 53 of the Committee's concluding observations, one of the most tangible examples of the ongoing coordination between Honduras and international cooperation organizations and agencies is the periodic signing of United Nations Development Assistance Frameworks (UNDAF), one of the strategic planning tools used by the United Nations system and its various agencies in Honduras. For the period 2007–2011, the estimated resources mobilized by the various agencies of the United Nations system totalled approximately US\$ 76.8 million.⁸

14. The Government of Honduras and the United Nations system signed UNDAF 2012–2016 on 17 March 2011 and the corresponding action plan was designed, identifying three priority strategic areas in line with the strategic objectives of the Vision for the Country and Plan for the Nation: (a) strategic area 1: in the context of social rights and the Millennium Development Goals recognized by the international community, work towards a Honduras that is educated, healthy, free from extreme poverty and with strengthened social protection systems; (b) strategic area 2: in the context of civil and political rights, work towards a Honduras that develops in democracy, with security and without violence and towards a modern, transparent, accountable, efficient and competitive State; (c) strategic area 3: in the context of economic rights and environmental conventions, work towards a productive Honduras that generates decent jobs, makes sustainable, integrated use of its natural resources and reduces the risks of disasters resulting from environmental vulnerability. An estimated US\$ 239,500,795 is available for implementing UNDAF 2012–2016.⁹

15. Within these three strategic areas, 10 overall outcomes or outputs were established in relation to education, health, nutrition, promotion of representative participatory democracy, support for national and local planning, promotion of security, justice and human rights, environment, climate change, support for risk management and disaster preparedness, employment, rural development and food security.

⁷ The article establishes that before a decision is taken to grant a mining concession, the mining authority must request the relevant municipal corporation and the general public to hold a public consultation within 60 calendar days. It also states that the decision taken in the consultation is binding for the granting of the mining concession.

⁸ United Nations system in Honduras and Government of Honduras, United Nations Development Assistance Framework (UNDAF) 2007–2011 Action Plan (annex 5).

⁹ United Nations system in Honduras and Government of Honduras, UNDAF 2012–2016 Action Plan (annex 6).

16. A delegation of Honduras first appeared before the Human Rights Council on 4 November 2010 on the occasion of the universal periodic Review, which gave rise to 129 recommendations.

17. Honduras made a second appearance before the Human Rights Council on 17 March 2011, during which it accepted all 129 recommendations, described the measures taken to implement the recommendations and made significant voluntary commitments. On 9 September 2013, it reported that 86 of the 129 recommendations had been implemented, 38 were in the process of being implemented and five had not been implemented at all.

18. To a large extent, it was the Cartagena Agreement¹⁰ and the action taken subsequently to promote respect for and the enjoyment of human rights that allowed Honduras to rejoin different international forums and the then Ministry of Planning and External Cooperation to resume the coordination of external cooperation projects.¹¹ The Ministry was given powers that included coordinating external cooperation projects that have an impact on the achievement of the Cartagena Agreement's objectives. In this context, the Ministry of Human Rights, Justice, Interior and Decentralization is currently receiving international assistance from the European Union totalling 1,572,013.86 euros and from the Spanish Agency for International Development Cooperation (AECID) totalling 7,895,437.41 lempiras.

19. With respect to the recommendation in paragraph 30 of the Committee's concluding observations, it is extremely important to mention the measures taken by Honduras to create such public policies and national plans as the following:

(a) Public Policy and National Action Plan on Human Rights, adopted by the President in the Council of Ministers on 22 January 2012.¹² The Policy and Plan will be in force for 10 years, from 2013 to 2022, and cover four strategic areas: (i) human security; (ii) justice system; (iii) democracy; and (iv) vulnerable population groups. Over 5,116 individuals belonging to 399 government institutions and 968 civil society organizations representing vulnerable population groups participated in the policy planning process, resulting in 573 proposals by the general public and civil servants, 746 recommendations by the international and inter-American human rights system, 517 recommendations by specialized reports and studies and 731 recommendations by 34 public policies on different issues;

¹⁰ The Cartagena de Indias Agreement is an agreement signed between former President of the Republic Porfirio Lobo Sosa and former President Manuel Zelaya Rosales, which provides for the readmission of Honduras to the Organization of American States (OAS) following the 2009 political crisis in Honduras and traces the direction to be taken to achieve national unity and reconciliation and live in peace and tranquillity. It was signed on 22 May 2011 in the city of Cartagena de Indias, Colombia. It includes agreements to take special care to ensure compliance with the provisions of the Constitution of the Republic guaranteeing respect for and the protection of human rights and to recognize the creation of the Ministry of Justice and Human Rights (now the Ministry of Human Rights, Justice, Interior and Decentralization) as an entity for building national capacities for the promotion and protection of human rights in Honduras and for coordinating the cooperation and support of the United Nations and other international bodies for the strengthening of public policies and national capacities to guarantee the full exercise of human rights in Honduras.

¹¹ Legislative Decree No. 286-2009 of 13 January 2010 published in Official Gazette No. 32129 of 2 February 2010, Act establishing a Vision for the Country and adopting a Plan for the Nation for Honduras (annex 7).

¹² Executive Decree No. PCM-003-2013 of 22 January 2013 published in Official Gazette No. 33073 of 12 March 2013 (annex 3).

(b) Social Protection Policy¹³ incorporating, inter alia, the life cycle, human rights and multiculturalism approaches and focusing on people living in situations of poverty, extreme poverty, vulnerability, risk and social exclusion. Its aim is gradually to generate social conditions that contribute to personal and collective well-being and help maximize skills and capacities in order to ensure the full exercise of the rights of people living in situations of poverty, extreme poverty, vulnerability, exclusion and social risk. This in turn will create and expand opportunities for such people to generate well-being and family and collective wealth, ensuring their active participation in society. It should be mentioned that the process of designing, consulting on, developing and adopting the Policy was conducted with the ongoing support and participation of the various civil society organizations, with whom a permanent dialogue was maintained;

(c) National Food and Nutrition Security Policy and Strategy.¹⁴ Its aim is to ensure that all Honduran families can meet their basic food needs through timely access to adequate quantities of good-quality food that is not harmful to their health, so that each family member achieves an adequate state of health and well-being and is able fully to develop his or her cognitive and physical potential. A Food and Nutrition Security Act¹⁵ was also adopted to establish a legislative framework for the design, harmonization and coordination of actions to promote food and nutrition security that will help improve the quality of life of Hondurans, giving priority to the most vulnerable groups;

(d) Comprehensive Early Childhood Development Policy,¹⁶ aimed at promoting and ensuring compliance with early childhood rights, education of future human capital and fulfilment of the commitments made by the Honduran State to this population group;¹⁷

(e) National Standards for Maternal and Neonatal Care,¹⁸ designed to help reduce maternal and neonatal mortality and morbidity in the country. The Standards permit the standardization of the clinical practices and basic procedures needed to ensure that health-care providers give timely, safe and effective care to women of all ages and newborns who seek care in hospitals, maternal and child health clinics and health units;

(f) Presidential “*Bono 10 Mil*” (10,000 voucher) Health, Education and Nutrition Programme,¹⁹ aimed at helping break the intergenerational cycle of poverty by creating opportunities and developing skills and competencies in education, health and nutrition for families living in extreme poverty. Under the current administration, 217,000 families benefited from the Programme in the first quarter of 2014, the goal being to reach 375,000 families a year;

(g) “Everyone for a Better Life” social programme, aimed at remodelling the homes of the poorest 800,000 families in Honduras. The basic package of improvements

¹³ Executive Decree No. PCM-008-2012 of 8 March 2012 published in Official Gazette No. 32784 of 28 March 2012, Social Protection Policy (annex 4).

¹⁴ Executive Decree No. PCM-038-2010 of 24 August 2010, National Food and Nutrition Security Policy and Strategy (annex 8).

¹⁵ Legislative Decree No. 25-2011 of 29 March 2011 published in Official Gazette No. 32561 of 7 July 2011. Food and Nutrition Security Act (annex 9).

¹⁶ Executive Decree No. PCM-031-2012 of 21 August 2012 published in the Official Gazette of 7 September 2012, Comprehensive Early Childhood Development Policy (annex 10).

¹⁷ Led by the Inter-Agency Committee for Early Childhood Care and coordinated by the Ministry of Development and Social Inclusion. The design and adoption process was characterized by broad stakeholder participation, including the historic involvement of small children in the consultation process on this policy.

¹⁸ Ministerial Agreement No. 2606 of 27 August 2010, National Standards for Maternal and Neonatal Care (annex 11).

¹⁹ Executive Decree No. PCM-010-2010 of 13 April 2010, Presidential “*Bono 10 Mil*” Health, Education and Nutrition Programme (annex 12).

includes: eco stove, cement floor, decent roof, water filter, family vegetable garden and latrine. In the first quarter of 2014, the programme benefited 24,000 families;

(h) Adoption of Legislative Decree No. 54-2010 of 11 June 2010 containing the Glass of Milk Act²⁰ for improving school meals. The Decree states that appropriate nutrition for children attending State schools, through the consumption of milk and milk products, is in the national interest and is of national importance;

(i) Healthy Schools Programme, which includes a school meals component that by early 2014 had benefited 1,401,000 children in State schools. A pilot plan adding an egg to the school meal is also being implemented and has benefited 636,000 children.

Article 3

Measures to eliminate gender-based discrimination

20. With regard to the recommendation in paragraph 32 of the Committee's concluding observations, Honduras has adopted the following legislation or legislative amendments:

(a) As State policy, the second Gender Equality and Equity Plan 2010–2022, which incorporates the Vision for the Country and the Plan for the Nation²¹ comprising the following strategic areas: economy, education, violence against women, social and political participation, health and a new area – the environment;²²

(b) The Public Policy and National Action Plan on Human Rights, which contains a chapter on women's rights incorporating actions for mainstreaming the gender approach in government policies, plans and budgets;

(c) The Social Protection Policy, one objective of which is to give special support to social groups that, for reasons related to their age, gender, multiculturalism, disability, sexual orientation and gender identity or HIV status or because of a lack of protection, are excluded and at high social risk or are experiencing harm that requires special attention;

(d) In 2013, the National Congress amended article 321 of the Criminal Code, on protection against discrimination when a crime is committed by a person expressing hatred or contempt for the victim on grounds of sex, gender, religion, national origin, membership of an indigenous or Afro-Honduran people, sexual orientation and/or gender identity, age, civil status, disability, ideology or political views.²³ Femicide was also included as a specific crime in the chapter on homicide, through the addition of an article 118 that would punish one or more men who kill a woman for gender reasons, with hatred and contempt for her because she is a woman;

²⁰ The programme began in 2010 with a pilot programme in four departments and 21 municipalities. In 2011, the glass of milk programme was extended to 127 municipalities, covering around 42 per cent of the national territory. In 2012, a further 18 municipalities were added, bringing the total to 145 municipalities. Source: <http://sedis.gob.hn/node/2>.

²¹ Act establishing a Vision for the Country and adopting a Plan for the Nation for Honduras, to be implemented over successive 12-year periods and comprising a number of strategic areas that meet the challenges facing the nation and which must be the focus of public and private action. The Act was adopted by Legislative Decree No. 286-2009 of 13 January 2010 published in Official Gazette No. 32129 of 2 February 2010 (annex 7).

²² Decree No. PCM-028-2010 of 6 July 2010, Second Equality and Gender Equity Plan 2010–2022 (annex 14).

²³ Amendment to article 321 of the Criminal Code, Legislative Decree No. 023-2013 of 22 February 2013 published in Official Gazette No. 33092 of 6 April 2013 (annex 15).

(e) With regard to gender equity in political participation, Decree No. 54-2012 amending articles 105 and 116 of the Act on Elections and Political Organizations²⁴ added an article 105-A increasing the mandatory quota for women's political participation from 30 to 40 per cent for the 2013 elections and 50 per cent for the subsequent domestic and general elections (2016 and 2017 respectively). This was an important step forward for women's political participation;²⁵

(f) With regard to women's participation in local government, 27 women mayors and 37 women deputy mayors were elected for the period 2002–2005, 24 women mayors and 50 women deputy mayors for 2006–2009 and 17 women mayors and 79 women deputy mayors for 2010–2013.²⁶ For the 2014–2018 presidential term, 19 women mayors were elected;²⁷

(g) With regard to elections to the National Congress, the number of women elected as full and alternate members of Congress was nine and 21 respectively in the period 2002–2005, 32 and 28 in 2005–2009 and 25 and 29 in 2010–2014. For 2014–2018, 33 women were elected members of Congress;

(h) There are currently 298 municipal women's offices in the country. To build their capacities in the areas of human rights, social participation, public policy and legislation, these offices receive support from international cooperation agencies and civil society sectors. In particular, the women's movement supported the lobbying and consultation process for the legalization of the women's offices in the amendments to the Municipalities Act, successfully ensuring that it became mandatory for municipalities to allocate 2 per cent of municipal funding to programmes and projects for women's economic and social development and for combating violence against women;

(i) To ensure equitable, non-discriminatory access to justice for women and men, Agreement No. 04-2010 of 30 September 2010 created a Gender Unit within the Supreme Court to mainstream the gender perspective in the Court's planning and management and in its judicial and administrative processes, as a means of ensuring greater, non-discriminatory access to justice.²⁸

Articles 4 and 5

Legal limitations on the rights guaranteed by the Covenant

21. In 2009, Honduras experienced a crisis in which human rights, specifically economic and social rights, were placed at great risk. Out of concern at this situation and in response to complaints made to the competent organs, the State of Honduras approved, by Executive Decree No. PCM-011-2010 of 13 April 2010, the creation of a Truth and Reconciliation Commission to investigate the events leading up to and following 28 June 2009, identify the actions that had given rise to the crisis and show the Honduran people how to avoid a recurrence of such events in the future.

²⁴ Legislative Decree No. 44-2004 of 1 April 2004, Act on Elections and Political Organizations (annex 16).

²⁵ Decree No. 54-2012 of 14 May 2012, published in Official Gazette No. 32820 of 15 May 2012, Amendments to the Act on Elections and Political Organizations (annex 17).

²⁶ www.tse.hn presentation "Analysis of trends in women's participation in elective office".

²⁷ In the municipalities of El Rosario, San Antonio, Concepción de María, Duyure, Santa Ana de Yusguare, El Paraíso, Brus Laguna, La Paz, Marcala, Opatoro, Cololaca, Tomala, Chinda, Nuevo Celilac, Protección, San Nicolás, Santa Rita, Las Vegas and Nueva Frontera, distributed over eight departments of Honduras.

²⁸ Gender Unit, Agreement No. 04-2010 of 30 September 2010 published in Official Gazette No. 32373 of 23 November 2010 (annex 18).

22. Executive Decree No. PCM-071-2011 of 8 November 2011, published in Official Gazette No. 32683 of 1 December 2011, created a unit to monitor the implementation of the recommendations contained in the Truth and Reconciliation Commission's report.²⁹ This unit has pushed for the implementation of the recommendations with the active participation of various civil society actors. Thus far, 37 of the 84 recommendations have been implemented, 32 are in the process of being implemented and 15 have not been implemented at all.³⁰

Article 6

Right to work

23. With regard to the recommendations in paragraphs 35 and 36 of the Committee's concluding observations, the following programmes have been created to guarantee and protect the right of persons to a decent job:³¹

1. Employment promotion programme (PROEMPLEO)

24. The aim of PROEMPLEO, a Ministry of Labour and Social Security programme implemented between 2006 and 2011, was to boost the employment of unemployed and underemployed persons and to generate active labour market policies that would encourage private sector cooperation with a view to replicating good practice in matching employment demand and supply, would reward cost-effective employment training and would pave the way for guiding the transformation of the country's training and employment system. Between 2006 and 2010, the programme enabled 5,133 young people to enter the labour market.

25. The target for 2011 was to train and find employment for 6,150 young people under public-private partnership agreements signed with the following business associations: the chambers of commerce of Tegucigalpa, Cortés, Puerto Cortés, Santa Rosa de Copán, Comayagua, Choluteca, Juticalpa and Islas de Bahía and the Honduran Association of In-bond Assembly Industries.

2. National hourly employment programme³²

26. Since 2013, this has been a permanent programme aimed at promoting decent employment, maintaining jobs and preventing a rise in unemployment and underemployment rates in the country, thereby providing employment opportunities for the population at a time of crisis.

27. The programme is being applied in urban and rural areas nationwide and is aimed at all individual or corporate employers that own production or service units, as well as at

²⁹ Under the authority of the then Ministry of Justice and Human Rights, now the Ministry of Human Rights, Justice, Interior and Decentralization.

³⁰ *Informe sobre la Situación de los Derechos Humanos en Honduras: Desafíos y Avances 2013* (Report on the situation of human rights in Honduras: challenges and progress 2013), pp. 116–117.

³¹ Source: *Inventory of Active Labour Market Policies in Central America and the Dominican Republic*, October 2013.

³² Created by Decree No. 230-2010 (annex 19) as a special temporary emergency programme to guarantee decent employment, maintain existing jobs and prevent a rise in unemployment and underemployment rates in the country. Following the successful outcomes achieved from 2010 to 2013, an Hourly Employment Act was adopted by Decree No. 354-2013 of 31 March 2014 (annex 20). The Act placed the programme on a permanent footing in a manner consistent with the Constitution, ILO Conventions and current labour laws.

special programmes being carried out by the public sector that need to recruit temporary workers.

28. In just 13 months, the Ministry of Labour and Social Security has succeeded in creating 34,642 jobs in only a small part of each of the cities where the programme has been promoted (Tegucigalpa, San Pedro Sula and Choluteca). Based on its research and analyses, the Ministry estimates that some 40,693 jobs have been created throughout the country, most of them by companies that are using the programme.³³

3. “My First Job” programme

29. This programme, which began in February 2006 and ended in 2011, promoted employment training for 15- to 19-year-olds in urban and rural areas who are outside the formal education system, are not working or are working in informal activities and are at social risk. Programme beneficiaries received a stipend during the training and apprenticeship period to cover transport and food costs for each day of attendance.

30. The programme succeeded in finding work for young people from the country’s ethnic groups. Of those who registered, 62 per cent were Garífuna, Miskito, Tolupán, Lenca or Xicaque.

31. Recognizing the programme’s importance and sound management, the Government and the World Bank decided to allocate a further US\$ 2.6 million to it. Some 2,300 young people will benefit from the additional funding, permitting a new target of 7,200 programme beneficiaries to be reached.

4. Ministry of Labour and Social Security programme for working women

32. The Ministry has implemented a programme for working women designed to ensure a social structure in which men’s and women’s work is subject to the same employment and legal conditions, enabling women fully to enjoy their rights with respect to overall working conditions and to occupational guidance, organization, safety and health.

33. The aim of this programme is to promote action for working women’s rights in the formulation, coordination, execution, evaluation and monitoring of all policies, measures and indicators related to the Ministry’s labour activities, encouraging and overseeing compliance with current labour law on working women’s rights and ensuring that it is applied equally and without discrimination.³⁴

5. National Employment Service of Honduras

34. The National Employment Service of Honduras was set up as a job placement system capable of recording the information generated by the different employment programmes (PROEMPLEO, My First Job, hourly employment, permanent employment). It has become an inclusive, nationwide job-search mechanism accessible to all Hondurans, generating electronic job placement data by means of modern computerized systems (EMPLEATE³⁵) and making it easier to match jobseekers with available jobs. The Service also coordinates a network of public-private job placement offices with business

³³ The programme is also helping population groups with the worst employment problems in the country, such as young people (61 per cent of whom are receiving help), who currently have the highest open unemployment rate (8 per cent or twice the national average). Since 94 per cent of the companies using the programme are small and medium-sized enterprises (SME), it is also contributing to the economic reactivation of the country’s most vulnerable businesses.

³⁴ <http://trabajo.gob.hn/organizacion/dgt-1/direccion-general-de-prevision-social/programa-de-proteccion-a-la-mujer-emprendedora/?searchterm=mujer>.

³⁵ www.empleate.gob.hn.

associations, so that they can access vocational training services in order to generate an adequate supply of job skills.

35. The Service also develops active labour market strategies, above all targeting specific social groups and territories with job promotion activities, while also controlling and regulating labour migration. The aim is to handle at least 144,907 job applications annually (equivalent to the country's open unemployment rate of 4.3 per cent).³⁶

6. Training and job placement for women and persons with disabilities

36. This project was designed to assist the Ministry of Labour and Social Security and civil society organizations in reducing the economic exclusion of women and persons with disabilities. It lasted from January 2011 to December 2012 and sought to promote access by women and persons with disabilities to the Honduran labour market on a basis of equal opportunity and equal treatment, in order to improve their quality of life and encourage a culture of inclusion, particularly in the country's employment and production sector.³⁷

7. Presidential Employment Programme “Con Chamba Vivís Mejor” (with a job you live better)³⁸

37. This Programme is designed to create the necessary conditions for income generation by ensuring that employers recruit people who are available to work and/or available to start work at any time. It also trains young people in job and life skills. It aims to generate 25,000 jobs a year, or a total of 100,000 jobs over four years (2014–2018). At the time of drafting, 8,379 people had been recruited in the first quarter of 2014 alone.³⁹

8. Act on Equity and Comprehensive Development for Persons with Disabilities

38. The Act on Equity and Comprehensive Development for Persons with Disabilities contains seven articles on the right to work. These concern employment discrimination, reduction of red tape for persons with disabilities, the role of the Ministry of Labour and Social Security, tax incentives for firms that recruit persons with disabilities, the activities of the National Vocational Training Institute (INFOP) and the number of persons with disabilities that companies must recruit, as stipulated in article 35: “Public sector agencies and private firms are required to recruit a minimum number of persons with disabilities according to the following table: (a) one disabled person for every 20 to 49 workers; (b) two disabled persons for every 50 to 74 workers; (c) three disabled persons for every 75 to 99 workers; and (d) four disabled persons for every 100 workers”.⁴⁰

39. Area 5 of the Public Policy for the Exercise of Rights and the Social Inclusion of Persons with Disabilities in Honduras involves taking the necessary action to generate employment opportunities. The first Public Policy and National Action Plan on Human Rights also stipulates that the State has an obligation to guarantee employment

³⁶ Agreement No. STSS-259-2011 of 8 June 2011 published in Official Gazette No. 32544 of 17 June 2011, National Employment Service of Honduras (annex 21).

³⁷ Source: *Inventory of Active Labour Market Policies in Central America and the Dominican Republic*, October 2013.

³⁸ Executive Decree No. 04-2014 of 3 February 2014, Presidential Employment Programme “Con Chamba Vivís Mejor” (annex 22)

³⁹ Source: www.empleate.gob.hn.

⁴⁰ According to the 2010 report of the National Human Rights Commissioner (CONADEH), 345 persons with disabilities had been recruited to government institutions.

opportunities in public institutions, making the necessary structural and functional changes to permit the recruitment of persons with disabilities.⁴¹

40. Recognizing that persons with disabilities have a right to work, the Ministry of Labour and Social security has implemented positive actions to promote self-employment, especially for women, by providing seed capital through the *Apoyo Continuidad* revolving fund. The aim is to develop and strengthen microbusinesses for persons with disabilities and/or their family members through the granting of small loans.

41. In 2006, the Comprehensive Act for the Protection of Older and Retired Persons⁴² was adopted with the aim of improving the quality of life of older and retired persons. By promoting ways for them to organize and participate, the Act is designed to enable the country to benefit from their expertise and knowledge, as well as to prevent age-related discrimination and segregation and help strengthen intergenerational solidarity. Article 5(3) of the Act recognizes their right to decent work so that they can improve their quality of life.

42. In its 2012 Multipurpose Household Survey, the National Institute of Statistics (INE) estimates that the country's economically active population totals 3,243,877 persons. Of these, 38.2 per cent are employed in agriculture, 21.9 per cent in commerce and 13.4 per cent in industry. It also indicates that earnings increase with educational level. The average monthly income of an employed person with no formal education is 2,626 lempiras, rising to 3,572 lempiras for a person with primary education and as much as 13,126 lempiras for a person with higher education. In 2011, wages accounted for 45.3 per cent of the population's income, followed by other sources such as the earnings of self-employed persons (40.2 per cent) and foreign remittances (5.1 per cent).

43. One of the main ongoing challenges facing the Honduran labour market is generating employment and income for society and trying to maintain a steadily growing economy that can provide decent, secure jobs and help solve the problems of structural poverty confronting the economically active population and the Honduran population in general. The labour force participation rate in Honduras in 2011, 2012 and 2013 was 51.9 per cent, 50.8 per cent and 53.7 per cent respectively, similar to the average for the Central American region (55.7 per cent in 2011).⁴³

44. Throughout the survey period, which runs from 2005, the Honduran labour market was characterized by low levels of open unemployment (4.3 per cent in 2011, 3.6 per cent in 2012 and 3.9 per cent in 2013), but this was achieved at the cost of a steady increase in invisible underemployment (36.3 per cent in 2011, 43.6 per cent in 2010 and 40.8 per cent in 2013), which has become one of the main causes of informal employment. According to preliminary calculations by the Labour Market Observatory, 64 per cent of the employed population are working in the informal sector.⁴⁴

⁴¹ Legislative Decree No.160-2005. Act on Equity and Comprehensive Development for Persons with Disabilities (annex 23).

⁴² Legislative Decree No. 199-2006, Comprehensive Act for the Protection of Older and Retired Persons (annex 24).

⁴³ Source: Information provided by the Ministry of Labour and Social Security.

⁴⁴ According to information provided by the Ministry of Labour and Social Security on the labour market by branch of activity or economic sector, unemployment in 2013 was highest in construction (9.5 per cent), transport (4.9 per cent), manufacturing (4.6 per cent), financial institutions (4.1 per cent), gas, electricity, water and communal services (3.9 per cent) and wholesale and retail trade (3.4 per cent). By occupational category, unemployment was highest among office workers (8.4 per cent), industrial, textile and construction workers and mechanics (6.8 per cent), cargo operators and storage workers (5.5 per cent) and service workers (4.3 per cent). The lowest unemployment rates were among agricultural workers (0.8 per cent), followed by workers in the graphics, chemical and food industries (1.6 per cent) and merchants and salespeople (2.9 per cent).

45. The following technical and vocational training policies and programmes are being implemented in the country:

9. National non-formal alternative education policy 2013–2020 (PNEANF)

46. Adopted by the National Commission for the Development of Non-formal Alternative Education (CONEANFO) pursuant to article 5 of the Act for the Development of Non-formal Alternative Education, the overall aim of this policy is to ensure that the country has individuals who contribute socially and productively to building a fairer and more equitable society, in which people value, respect and live harmoniously with each other against a backdrop of sociocultural diversity and which promotes participation and strengthens a common social and national project in a context of equal opportunity. It also aims to put in place an education that contributes to Hondurans' human development and self-realization and to the country's development.⁴⁵

10. National Commission for the Development of Non-formal Alternative Education (CONEANFO)

47. The Commission was created by Legislative Decree No. 313-98 of 18 December 1998, published in the Official Gazette on 15 February 1999, as a decentralized body for the formulation of national non-formal education policies. The aim was to help organize and develop a non-formal alternative education subsystem as part of the national education system. The Commission's main achievements include the following:

(a) Training was provided to 6,135 persons aged 15 and over, mainly in services and industrial and commercial areas important for municipalities' growth potential. Training activities were held in 12 municipalities in eight of the country's departments – Cortés, Copán, Santa Bárbara, Lempira, Comayagua, Francisco Morazán, Olancho and El Paraíso – with the aim of incorporating these persons in the workforce;

(b) Training was provided to 13,003 persons on issues related to the basic needs of the most vulnerable groups, especially on how to improve housing, health and food, in 17 municipalities in the department of Lempira, seven in Santa Bárbara, three in La Paz and 2 in Copán;

(c) To reduce levels of educational exclusion and in coordination with EDUCATODOS and PRALEBAH, support was provided for alternative basic education for 7,494 persons in eight municipalities in the department of Lempira. In all, alternative education opportunities were offered to 54,936 persons in the country;

(d) Some 9,362 non-formal educators, volunteers and technicians were trained as, inter alia, preschool teachers, early childhood educators, non-formal alternative education teachers, basic needs instructors, non-formal education managers and literacy teachers. The 9,362 educators thus trained are members of 55 institutions working in the departments of Lempira, Intibucá, Comayagua, Choluteca, Yoro, El Paraíso, Francisco Morazán, Gracias a Dios, Atlántida, La Paz, Cortés, Colón, Olancho, Santa Bárbara, Copán and Valle;

(e) Seven specialized curricula in areas of non-formal education were developed: (i) antenatal training; (ii) training of play centre and community recreation workers; (iii) pre-pregnancy instruction and the relevant guides and modules; (iv) education for meeting basic needs; (v) training in welding; (vi) carpentry training; and (vii) training in food and drink monitoring and the corresponding guides;

⁴⁵ Legislative Decree No. 313-98 of 15 February 1999, Act for the Development of Non-formal Alternative Education (annex 25).

(f) Twenty-six private and governmental institutions introduced accreditation processes for their non-formal education programmes, including the National Centre for Employment Training, the Juana Leclerc Psychology and Pedagogy Institute, the Iglesia de Dios de la Profecía and the Honduran Red Cross;

(g) The Council of Ministers adopted the national non-formal alternative education policy 2008–2015 by means of Legislative Decree No. PCM-031-2013, in order to institutionalize it as the non-formal alternative education planning tool for government ministries and non-governmental organizations;

(h) CONEANFO has just been internationally certified under ISO 9001:2008, raising the quality of the service it provides for persons who have been excluded from education and enhancing its image both inside and outside the country. The participation and leadership of the 14 CONEANFO member institutions were decisive in achieving this outcome.

11. National Employment Training Centre (CENET)

48. The National Employment Training Centre (CENET) was set up in 1995 by Presidential Agreement No. 0349-EP-95, in cooperation with the Ministry of Education and the National Vocational Training Institute (INFOP) and with the technical and financial cooperation of the United Nations Development Programme (UNDP), the International Labour Organization (ILO) and the Kingdom of the Netherlands. It was later transformed by Legislative Decree No. 84-2001 into a decentralized State body attached to the Ministry of Education.⁴⁶

49. Between 2011 and 2013, 379 youth enterprises were set up, funded by loans granted for two years at an annual interest rate of 7 per cent and totalling approximately US\$1,000 per enterprise.

50. Capacity-building for men and women at community and municipal level was provided in the following areas, among others: (a) self-management of educational and development processes by local organizations; and (b) participation and democracy in educational and development activities in the communities and municipalities concerned.

12. National Vocational Training Institute (INFOP)

51. The National Vocational Training Institute (INFOP) is the lead institution for vocational training policies. Its role is to promote the country's economic and social development across all sectors of the economy by providing education, training and certification to meet the challenges of modern society and especially of unemployed youth. It aims to help increase national productivity and contribute to the country's socioeconomic development through vocational training activities that meet the need to establish a national vocational training system for all sectors of the economy and all levels of employment, in keeping with national socioeconomic development plans and the country's real needs.⁴⁷

52. INFOP has training programmes in such areas as industrial production, farming, handicrafts, agroindustry, agricultural and livestock production, floriculture, small-scale rural enterprise, agricultural mechanization, animal traction, hotel management and tourism, business development, secretarial training and training of instructors. In September 2011, it

⁴⁶ Legislative Decree No. 84-2001 of 29 June 2001, National Employment Training Centre (annex 26).

⁴⁷ Table showing the training provided by INFOP in 2013 under social programmes and projects (annex 27).

introduced Internet-based virtual online training; at least 13 online courses are currently available.⁴⁸

Article 7

Right to fair wages and safe and healthy working conditions

53. With regard to the recommendations in paragraphs 36, 37, 38 and 42 of the Committee's concluding observations, the criteria and procedures for setting the minimum wage in Honduras are regulated by the Minimum Wage Act. To do so, at the end of each year the Ministry of Labour and Social Security convenes a tripartite commission made up of representatives of the Government, private employers and workers. In 2012 and 2013, three agreements were signed among employers, workers and the public sector. The first of these, the Tripartite Agreement on the Revision of the Minimum Wage for 2012 and 2013,⁴⁹ and the second, the Agreement on Protection, Job Stability and Strengthening of the Workers' and Employers' Sectors in the Honduran In-bond Assembly Industry, were included in Agreement No. STSS-001-2012 issued by the President of the Republic through the Ministry of Labour and Social Security.⁵⁰ The third, Agreement No. STSS-599-2013 of 20 December 2013 published in Official Gazette No. 33313 of 26 December 2013,⁵¹ fixed the minimum wage applicable throughout the country from 1 January 2014 by branch of economic activity. It also adopted the Tripartite Agreement on the Revision of the Minimum Wage for 2014, 2015 and 2016.

54. The minimum wage is index-linked to the annual increase in the Consumer Price Index (CPI) calculated by the Central Bank of Honduras. The tripartite commission can also consult INE studies and reports on the cost of the basic basket of goods and services and other inflation projections prepared by each of the sectors represented on the commission.

55. With respect to occupational safety and health in Honduran legislation, the General Rules on Measures to Prevent Industrial Accidents and Occupational Diseases⁵² establish the health and safety conditions that must be observed in the workplace. They also establish, develop and provide legal, technical and administrative mechanisms for preventing industrial accidents and occupational diseases in the workplace.

56. Prior to these Rules, the Occupational Health and Safety Rules for Deep-sea Fishing⁵³ were adopted in 2001 to establish standards for protecting workers' health against risks arising from working conditions in deep-sea fishing.

⁴⁸ Report on the situation of human rights in Honduras: progress and challenges 2011–2012. Ministry of Justice and Human Rights, December 2012. There is also the "Yes You Can" programme, launched in February 2014, which has registered over 20,000 persons and is designed to help increase national productivity and contribute to the country's socioeconomic development by providing vocational training for all sectors of the economy and all levels of employment, in keeping with national socioeconomic development plans and the country's real needs. This free programme offers a number of courses, divided into eight subject-based learning units. In all, it comprises 10 training courses and over 1,000 hours of work.

⁴⁹ Tripartite Agreement on the Revision of the Minimum Wage for 2014–2015 and 2016, published in Official Gazette No. 33353 on 12 February 2014 (annex 28).

⁵⁰ Agreement No. STSS-001-2012 of 11 January 2012 (annex 29).

⁵¹ Agreement No. STSS-599-2013 of 20 December 2013 published in Official Gazette No. 33313 of 26 December 2013 (annex 30).

⁵² Executive Agreement No. STSS-053-04, General Rules on Measures to Prevent Industrial Accidents and Occupational Diseases (annex 31).

⁵³ Executive Agreement No. STSS-116-01, Occupational Health and Safety Rules for Deep-sea Fishing (annex 32).

57. Further to the recommendation in paragraph 38 of the concluding observations adopted by the Committee on Economic, Social and Cultural Rights in May 2001, the National Action Plan on Human Rights 2015–2022 envisages the adoption and implementation of legislative and other measures to protect workers from the occupational health hazards resulting from the use of toxic substances, such as pesticides and cyanide, in the banana-growing and gold-mining industries.

58. Moreover, the Honduran Criminal Code criminalizes sexual harassment in the workplace and in educational establishments, although not when it occurs elsewhere or when the persons involved are at the same hierarchical level.⁵⁴

59. Article 147-A of the Criminal Code states that a person is subject to sexual harassment at work when he or she is subjected to sexual innuendo or requests for sexual favours by another, more senior person and, in the event of refusal, suffers reprisals such as job instability and criticism of his or her job performance.

60. The same situation applies in the educational sphere to pupils whose academic performance is affected as a result of sexual harassment by a teacher. It is important to point out that anyone who requests sexual favours for a third party is also guilty of the crime of sexual harassment. The penalty for a person committing this crime is one to three years' imprisonment or special suspension or disqualification for the same period of time, at the discretion of the judge who rules on the case.

61. Sexual harassment is also regulated by article 60 of the Act on Equal Opportunities for Women.⁵⁵

Article 8

Right to form and join trade unions

62. In Honduras, the right to form and join trade unions is regulated by article 128 of the Constitution.⁵⁶ The State of Honduras has ratified ILO Conventions No. 87 concerning Freedom of Association and Protection of the Right to Organise and No. 98 concerning the Right to Organise and to Bargain Collectively.

63. Action taken by the State includes the signing of the 7 February 2012 National Agreement for Economic Growth with Social Equity, conceived as a short-, medium- and long-term pact among the Government, employers, workers and peasants for tackling the national crisis and that of the developed economies from a standpoint of growth with social equity. The short-term social pact embodies a set of agreements and commitments made by the parties jointly to meet a number of targets in the following areas: (a) economic growth with social equity; (b) private and public investment; (c) employment; (d) wages; (e) productivity and competitiveness with social responsibility; (f) protection of the vulnerable population; and (g) dialogue and democratic participation.⁵⁷

64. Currently, 580 trade union organizations are registered with the Department of Trade Union Organizations in the Ministry of Labour and Social Security. Thirteen per cent

⁵⁴ Sexual Harassment, Centre for Women's Rights, December 2004.

⁵⁵ Legislative Decree No. 234-2000 of 28 April 2000, Act on Equal Opportunities for Women.

⁵⁶ The right to form and join trade unions is recognized in article 128(14) of the Constitution, which establishes that: "The laws governing employer-worker relations are matters of public order. Acts, stipulations or agreements that waive, reduce, restrict or distort the following guarantees shall be null and void: [...] 14. Workers and employers have a legal right to exercise freedom of association, for the sole purpose of their economic and social activity, by organizing trade unions or professional associations."

⁵⁷ National Agreement for Economic Growth with Social Equity, February 2012 (annex 34).

of trade unions represent public sector workers and 87 per cent represent private sector workers.⁵⁸

65. Trade unions played an active role in the economic, political and social history of Honduras, above all in the 1950s, 1960s and 1970s. Currently, mention must be made of important factors related to freedom of association, such as the fact that unionized workers account for a minority of the economically active population and of wage earners as a whole.

66. The right to strike is also protected in the Constitution and the Labour Code. Article 128(3) of the Constitution recognizes the right to strike and to withhold labour. The law regulates the exercise of this right and may make it subject to special restrictions in such public services as it may determine.

Article 9

Right to social security

67. The right to social security is enshrined in articles 142, 143 and 144 of the Constitution, which establish clearly the right of everyone to social security, provide for the creation of social assistance and welfare institutions and for the operation of a single State system and declare extension of the social security system to urban and rural workers to be in the public interest.

68. The Honduran Social Security Institute (IHSS), founded in 1959, provides three types of benefits, according to the risks or contingencies that workers might face: sickness/maternity; old age, disability and death; and occupational risks. The IHSS social security scheme covers wage earners in the public/private sector and the central and decentralized public sector, although other categories of workers may join it voluntarily under a special scheme. As of December 2012, a total of 649,448 contributors and 944,947 beneficiaries, or a total covered population of 1,594,395 persons, were enrolled in the IHSS scheme.

69. In 2008, the Institute's board of directors approved the introduction of a special scheme for progressive enrolment in the IHSS social security scheme. This new scheme supplemented the measures provided for in the Constitution and opened enrolment to workers in the informal sector of the economy.

70. There are other social security schemes in the country that supplement and offer services beyond those offered by IHSS, especially with regard to old age, disability and death and occupational risks. These include the Retirement and Pensions Institute for Public Employees⁵⁹ (INJUPEMP), which as of December 2012 covered a total of 72,591 persons; the Military Social Security Institute⁶⁰ (IPM), covering armed forces, national police and fire brigade personnel, which as of October 2013 covered 33,659 persons; the National Social Security Institute for Members of the Teaching Profession⁶¹ (INPREMA), covering public and private sector preschool, basic and secondary schoolteachers, which as of November 2012 covered 95,264 persons; and the Social Security Institute for Employees of the National Autonomous University of Honduras⁶² (INPREUNAH), covering employees of the University.

⁵⁸ Study on the situation of workers' organizations in Honduras, December 2010.

⁵⁹ Act on the National Retirement and Pensions Institute for Executive Branch Employees.

⁶⁰ Act on the Military Social Security Institute.

⁶¹ Act on the Social Security Institute for Members of the Teaching Profession.

⁶² The Social Security Institute for Employees of the National Autonomous University of Honduras was launched on 27 July 1990 with the aim of permanently guaranteeing the University's employees the

71. The Social Protection Policy promotes institution-building of the social security system to enable it to cope with the expansion of coverage and guarantee the unity, efficiency and quality of services. It also promotes the gradual extension of social security pensions and health-care coverage to groups that have no access to it at present, irrespective of their ability to pay. The Policy covers contributory pension, health and unemployment programmes and voluntary enrolment for workers in the informal sector. The protection component links the different existing public social security policies, in an attempt to create a single, integrated system.⁶³

72. Fundamental aim 3 — human development — of the governance plan of the Government of President Juan Orlando Hernández Alvarado, 2014–2018, entitled “Everyone for a Better Life”, provides for the reduction of inequality and the extension of social protection to all Hondurans. Commitment 10 of the same plan provides for the gradual introduction of a universal social security system that provides basic old age, disability and death benefits to all the country’s workers.

73. The State of Honduras has stated its willingness to recognize and enforce the right to social security. However, it recognizes that this is a huge challenge requiring a sustained effort. To this end, it is promoting a comprehensive, gradual and effective social policy, a fundamental step having been the adoption in June 2013 of the Framework Act on a Public Social Policy,⁶⁴ aimed at creating a legal framework for public social policies and institutional powers for regulating, guiding and coordinating action to transform people’s sociocultural and material conditions, with emphasis on vulnerable groups and those living in poverty.

Article 10

Protection of the family

74. Under article 111 of the Constitution, the State has a duty to protect the family, children and mothers. Article 112 recognizes the equal right of men and women to enter into marriage and the legal equality of spouses. Honduras has made considerable legislative progress towards achieving this by adopting comprehensive amendments to the laws on children and the family.⁶⁵ Important public policies have also been adopted, such as the Social Protection Policy and the Comprehensive Early Childhood Development Policy. One historic achievement has been the adoption and implementation of the Responsible Parenthood Act,⁶⁶ aimed at ensuring through the recognition or declaration of parenthood that the child becomes a legal member of its parents’ family, without discrimination of any kind. Such recognition gives rise to a wide range of rights and obligations.

75. In addition to these legislative amendments, emblematic social programmes have been created and set in motion to help ensure that parents take responsibility for their families. These include the family allowance programme, currently managed by the Ministry of Development and Social Inclusion, which administers a series of conditional monetary transfers designed to improve the situation of the country’s poorest families.

right to decent, dynamic pensions, to well-managed social security funds and to fulfilment of the University’s commitments and obligations.

⁶³ Executive Decree No. PCM-008-2012 of 8 March 2012 published in Official Gazette No. 32784 of 28 March 2012, Social Protection Policy, page 8 (annex 4).

⁶⁴ Legislative Decree No. 38-2011 of 25 April 2011 published in Official Gazette No. 33149 of 13 June 2013, Framework Act on a Public Social Policy (annex 35).

⁶⁵ Legislative Decree No. 35-2013 of 27 February 2013 published in Official Gazette No. 33222 of 6 September 2013, Comprehensive amendments to the laws on children and the family (annex 36).

⁶⁶ Legislative Decree No. 92-2013 of 5 November 2013, Responsible Parenthood Act (annex 37).

Among these conditional transfer schemes, mention should be made of the creation in 2010 of the Presidential “*Bono 10 Mil*” (10,000 voucher) Health, Education and Nutrition Programme,⁶⁷ which benefited 393,481 households in the third quarter of 2013. In the first quarter of 2014 alone, 217,000 families were added to the programme under the new administration of President Juan Orlando Hernández.

76. Another government measure designed to benefit Honduran families is the implementation of the “Let’s Develop Honduras” supplementary income programme,⁶⁸ which by 2012 had generated 33,081 supplementary income opportunities for young people and adults from families in rural and marginal urban areas in 13 of the country’s departments, through their participation in community improvement and development works

77. Other programmes that have had a positive impact in assisting Honduran families include the Healthy Schools Programme, the school meals subcomponent of which had benefited 1,1401,000 State school pupils by April 2014. The current Government has also begun to promote a pilot plan adding an egg to the school meal of 636,000 children in State schools. The “Everyone for a Better Life” programme promoted by the current administration provided comprehensive assistance to 24,000 families in the first quarter of 2014. Efforts to target social programmes are based on Social Protection Policy management tools such as the single register of social programme beneficiaries (RUB)⁶⁹ and the register of institutional service suppliers (ROI), both administered by the National Social Sector Information Centre (CENISS) of the Ministry of Development and Social Inclusion.

78. Teenage pregnancy and its consequences, especially for socially disadvantaged families, is an especially important focus of the Social Protection Policy, which addresses issues related to the care of pregnant girls and teenagers from rural and urban areas or belonging to indigenous and Afro-Honduran peoples. The Policy is being used to coordinate various efforts among a number of sectors in order gradually to reduce the population’s poverty, vulnerability and social exclusion, taking an integrated, inclusive, life cycle-based approach to social protection through, inter alia, social assistance, food security, health services and education.

79. Through the office of the First Lady Ana García de Hernández⁷⁰ and in coordination with the Ministries of Health and Education, the United Nations Population Fund (UNFPA) is promoting the development of strategic guidelines for tackling teenage pregnancy

⁶⁷ In 2013, a total of 350,000 families received at least one payment out of 10 payable over the year and totalling 833.00 lempiras. The Government hopes to pay this benefit four times a year, in three-monthly instalments, with families sharing responsibility for health care and education. Priority will be given to families with children under five years of age and children aged 13 to 18, in order to ensure that children and adolescents attend school. If there is no school in the community, a travel subsidy will be paid to ensure that children and adolescents attend a basic school in the nearest community.

⁶⁸ Act on Supplementary Incomes in Rural and Marginal Urban Areas, adopted by means of Executive Agreement No. 001-2011 of 14 January 2010, published in Official Gazette No. 32487 of 7 April 2011 (annex 38).

⁶⁹ UNICEF has helped develop an RUB sub-module, the national early childhood register (RENFI), containing information on children aged 0 to 6 years, so that they can be included in the targeting of social programmes.

⁷⁰ On Friday, 2 May 2014, the President and the First Lady officially launched the “Think Carefully About It” programme aimed at preventing teenage pregnancy, which is being supported by the United States Agency for International Development (USAID). The Government is proposing five strategies: intervening in education, ensuring the right to comprehensive sex education, involving men in solutions, empowering adolescents and guaranteeing health services for pregnancy prevention.

prevention and care, involving direct interventions based on the family, the community and the education sector to prevent the occurrence of first and subsequent pregnancies. According to the National Population and Health Survey 2011 and 2012, 24 per cent of women aged 15 to 19 in Honduras have been pregnant at some point. It is hoped that the implementation of this strategy as part of teenage pregnancy prevention efforts will contribute to the development of girls' human capital through education, offering real opportunities for a better life in which motherhood is not seen as their only future.

80. Through its comprehensive adolescent health-care programme, the Ministry of Health is doing intersectoral, interprogrammatic work to present the National Teenage Pregnancy Prevention Strategy (ENAPREAH), which sets out the community and institutional actions that must be taken to help reduce this major problem.⁷¹

81. In Honduras, the definition of an older person is any Honduran national or non-national aged 60 or over. The Comprehensive Act for the Protection of Older and Retired Persons aims to improve the quality of life of older and retired persons and recognizes the following rights, among others, as rights of such persons: (a) to have access to public promotion, prevention, treatment and rehabilitation services; (b) to have a decent job that enables them to improve their quality of life; (c) to have an education that helps them take care of themselves and be aware of their health; (d) to have their knowledge, attitudes and cultural practices taken into account, valued and respected; (e) to be informed about their health situation and to receive appropriate treatment; (f) to benefit from discounts and special rates as provided in the Act.⁷²

Article 11

Right of everyone to an adequate standard of living for himself and his family

1. Right to the continuous improvement of living conditions

82. With respect to the recommendation in paragraph 34 of the Committee's concluding observations, the Honduran State has adopted national action strategies for measuring and combating poverty. According to information provided by the National Institute of Statistics (INE) in its May 2013 forty-fourth Permanent Multipurpose Household Survey, there are two kinds of poverty in Honduras: relative poverty, affecting 21.9 per cent of the population, and extreme poverty, affecting 42.6 per cent of the population, meaning that a total of 64.5 per cent of households are living in poverty. Honduras is one of the poorest countries in the world, making it essential that the Government take immediate action to overcome these extremes. For this reason, the priorities of the "Everyone for a Better Life" programme are human development, reduction of inequalities and social protection for all Hondurans. The Social Protection Policy also includes action aimed at giving comprehensive priority care to population groups living in situations of poverty, extreme poverty, vulnerability, exclusion and social risk.

83. By Legislative Decree No. 278-2013 of 21 December 2013, published in Official Gazette No. 33.316 of 30 December 2013, the Government issued the Act on the Overhaul of the Public Finances, the Monitoring of Tax Exemptions and the Introduction of Anti-evasion Measures, the purpose of which, according to the Decree's final preambular paragraph, is to overhaul the State's finances in order to reduce the fiscal deficit and

⁷¹ Teenage Pregnancy Reduction Strategy, Tegucigalpa, September 2012.

⁷² Legislative Decree No. 199-2006, Comprehensive Act for the Protection of Older and Retired Persons (annex 24).

prevent it from adversely affecting the Honduran economy. The Act increased sales tax from 12 per cent to 15 per cent, but exempted 72 foods that are included in the basic basket.

84. Families that consume 75 kWh of electricity per month will receive 120 lempiras towards the cost through a banking institution. A potential 280,000 subscribers will benefit from this reform, receiving a total of approximately 33 million lempiras.

2. Right to adequate food

85. With regard to the recommendation in paragraph 30 of the Committee's concluding observations, the adoption of voluntary guidelines to support the progressive realization of the right to adequate food in the context of national food security was promoted within the Food and Agriculture Organization of the United Nations (FAO) in 2001.

86. Honduras has made efforts to combat child malnutrition and undernutrition in households living in extreme poverty through such programmes as the school meals programme and the glass of milk programme, which together benefited some 1.5 million children in 20,000 State schools across the country in 2011. The school meals programme was funded as follows: 80 per cent by the Government, through a trust fund set up with the World Food Programme, and 20 per cent with support from the Governments of Canada and Taiwan and the private sector.⁷³

87. The State of Honduras has deposited the instrument of accession to the Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights (Protocol of San Salvador), which it ratified on 14 September 2011. Article 12 of the Protocol recognizes the right of everyone to adequate nutrition.

88. Legislative Decree No. 25-12011 containing the Act on Food and Nutrition Security was adopted on 25 March 2011. The Act establishes the legislative framework for developing, harmonizing and coordinating food and nutrition security actions designed to help improve the quality of life of the Honduran population, giving priority to the most vulnerable groups.

89. The National Food and Nutrition Security Policy and Strategy⁷⁴ was adopted in 2010 with the aim of ensuring that all Honduran families meet their basic food needs through timely access to adequate quantities of good-quality food that is not harmful to their health, so that each family member achieves an adequate state of health and well-being.

90. A Comprehensive Nutrition Plan (PIN) and a Country Investment Plan (CIP) for agriculture and food and nutrition security have also been drawn up.

3. Right to water

91. Data from the 2013 Permanent Multipurpose Household Survey show that access to water varies between urban and rural areas. In urban areas, 49.2 per cent of households have access to water, compared with 50.8 per cent in rural areas, through different kinds of water supply. For example, 94 per cent of the water supplied by the National Water and Sewerage System (SANAA) goes to urban areas and 6 per cent to rural areas, supplying a total of 569,391 homes. Conversely, 33.4 per cent of private water supplies go to the urban population and 66.6 per cent to the rural population, supplying a total of 1,049,235 homes. In urban areas, 3,942 homes have access to well water, compared with 30,237 homes in rural areas. Only rural families have access to river water, accounting for 53,978 homes. There are also other possibilities for accessing a water supply: tanker trucks, public taps,

⁷³ Report on the situation of human rights in Honduras: progress and challenges, 2011–2012.

⁷⁴ Executive Decree No. PCM-038-2010 of 24 August 2010, National Food and Nutrition Security Policy and Strategy (annex 8).

water from a neighbour's supply, etc., which cover a total of 27,182 homes in urban areas and 130,254 homes in rural areas.

92. The Framework Act on Drinking Water and Sanitation was adopted by Legislative Decree No. 118-2003 of 20 August 2003, published in Official Gazette No. 30384 of 8 May 2004. The Act provides for the participation of national or foreign private companies in the supply of water and sanitation by SANAA, municipalities and municipal water boards, and even by the water management boards of small villages and hamlets, and creates the legal framework for opening up the sector to privatization and the free market. It also regulates water rates, investment mechanisms, water supply provision and the rights and obligations of water suppliers and users, which range from the total or partial concession of water supply and sanitation services to entire supply systems.

93. The State of Honduras has adopted recent legislative measures amending article 145 of the Constitution⁷⁵ so that it recognizes access to water and sanitation as a human right, as established by Legislative Decree No. 233-3012 published in Official Gazette No. 33033.

4. Right to adequate housing

94. With regard to the recommendations in paragraphs 22 and 43 of the Committee's concluding observations, article 178 of the Constitution recognizes Hondurans' right to decent housing. The State implements and formulates social housing programmes such as:

(a) The Public Housing and Solidarity Credit Programme⁷⁶ (PROVICCSOL), aimed at providing decent housing and solidarity credit, through solidarity actions in the framework of the social economy, to the poorest members of the population;

(b) The Presidential Programme for the Coordination of the Housing Sector⁷⁷ (PRO-VIVIENDA), under the auspices of the Office of the President of the Republic, aimed at coordinating and assisting all efforts to formulate, promote and implement the Government's housing strategy;

(c) The Chagas Disease Control Programme, aimed at combating Chagas disease among the country's most vulnerable population by replacing housing in risk areas, is building 5,089 new block, adobe and adoblock homes, of which 3,894 are complete, 1,160 are under construction and 35 are in administrative liquidation;

(d) The Honduran Bank for Production and Housing (BANHPROVI), created for an unlimited duration by Decree-Law No. 6-2005 as a second-tier, public-service, decentralized credit institution of the Honduran Central Bank, is designed to promote the growth and development of production sectors by providing financing at the lowest annual interest rate (11.5 per cent) and for the longest housing loan repayment period (20 years) on the market. Operating through private financial institutions and savings and loan cooperatives supervised and regulated by the National Banking and Insurance Commission, it provides services to three sectors: production, housing and micro, small and medium-sized enterprises (MSME).

95. According to the findings of the latest Permanent Multipurpose Household Survey,⁷⁸ there are an estimated 1,863,291 homes in the country, housing 1,898,966 families or a total

⁷⁵ Article 145 of the Constitution: "[...] Accordingly, access to water and sanitation is hereby declared a human right [...]"

⁷⁶ Executive Decree No. PCM-39-2006 of 20 October 2006, Public Housing and Solidarity Credit Programme (annex 39).

⁷⁷ Executive Decree No. PCM-004-2011 of 24 January 2011, Presidential Programme for the Coordination of the Housing Sector (annex 40).

⁷⁸ National Institute of Statistics, Permanent Multipurpose Household Survey, Honduras, 2013 (annex 41).

of 8,535,692 persons, meaning that the national average household size is 4.5 persons. Rural households are larger than urban ones (4.7 and 4.3 members respectively). The proportion of households living in urban areas is 49.2 per cent. Some interesting variables that provide meaningful information and can be compared by area of residence are those that determine what access the population has to basic water and sanitation services and electricity.

Article 12

Right to physical and mental health

96. The right to health protection means that everyone must enjoy the highest attainable standard of physical and mental health. It therefore imposes on the State an obligation of result in the form of prevention and care measures, including the reduction of infant and child mortality, the prevention of epidemic and endemic diseases and medical assistance and treatment in the event of illness. This right also has an environmental component, to the extent that the environment can be a health problem.

1. Mental health

97. With regard to the recommendation in paragraph 49 of the Committee's concluding observations, the National Mental Health Policy was adopted in 2004. Conceived as participatory, transdisciplinary and intersectoral, the Policy provides a regulatory framework and guidance for mental health promotion activities in order to offer Hondurans the necessary conditions to develop their full biological, psychological and social potential in healthy environments and with healthy lifestyles.⁷⁹ The Policy details six strategic areas, defined taking account of the magnitude of the mental health problems existing in Honduras, for achieving the physical, mental, emotional and spiritual well-being of members of the population throughout their life cycle. These areas are: (a) ethics and human rights; (b) domestic violence; (c) promotion and prevention; (d) identity, culture and migration; (e) Institution-building; and (f) scientific research, the conceptual dimension of which is an overarching approach and a humanist vision.⁸⁰

98. There are two psychiatric hospitals in Honduras providing mental health care: the Santa Rosita National Psychiatric Hospital and the Dr. Mario Mendoza Psychiatric Hospital.⁸¹ The most frequent diagnoses are mental disorders attributable to alcohol consumption, bipolar affective disorder and manic-depressive episodes with psychotic symptoms.

99. The State of Honduras is committed to ensuring its population's health and, in particular, to meeting the needs of persons suffering from mental illness. Accordingly, it has provided mental hospitals and mental health establishments with a list of essential medicines, including antipsychotic drugs, anxiolytics, antidepressants, mood stabilizers and

⁷⁹ <http://secretariadesaludhn.wordpress.com/programa-de-la-secretaria-de-salud/>.

⁸⁰ National Health Plan 2021, Honduras (annex 42).

⁸¹ Of the total funds invested in mental health by the Ministry of Health, 88 per cent go to these hospitals and 12 per cent to non-hospital services. According to hospital expenditures, 3,272 patients were treated in 2008, of whom 2,313 (70.7 per cent) were men and 959 (29.3 per cent) were women. The most frequent diagnosis in men (44.3 per cent) was mental disorders and behaviour attributable to alcohol consumption, while for women and children (55.3 per cent) it was other disorders (epilepsy, organic mental disorders and mental retardation, bipolar affective disorder and manic-depressive episodes with psychotic symptoms).
http://www.paho.org/saludenlasamericas/index.php?id=43&option=com_content.

anticonvulsants, in order to give greater protection to persons with mental health problems and improve their health.

2. Physical health

100. In 2010–2014, the State of Honduras, through the Ministry of Health, drew up the National Health Plan as a means of complying with article 19 of the Constitution, which stipulates that the executive branch, through the Ministry of Public Health and Welfare, shall coordinate all public activities of centralized and decentralized health bodies by means of a national health plan that gives priority to the neediest groups.

101. The Plan has been harmonized with the Vision for the Country and the Plan for the Nation 2010–2038, particularly as regards the gradual attainment of the targets set in those documents, which for 2038 include: a child mortality rate of 12 per 1,000 live births (the current rate is 29 per 1,000); a maternal mortality rate of 25 per 100,000 live births; and a 95-per-cent rate for the dispensing of prescriptions in State hospitals. To continue the implementation of integrated actions for improving maternal and child health, the Ministry of Health has since 2008 been promoting a policy entitled “Rapid Reduction of Maternal and Child Mortality 2008–2015”⁸² (RAMNI).

102. One of the strategies envisaged in the National Health Plan is the provision of integrated, appropriate and quality services under a work plan that involves: (a) improving user satisfaction; (b) improving the technical and scientific quality of the care provided by health professionals; and (c) optimizing the use of resources. The Plan also takes into account the United Nations Millennium Development Goals, which Honduras has pledged to achieve.

103. Evaluations of the adequacy and quality of health-care services focus on professional or technical aspects, using as tools the auditing and analysis of results measured by indicators that also make it possible to measure efficiency, effectiveness and quality of personal interaction in the provision of services to the population. Such evaluations include the certification of “Healthy Municipalities” and the Baby-friendly Hospital Initiative, which help improve the quality of care through health authority certification. The health authority awards such certification to municipalities that meet certain established requirements and to hospitals with maternity services and birthing centres that have implemented the WHO-UNICEF adequate breastfeeding programme.

Article 13 Right to education

104. Under article 171 of the Constitution, formal education is provided free of charge. Moreover, basic education is compulsory and must be funded fully by the State. Since the establishment of the national basic education curriculum in 2003, the State must also provide mandatory care for children in the final year of the second cycle of pre-basic education (age five) through formal kindergartens, non-formal education preschool centres and community pre-basic education centres.

⁸² This policy forms part of the overall reform of the health sector and provides for the implementation of actions in a context of quality care, which begins with care in the phase prior to conception and continues during pregnancy, childbirth and the postpartum, including neonatal care. It comprises the following strategic areas: prevention of unwanted pregnancies and associated complications; universal access to affordable, quality maternity services within the coordinated health-care system; skilled human resources; and strategic information for action and accountability.

105. With respect to the recommendation in paragraph 50 of the Committee's concluding observations, the Basic Education Act⁸³ was adopted, aimed at making non-discrimination a crosscutting principle of the entire educational system. The principle of equity and inclusion also includes attending to special educational needs and cultural, linguistic, social and individual diversity as key elements of development, guaranteeing access to education for all with the compensatory measures necessary to achieve equality of opportunity without discrimination of any kind.⁸⁴

106. With regard to illiteracy rates, the May 2010 Multipurpose Household Survey estimates that 13 per cent of the indigenous and Afro-Honduran population are illiterate. However, the illiteracy rate is higher among the Maya Chortí (34%), Tolupán (32%) and Tawahka (25%) peoples.⁸⁵

107. In this connection, in 1992 the Confederation of Indigenous Peoples of Honduras (CONPAH) and the Ministry of Education signed a cooperation agreement with the aim of launching the process of developing high-quality intercultural bilingual education. As a result of this agreement, Executive Agreement No. 719-94 of 3 August 1994 recognized the multicultural and multilingual diversity of Honduran society.

108. The Directorate of Intercultural Multilingual Education (DIGEIM) was set up in 2013. Formerly the National Education Programme for the Indigenous and Afro-Antillean Ethnic Groups of Honduras (PRONEEAAH), the Directorate took up the challenge of strengthening the development and implementation of the intercultural bilingual education model in the classroom. This challenge goes beyond the classroom, however, and involves reaching out to and incorporating all levels of society in order to create a Honduran identity that is multi-ethnic, multicultural and multilingual. This goal is also included in the National Action Plan on Human Rights, which identifies the Directorate as one of the success stories in education and inclusion.

109. The Ministry of Human Rights, Justice, Interior and Decentralization, through the Directorate of Education in Human Rights, Justice and a Culture of Peace, also signed an inter-agency agreement with the Ministry of Education aimed at incorporating in the national basic education curriculum the topics of human rights, prevention of violence, culture of peace and respect for human rights. A national programme of education in human rights and a culture of peace has also been designed. In 2012, 17,670 civil servants and staff members of various State ministries and institutions and representatives of civil society organizations received training under this programme. The Ministry of Human Rights set up a diploma on the rule of law and human rights, under the auspices of the National Autonomous University of Honduras, the Nuestra Señora Reina de la Paz Catholic University of Honduras, the Konrad Adenauer Foundation and the Bar Association of Honduras, aimed at representatives of law schools, the Public Prosecution Service, the judiciary and the National Congress. A total of 420 individuals working in the justice and human rights sector completed the diploma. The Judicial School attached to the judiciary designed two teaching modules for education and training in human rights and promotion

⁸³ Legislative Decree No. 262-2011 of 22 February 2012 published in Official Gazette No. 32754 of 22 February 2012, Basic Education Act (annex 43).

⁸⁴ Chapter III, section 1, of the Basic Education Act, entitled Principles and Values, establishes the concepts of multiculturalism and interculturalism, whereby the country's different cultural and ethnic idiosyncrasies and identities, its linguistic diversity and its practices and customs are recognized, respected and encouraged. This diversity is regarded as an asset and the integration of mutual knowledge and the harmonious coexistence of the peoples that make up Honduran society are promoted, along with efforts to preserve their languages and promote their knowledge, development and use.

⁸⁵ National Institute of Statistics: Statistics, Permanent Multipurpose Household Survey, Honduras 2010 (annex 44).

of respect for the human rights of persons deprived of their liberty, aimed at justice sector staff including: justices of the peace, magistrates and judges, prosecutors, public defenders, auxiliary staff, police, prison guards and investigations police. Lawyers and independent counsels, mayors, staff members of State and governmental institutions, university professors, students, representatives of civil society sectors, psychologists and prison social workers, among others, received instruction in human rights. The Judicial School also taught a six-month diploma course in human rights and community policing to staff from the various levels of the police force, as a requirement for admission to the police system run by the Ministry of Security.

110. Also in the area of education, it should be mentioned that the national education system succeeded in providing the stipulated 200 calendar days of classroom instruction in the 2012/13 school year.⁸⁶

Article 14 **Compulsory free primary education**

111. Article 171 of the Constitution⁸⁷ establishes that education is free and compulsory for all children from the first year of pre-basic education up to secondary level. Articles 7 and 8 of the Basic Education Act also prohibit teachers or educational authorities from demanding financial or in-kind contributions towards its cost.

112. The Basic Education Act also imposes an obligation on parents or guardians to ensure that their school-age children or wards complete at least one year of pre-basic education, and basic and secondary education.⁸⁸

113. With regard to higher education, the Act establishes that higher education must promote the transformation of Honduran society and must be directed towards giving citizens a rounded education in order to ensure the highest academic standards, combining the acquisition of theoretical knowledge with practical knowledge of the life of the nation, while cultivating the highest ethical standards and increasing their sense of responsibility for their professional vocation. There are currently a total of 20 public and private universities in the country.

114. The fees charged by the public higher education sector, whose preeminent State university is the National Autonomous University of Honduras, are very low compared with those charged by the country's private universities.

Article 15 **Right to take part in cultural life⁸⁹**

115. In the State administrative structure, it is the Ministry of Economic Development that deals with cultural issues. Among other duties, it is responsible for the investigation, recovery and dissemination of the country's cultural assets, artistic education and the identification, conservation and protection of the country's historical and cultural heritage.

⁸⁶ <http://www.se.gob.hn/>.

⁸⁷ Article 171. Formal education shall be provided free of charge and basic education shall moreover be compulsory and funded fully by the State. The State shall establish the necessary mechanisms for enforcing this provision.

⁸⁸ Basic Education Act, Honduras (annex 43).

⁸⁹ See Report on the situation of human rights in Honduras: progress and challenges 2011–2012 and report of the State of Honduras on the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination, submitted in December 2012 (CERD/C/HND/1-5).

116. The Ministry has a network of 49 cultural centres,⁹⁰ whose main actions are conserving and exhibiting the local and national cultural heritage, helping equip spaces for the promotion of artistic activity, promoting cultural exchanges, meeting artistic education and training needs and promoting the various art forms through, inter alia, exhibitions, fairs, cinema and concerts. The National Library, the National Archive and the National Newspaper Archive and the network of municipal public libraries, the National Schools of Dance and Theatre, the National Conservatory of Music, the National Radio of Honduras and other cultural entities also come under the Ministry's authority.

117. The Honduran Institute of Anthropology and History is a decentralized State entity. At an even more decentralized level of the State cultural structure, there are the national network of cultural centres in different towns and villages and the private foundations, centres and circles that run museums, theatre groups and other initiatives.

118. As part of the follow-up to the recommendations of the Truth and Reconciliation Commission on the historical memory policy, the unit entrusted with following up the recommendations of the Truth and Reconciliation Commission and the Ministry of Justice and Human Rights drafted a proposal for the first Honduran public policy for the preservation of historical memory in Honduras, which forms part of the first Public Policy and National Action Plan on Human Rights. The aim of this policy is to enhance national reconciliation through the construction, reconstruction and dissemination of a critical instructive knowledge of collective memory and national awareness about the events described in the Truth and Reconciliation Commission's report, as well as any other social, political or cultural event of importance to the Honduran nation.

119. At the national level, in an effort to harmonize domestic law with international norms, a preliminary draft amendment to article 6 of the Constitution, declaring Honduras a multicultural, multilingual State, was submitted to the National Congress.

120. The State of Honduras promulgated the Act for the Protection of the Nation's Cultural Heritage,⁹¹ article 1 of which establishes the goal of "protecting, conserving, reclaiming, recovering, restoring, protecting, investigating, disseminating, expanding and transmitting to future generations the goods that constitute the nation's cultural heritage throughout the national territory and in its territorial waters. Article 9 of the Act prohibits organizations of any kind from undermining the traditional culture of indigenous communities by preventing or using coercion against the celebration of their periodic ritual native festivals and other cultural expressions.

121. Among culture-related legislative and executive decrees, Legislative Decree No. 330-2002 of 24 December 2002 declared April as African Heritage Month in Honduras, while Executive Decree No. 04-2006 created the African Heritage Month in Honduras national prize, which has five categories.

122. It should be mentioned that Honduras also, inter alia, ratified the International Convention on the Elimination of All Forms of Racial Discrimination by Legislative Decree No. 61-2002; created the National Commission against Racism in Honduras by Executive Decree No. 002-2004; adopted Executive Decree No. 09-2007 to encourage and support the Afro-Honduran population; created the Ministry of Indigenous and Afro-Honduran Peoples by Decree No. 183-2010 of 14 October 2010 published in Official

⁹⁰ These cultural centres, distributed among 49 municipalities according to the cultural centres network, are located in 15 of the country's departments: Atlántida, Colón, Comayagua, Copán, Cortés, El Paraíso, Francisco Morazán, Intibucá, La Paz, Lempira, Ocotepeque, Olancho, Santa Bárbara, Valle and Yoro.

⁹¹ Legislative Decree No. 220-97 of 29 December 1997, Act for the Protection of the Nation's Cultural Heritage (annex 45).

Gazette No. 32364 of 12 October 2010; and adopted Executive Decree No. PCM-003-2011 declaring 2011 the International Year for People of African Descent.

123. At the regional level, ministers and senior authorities of the Ministries of Culture of Central America and the Dominican Republic, meeting in San José, Costa Rica, on 24 January 2011, agreed to create the “Caribbean Cultural Corridor” in response to the necessity and importance of promoting cultural diversity and reactivating traditional cultural corridors and of encouraging the movement of artists, cultural enterprise and industries, the attraction of investment, tourism and international cooperation.

124. The Honduran Tourism Institute has launched a National Sustainable Tourism Strategy, with two components – social and cultural – that link tourism with the Poverty Reduction Strategy and with respect for the culture of the country’s indigenous and Afro-Honduran peoples. The social component is based on job creation, especially for local workers, while the cultural component is based on involving indigenous communities and populations, especially women, in the implementation of activities and on preserving the value of the country’s cultural heritage as a distinctive element of the tourism opportunities available in Honduras.
