



Convention on the Rights of the Child

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Committee on the Rights of the Child

Combined sixth and seventh periodic reports submitted by Honduras under article 44 of the Convention, due in 2020*

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* The present document is being issued without formal editing.



I. Introduction

1. In accordance with article 44 of the Convention on the Rights of the Child and the general guidelines of the Committee on the Rights of the Child (CRC/C/58/Rev.3), Honduras is pleased to submit to the Committee its combined sixth and seventh periodic reports covering the period 2015–2020, which set out the measures adopted, progress achieved and challenges faced in the implementation of the recommendations made on 3 July 2015 (CRC/C/HND/CO/4-5).
2. The report was prepared by the Ministry of Human Rights, the body responsible for preparing reports to international and regional human rights bodies, in coordination with the Directorate for Children, Adolescents and the Family, the institution that guides public policy on the rights of children and adolescents in Honduras, and with the support of the Special Response Group on Human Rights, composed of the focal points of the Honduran System for Monitoring Human Rights-related Recommendations.¹

II. Follow-up measures undertaken and progress achieved

International norms

3. The Government of Honduras wishes to inform the Committee that it has ratified the following instruments:
 - (a) Arms Trade Treaty;²
 - (b) Optional Protocol to the International Covenant on Economic, Social and Cultural Rights;³ and
 - (c) Adoption of the 2030 National Agenda for the Sustainable Development Goals.

Laws, regulations and other internal rules

4. The following legal instruments were adopted to protect the rights of children and adolescents and the population in general:
 - (a) Act on AMBER Alerts to Locate and Protect Missing or Abducted Children and Adolescents;⁴
 - (b) General Labour Inspectorate Act;⁵
 - (c) School Meals Act;⁶
 - (d) Police Service Act;⁷
 - (e) Act on the Control of Firearms, Munitions, Explosives and Related Materials;⁸
 - (f) Special Act on Adoptions in Honduras;⁹
 - (g) Criminal Code;¹⁰
 - (h) Regulations for the Responsible Parenting Act;¹¹

¹ Decree No. PCM-028-2017, Gaceta No. 34,410.

² Legislative Decree No. 140-2015, Gaceta No. 34,175.

³ Legislative Decree No. 8-2017, Gaceta No. 34,408.

⁴ Legislative Decree No. 119-2015, Gaceta No. 34,226.

⁵ Legislative Decree No. 178-2016, Gaceta No. 34,290.

⁶ Legislative Decree No. 125-2016, Gaceta No. 34,380.

⁷ Legislative Decree No. 69-2017, Gaceta No. 34,463.

⁸ Legislative Decree No. 101-2018, Gaceta No. 34,866.

⁹ Legislative Decree No. 102-2018, Gaceta No. 34,841.

¹⁰ Legislative Decree No. 130-2017, Gaceta No. 34,940.

¹¹ Executive Decision No. 004-2019, Gaceta No. 34,888.

- (i) Special Regulations on the Organization and Operation of the Directorate General of the Attorney General's Office;¹²
- (j) Internal Regulations for Harmonious Coexistence in State Schools in Honduras;¹³
- (k) Regulations of the Inter-Agency Commission for Monitoring Investigations of Violent Deaths of Women and Femicides;¹⁴
- (l) Amendments to the Responsible Parenting Act;¹⁵
- (m) Amendment to Decree No. 76-84 on the Family Code, itself amended by Decree No. 35-2013;¹⁶
- (n) Establishment of the Ministry of Human Rights;¹⁷ and
- (o) Establishment of the National Institute for Juvenile Offenders.¹⁸

Policies, plans and projects

5. The main policies adopted during the reporting period that incorporate elements aimed at protecting and promoting the rights of children and adolescents include:

- (a) National Policy on Sexual and Reproductive Health;¹⁹
- (b) Public Policy against Racism and Racial Discrimination for the Comprehensive Development of Indigenous and Afro-Honduran Peoples;²⁰
- (c) National Policy and Strategy on Food and Nutrition Security 2030 and accompanying Nutrition Action Plan (2019–2023);²¹
- (d) Public Policy on Inclusive Education;²²
- (e) Strategic Plan to Combat Commercial Sexual Exploitation and Trafficking in Persons (2016–2022);²³
- (f) Strategic Government Plan 2018–2022;²⁴
- (g) Education Sector Strategic Plan 2018–2030;²⁵
- (h) Cities for Women (Cuidad Mujer) Presidential Programme;²⁶
- (i) Establishment of the National Commission for the 2030 National Agenda for the Sustainable Development Goals;²⁷ and
- (j) Creation of the Comprehensive System for the Protection of the Rights of Children and Adolescents in Honduras.²⁸

¹² Decision No. FRG-011-2016, Gaceta No. 34,028.

¹³ Ministerial Decision No. 0766-SE-2019, Gaceta No. 35,016.

¹⁴ Decision No. 001-CISMWMF-2019, Gaceta No. 35,027.

¹⁵ Legislative Decree No. 51-2016, Gaceta No. 34,162.

¹⁶ Legislative Decree No. 44-2017, Gaceta No. 34,471.

¹⁷ Executive Decree No. PCM-055-2017, Gaceta No. 34,441.

¹⁸ Executive Decree No. PCM-061-2017, Gaceta No. 34,450.

¹⁹ Resolution No. DGN-PA-01-2015.

²⁰ Executive Decree No. PCM-027-2016, Gaceta No. 34,031.

²¹ Decree No. PCM 86-2018.

²² Executive Decree No. PCM-054-2019, Gaceta No. 35,096.

²³ Executive Decision No. 487-2016, Gaceta No. 34,204.

²⁴ Consulted on 27 October 2020, available at: <http://www.scgg.gob.hn/sites/default/files/2019-06/PEG%202018-2022%20-Versio%CC%81n%20Actualizado%20abril%202019.pdf>.

²⁵ Adopted by the National Board of Education at Special Session No. 001-2019 of 9 April 2019.

²⁶ Executive Decree No. PCM-031-2016. The programme was accorded the status of national policy by Legislative Decree No. 159-2016 and was decentralized as part of the reform envisaged in Executive Decree No. PCM-023-2018.

²⁷ Executive Decree No. PCM-064-2018, Gaceta No. 34,756.

²⁸ Executive Decrees Nos. PCM-020-2019 and PCM-038-2019.

III. Main areas of concern and recommendations

A. General measures of implementation (arts. 4, 42 and 44 (6) of the Convention)

Legislation (harmonization of domestic laws)

6. Regarding the recommendation contained in paragraph 8 of the Committee's previous concluding observations, on the dissemination of child-related laws, the Higher Court of Audit has a publicly accessible and freely downloadable virtual library of all the decisions, decrees, codes, laws, manuals, guiding frameworks, norms, plans and amendments adopted and published in the Official Gazette.²⁹

7. Article 13 of the Transparency and Access to Public Information Act establishes that regulated institutions must disclose ex officio and periodically update, either electronically or, failing that, in writing, laws, regulations, circulars and other generally applicable provisions, together with their general policies, plans, programmes and projects, financial statements and budget performance reports for each programme.

8. The Directorate for Children, Adolescents and the Family has published and disseminated compendiums of national and international legal standards, including human rights treaty body recommendations.

9. The Ministry of Human Rights promotes the harmonization of national laws with international standards and has issued 62 legal opinions on the compatibility of the two, including opinions on the compatibility of the bill on the National Register of Missing and Disappeared Persons, the regulations of the Inter-agency Commission for Monitoring Investigations of Violent Deaths of Women and Femicides, the draft decree on the Comprehensive System for the Protection of the Rights of Children and Adolescents in Honduras and the bill on shelters, and observations on the new Criminal Code, the Act against Trafficking in Persons and its regulations and the National Policy on the Rights of Children and Adolescents.

10. The Ministry held three training workshops on how to review national law for compatibility with international treaties that were attended by 71 justice officials and 49 civil servants. Furthermore, the Compendium of International Human Rights and Humanitarian Law Instruments Ratified and Adopted by Honduras and the Honduran Human Rights Regulatory Framework were published in 2019 to strengthen legislative harmonization.³⁰

Comprehensive policies and strategies

11. Concerning the recommendation contained in paragraph 10 of the Committee's previous concluding observations, to give visibility to the rights of children and adolescents in policies and strategies, the Strategic Government Plan for the period 2018–2022, which is aligned with the National Agenda for the Sustainable Development Goals, prioritizes strategies aimed at the promotion and protection of rights, mainly through the implementation of the Comprehensive System for the Protection of the Rights of Children and Adolescents in Honduras. The System provides the means to coordinate legislation, public policies, programmes and budgets, in addition to activities with a strong focus on prevention and children's rights at the national, departmental and local levels, under the leadership of the President of the Republic and the stewardship of the Directorate for Children, Adolescents and the Family.

Coordination

12. Regarding the recommendation contained in paragraph 12, on the allocation of resources to the Directorate for Children, Adolescents and the Family, the National Congress

²⁹ Consulted on 27 October 2020, available at: <https://www.tsc.gob.hn/biblioteca/index.php>.

³⁰ Consulted on 26 October 2020, available at: <https://www.sedh.gob.hn/documentos-recientes/275-compendio-2019/file>.

approved a budget of 91,006,154 Honduran lempiras (L) for the 2016 financial year³¹ and a budget of L 143,039,004 for the 2020 financial year,³² which was an increase of 57 per cent.

13. The Programme for the Protection of Children and Adolescents, which provides for the outsourcing of care services for children and adolescents whose rights have been violated in State care, has been allocated a budget of L 48,505,771.³³

14. With regard to the strengthening and effective functioning of the Directorate for Children, Adolescents and the Family, the Directorate's human resources have increased as follows since 2014:

- (a) From 102 employees on all types of contract in 2014 to 329 in 2020;
- (b) From 2 permanent employees in 2014 to 158 in 2020, accounting for 48 per cent of all staff; and
- (c) To 140 employees in the six regional offices nationwide and in the Migrant Centre.

15. To ensure the comprehensive protection of children, the Directorate's operational staff consists of a multidisciplinary team of legal, psychology, social work and medical professionals that guarantee their safe reintegration, along with protection measures based on a rights-based approach.

16. The Comprehensive System for the Protection of the Rights of Children and Adolescents in Honduras was established to enhance inter-agency coordination and apply a multisectoral model to prevention, promotion, protection, guarantees and reparations in relation to the rights of children and adolescents. The System comprises coordinating bodies at the three territorial levels, namely 164 municipal committees tasked with upholding the rights of children and adolescents, 5 departmental committees and 1 national committee, on which around 150 civil society organizations working on children's issues and institutions of the three branches of government are represented.

17. The System has continued to expand and now has a presence in 55 per cent of municipalities, reaching 2,818,480 children and adolescents (1,427,138 boys and 1,391,339 girls).

18. This process has received the technical and financial support of the United Nations Children's Fund (UNICEF), as recommended by the Committee.

Resources allocated to children

19. Concerning the recommendation contained in paragraph 14 of the Committee's previous concluding observations, on public investment in children, in 2016, the Directorate for Children, Adolescents and the Family, the Ministry of Development and Social Inclusion, the Ministry of Finance, the Ministry for General Governmental Coordination and UNICEF signed an inter-agency agreement to coordinate efforts to institutionalize the measurement and monitoring of public investment in children and adolescents that will serve as a basis for financial analyses aimed at ensuring greater fairness in the allocation of resources to this population group.

20. The Inter-agency Expert Committee for the Measurement and Monitoring of Public Investment in Children and Adolescents was set up to serve as a vehicle for coordinating actions, carrying out expert analyses and supervising and evaluating the appropriateness, effectiveness and fairness of the distribution of resources for the promotion of the rights of the child.

21. Regarding the recommendation contained in paragraph 14 (a) of the Committee's recommendation, on assessing the budget needs of children and allocating adequate budgetary resources, in 2020, the Cabinet Council on Social Affairs had a budget of L 57,159.8 million (20.2 per cent), which included the budgets of the Ministry of Education,

³¹ Legislative Decree No. 168-2015, Gaceta No. 33,912.

³² Legislative Decree No. 171-2019, Gaceta No. 35,137.

³³ Source: Ministry of Finance.

the Ministry of Health and the Ministry of Development and Social Inclusion, among other institutions. The Cabinet Council is responsible for formulating, coordinating and implementing public health and education policies to reduce poverty, in addition to programmes and projects aimed at children, young people, Indigenous and Afro-Honduran Peoples, women and girls, persons with disabilities and older persons.³⁴

22. According to the 2018 report on public investment in children and adolescents in Honduras, public investment increased by 8 per cent between 2017 and 2018, and from L 31,541.7 million in 2015 to L 34,112 million in 2018.

23. The amounts invested are drawn from the Treasury and the Inter-Agency Expert Committee's own funds, the slightly increasing contribution of the latter pointing to greater consolidation in that the Committee does not need to rely on funding from external sources or temporary programmes. The most significant investment was in education, accounting for an average of 65 per cent of the total and trending upwards, followed by health services, accounting for an average of 21 per cent. The percentage of budget implementation for public investment in children and adolescents improved during the period under review, which indicates that the amounts approved were used effectively.

24. With respect to paragraph 14 (b) of the Committee's recommendation, on guaranteeing transparent and participatory processes that include a child rights perspective, with specific indicators and a tracking system, the Inter-agency Expert Committee has established five strategic objectives: measurement and monitoring at the national level; measurement and monitoring at the municipal level; analysis of the fairness, effectiveness and efficiency of public investment in children and adolescents; institutional strengthening in planning and budgeting; and sustainability and participation.

25. Tools have been introduced for political lobbying, advocacy activities, awareness-raising and actions related to transparency and access to information under a strategy and plan of action to protect and enhance public investment in children and adolescents implemented jointly by the Directorate for Children, Adolescents and the Family and the Ministry of Development and Social Inclusion.

26. In 2017, the Inter-agency Expert Committee added a tab on the Directorate's website³⁵ through which information on public investment in children and adolescents can be accessed.

27. The Inter-agency Expert Committee has been operating since 2014 but its status as the mechanism responsible for monitoring public investment in children and analysing its effectiveness, efficiency and impact was officially recognized through an inter-agency agreement concluded in 2016.

Data collection

28. Regarding the recommendation contained in paragraph 16 (c) of the Committee's previous concluding observations, on strengthening the capacity of institutions to provide data covering all areas of the Convention, the National Statistics Institute and the Ministry of Health, with assistance from the European Union and technical and financial support from UNICEF, conduct the national population and health survey to collect information on the status and social determinants of the health of children under 5 years of age, children and adolescents aged 5 to 17 years, women aged 15 to 49 years and men aged 15 to 59 years, together with data on fertility, general and reproductive health, the nutritional status of children, infant mortality, HIV/AIDS, domestic violence, morbidity, housing indicators, use of services, health expenditure and demographic indicators. In addition, the quality of drinking water and salt iodization levels are assessed.³⁶

29. Concerning the continuation of cooperation with UNICEF mentioned in paragraph 16 (e), the national population and health survey is carried out using the multiple indicator cluster methodology developed by UNICEF as part of an international household survey programme designed to compile internationally comparable and statistically sound

³⁴ Source: Ministry of Finance.

³⁵ <https://dinaf.gob.hn/inversion-publica-en-ninez-y-adolescencia/>.

³⁶ Consulted on 27 October 2020, available at: <https://utsan.scgg.gob.hn/endesa/>.

estimates of key indicators used to assess the health status of children and adolescents, women and men.

30. To implement the early childhood indicator monitoring platform and validate information on beneficiaries of social programmes, especially infants, the agreement between the National Registry Office, the Ministry of Development and Social Inclusion, the Secretariat for Communications and Presidential Strategy, the National Centre for Information on the Social Sector and the “Parenting with Love” (Criando con Amor) programme was confirmed and extended.

31. Relevant quantitative and qualitative information on the priority indicators for the National Agenda for the Sustainable Development Goals can be found on the website of the National Agenda for the Sustainable Development Goals Monitoring Platform,³⁷ which is a source of information and a collaborative space for civil society organizations, academia, international organizations, public institutions and the general public.

32. The Directorate for Children, Adolescents and the Family uses the following digital platforms:

(a) Monitoring and Follow-up Computer System, which consists of a database of information on the care provided to children and adolescents at high risk and/or whose rights have been violated and follow-up action taken to restore their rights; and

(b) Children First, a computer programme for monitoring children and adolescents subject to protection measures in alternative residential care institutes, of which 103 currently submit information to the platform.

33. Both systems collect information disaggregated by age, sex, disability, geographical location, rights violated and any other information that facilitates analyses for the restitution of children and adolescents’ rights in the shortest possible time frame.

34. The Ministry of Human Rights has three information systems linked to the Public Policy and National Plan of Action on Human Rights:

(a) A system linking activities under the Public Policy and National Plan of Action, international treaty body recommendations and the National Agenda for the Sustainable Development Goals;

(b) The Human Rights in Figures Platform; and

(c) The Honduran System for Monitoring Human Rights-related Recommendations.

Independent monitoring

35. With regard to the recommendation contained in paragraph 18 (a) of the Committee’s previous concluding observations, on establishing an independent mechanism for monitoring children’s rights, the State is considering the creation of such a mechanism.

36. Regarding the recommendation contained in paragraph 18 (b), the Office of the National Commissioner for Human Rights has national offices for vulnerable groups and specialized units such as the Child and Family Ombudsman. The Office’s activities are guided by the action plan for 2014–2020, entitled “At the Forefront of Human Dignity” (Vanguardia de la Dignidad Humana), and by the strategy for local-level social transformation, designed to promote solidarity and well-being at the municipal level. The Office has an enhanced presence in the communities and territories through its regional and departmental branches. Its mobile ombudsman service has made 266 visits in 77 municipalities, where 255 actions have been taken to promote human rights, deal with complaints and provide guidance.

37. Concerning paragraph 18 (c), on the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), in 2019, the Office of the National Commissioner for Human Rights was granted category A status

³⁷ <https://www.sgpr.gob.hn/ODS/>.

by the Global Alliance of National Human Rights Institutions. Moreover, to enable it to fulfil its mandate, its budget was increased by 29 per cent between 2015 and 2019.

Dissemination and awareness-raising

38. With respect to the recommendation contained in paragraph 20 of the Committee's previous concluding observations, on programmes to raise awareness of the Convention, with the active involvement of children, the Directorate for Children, Adolescents and the Family holds talks with the media to raise awareness of the importance of children's opinions and participation, ensuring that children and adolescents are interviewed as part of the coverage of events with an impact on them and are included in forums and debates in the media on the promotion of rights at the national and local levels. Opportunities for participation are created through educational campaigns designed by children and adolescents and are publicized in the media.

39. The Directorate has a training and awareness-raising plan for journalists and social communicators concerning the role that they and the media should play in promoting and defending children and adolescents' rights and handling complaints of violations. In 2019, it raised awareness among 302 journalists in 32 cities, with a focus on children and adolescents' rights, increasing coverage of the issue and creating better spaces for debate, reporting news involving children and adolescents correctly and establishing an appropriate channel for submitting complaints about the media directly to the competent authorities.

40. The Honduran System for Monitoring Human Rights-related Recommendations organizes a Public Round Table on Children, which promotes the implementation of the Convention and international recommendations and has held five awareness-raising workshops at the national level with State institutions and civil society organizations.

Training on children's rights

41. Regarding the recommendation contained in paragraph 22 (a) of the Committee's previous concluding observations, on training programmes on human and children's rights for public officials working with and for children and adolescents, in 2016, the Judicial Training College, together with UNICEF and Diego Portales University in Chile, trained 38 justice officials, including prosecutors, lawyers and judges, on the application of international children's rights standards, including those enshrined in the universal and inter-American systems.

42. In 2017, a train-the-trainers course was run for justice officials on children's rights with a gender perspective and training was provided on the judiciary's role in the comprehensive protection of children.

43. In 2018, the Judicial Training College provided training on human and children's rights to 3,875 justice officials, including magistrates, assistants, trial judges, specialized career judges, sectional judges, enforcement judges, justices of the peace, court inspectors, public defenders and technical, auxiliary and administrative staff. Furthermore, together with the International Bureau for Children's Rights, it organized a discussion on follow-up to the recommendations of the Committee on the Rights of the Child as part of the 2019 agenda for children and adolescents.

44. The Directorate for Children, Adolescents and the Family carries out capacity-building activities for various stakeholders involved in promoting and safeguarding children's human rights on topics such as the Convention on the Rights of the Child, the Comprehensive System for the Protection of the Rights of Children and Adolescents, the Special Protection Subsystem, the Special Adoption Act and related agreements. The Directorate delivered 193 workshops in 2017, 221 in 2018, 251 in 2019 and 144 in 2020.

45. In coordination with the Francisco Morazán National Pedagogical University, the Directorate offers a diploma course on safeguarding the rights of children and adolescents aimed at municipal councillors tasked with upholding the rights of children and public servants at other institutions with child-related responsibilities. The course includes a module on protection, physical punishment and degrading treatment and was completed by 178 persons in 2020.

46. In 2019, the National Committee for the Prevention of Torture and Cruel, Inhuman or Degrading Treatment or Punishment trained 40 public officials from the National Institute for Juvenile Offenders on torture prevention, the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol) and the human rights of children and adolescents deprived of their liberty.

47. In 2019 and 2020, the Public Prosecution Service's Training Academy ran 14 training and awareness-raising courses on gender and juvenile criminal justice issues for public officials and civil servants with the support of partners.

48. The Ministry of Human Rights organizes training programmes on topics such as children's rights, the prevention of discrimination, child abuse and the prevention of sexual harassment. By July 2020, it had trained 6,262 law enforcement officers. In addition, in 2019, with the support of the Office of the United Nations High Commissioner for Human Rights, it certified 35 members of the Special Response Group on Human Rights through a specialized human rights course for government officials, which included a specific module on children's rights.

49. With respect to the recommendation in subparagraph (b), on integrating the teaching of human and children's rights into school curricula, the Ministry of Education reports that this topic is taught at all levels of preschool, primary and secondary education. In 2018 and 2019, the Ministry trained 247 teachers.

Cooperation with civil society

50. Concerning the recommendation contained in paragraph 24 (a) of the Committee's previous concluding observations, on the involvement of communities and civil society in policy development, the drafting of the National Policy to Safeguard the Rights of Children and Adolescents in Honduras 2020–2030 began in 2018 on the basis of a proposal submitted by civil society and involving children's organizations and State children's rights institutions, which reviewed and validated the proposed indicators and set projected targets for the years covered by the Policy.

51. Through the Comprehensive System for the Protection of the Rights of Children and Adolescents, the municipal councils tasked with upholding the rights of children, which comprise rights protection institutions, civil society organizations dealing with children's issues and children's organizations, undertake various efforts to develop children's policies at the municipal level, carry out situational assessments and formulate plans of action.

52. For the implementation of the National Plan of Action on Human Rights, the Ministry of Human Rights signed six agreements with civil society organizations, which take an intersectional approach to the rights of children and young people.

53. Through the Comprehensive Policy on Harmonious Coexistence and Citizen Security, the Strategic Framework for Prevention, Peace and Harmonious Coexistence and programmes and projects to eliminate violence against children and adolescents, the Office of the Under-Secretary for Preventive Security attached to the Ministry of Security works jointly with the Network of Children's Rights Institutions, sporting associations, churches, and youth associations and organizations represented on the local violence prevention committees, as follows:

(a) There are currently 70 youth outreach centres in seven departments of the country, which together have received an investment of more than L 100 million. These centres provide opportunities for entrepreneurship and recreation, following an approach based on the prevention of violence, so that children and adolescents can engage in art, sports and entertainment. Over 42,000 children and adolescents have benefited to date;

(b) In 2019, with the support of the National Foundation for the Development of Honduras, four centres were inaugurated in communities identified as having high rates of violence;

(c) The Prevention, Peace and Harmonious Coexistence Programme promotes physical activity, culture and sports as means for children and adolescents to spend their free time in safe public spaces free from violence;

(d) A joint project implemented by the Office of the Under-Secretary for Preventive Security and UNICEF provides for measures to prevent violence against children, the changing of social norms, campaigns to promote equality and encourage positive attitudes towards children and adolescents, the strengthening of institutions in the Prevention, Security and Defence Cabinet and training for the National Police;

(e) The “Get Active” (Actívate) programme promotes physical activity, mental health and a healthy diet to prevent chronic non-communicable diseases and substance abuse; and

(f) The National Response Plan for the Prevention of Violence against Children and Adolescents, which is evidence-based and multisectoral, is designed to strengthen and enforce the various policies in place in the country to prevent violence against children and adolescents.

54. With regard to the recommendation contained in paragraph 24 (b), on the case of Mr. José Ruelas, which concerns events that took place in May 2014, members of the National Police were accused of violating the duties of officials, as recorded in case file No. 6802-2014/0801-1264-2014 of the Office of the Special Prosecutor for Human Rights. Among other measures, an administrative statement was taken from the victim, an agreement was reached regarding the naming of the accused, a forensic medical report was drawn up and expert and other evidence was collected.

55. The Directorate General of the Protection System attached to the Ministry of Human Rights registered Mr. Ruelas’ case on 29 March 2016 and ordered immediate police patrols, conducted the relevant risk analysis and contacted the victim to reach an agreement on protection measures with the Technical Committee of the Protection Mechanism. However, it was not possible to arrange a meeting with the victim or to obtain his consent to continue with the process. On 13 November 2019, the Technical Committee decided to suspend the police patrols and close the case, without prejudice to the possibility of launching a new process should new facts arise.

56. All the processes handled by the Protection Mechanism are based on the principle of willingness, as established in article 3 (8) of the Act on the Protection of Human Rights Defenders, Journalists, Social Communicators and Justice Officials.³⁸

57. Regarding the steps taken to protect human rights defenders, including defenders of children’s rights, the Directorate General of the Protection System, pursuant to the Act and with technical assistance from the European Union (2016) and the United States Agency for International Development (USAID) (2017–2019), created and strengthened the Case Registration and Rapid Response Unit, the Risk Analysis Unit and the Implementation and Monitoring Unit. In May 2018, it also created the Prevention and Context Analysis Unit.

58. To continue building the technical capacities of the units of the Directorate General of the Protection System, the organization Freedom House has provided technical assistance for the development of rapid protection assessments and collective and individual technical risk assessment tools that allow intersectional analyses to be carried out. Individual risk assessments take a gender-differentiated approach in respect of women and lesbian, gay, bisexual, transgender and intersex persons.

59. The methodology for analysing risk situations and formulating prevention and early warning plans was developed with a view to upholding human rights, freedom of expression and access to justice. In order to identify risk scenarios and patterns in the activities of human rights defenders, between the start of 2018 and August 2020, the Prevention and Context Analysis Unit devised 11 prevention plans with the active participation of civil society.

60. Pursuant to the Act on the Protection of Human Rights Defenders, Journalists, Social Communicators and Justice Officials and its regulations,³⁹ the National Protection Council held 36 ordinary meetings and 11 extraordinary meetings between the start of 2016 and July 2020. The measures adopted to protect human rights defenders from intimidation or

³⁸ Legislative Decree No. 34-2015, Gaceta No. 33,730.

³⁹ Executive Decision No. 59-2016, Gaceta No. 34,117.

threats and ensure that they can continue to perform their work freely and fully include activities undertaken by the Ministry of Human Rights, through the Directorate General of the Protection System, to raise public awareness of the importance of their work. To this end, the Directorate General has issued communiqués on various topics that recognize their work and condemn discrimination and has conducted 31 awareness-raising and training days for public officials responsible for enforcing the Act, training 900 individuals, including human rights defenders, members of Indigenous communities, including the Garifuna community, trade unionists, journalists, communicators and justice officials.

61. Between the start of 2015 and 31 August 2020, the Directorate General considered 549 requests for protection measures. Of these, 195 cases remain active, including 122 individual cases and 73 collective cases that encompass approximately 1,000 members of organizations of human rights defenders, media professionals and community leaders. Of the active cases, 72.3 per cent (141) relate to human rights defenders, 10.3 per cent (20) to journalists, 11.3 per cent (22) to social communicators and 6.1 per cent (12) to justice officials; 31 cases involve precautionary measures ordered by the Inter-American Commission on Human Rights.

62. In terms of the vulnerable groups protected by the system, six requests for protection measures relate to human rights defenders who work to protect the rights of children and adolescents. Of these, five were found admissible and two remained active as at 30 July 2020. In addition, among the cases admitted for processing during the reporting period, 40 relate to the defence of the environment and common-pool resources and 14 to the defence of the rights of the lesbian, gay, bisexual, transgender and intersex community. A further 32 cases relate to Indigenous and Afro-Honduran Peoples.

63. Regarding the financial resources available to the Directorate General, its budget increased by 355 per cent from L 4,979,350 in 2016 to L 22,699,750 in 2020, with funds provided by the National Treasury and the Public Security Tax Trust.

64. In March 2018, the Public Prosecution Service established the Office of the Special Prosecutor for the Protection of Human Rights Defenders, Journalists, Social Communicators and Justice Officials,⁴⁰ which is divided into three specialized sections: Complaints Registration, Prosecution of Public Officials and Prosecution of Private Individuals.

65. To date, the Office has investigated 41 cases of violence against human rights defenders. However, there is no record of investigations into violations committed against defenders of children's rights or civil society organizations working with children.

B. Definition of child (art. 1)

66. In Honduras, a child is defined as any person under 18 years of age. Article 10 of the new Criminal Code establishes that criminal law is applicable only to persons aged 18 years or more. Special legislation therefore applies to persons under 18 years of age. Furthermore, only persons of full legal age, which, according to article 16 of the revised Family Code, is 21 years of age, may marry. However, a man and a woman aged over 18 years old may marry with the consent of their parents or guardians.

C. General principles (arts. 2, 3, 6 and 12)

Non-discrimination (art. 2)

67. As recommended in paragraph 26 (a) of the previous concluding observations, data on specific aspects of the Convention disaggregated by sex can be found throughout this report.

68. In fulfilment of the recommendation contained in paragraph 26 (b), regarding measures to reduce poverty and inequalities among Indigenous and Afro-Honduran children and adolescents, the following programmes have been introduced:

⁴⁰ Decision No. FRG-002-2018, Gaceta No. 34,593.

(a) The Alliance for the Development of La Mosquitia, an initiative that encourages inclusive participation and is coordinated between central Government, six municipalities in the department of Gracias a Dios and the Unit of Indigenous and Black Peoples of the Honduran Mosquitia. The Alliance for the Development of La Mosquitia is aligned with the Sustainable Development Goals in that it is focused on the commitment to “leave no one behind”, and includes the country’s population of Misquito Peoples, specifically the Tawahka, Pech and Garifuna Peoples, the federations, the Mestizo population and the 12 regional councils. In the period 2017–2019, resources with a value of L 824.2 million were assigned to the Alliance.

(b) The Dry Corridor Alliance, a strategic plan for reducing poverty and malnutrition through investments benefiting communities in six vulnerable departments of the Honduran dry corridor that is supported by USAID and the Global Agriculture and Food Security Program. The Dry Corridor Alliance works to increase income, employment opportunities, productivity and access to markets and financial services, to ensure good governance in water management and guarantee access to better health and maternal and child nutrition services. It has achieved the following results:

- (i) The income of 12,174 households has risen by 216.7 per cent, from a base point of USD 1.25 or less per capita per day at the start of the project;
- (ii) Chronic malnutrition in children under five years of age has decreased by 13.2 percentage points, from 53.3 per cent to 40.1 per cent, and acute malnutrition has decreased by 48.3 per cent, from 18 per cent to 9.3 per cent as of September 2019;
- (iii) A total of 25,579 children and adolescents have received assistance.

69. The “Better Life” Platform benefited 5,121 direct participants from Indigenous and Afro-Honduran communities living in conditions of extreme poverty through the “Better Life” cash transfer scheme.

Best interests of the child (art. 3)

70. With regard to the recommendations contained in paragraph 28, concerning the best interests of the child, the technical and legal tools adopted and implemented by the Directorate for Children, Adolescents and the Family in the various processes involved in caring for children and adolescents clearly define the procedure for determining the best interests of the child in each situation.

71. With respect to the recommendation contained in paragraph 28 (b), all actors involved at the administrative and judicial levels receive training on an ongoing basis on how to apply and ensure respect for this principle and how to ensure that the opinions of children and adolescents are heard in all proceedings.

Right to life, survival and development (art. 6)

72. With regard to the recommendations contained in paragraph 30 (a), concerning measures to strengthen the investigation and prosecution of cases involving deaths and extrajudicial killings of children, within the framework of its Institutional Strategic Plan for the period 2015–2020 the Public Prosecution Service has:

(a) Adopted Special Regulations for the Organization and Operation of the Directorate General of the Attorney General’s Office, which provided for the creation of a special unit for handling cases of death of minors and a unit for handling cases of enforced disappearance;

(b) Established the Specialist Criminal Investigation Agency, tasked with providing support for the investigative work performed by the Police Investigation Directorate, in 2016. The creation of the Specialist Criminal Investigation Agency entailed the establishment of a homicide department and various forensic and technical departments that provide tools to assist the investigation of homicide cases;

- (c) Created new laboratories within the Police Investigation Directorate;

(d) Drawn up manuals, protocols and guides to facilitate and improve investigative practices, actions, processes and techniques, including the Consolidated Criminal Investigation Manual, which has contributed to the standardization and harmonization of the investigative processes essential to the prosecution of crime;

(e) Created specialized integrated support units and begun using Gessel chambers, which make it easier to take statements from victims; and

(f) In 2020, strengthened the Forensic Medicine Directorate through the recruitment of 47 specialists across the country.

73. The Office of the Special Prosecutor for Crimes against Life is investigating 195 cases of deaths of children and adolescents that occurred between the start of 2016 and July 2020.

74. Regarding the recommendation contained in paragraph 30 (b), the National Policy on the Prevention of Violence against Children and Young People is being implemented through the various institutions represented on the Council for the Prevention of Violence against Children and Young People. Work to formulate the Plan of Action for Public Policy on the Prevention of Violence against Children and Young People began in 2019 under the oversight of the Ministry for General Governmental Coordination.

75. The National Prevention, Rehabilitation and Social Reintegration Programme, which is part of the National Policy for the Prevention of Violence against Children and Young Persons, fosters participatory citizenship and strengthens values, respect and trust, ensuring the implementation of community activities and initiatives that have a positive impact. It does this by providing methodological training that strengthens the family nucleus and enhances teamwork and decision-making and by organizing entrepreneurship workshops and psychological and/or vocational guidance forums for young students and young persons at social risk, thereby contributing to the restorative justice process for young persons deprived of liberty and empowering them to reintegrate socially.

76. The Ministry of Human Rights is responsible for following up on all strategic lines and actions adopted by the different State institutions and contained in the National Policy for the Prevention of Violence against Children and Young Persons. It has spearheaded the learning processes necessary to build citizenship and restore and consolidate values such as respect for life, solidarity, the common good and human dignity, including by providing training for children and young persons in educational facilities in the form of workshops, seminars, videos and forums.

77. Seven years after its adoption, 42 per cent of the actions envisaged under the National Plan of Action on Human Rights have been fully or partially implemented. Of the total actions implemented or in respect of which some degree of progress has been achieved, 45.3 per cent are actions taken to protect specific rights and 37.5 per cent are actions taken to benefit specific population groups. Of the actions benefitting specific population groups, 39.2 per cent are actions benefitting children.

78. Regarding the recommendation contained in paragraph 30 (c), in 2018 the National Congress adopted Decree No. 101-2018, enacting the new Act on the Control of Firearms, Munitions, Explosives and Related Materials, which introduced various measures to prevent violence and crime and contribute to peace and security in the country. The most important of these measures were:

(a) Decentralization of the firearms registration process through the creation of regional offices in vicinities where gun stores are located;

(b) Increase in the minimum age for applications for a gun-carrying permit from 18 to 21 years;

(c) Reduction, from five to three, of the number of weapons that any person is permitted to register, with any one person being able to carry only one weapon at any given time;

(d) Increase, from 5 to 13, in the specific requirements to be met in order to obtain a gun-carrying permit;

- (e) Weapon tests and searches henceforth to be conducted at the gun store prior to the sale of a firearm;
- (f) Ammunition to be sold only to the person holding the relevant gun-carrying permit;
- (g) Order given to destroy firearms confiscated or seized during crime-fighting activities;
- (h) Mandatory registration introduced for all State weapons in order to keep track of persons to whom weapons are assigned; and
- (i) Different types of permits established for specific purposes, including permits for hunting, sport, collectors, private individuals, private security companies and gun-carrying.

Respect for the views of the child (art. 12)

79. In October 2018, with support from UNICEF and Canada Pro Childhood, the Office of the National Commissioner for Human Rights set up four “fraternity” spaces in which children visiting the Office with their parents and relatives can meet and interact and where personal dignity, equality of rights and human solidarity are respected. In these spaces, children can enjoy recreational and educational activities while their parents or representatives receive help in filing a complaint of threats to or violations of their human rights. Revictimization is thus prevented and, in cases of violation, the possibility of the children concerned being identified is avoided.

D. Civil rights and freedoms (arts. 7 and 15)

Birth registration (art. 7)

80. With regard to the recommendation contained in paragraph 34, on the adoption of measures to ensure the registration of all children, the National Registry Office is in the process of enhancing the Birth Registration System. For example, article 53 of the National Registry Office Act has been amended to reduce the deadline for registration from 1 year to 6 months; awareness-raising campaigns have been carried out; registration brigades have been sent to hard-to-reach areas; new helpdesks have been opened in hospitals; schemes to encourage registration have been organized; and agreements have been concluded with international organizations and government institutions working with children and adolescents with a view to forging alliances.

81. The National Registry Office’s Birth Registration System has been strengthened in implementation of an agreement concluded between the Pan American Health Organization, the Ministry of Health and the NGO Ayuda en Acción. There are now 298 registry offices nationwide, five new registry offices having been opened in border areas in 2018, increasing birth registrations by 20 per cent. In addition, four new helpdesks have been established in different hospitals and another has been opened in the Cities for Women Centre. There are now a total of 19 helpdesks, which between them registered 85,900 births between 2016 and 2018. The total number of births registered in each year during the reporting period was 202,279 in 2016, 184,539 in 2017, 196,407 in 2018 and 183,203 in 2019.

82. Other important initiatives have included:

- (a) The “Birth Registration, A Right for All” (Inscripción de Nacimiento, Un Derecho de Todos) campaign carried out by mobile brigades in two municipalities, as part of the UNICEF-National Registry Office Programme;
- (b) The Civil Identity Registration Rate Improvement Plan, constituting part of phase II of the Universal Civil Identity Program in the Americas run by the Organization of American States, under which birth and identity registration brigades were sent to Northern Triangle border areas;
- (c) The Child Protection Programme, run with support from UNICEF;

(d) The “I am Honduran” initiative, designed to foster a sense of belonging and identity, and the School Registration Incentivization Programme, which entailed teaching schoolchildren in public and private schools nationwide the importance of civil registration and building a culture supportive of timely registration and the recognition of their rights, with 1,387 persons receiving training; and

(e) In 2020, the introduction of a new format for birth certificates, under an agreement concluded between the National Registry Office, the National Institute of Statistics and the Ministry of Health.

Freedom of association (art. 15)

83. In relation to the recommendation contained in paragraph 36 of the Committee’s previous concluding observations, mechanisms designed to ensure the effective participation of children have been created within the framework of the Comprehensive System for the Protection of the Rights of Children and Adolescents and children and adolescents currently have seats on 64 councils. However, reviewing the legal framework in order to determine the extent of current restrictions on children’s rights to freedom of association and expression remains a challenge.

84. The Ministry of Security has the following plans and policies for ensuring respect for children’s rights:

- (a) Comprehensive Policy on Harmonious Coexistence and Citizen Security;
- (b) Strategic Framework for Prevention, Peace and Harmonious Coexistence of the Office of the Under-Secretary for Preventive Security; and
- (c) National Response Plan, currently under development, which includes among its focuses the protection of children’s rights and evidence-based strategies, the aim being to have a tool for guaranteeing children’s right to a life free from violence.

E. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)

Children involved in *maras*

85. In line with the recommendations contained in paragraph 38 (a), the Safe Learning Spaces Initiative for the Inclusion of Girls and Boys, run with UNICEF support, has prioritized action in conflict zones controlled by gangs and *maras* and expanded its geographical coverage. The initiative now encompasses 302 schools spread across 11 municipalities in four departments and has reached 108,604 children in basic education (50.4 per cent of them boys and 49.6 per cent girls), 1,828 school directors and teachers and 6,500 parents.⁴¹

86. Emphasis has been placed on the reclamation and public use of communal spaces, promoting sporting and cultural activities conducive to healthy coexistence, healthy lifestyles and a balanced diet. There are 102 parks for a “better life” nationwide, 34 new parks having opened in 2019 and 3 during 2020, benefiting more than 83,000 persons.

87. Within the framework of the National Policy for the Prevention of Violence against Children and Young Persons, the Gang Resistance Education and Training (GREAT) Programme has been implemented in 2,048 schools nationwide, led by the National Police. The aim is to prevent juvenile delinquency, violence and association with organized crime through ongoing learning and continuous interaction with children in schools. There are currently 235 instructors, working in 39 teams nationwide, and more than 487,905 children have benefited as of 2020.

88. In addition, the Strategy for Building Peace, Harmonious Coexistence and Citizenship has been implemented in 85 schools and the Strategy for Preventing, Protecting against and Reducing Violence in Schools has been finalized. In 2017, 19,586 persons were trained in

⁴¹ Second Voluntary National Review of progress made in implementing the 2030 Agenda.

violence prevention and 57,677 young persons aged between 13 and 16 years old received training under the “Life is Better without Drugs” (Sin Drogas se Vive Mejor) programme.

89. With respect to the recommendation contained in paragraph 38 (b), the National Prevention, Rehabilitation and Social Reintegration Programme for Gang Members was allocated an average of L 10.4 million annually during the reported period.

90. Regarding the recommendation to review laws in order to ensure respect for the rights of the child in approaches to public security contained in paragraph 38 (c), with the adoption of the new Criminal Code, Decree No. 44-83, which included article 332, was repealed.

91. Regarding the recommendation contained in paragraph 38 (d), the Guardians of the Fatherland Programme has been restructured in order to comply with the recommendations made by national and international organizations responsible for the protection of children. Currently, classes are given in the various schools, as a complement to the school curricula, using a learn-by-doing-and-playing methodology for teaching principles and values that is designed to develop children’s abilities, capacities, skills and aptitudes. The Programme has a duration of 12 weeks and is intended mainly for children at social risk whose parents have consented to their participation.

92. The Programme does not include military training and, during the learning process, the children benefiting do not have access to weapons of any form. The Programme is supported and supervised by the Ministry of Health, the Ministry of Social Development and Inclusion, the Honduran Fire Service, the Honduran Red Cross, the Honduran Professional Training Institute, the National Autonomous University of Honduras, the Catholic University, churches, parents, the Chiminike Interactive Learning Centre for Children and the Honduran Scouts Group, among other institutions.

93. The Programme has a multidisciplinary team made up of teachers, dentists, psychologists, doctors, nurses and other professionals who provide help to reduce levels of malnutrition in children and adolescents as well as guidance and talks on cultural identity.

Right of the child to freedom from all forms of violence (arts. 37 (a) and 28 (2))

94. With regard to the recommendation to ensure harmonious coexistence in schools contained in paragraph 40, the Internal Regulations for Harmonious Coexistence in State Schools in Honduras⁴² were adopted in 2019 with the aim of fostering harmonious relations between the school community, students, management and administrative staff, teachers, parents, guardians and/or carers.

95. With regard to the recommendation contained in paragraph 44, on the right of the child to freedom from all forms of violence, the Domestic Violence Act is applicable to girls who are under 18 years of age but at least 14 years old when violence occurs in a relationship without a criminal offence having been committed. In the period 2016–2020, the Office of the Special Prosecutor for the Protection of Women handled 37 cases of domestic violence in which the victim was a girl aged between 14 and 17 years old.

96. Regarding the recommendation contained in paragraph 44 (a), a database in which cases of domestic violence handled and registered by the specialized integrated support units, including cases in which the victims are children or teenagers, are recorded has been maintained since 2016.

97. The Inter-agency Commission for Monitoring Investigations of Violent Deaths of Women and Femicides⁴³ is working to create a centralized system of information on violence against women that can be used to identify various aspects and types of information about victims of violence and facilitate the formulation of evidence-based public policies for preventing, addressing and eradicating violent deaths of women, femicides and all other forms of violence against women.

98. With respect to the recommendation in paragraph 44 (b), on domestic violence awareness-raising and prevention campaigns, the Ministry of Human Rights carried out a

⁴² Ministerial Agreement No. 0766-SE-2019.

⁴³ Legislative Decree No. 106-2016, Gaceta No. 34,201.

campaign entitled “Coexistence without Violence” (Convivencia Sin Violence) in response to the increase in domestic violence that occurred during the COVID-19 lockdown. The campaign was run in conjunction with women’s human rights organizations, the Inter-agency Commission for Monitoring Investigations of Violent Deaths of Women and Femicides and the Office of the National Commissioner for Human Rights. In addition, a campaign entitled “+Unión-discriminación y estigmatización” is being carried out in conjunction with the European Union.

99. Following the adoption of Legislative Decree No. 99-2020, on special measures for disseminating information on, preventing and addressing violence against women and actions to ensure gender equality during the national emergency declared as a result of the COVID-19 pandemic, the organization of a mass information campaign designed to educate and inform the general public about the different forms of violence against women is envisaged.

Torture, ill-treatment and corporal punishment (art. 19)

100. In line with the recommendation contained in paragraph 42, on the right of the child to protection from violence and corporal punishment, the State is protective of the family nucleus and aims to guarantee a life free from violence in the family environment. The Office of the Special Prosecutor for Children investigates cases in which children or adolescents are victims of offences of abuse. Since 2016 and as of the current date, it has handled 2,923 cases nationwide, 44 per cent of which were cases of child abuse in the department of Francisco Morazán.

101. Nationwide, the Public Prosecution Service has 23 specialized integrated support units that deal with reports of child abuse. They investigate either of their own motion or else in response to a complaint from family members or third parties or in coordination with schools and/or health centres. Between the start of 2016 and June 2020, the specialized integrated support units handled 1,340 cases of abuse.

102. The specialized integrated support units have interdisciplinary teams composed of prosecutors, social workers and psychologists who provide comprehensive care services applying the fundamental principles of respect for human dignity and the best interests of the child and seeking to protect the physical and psychological integrity of children at all times. Through the specialized integrated support units, security measures are put in place to protect victims of various forms of violence, including women and children and adolescents.

103. In terms of awareness-raising and education programmes, the Directorate for Children, Adolescents and the Family runs the “Learning in the Family” Programme, which provides training and guidance on human rights and values, identifying violations and preventing violence to the families of children whose rights have been violated, the aim being to strengthen the role of families as the best possible protective space. In 2019, 18 families received training under this methodology. The Directorate also organizes training programmes for actors of the Special Protection Subsystem, including on the impact of violence on healthy development and promoting positive discipline. In 2020, 105 persons took part in such training.

Sexual exploitation and abuse (art. 34)

104. In line with the recommendation contained in paragraph 46 (a), the unit of the Public Prosecution Service responsible for combating trafficking in persons, commercial sexual exploitation and people smuggling, which was created in 2016, has made the following telephone helpline number and email available for reporting incidents: (504) 9785–0027/ unidadcontralatrata@gmail.com.

105. The Inter-agency Commission for the Prevention of Commercial Sexual Exploitation and Trafficking in Persons also receives complaints, at (504) 8990–5187/ denuncias@cicesct.gob.hn/ eri@cicesct.gob.hn and through its web page: <https://cicesct.gob.hn/index.php/contactenos/>.

106. From the start of 2016 to October 2020, 392 cases of human trafficking were reported and 65 cases of commercial sexual exploitation, as detailed below:

<i>Reports</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>2019</i>	<i>2020</i>
Trafficking in persons	49	109	122	91	21
Commercial sexual exploitation	13	29	23	0	0

Source: Inter-Agency Commission for the Prevention of Commercial Sexual Exploitation and Trafficking in Persons.

107. The specialized integrated support units also have mechanisms for reporting cases of sexual abuse and exploitation. Their interdisciplinary teams provide assistance and are responsible for carrying out investigations, the prompt referral of investigative findings and making arrests, whether on a precautionary basis or in flagrante delicto, working in coordination with the Special Prosecutor for Children and the prosecutor on duty. The units also ensure an immediate response to calls received from health centres and schools that have identified signs of sexual or other forms of violence perpetrated against children and adolescents.

108. The section responsible for receiving reports provides citizens with legal advice and immediately refers the complaint to the Office of the Special Prosecutor for Children or the unit responsible for combating trafficking in persons, commercial sexual exploitation and people smuggling.

109. The Directorate for Children, Adolescents and the Family oversees the activities of the Special Protection Subsystem, which has complaints and reporting mechanisms for children and adolescents and the community in general that ascertain whether rights have been violated and the form of proceedings to be followed by officials. This system allows for referrals and coordination between the various institutions involved so as to ensure comprehensive protection.

110. Regarding the recommendation in paragraph 46 (b), on the investigation and prosecution of reported cases, the Office of the Special Prosecutor for Children is responsible for investigating offences of sexual abuse and rape of a child and carries out the initial investigative procedures as soon as it becomes aware of the act. These procedures consist of a physical, psychological and psychiatric evaluation, if appropriate, taking statements to avoid revictimizing the child and effecting the immediate arrest of the abuser, in coordination with the duty prosecutor.

111. According to data provided by the Inter-agency Commission for the Prevention of Commercial Sexual Exploitation and Trafficking of Children and Adolescents, from the start of 2016 to 2020, 127 cases of trafficking in persons and 121 cases of commercial sexual exploitation of children and adolescents were brought to trial and 50 sentences were handed down for offences of trafficking in persons and 48 for offences of commercial sexual exploitation of children and adolescents, as detailed in the following table:

<i>Offence</i>		<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>2019</i>	<i>2020</i>
Trafficking in persons	Prosecutions	14	26	32	55	0
	Sentences	8	5	17	17	3
Commercial sexual exploitation	Prosecutions	10	64	24	23	0
	Sentences	4	12	11	21	0

Source: Inter-agency Commission for the Prevention of Commercial Sexual Exploitation and Trafficking in Persons.

112. In the period 2016–2020, 192 children were rescued and received assistance, 111 of them boys and 81 girls.

<i>Year</i>	<i>Age range</i>	<i>Boys</i>	<i>Girls</i>
2016	12–17 years	52	-
	03–17 years	-	7

<i>Year</i>	<i>Age range</i>	<i>Boys</i>	<i>Girls</i>
2017	11–17 years	25	32
2018	0–17 years	6	19
2019	0–18 years	23	-
2020	0–17 years	5	23
Total		111	81

Source: Inter-agency Commission for the Prevention of Commercial Sexual Exploitation and Trafficking in Person.

113. In the period 2016–2020, the Office of the Special Prosecutor for Children registered 6,951 cases of sexual abuse of a child. The cases were spread across 29 cities, with 25.78 per cent of them occurring in the city of Tegucigalpa, 18.96 per cent in San Pedro Sula, 10.79 per cent in Comayagua and 6.66 per cent in La Ceiba. The cities of Juticalpa, Santa Rosa de Copán and Santa Bárbara, each of which accounted for approximately the same number of cases during the reporting period, together accounted for 13.03 per cent of total cases.

114. The following table shows the total number of cases of sexual abuse of children in the main cities:

<i>Year</i>	<i>Tegucigalpa</i>	<i>San Pedro Sula</i>	<i>Rest of the country</i>	<i>Total</i>
2016	474	295	447	1.216
2017	434	291	591	1.316
2018	379	329	810	1.518
2019	407	291	812	1.510
2020*	98	112	297	507
Undetermined	-	-	884	884
Total	1.792	1.318	3.841	6.951

Source: Office of the Special Prosecutor for Children.

* January to August 2020.

115. Between the start of 2016 and June 2020, the specialized integrated support units handled 1,683 cases of rape of a child and 894 cases of aggravated indecency.

116. To implement the Act against Trafficking in Persons, the Rapid Response Team Action Protocol for Victim Support, which covers support for victims of offences of commercial sexual exploitation and trafficking in persons,⁴⁴ and the Strategic Plan to Combat Commercial Sexual Exploitation and Trafficking in Persons for the period 2016–2022 were adopted.

117. With regard to the recommendation contained in paragraph 46 (c), in the reporting period the Inter-agency Commission for the Prevention of Commercial Sexual Exploitation and Trafficking in Persons conducted awareness-raising campaigns that reached an estimated 1,137,308 persons, of whom some 388,880 took part in educational activities and 748,428 took part in sensitization activities. In addition, 87,045 persons with direct responsibilities in the area, 40% of them with responsibilities in respect of children or adolescents, received training nationwide.

118. With a view to preventing and ensuring the prosecution of offences of trafficking in persons as well as comprehensive care for the victims by means of inter-agency coordination at the local, regional and national levels, the following campaigns aimed at informing, raising awareness, educating and preventing the scourge were implemented: “Girls aren’t for touching, raping and killing” (Las Niñas no se Tocan, no se Violan, no se Matan); “Report

⁴⁴ Executive Agreement No. 488-2016.

trafficking, that's what it's about" (Denuncia la Trata de eso se Trata); and, in 2019, the Blue Heart Campaign.

119. Actions taken to prevent and combat trafficking in persons have been carried out in coordination with non-governmental organizations (NGOs). A total of 32 bodies composed of representatives of government agencies, independent bodies with decision-making powers and NGOs with competencies in prevention, victim assistance and/or the prosecution of commercial sexual exploitation and trafficking in persons, remained active throughout the period under review.

120. With respect to the recommendation contained in paragraph 46 (d), the Ministry of Education has adopted a teacher orientation guide for the educational reintegration of children and adolescents in vulnerable situations in order to guarantee the education of migrant children and adolescents, children who have been forcibly displaced and child victims of trafficking in persons, among others.⁴⁵

Early and forced child marriage (art. 24 (3))

121. In line with the recommendation contained in paragraph 48, on measures to enforce respect for the minimum age of marriage, the State's duty to protect children is enshrined in article 111 of the Constitution, which establishes that the family, marriage, maternity and childhood are protected by the State. In terms of legislative measures, article 21 of the Family Code, which prohibits the marriage of minors, was supplemented by Legislative Decree No. 44-2017 of 12 July 2017, repealing the final paragraph of article 16 of the Family Code, which permitted the marriage of girls aged 16 years old with the consent of their parents. The minimum age at which marriage is permitted is thus now 18 years old.⁴⁶

Physical and psychological recovery and social reintegration of children (art. 39)

122. Regarding the recommendation contained in paragraph 50, on the telephone helpline with national coverage available to children and adolescents, the Directorate for Children, Adolescents and the Family, with support from UNICEF, is in the final stage of enabling the telephone helpline service (line 111) for receiving complaints and providing social and emotional support for children and adolescents whose rights have been violated and their families. The helpline will bring services closer to the people, especially in the context of the health emergency caused by the pandemic.

123. The centralized support service provided through the 911 National Emergency System handles complaints of all types received from any part of the country, using its links with the different institutions to provide assistance to victims. The majority of complaints are received through this line. They are dealt with immediately, in coordination with the Office of the Special Prosecutor for Children and the National Police.

124. Regarding the recommendation contained in paragraph 50 (b), the Office of the Special Prosecutor for Children has a direct telephone helpline number (+504 2221-1563) for the receipt of complaints. The regional specialized integrated support units have telephone helpline services in the places where they provide services, allowing for fluid communication and coordination when a complaint is made. The central specialized integrated support unit also has a hotline (+504 2221-3534) for the receipt of complaints from anywhere in the country. It coordinates the response to these complaints, immediately referring cases to the relevant cities and directly to the public prosecutors attached to the regional specialized integrated support units in order to guarantee an appropriate response and assistance for the victims.

125. In response to complaints received, the specialized integrated support units provided assistance in 47,715 cases nationwide in the period 2015-2019, with an increase of 13,386 in the number of times assistance was provided between 2015 and 2019.

⁴⁵ Consulted on 16 October 2020, available at: https://sace.se.gob.hn/media/documentos_sace/guia_de_orientacion_docente.pdf.

⁴⁶ Decree No. 44-2017, Gaceta No. 34,471.

126. The complaints unit of the Ministry of Security also has a telephone helpline for receiving and referring complaints, as appropriate. The Police Investigation Directorate also receives complaints, which are immediately forwarded to the corresponding prosecutor's office, together with an investigative report, for follow-up.

F. Family environment and alternative care (arts. 5, 20 and 21)

Family environment and parental duties (art. 5)

127. In line with the recommendations contained in paragraph 52, the Directorate for Children, Adolescents and the Family has in recent years been working to secure the conclusion of agreements and the adoption of laws that provide greater protection for children, including through the international recovery of child support payments and international protection and social development programmes (e.g. the Migrant Reintegration Project) for highly vulnerable groups.

128. In collaboration with other State institutions, it has also been working to raise awareness of laws and regulations designed to protect children and adolescents such as the Responsible Parenting Act and its implementing regulations, which were adopted in 2019 and have been duly disseminated in conjunction with the Ministry of Human Rights.

129. The "Parenting with Love" Programme, designed to support and unite families, as the best possible space for the development and protection of children, continues to run, strengthening the social fabric throughout the country. In 2019, 92,289 families in the most disadvantaged areas benefited.

130. During the COVID-19 emergency, food rations and biosafety supplies were distributed to families, alternative care homes and women with children deprived of their liberty. A total of 65 care homes received this help.

131. Regarding the monitoring and evaluation of the impact of poverty alleviation measures, an evaluation of the "Better Life" conditional cash transfer scheme carried out with the support of the Inter-American Development Bank revealed that, among other achievements, the programme had reduced extreme poverty among the beneficiary families.

132. To strengthen and enhance State monitoring and evaluation activities, the National Statistical System and the Sustainable Development Goals Monitoring Platform will be used to keep track of progress under the 232 Sustainable Development Goal indicators. This will in turn serve to strengthen the National Institute of Statistics and the administrative records of the sector-specific institutions, ensuring, under the Institute's guidance, the allocation of resources and a standardized methodology.⁴⁷

Children deprived of a family environment (art. 20)

133. In line with the recommendations contained in paragraphs 54 and 56, on the evaluation of comprehensive childcare centres, the Directorate for Children, Adolescents and the Family monitors and evaluates the quality of the services provided by alternative care homes on an ongoing basis, makes recommendations for improvement and provides support for the implementation of its recommendations. A total of 117 monitoring visits were conducted in 2017, 147 in 2018, 109 in 2019 and 52 as of August 2020.

134. In 2016, the Directorate for Children, Adolescents and the Family carried out a mapping exercise to gather details of NGOs providing residential care to children and adolescents whose rights have been violated and ascertain the number of children and adolescents in their care and the location of the homes. In 2020, there were 177 organizations providing such care. A pilot project to evaluate the quality of the services provided by 30 of these organizations was also carried out. Through the mapping exercise, the Directorate identified 6,000 children living in homes in 2017, 7,612 in 2018 and 6,736 in 2019.

⁴⁷ Second Voluntary National Review of progress made in implementing the 2030 Agenda.

135. As a further measure to improve the care of children and adolescents, from the start of 2017 to date the Directorate has signed a total of 129 outsourcing agreements related to childcare services with NGOs – 27 in 2017, 31 in 2018, 35 in 2019 and 36 in 2020.

136. With regard to measures to facilitate and promote the deinstitutionalization of children, in 2019 the Directorate for Children, Adolescents and the Family embarked on a drive to prevent institutionalization by:

- (a) Introducing the Special Protection Subsystem, which provides care pathways for children in vulnerable situations;
 - (b) Raising awareness of the effects of institutionalization among different actors of the Special Protection Subsystem and providing them with associated skills training;
 - (c) Introducing, on a pilot basis, a protocol on the use of temporary foster families;
 - (d) Working with NGOs to encourage the use of alternatives to institutionalization;
- and
- (e) Launching the “Protective Antennae” initiative.

Adoption (art. 21)

137. Regarding the recommendation contained in paragraph 57, the National Congress adopted Legislative Decree No. 102-2018,⁴⁸ enacting the new Special Act on Adoptions in Honduras, in 2018. The Directorate for Children, Adolescents and the Family has since provided training for the staff of municipal civil registries with a view to beginning the Act’s application throughout the country and to date 61 adoptions have been registered within the framework of the new law.

138. The Convention on Protection of Children and Cooperation in respect of Intercountry Adoption was adopted without reservation by Legislative Decree No. 44-2016 of 26 April 2016.⁴⁹

G. Disability, health and welfare (art. 6 (2), 23, 24, 27 (1)–(3) and 33)

Survival and development (art. 6 (2))

139. Regarding the recommendation contained in paragraph 59 (a), the commitment to guarantee an equitable and inclusive national education system is enshrined in the Basic Act on Education Accordingly, the Public Policy on Inclusive Education, adopted in 2019, is designed to ensure that all persons with disabilities can exercise their right to education of a high quality that is equitable, pertinent and effective throughout their lives and to eliminate any barriers that might prevent them from exercising this right.

140. To guarantee that children with disabilities are able to enrol in mainstream schools, as provided under the aforementioned policy, an accessibility diagnostic was carried out in 9,285 schools across the country and eight budget allocation agreements were concluded with institutions that provide care for children with disabilities. In 2016, 66 children with disabilities were enrolled in the mainstream education system. In 2017, this number was 212, in 2018, 213, and, in 2020, 214.

141. With regard to the recommendation in paragraph 59 (b), strategic objective No. 3 of the Public Policy on Inclusive Education is to guarantee universal access to inclusive education through adaptation, optimization and reasonable accommodation of the infrastructure required in the National Education System.

142. Regarding the recommendation in paragraph 59 (c), in accordance with the Public Policy on Inclusive Education and the implementing regulations, in the period 2017–2020 the Ministry of Education trained 537 teachers in how to organize and operate, at the departmental level, psychoeducational teams for the education of children and adolescents

⁴⁸ Legislative Decree No. 102-2018, Gaceta No. 34,841.

⁴⁹ Legislative Decree No. 44-2016, Gaceta No. 34,120.

with disabilities. In addition, in 2016, 2017 and 2018 combined, a total of 162 teachers completed a course on information and communications technologies and disability. Since 2016, 90 teachers have been trained in diversity-aware education and six curricular manuals have been adapted for the education of children with disabilities.

143. Regarding the recommendation in paragraph 59 (d), the Ministry of Education runs various programmes for children with special educational needs, including the Home Education Programme, the Honduran Education by Radio Programme, the Honduran Community Education Programme, and inclusive programmes for children and young persons with special talents.

144. Regarding the recommendation in paragraph 59 (e), in application of the budget approved by the National Congress for 2020, by means of the Social Strategy and Policy Instruments Programme, the Ministry of Social Development and Inclusion has assigned a total of L 30,081,464 to 53 organizations of/for persons with disabilities.

Primary health care (art. 24).

145. Regarding the recommendation in paragraph 61 (a), as provided for in the Framework Act on the Social Protection System⁵⁰ and the Social Protection Policy, plans and programmes forming part of the Social Protection Floor are being implemented and executed with a view to delivering benefits such as a basic income and access to services that guarantee children's proper development and promoting comprehensive health care, employment and food and nutritional security for families.

146. Regarding progress under the primary health-care strategy, and with reference to the Strategic Objectives and Management Results of the Ministry of Health's Institutional Strategic Plan for the period 2018–2022 and within the framework of the national model for the provision of health services, the management results under strategic objective No. 5 – namely to improve the health conditions of children under five years of age – show that the health of children in this age category has improved, thanks to comprehensive health care encompassing promotion, prevention, recovery and rehabilitation, and that 93 per cent of scheduled services were provided in 2019.

147. Check-ups to ensure children's adequate growth and development and draw attention to the importance of nutritional status for this priority age group are provided both in health centres and in the community. A total of 1,467,630 check-ups, equivalent to 95 per cent of the number scheduled, have been carried out, 367,588 of them, equivalent to 87 per cent of the number scheduled, under the Comprehensive Care for Children in the Community Strategy.

148. In 2019, 89,699 hospital admissions were recorded, equal to more than 100 per cent of scheduled admissions and consisting of 57,320 paediatric admissions and 32,379 neonatal admissions. Also in 2019, 163,641 outpatient consultations were carried out, equivalent to 92 per cent of scheduled consultations.

149. The Maternal and Neonatal Health Services Quality and Management Improvement Programme adopted in 2018 entails improvements to the quality, management and responsiveness of services. The Salud Mesoamérica Health Initiative is also helping to improve access to and the coverage and quality of maternal and child health services and nutritional services for women of childbearing age in selected communities in the poorest municipalities. The 2019 survey revealed an 80 per cent increase in hospital births, with 94 per cent of women with obstetric complications receiving treatment in accordance with latest health standards, 79 per cent receiving treatment in line with hospital standards, and 55 per cent of newborns receiving neonatal care in the first three days postpartum.

150. Regarding the recommendation in paragraph 61 (b), on strengthening the immunization programme, the National Vaccination Programme currently includes 20 vaccines, administered at different stages of the life cycle, specifically, to pregnant women, children aged 5 years old, adolescents aged 11 years old, young persons aged 21 years old,

⁵⁰ Legislative Decree No. 56–2015, amended by Decree No. 77–2016 and Decree No. 106–2018.

adults over 60 years of age and persons of any age forming part of at-risk groups. Access is universal and without discrimination of any form.

151. In May 2019, on the occasion of National Vaccination and Deworming Day – an annual event to encourage vaccination for unvaccinated persons, seasonal influenza vaccination for at-risk groups, vitamin A supplementation and childhood cancer screening – a total of 315,477 persons of different ages were vaccinated.

152. Regarding the financial resources for the acquisition of vaccines and cold chain equipment and personnel travel expenses during National Vaccination Day in 2019, a total of L 538,457,276 was allocated to the Expanded Immunization Programme, with L 504,029,827, or 94 per cent, coming from the national budget and L 34,427,449, or 6 per cent, from international cooperation. This amount covered the salaries of the health personnel involved in immunization programmes across the country, the acquisition of vaccines, syringes, supplies and cold chain equipment and the cost of transporting personnel on National Vaccination Day to carry out activities not covered from the national budget.

153. Particular achievements include the fulfilment of an agreement for the supply of vaccines and cold chain equipment for which national financing of more than L 340 million was secured, sufficient to cover the supply of all vaccines for the past 10 years, with a strategic reserve of each vaccine sufficient to cover 3 to 6 months being maintained.

154. To ensure appropriate vaccine storage, the cold chain has been strengthened across the country: the national warehouse for the storage of biological agents has been refitted, there are now ten regional warehouses spread across five departments and refrigerated vehicles and complementary equipment and tools have been acquired, increasing cold storage capacity at all levels.

155. Important new vaccines introduced include:

- (a) Human papillomavirus vaccine for 11-year-old girls, in 2016;
- (b) Acellular tetanus toxoid and diphtheria vaccine for pregnant women and health-care workers in situations of pertussis outbreak, for an investment of L 10 million, in 2017;
- (c) Administration of a second dose of the measles, mumps and rubella (MMR) vaccine at 18 months of age and a second dose of inactivated poliovirus vaccine (IPV), in 2018; and
- (d) Paediatric hepatitis A vaccine for children aged 12 months, in 2020.

156. In implementation of the recommendation contained in paragraph 61 (c), in order to achieve universal health-care access and coverage and reduce infant mortality and as part of the strategy for preventing infant deaths and improving the health of children under five years of age, the following activities have been carried out:

- (a) Expansion of the Comprehensive Care for Children in the Community Strategy;
- (b) Update of the Training Manual for Comprehensive Care for Children in the Community Monitors;
- (c) Training on using lists of children and adolescents for decentralized management entities (under the Salud Mesoamérica Health Initiative);
- (d) Nutritional monitoring in institutions;
- (e) Introduction of developmental monitoring, with five early learning centres nationwide, as part of the expansion of the Zika/Applying Science to Strengthen and Improve Systems (ASSIST) Project; and
- (f) Micronutrient supplementation, administration of vaccines for vaccine-preventable diseases, including, in particular, administration of a third dose of pentavalent vaccine to 88 per cent of children under 5 years of age.

157. The Ministry of Health provides health-care services to the entire population, including the Indigenous and rural population, treating diseases such as pneumonia, bronchopneumonia and diarrhoea as well as general morbidity. At present, there are a total

of 1,760 health units nationwide, spread across all departments and providing care for the entire population, including Indigenous and Afro-Honduran communities. The protocols for the delivery of care to the population in general include these population groups.

Sexual and reproductive health services available to adolescents

158. In line with the recommendation contained in paragraph 65 (a) of the previous concluding observations, the Ministry of Health adopted the National Sexual and Reproductive Health Policy⁵¹ in 2016. The policy is a tool for the realization of sexual and reproductive rights based on every person's right to make autonomous decisions about their life, body, sexuality, reproduction, health and well-being, including the right to have sexual relations, without violence or under pressure, the right to have children when desired, and the right to express sexuality.

159. The strategies envisaged under the policy include promoting sexual and reproductive rights as a means to prevent risk behaviour and using communication campaigns to provide access to scientific information on sexual and reproductive health with a rights-based approach for the general public. Specific lines of action include:

- (a) Disseminating and facilitating access to scientific information for preventing teenage pregnancy;
- (b) Providing information on preventing the sexual and vertical transmission (through pregnancy, childbirth and breastfeeding) of HIV, syphilis and other sexually transmitted infections;
- (c) Developing strategies for eliminating HIV-related stigma and discrimination (with an emphasis on health, education and employment, among other areas);
- (d) Organizing campaigns against domestic abuse, human trafficking, sexual abuse and discrimination against young people; and
- (e) Improving access to comprehensive care services for adolescents by identifying and eliminating barriers, among other actions.

160. As part of the Multisectoral Plan for the Prevention of Teenage Pregnancy, the Ministry of Health, the Office of the First Lady, the United Nations Population Fund (UNFPA) and the Government of Canada created the Adolescent-friendly Health Services Initiative, which has so far provided assistance to 300,000 teenagers. As of July 2020, there are 91 Adolescent-friendly Health Centres nationwide, 58 Comprehensive Adolescent Care Clinics and 8 Community Youth Committees.

161. The Ministry of Social Development and Inclusion, the National Centre for Information on the Social Sector and UNFPA have devised a comprehensive policy strategy that prioritizes 22 municipalities in 10 departments with a high prevalence of teenage pregnancy, high rates of multidimensional poverty and access to social services.⁵² In addition, in 2019, the Processes and Procedures Manual of the Ministry of Social Development and Inclusion's Teenage Pregnancy Prevention Directorate was adopted, with a budget of L 11,600,000.

162. In the period 2015–2019, the number of hospital births to mothers under the age of 18 years old fell by 6,207 and there was a 37 per cent reduction in pregnancies among adolescent students in secondary schools.⁵³

163. In relation to the recommendation in paragraph 65 (b), within the framework of the National Sexual and Reproductive Health Policy, the Ministry of Social Development and Inclusion published a guide entitled "Caring for my Health and my Life" (Cuidando mi Salud y mi Vida) and a guide on comprehensive sexuality education for parents of schoolchildren

⁵¹ Consulted in October 2020, available at:

https://oig.cepal.org/sites/default/files/hon_politica_nacional_ssr_2016.pdf.

⁵² Second Voluntary National Review of progress made in implementing the 2030 Agenda.

⁵³ Consulted on 14 December 2019, available at: <https://presidencia.gob.hn/index.php/sala-de-prensa/6013-gobierno-realizaraactividades-de-prevencion-de-embarazos-en-adolescentes-a-nivel-nacional>.

(Guía de Escuelas para Padres en Educación Integral de la Sexualidad) which include educational activities for teachers, students and parents and address sexuality issues, sexually transmitted infections, teenage pregnancy, responsible parenting and contraceptive methods. As of 2019, 22,750 teachers in 1,055 primary schools with a total of 17,672 students had successfully completed the comprehensive course covering the use of these guides.

164. With respect to the recommendation in paragraph 65 (c), the National Congress has amended article 30 (c) of the Responsible Parenting Act, to add the following text: “The Ministry of Education and other responsible authorities shall, within the scope of their competencies, develop programmes for the educational services provided in classrooms, in subjects from the fourth grade upwards, which ensure that adolescents are aware of the obligations and rights deriving from parenthood, the implications of teenage pregnancy and issues related to sexuality, procreation and the prevention of sexually transmitted infections. They shall also adopt measures to ensure that pregnant adolescent girls have the means to continue their studies in the period before, during and after childbirth. In addition, they shall formulate and implement public policies and campaigns on responsible parenting”.⁵⁴

165. The adolescent support modules of the Cities for Women Programme provide support and education on the prevention of dating violence, school bullying and cyberbullying, suicide, sexual and reproductive education and the prevention of pregnancy as well as comprehensive services for pregnant women and teenage mothers between the ages of 12 and 18 years old so as to enable them to continue their studies. In cases of violence, legal advice and support is provided to victims. The different institutions involved use a system of referral and counter-referral to ensure comprehensive care in response to these forms of violence and other related problems.

166. From the start of 2018 to August 2020, the following support was provided:

<i>Category</i>	<i>2018</i>	<i>2019</i>	<i>2020</i>
Inter-agency support provided	7.352	14.638	5.567
No. of adolescents assisted	-	10.153	4.074

Source: Directorate for Children, Adolescents and the Family.

167. As part of the psychological support the adolescent support modules provide, a violence screening form is completed, subject to informed consent, in order to identify cases where rights have been violated, including cases of child, early and forced marriage. Individualized biopsychosocial assistance is provided in cases of depression (stress, early pregnancy, marital and family pressures), domestic violence, anxiety (low self-esteem, stress, insecurity), sexual abuse and unwanted sexual practices.

168. Regarding the recommendation in paragraph 65 (d), in 2017, when the Criminal Code was being drafted, a debate opened up as to the possibility of decriminalizing abortion in cases of rape but the proposal was not accepted.

Mental health and unlawful use of psychotropic substances (art. 33)

169. Regarding the recommendation in paragraph 63, to provide mental health services, the Ministry of Health has psychologists, psychiatrists, general practitioners, social workers and occupational therapists working both in outpatient facilities and in psychiatric hospitals.

170. The Santa Rosita Psychiatric Hospital has spaces adapted to the provision of care for children and adolescents. It also has health and social service protocols focused on the care of women and girls who are survivors of violence, in line with the guidelines set forth in the Essential Services Package, and inpatient spaces for the care of patients who are alcoholics, including the care of young patients.

171. As regards addiction and dependence treatment programmes, pursuant to the Special Act on Tobacco Control, cigarette manufacturers and distributors remain under an obligation

⁵⁴ Legislative Decree No. 51-2016, Gaceta No. 34,162.

to include pictograms warning about the harmful effects of tobacco consumption on health on cigarette packs.

172. The Honduran Institute for the Prevention of Alcoholism, Drug Addiction and Drug Dependence educates young people in the prevention of alcohol, drug and psychotropic substance use and provides support and therapy to the families of young persons with addictions.

173. The 2019 Population and Health/Multiple Indicator Cluster Survey is currently in the final stages and information on this topic is now being collated. The survey included a section on tobacco and alcohol consumption among women and men in the 5–49 age bracket.

Prevention and treatment of communicable diseases (HIV/AIDS)

174. With regard to the recommendation in paragraph 67 of the previous concluding observations, on the treatment of communicable diseases, especially HIV/AIDS, the Ministry of Health has taken the following measures:

(a) Extension of the National Strategic HIV/AIDS Response Plan (PENSIDA IV 2020–2024), aimed at strengthening action to prevent HIV, with an emphasis on key population groups and the most vulnerable communities, and reinforcement of efforts to expand the coverage and quality of care, treatment and psychosocial support services for people living with HIV, ensure an environment free from stigma and discrimination and guide the actions of the different sectors and institutional actors with roles in the response to the HIV epidemic, including international cooperation.

(b) AIDS Epidemic Monitoring and Evaluation Plan 2020–2024;

(c) Programme for the Prevention of Mother-to-Child HIV Transmission. and

(d) Re-establishment of the National AIDS Commission to follow up on HIV prevention and treatment initiatives, in February 2020.

175. To provide support for people living with HIV, there are 57 comprehensive care centres nationwide, whose activities include providing medication, screening to identify persons requiring antiretroviral treatment, monitoring cases and working to stabilize the HIV epidemic. The 22 comprehensive care centres that provide care for children with HIV are staffed by paediatric infectious diseases specialists.

176. Regarding the recommendation in paragraph 67 (b), the mother-to-child transmission route still accounts for just 1 per cent of infections and no infections attributed to blood transmission have been reported in the past five years. The Programme for the Prevention of Mother-to-Child HIV Transmission has contributed to a significant reduction in transmission.

Children living in prison with their mothers

177. To protect children and adolescents living with mothers deprived of their liberty, the nursery unit of the National Women's Prison for Social Adaptation has been improved and now has a full-time paediatrician. Under the Expanded Immunization Programme, a cold chain was established within this nursery unit in order to ensure that children under four years of age living with mothers deprived of liberty receive essential vaccinations.

178. The National Registry Office has sent mobile brigades to the National Women's Prison for Social Adaptation to register the children of women being held there and issue birth certificates and identity cards to the women.

179. In response to the COVID-19 pandemic, the Directorate for Children, Adolescents and the Family, in conjunction with Asociación Manos Extendidas, an NGO, introduced a comprehensive strategy for addressing and improving the living conditions of children and adolescents living with their mothers in prison, the components of which include analysing the situation of these children and adolescents and the provision of basic foodstuffs.

Standard of living, reduction of poverty and inequalities (art. 27 (1)–(3))

180. Regarding the recommendation in paragraph 69 (a), to strengthen socioeconomic measures aimed at reducing poverty the State established strategic budget lines to provide for

children and adolescents living in disadvantaged or vulnerable situations through the programmes run by the Ministry of Social Development and Inclusion, including the Solidarity Food Programme, the Solidarity Health Programme and the “Better Life” cash transfer scheme, among others. In 2019, the budgets allocated to these programme were increased by 56.24 per cent relative to the 2016 level, allowing them to continue helping children and adolescents through the provision of food rations, cash allowances and incentives to remain in the education system.

181. The Operation Solidarity Honduras Programme,⁵⁵ created during the COVID-19 emergency, has to date provided assistance in the form of food rations to 1,596,142 households affected by the pandemic nationwide.⁵⁶

182. Regarding the recommendation in paragraph 69 (b), there was a significant decrease in the percentage of households living below the poverty line and in extreme poverty in the period 2015–2019. This improvement in poverty rates is considered to be linked to the social programmes implemented and to the approximately 4 per cent increase in GDP achieved each year during the period, albeit with a slight slowdown in 2019, in line with movements in the other economies of the region.⁵⁷

183. Regarding the recommendation in paragraph 69 (c), on efforts to reduce chronic malnutrition, work in conjunction with the Association of Caribbean States contributed to a reduction in chronic malnutrition in children under five years of age of 13.2 percentage points, from 53.3 per cent at the start of the programme to 40.1 per cent in September 2019. Acute malnutrition decreased by 48.3 per cent, from 18 per cent to 9.3 per cent as of September 2019.

184. In 2019, the Tolupán People benefited from the establishment of 29 community and school gardens with gravity irrigation systems and the delivery of 512 irrigation system kits.⁵⁸

185. As of October 2020, 764,537 persons from 498,373 households, the majority of them (749,093, or 97.98 per cent) children or adolescents, were benefiting from school meals. Of this total, 67.19 per cent were living in rural areas and 32.81 per cent in urban areas, as detailed below:⁵⁹

Age	Girls	Percentage	Boys	Percentage	Total	Percentage
0–6 Young children	62.730	49.72	63.446	50.28	126.176	16.50
7–11 Children	193.487	49.76	195.315	50.24	388.802	50.85
12–18 Teenagers	120.172	51.33	113.943	48.67	234.115	30.62
Total	376.389	50.24	372.704	49.76%	749.093	97.98%

Source: National Centre for Information on the Social Sector, data updated to 2020.

186. Regarding the recommendation in paragraph 69 (d), on improving access to water and sanitation in rural areas, the percentage of homes with access to a basic supply of water for human consumption reached 88.4 per cent in 2019, the percentage of homes with access to basic sanitation remained at around 86.6 per cent, while the percentage of homes covered by the electricity network also increased, up by 9 per cent. The differences between urban and rural households in terms of access remain considerable.⁶⁰

⁵⁵ Executive Decree No. PCM-025-2020, Gaceta No. 35.212.

⁵⁶ Consulted on 28 October 2020, available at: <https://twitter.com/HondurasCovid19/status/1317169688665714688?s=19>.

⁵⁷ Second Voluntary National Review of progress made in implementing the 2030 Agenda.

⁵⁸ Consulted on October 23, available at: <http://www.sedis.gob.hn/direccion-de-pueblos-indigenas-y-afrohondurenos-dinafroh>.

⁵⁹ Report on interventions, programmes and projects implemented by the Ministry of Social Development and Inclusion, 2020.

⁶⁰ Second Voluntary National Review of progress made in implementing the 2030 Agenda.

H. Education, leisure and cultural activities (arts. 28 and 31)

Right to education (art. 28)

187. Regarding the recommendation in paragraph 71 (a), on the budget dedicated to guaranteeing children's right to education, the Ministry of Education had an approved budget allocation of L 24,671,036,377 in 2016, which by 2020 had increased by 21.22 per cent to L 29,907,613,557.

188. In application of the School Meals Act and the Solidarity Food Programme, 1,300,915 students in the public education system have benefited from food rations and 300,000 students living in vulnerable areas such as the Dry Corridor and La Mosquitia have benefited from supplementary rations. In addition, scholarships worth L 3,000 per month have been awarded to Indigenous and Afro-Honduran children and adolescents under the Honduras 20/20 initiative. In 2016 and 2017 combined, 57 such scholarships were awarded to Garifuna children and adolescents and 40 to black English-speaking children and adolescents.

189. Regarding the number of Indigenous and Afro-Honduran children and adolescents who receive education in their own language, within the framework of the Intercultural Bilingual Education Model, enrolment increased by 40 per cent in the period 2015–2019, as a result of which 90,690 Indigenous and Afro-Honduran children and adolescents in 919 schools nationwide are receiving education in their own language through 2,955 teachers,⁶¹

190. Regarding the recommendation in paragraph 71 (b), the national average dropout rate in 2018 was 2.96 per cent from first to sixth grade, and 7.6 per cent from seventh to ninth grade. With the aim of preventing school dropout and helping to guarantee the right to food among Indigenous and Afro-Honduran children and adolescents and children and adolescents living in rural areas, in the period 2015–2019 the “Better Life” Platform provided assistance to 4.8 million people of whom 64 per cent were children and adolescents and 10 per cent were from Indigenous and Afro-Honduran communities. This assistance consisted of food rations, health services, incentives for children to enrol in, attend and remain in school, and the development of opportunities and skills for labour market and economic inclusion.

191. To prevent girls from dropping out of school during pregnancy, and with a view to ensuring equal opportunities in the education system, with a gender perspective, for all children and adolescents, the Ministry of Education has developed a gender mechanism from which 325 girls and adolescents benefited in 2020.

192. The Multisectoral Plan for the Prevention of Teenage Pregnancy allows pregnant adolescents to be included in all educational programmes.

193. Regarding the recommendation contained in paragraph 71 (c), the Basic Act on Education and the 2018–2030 Strategic Plan for the Education Sector guarantee access to education free of charge for all children and adolescents from 5 years old to the end of secondary education, extending the average number of years in school from 9 to 13 years.

194. In the period 2015–2019, the net rate of education coverage increased at all three levels of education, rising from 36 per cent to 42.9 per cent at the preschool level, from 83 to 91.2 per cent in primary education, and from 27 per cent to 31.2 per cent at the secondary level.⁶²

195. With regard to vocational training for teenagers, in 2017, 2018 and 2019 combined, the National Institute for Vocational Training provided technical, professional and vocational training to 139,598 young persons between the ages of 14 and 19 years old, 53 per cent of whom were girls. In addition, through the Honduras Startup Programme run by the Honduran Institute of Science, Technology and Innovation, the National Institute for Vocational Training encourages young persons to become involved in technological and social entrepreneurship.

⁶¹ Third universal periodic review report.

⁶² Second Voluntary National Review of progress made in implementing the 2030 Agenda.

Human rights education

196. In line with the recommendation contained in paragraph 72, on the development of a plan of action for human rights education, through the coordinated efforts of the Office of the National Commissioner for Human Rights, the Ministry of Education and the Ministry of Human Rights, and with the support of the Organization of Ibero-American States, a national plan of action has been formulated based on the World Programme for Human Rights Education and a public policy on human rights education has been drawn up, both of which are pending adoption.

Rest, leisure, recreation and cultural and artistic activities (art. 31)

197. Concerning the recommendation contained in paragraph 74 of the previous concluding observations, the Municipal Councils for the Protection of the Rights of the Child have taken action to ensure that children and adolescents can engage in various recreational activities and forms of artistic expression, including, for example, organizing art competitions and developing communications materials containing messages intended to promote these rights and prevent violations. Furthermore, one of the responsibilities of the National Council for the Protection of the Rights of the Child is to establish effective mechanisms for the participation of children and adolescents throughout the country.

198. In terms of recreation, according to the Directorate for Culture, the Arts and Sport, an average of 375,000 persons visit the 102 parks for a “better life” every month and 80 per cent of these parks are accessible to and contain spaces and playgrounds for children and persons with disabilities.

199. In addition, 28,864 children, adolescents and adults took part in cultural and artistic workshops or were involved in volunteer activities in various sectors and 821 children and adolescents benefited from campaigns to encourage reading.

I. Special protection measures (arts. 22, 30, 33, 37 (b)–(d), 39 and 40)

Protection of migrant children (art. 22)

200. In response to the recommendation contained in paragraph 76 (a), the Ministry of Foreign Affairs and International Cooperation, the National Centre for Information on the Social Sector, the Office of the United Nations High Commissioner for Refugee (UNHCR) and the International Organization for Migration (IOM) have developed a comprehensive strategic policy for irregular migration and returns, prioritizing municipalities with high numbers of returned migrants and families in situations of poverty and vulnerability. The Public Policy on Migration is currently at the diagnostic stage, with the authorities working to identify areas in which intervention is needed and ways in which to prevent irregular migration and ensure safe returns, among other aspects.

201. In 2015, the Ministry of Foreign Affairs and International Cooperation established the Office of the Under-Secretary for Consular and Migration Affairs.⁶³ The Directorate for the Protection of Honduran Migrants, Office for the Protection of Honduran Migrants, Support Office for Returned Migrants, Support Centres for Returned Migrants and Municipal Support Units for Returned Migrants as well as the National Council for the Protection of Honduran Migrants all come under the umbrella of this Office.

202. In relation to the recommendation contained in paragraph 76 (b), the activities coordinated by the Ministry of Foreign Affairs and International Cooperation through consulates and State institutions at the regional level are of particular note.

203. In 2016, when Honduras held the presidency pro tempore of the Regional Conference on Migration, the following advances were achieved:

(a) Establishment of the Liaison Officers Network for the Protection of Migrant Children and Adolescents; and,

⁶³ Executive Decree No. PCM-038-2015, Gaceta No. 33,801.

(b) Agreement between countries of guidelines for protection, repatriation and consular interviews that have been implemented in Honduras by the Directorate for the Protection of Honduran Migrants and also abroad in order to provide protection for migrant children. The guidelines consist of:

- (i) Regional Manual for Action for the Comprehensive Protection of Children and Adolescents in the Context of Migration;
- (ii) Common indicators for the registration of unaccompanied or separated migrant boys, girls and adolescents in consular actions of the member countries of the Regional Conference on Migration: and,
- (iii) Consular protection recommendations for unaccompanied and separated migrant boys, girls and adolescents including those in need of international protection.

204. The Protocol for the Protection, Repatriation, Reception and Follow-up of Migrant Children, which is currently being applied nationwide, was issued in 2016.

205. In 2018, Honduras adopted the Global Compact for Safe, Orderly and Regular Migration, which fosters international cooperation on migration. It also launched a consular protection plan for separated families in the context of the zero tolerance policy of the United States Government, identifying 1,011 children and adolescents who had been separated from their families and reuniting 883 of them in the course of the year.

206. Through its consular network, the Ministry of Foreign Affairs and International Cooperation provides protection and assistance to Honduran migrants including advice, support for Hondurans deprived of their liberty abroad, help for victims of trafficking in persons and people smuggling, help to locate missing Hondurans, support for repatriation and care for migrant children. The services provided to Honduran children and adolescents abroad include the issuance of identification documents (birth certificates and passports), the registration of minors with the National Registry Office and consular protection.

207. Through the Honduran Migrant Solidarity Fund, resources are available to fund assistance, return and follow-up for adult and child migrant returnees and victims of trafficking in persons and people smuggling abroad. In the period 2016–2020, the safe return of 821 children and adolescents was covered by this fund.

208. In coordination with the consular network, especially consulates located in transit and destination countries, the Directorate for the Protection of Honduran Migrants oversees the process of returning migrant children and adolescents, guaranteeing respect for their human rights, ensuring fair proceedings for this vulnerable population group and, above all, guaranteeing family reunification.

209. The telephone helpline of the “ALHO VOZ” call centre handled 1,795,408⁶⁴ calls from migrants seeking assistance, including in locating family members, between the start of 2015 and 31 March 2020.

210. The Migrant Support Task Force headed by the First Lady and composed of various State institutions works to expedite assistance and repatriation procedures and conducts visits to shelters and migrant detention centres in the southern border area of the United States of America in order to ensure that the human rights of children and their parents are being respected.

211. The northern part of Honduras, specifically the Corinto and Agua Caliente border areas, is the region with the highest number of migrant children. These borders are permanently manned by Child Protection Officers of the Directorate for Children, Adolescents and the Family, who are responsible for the safe return of children and adolescents.

212. Regarding the recommendation contained in paragraph 75 (c), according to data from 2016 to October 2020 provided by the National Centre for Information on the Social Sector, 292,117 migrants were returned in this period, of whom 53,403 were children or adolescents.

⁶⁴ Consulted on 19 October 2020, available at: <https://www.conmigho.hn/alho-voz/cantidad-de-atenciones/>.

Of this number, 34,912, or 65.37 per cent, were boys and 18,491, or 34.63 per cent, were girls, and 32,922, or 61.65 per cent, were accompanied and 20,481, or 38.35 per cent, were unaccompanied.⁶⁵

213. In coordination with the Directorate for Children, Adolescents and the Family, the Support Centres for Returned Migrants and the Belén Child and Family Migrant Support Centre provide support, welcome and assistance services to ensure the safe return of Hondurans to their communities, in accordance with the Protocol for the Immediate Protection, Repatriation, Reception and Follow-up of Child Migrants, guaranteeing shelter, food and the medical, legal and psychosocial support necessary to identify children and adolescents in need of protection.

214. To ensure the technical and financial sustainability of the Support Centres for Returned Migrants, in the period 2017–2020 they were allocated a total budget of L 150,456,430. In the period 2016–2020, the Belén Child and Family Migrant Support Centre provided care to 13,110 families.

215. For the reintegration and follow-up of adult and child migrant returnees, the Municipal Support Units for Returned Migrants provide comprehensive care at the local level. At present, there are 14 Municipal Support Units, which between them provided support and follow-up assistance to a total of 5,134 returned migrants in 2018, 2019 and 2020 combined, of whom 3,246 were men, 1,249 were women and 639 were children or adolescents.

216. The Directorate for Children, Adolescents and the Family provides support for the follow-up and reintegration of migrant children and adolescents, managing 2,181 cases in 2019 and 1,091 cases to October 2020 and helping more than 30 returned migrant families with social welfare allowances of between L 3,000 and L 10,000, funded by UNICEF, in order to discourage migration.

217. Since the start of the COVID-19 health emergency, 1,937 migrant children and adolescents have received assistance, 1,182 of whom were unaccompanied and 753 were traveling with their parents and relatives. These children had travelled by land from Mexico (56 per cent), the United States of America (39 per cent) or Guatemala (4.7 per cent).

218. Measures taken to strengthen technical and logistical capacity, improve institutional responses and coordination and ensure timely care for migrants who returned during the emergency include:

- (a) Coordination of the Inter-agency Response System;
- (b) Displacement of teams to assist and care for migrants at borders;
- (c) Delivery of food to Honduran migrants in Guatemala and Mexico;
- (d) Training for permanent and temporary Ministry of Health medical personnel assigned to the Belén Child and Family Migrant Support Centre on biosafety guidelines and measures to prevent the spread of COVID-19;
- (e) Isolation areas set up for persons suspected of having contracted COVID-19 and safety and social distancing measures put in place;
- (f) Formulation of guidelines, directives and protocols focused on providing protection in the context of COVID-19, including:
 - (i) Guidelines for Technical Personnel on the Care, Protection and Family Reintegration of Migrant Children and Adolescents in the Context of the COVID-19 Emergency; and
 - (ii) Technical Guidelines for the Protection of Returned Migrant Children and their Families in COVID-19-related Quarantine or Sanitary Isolation Shelters.

⁶⁵ Consulted on 20 October 2020, available at: <http://ceniss.gob.hn/migrantes/MigrantesEstadisticas.aspx>.

(g) Coordination of transfers of children and adolescents and their families to their communities of origin in cases where access and mobility restrictions prevented the use of private or public transport;

(h) Under outsourcing agreements, nine temporary isolation centres approved by the National Risk Management System and the Ministry of Health set up in Tegucigalpa, San Pedro and Sula and one in Guayabillas to receive and provide care for returning migrant children and families. With support from USAID, IOM and UNHCR, migrants suspected of having contracted COVID-19 were transferred either to one of these centres or to triage centres to receive treatment;

(i) Assistance, training, resources and logistical support arranged with the cooperation of IOM, UNICEF and UNHCR and with Child Fund, Plan International, World Vision, Doctors of the World and Glasswing International; and,

(j) Transfers to communities of origin in the main cities coordinated with the Standing Commission on Disaster Preparedness.

219. The National Institute of Migration provides support for foreign migrants in Honduras in the four Support Centres for Migrants in an Irregular Situation. It refers children and adolescents to the Directorate for Children, Adolescents and the Family in order to ensure their protection and safeguard their rights, providing them with accommodation, food and medical care while the process of ascertaining their migration status is carried out.

220. In 2019, the Directorate for Persons Internally Displaced by Violence of the Ministry of Human Rights provided humanitarian assistance to 59 persons, including 29 children and adolescents internally displaced by violence, under a pilot programme entitled “Generating knowledge and experience in the provision of emergency humanitarian assistance to returning migrants with protection needs in the context of forced migration in Honduras” (CONEXAHMIF by its Spanish acronym).

221. Regarding the recommendation in paragraph 75 (d), it is a challenge for the State to compile disaggregated data on children and adolescents who remain in the country when their parents have migrated abroad.

Children belonging to minorities and Indigenous and Afro-Honduran children (art. 30)

222. With regard to the recommendation in paragraph 78 (a) of the previous concluding observations, on measures to reduce poverty among Indigenous and Afro-Honduran children, please refer to the advances reported in connection with the recommendations contained in paragraphs 69 and 71 of the concluding observations.

223. With respect to the recommendation in paragraph 78 (b), on the protection of Indigenous and Afro-Honduran children, on 31 October 2018 the Office of the Prosecutor for Ethnic Groups and Cultural Heritage filed before the Constitutional Chamber of the Supreme Court a constitutional writ of *amparo* against officials of the Ministry of Labour and Social Security and in favour of the Miskito Indigenous People who work in dive fishing. The writ of *amparo* calls for the protection of children and adolescents with disabilities who are forced to work in dive fishing to be guaranteed.

224. The new Criminal Code establishes penalties for conduct that seriously endangers the life, health and physical integrity of workers, and these penalties are increased by up to one third in cases where the workers are under 18 years of age, as established in article 293, Title XII, of Criminal Offences against Labour Rights. The Public Prosecution Service is thus authorized to initiate investigations into such conduct when committed against workers and especially against children forced to undertake labour of any form.

225. Regarding the recommendation in paragraph 78 (d), the Office of the Prosecutor for Ethnic Groups and Cultural Heritage registers complaints and investigates conflicts related to land and natural resources in areas where Indigenous and Afro-Honduran communities have historically been settled, including violations of their rights.

226. Since the start of 2016 to date, eight applications for prosecution on charges of abuse of authority by officials of the Ministry of the Environment and municipal mayors have been

filed and 25 applications for prosecution for land-grabbing offences have been filed against individuals from outside the communities.

227. Investigations and criminal proceedings have also been initiated in respect of illegal registrations carried out by officials of the Property Registration Institute, with, to date, three applications for prosecution on charges of abuse of authority having been filed in connection with violations of the provisions of the Property Ownership Act in respect of Indigenous and Afro-Honduran community titles.

Child labour (art. 32)

228. The percentage of children in the 5 to 17 age bracket who are engaged in child labour fell significantly in the reporting period. Most child labour (53 per cent) is performed by teenagers aged over 15 years old or more and 7 per cent is performed by children aged between 5 and 14 years old, with 70 per cent of the work in the latter category being unpaid domestic or family work performed by children between the ages of 5 and 9 years old. Teenagers between 15 and 17 years of age are generally either employed or self-employed. The incidence of child labour in rural areas is more than double than the rate reported in urban areas.

229. [The main measures adopted to prevent and eradicate child labour are as follows:

(a) The National Policy and Road Map for Making Honduras a Country Free from Child Labour and its Worst Forms.

(b) Formulation of the 2016–2020 Strategic Plan, which is aligned with Sustainable Development Goal 8;

(c) [Reactivation, in 2017, of the National Commission for the Gradual, Progressive Elimination of Child Labour;⁶⁶

(d) Adoption of the General Labour Inspectorate Act, which establishes child labour as an administrative offence and provides that children and adolescents must be removed from workplaces;

(e) Adoption of amendments to the list of hazardous work;

(f) Formulation of sector-specific work plans for the coffee, melon and lobster sectors; and

(g) Preparation of annual country reports on child labour.

230. Regarding the recommendation in paragraph 80, public policy in Honduras promotes the harmonization of laws but the review of the Labour Code for harmonization purposes remains pending.

231. The General Labour Inspectorate Act establishes child labour as an administrative offence and provides that children and adolescents must be removed from workplaces if they do not meet the minimum age requirement for employment of between 14 and 17 years and if their health and safety is at risk in the workplace, as established in the Constitution, the Labour Code, the Children and Adolescents' Code and other applicable legislation.⁶⁷

232. The Ministry of Labour and Social Security stepped up efforts to address labour violations in companies, conducting 126 inspections related to child labour⁶⁸ and 177 inspections on dive fishing vessels in 2016 and 2017.

233. In 2019, within the framework of Operation Abeona, carried out by the Public Prosecution Service with a view to combating crimes against children and adolescents and restoring their rights, 168 inspections were carried out, as a result of which 41 children and adolescents were rescued, 32 persons were arrested and 87 applications for prosecution were

⁶⁶ Executive Decree No. PCM-025-2017, Gaceta No. 34,342.

⁶⁷ Art. 184, Legislative Decree No. 178-2016, Gaceta No. 34,290.

⁶⁸ Situation of Human Rights in Honduras, 2016 and 2017 report.

filed, in addition to 51 workshops on prevention being organized during which 2,973 persons received training.

234. Additionally, in coordination with the Office of the Special Prosecutor for Children, the Office of the National Commissioner for Human Rights, the Fire Service and the Standing Commission on Disaster Preparedness, among other agencies, the Ministry of Labour and Social Security carries out municipal-level inspections in various sectors, including agribusiness, community services, retail, hotels, restaurants, electricity, gas, water, transport, storage, communication, fishing, manufacturing, construction and mining. The Municipal Councils for the Protection of the Rights of the Child take various actions to prevent the different forms of child labour.

Children in street situations

235. With regard to the recommendation contained in paragraph 82 of the previous concluding observations, within the framework of the Comprehensive System for the Protection of the Rights of Children and Adolescents, the Directorate for Children, Adolescents and the Family promotes alternatives to institutionalization for children and adolescents in vulnerable situations, especially those found in street situations, who in most cases have a family.

236. In 2020, in response to the COVID-19 emergency, an Inter-agency Strategy for Assisting Families and Children in Street Situations was launched with a view to identifying their main needs and matching them with the social welfare services offered by the State. In total, 148 families, with a total of 179 children and adolescents between them, were provided with food rations and facemasks. To date, four assistance operations have been conducted in the city of Tegucigalpa and six in San Pedro Sula. In addition, a protocol on the provision of care for unprotected children, and especially children in street situations, has been drawn up.

Children in conflict with the law and juvenile justice (art. 37 (b)–(d), 39 and 40)

237. The administration of juvenile justice is the responsibility of the children's courts, which hear all matters related to children and adolescents in conflict with the law as well as cases in which the rights of a child or adolescent have been violated and must be restored, adopting for this purpose the measures necessary to uphold the safeguards established in the Constitution, treaties and conventions, the Children and Adolescents' Code and other binding legislation.

238. In the period 2016–2019, nationwide 6,864 cases were referred to the children's courts and 10,053 settlements were reached, as follows:

<i>Year</i>	<i>Filings</i>	<i>Settlement of cases filed during the current year</i>	<i>Settlement of cases filed in previous years</i>	<i>Total settlements</i>
2016	1.971	1.220	1.855	3.075
2017	1.923	1.113	1.554	2.667
2018	1.500	962	1158	2.120
2019	1.470	1.020	1.171	2.191

Source: Judiciary.⁶⁹

239. The purpose of the Special Justice System for Juvenile Offenders is to achieve the comprehensive rehabilitation of children and adolescents between 12 and 18 years of age and their reintegration within their families and society.⁷⁰

240. As envisaged in the National Policy for the Prevention of Violence against Children and Young Persons,⁷¹ the Special Justice System develops and implements probation and community service programmes with an emphasis on the development of life skills, in line

⁶⁹ 2016, 2017, 2018 and 2019 annual reports of the judiciary.

⁷⁰ Children and Adolescents' Code, Decree No. 73–96, art. 180.

⁷¹ Executive Decree No. PCM-11-2013, Gaceta No. 33,078.

with the State policy of rehabilitation and social reintegration, as a means to ensure that children and adolescents are detained as a last resort only and for the shortest possible period of time.

241. With regard to the recommendation in paragraph 84 (a), on the provision of legal aid for children in conflict with the law, the Proceedings Unit of the Public Defence Service was created in 2019 to provide expert, professional assistance to children and adolescents and guarantee that they have access to a defence lawyer from the outset of their detention and throughout the judicial proceedings.

242. The Judiciary and the Office of the Special Prosecutor for Children hold working meetings to expedite proceedings and guarantee respect for the best interests of the child.⁷²

243. Through the Inter-agency Justice Commissions, the National Institute for Juvenile Offenders meets with judges, public defenders, prosecutors and police officers to address issues related to children and adolescents involved in the Juvenile Criminal Justice System. With the support of international cooperation, alternative conflict resolution mechanisms are being developed that will enable the legal department of the National Institute for Juvenile Offenders to advocate forms of conflict resolution other than judicial proceedings in the early stages of the investigation

244. Regarding the recommendation in paragraph 84 (b), in the period 2016–2020 socio-educational measures or measures involving community service and restorative justice were ordered under the programme of non-custodial alternative measures for 1,378 children, equivalent to 83 per cent of the total number of children entering the Special Justice System in this period.

245. In the period 2016–2019, nationwide the children’s courts ordered 1,595 non-custodial penalties for children and adolescents in conflict with the law, issued 1,744 reprimands and supervision orders and handed down 1,753 custodial sentences, as detailed below:

<i>Category</i>	<i>Type of penalty</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>2019</i>
Non-custodial penalties	Reprimands	180	98	86	87
	Probation	225	177	237	215
	Community service	88	78	43	51
	Reparation of injury to victim	16	8	3	3
Reprimand and supervision orders	Order to reside in a specific place or to change place of residence	113	87	124	115
	Order to visit or to refrain from visiting certain places or persons	64	24	60	66
	Order to abstain from the consumption of drugs, other addictive narcotics and alcohol	46	23	46	64
	Order to attend addiction prevention and treatment programmes	15	15	17	23
	Order to attend educational programmes in order to begin or complete basic schooling or learn a profession or trade or to participate in training courses in a place or public institution determined by the judge	144	124	142	148
	Order to undergo medical or psychological treatment if necessary, preferably in public health institutions	47	26	53	65
	Order to attend or enrol in educational systems or centres	32	23	14	24

⁷² 2019 annual report of the judiciary.

Category	Type of penalty	2016	2017	2018	2019
Custodial penalties	House arrest	4	14	7	3
	Semi-imprisonment	2	0	0	0
	Deprivation of liberty in the Directorate for Children, Adolescents and the Family certified or specialized centres for convicted offenders	242	252	220	1.009
Total non-custodial penalties		509	361	369	356
Total custodial penalties		248	266	227	1.012
Total		1.218	949	1.052	1.873

Source: Annual reports of the judiciary.

246. In the period 2016–2019, the children’s courts imposed 77 socio-educational measures and 70 conduct orders on children and adolescents in conflict with the law, pursuant to articles 188 and 192 of the Children and Adolescents’ Code, respectively, as shown in the table below:⁷³

Category	Socio-educational measures	2016	2018	2019
Socio-educational measures pursuant to article 188	Family guidance and family	2	0	3
	Reprimand	7	0	7
	Conduct order	2	0	0
	Community service	3	0	2
	Obligation to repair injury	0	0	2
	House arrest	2	2	9
	Probation	8	0	10
	Semi-imprisonment	0	3	0
	Imprisonment	9	5	1
Total		33	10	34
Imposition of conduct orders pursuant to article 192	Order to attend educational or work centres	5	0	8
	Order to spend free time completing previously determined programmes	1	0	0
	Obligation to submit to care or supervision of a specific institution or person	1	1	7
	Order not to enter specific places reserved for persons over 18 years of age	2	0	4
	Order to refrain from attending certain meetings or visiting certain places	0	0	10
	Ban on leaving the country, place of domicile or area determined by the respective court	0	1	7
	Obligation to appear before certain authorities	0	0	3
	Order to refrain from consuming alcohol, tobacco, drugs, toxic substances or pharmaceutical products that cause addiction	0	1	10

⁷³ 2016, 2017, 2018 and 2019 annual reports of the judiciary.

Category	Socio-educational measures	2016	2018	2019
	Order to participate in age-appropriate activities or programmes within the community	1	1	3
	Order to refrain from approaching the victim or other persons provided that this does not affect the child's right of defence	2	0	2
Total		12	4	54

Source: Annual reports of the judiciary.

247. Under the programme of non-custodial alternative measures, 1,500 children and adolescents have been ordered to participate in socio-educational measures or engage in community service and restorative justice activities and are thus able to serve their sentence outside the educational internment centres.

248. Created in 2017, the National Institute for Juvenile Offenders⁷⁴ is the State entity responsible for the organization, administration and operation of the educational internment centres for juvenile offenders deprived of liberty and for oversight of the Special Justice System for Juvenile Offenders.

249. In fulfilment of the recommendation in paragraph 84 (a), in order to ensure the provision of qualified and independent legal aid for children in conflict with the law within the Special Criminal Justice Programme, acting in defence of the rights of adolescents subject to special criminal proceedings and in accordance with the best interests of the child, the Directorate for Children, Adolescents and the Family has appointed legal professionals with expertise in the field to assume the legal representation of children and adolescents subject to such proceedings through the various stages of the process, from the preliminary investigations and intermediate proceedings through to the oral, private hearing and sentence enforcement, attending in a timely and efficient manner to the need for protection that the State is required to guarantee for children and adolescents.

250. To ensure that children's rights are not violated and that they complete the programmes in place in the internment centres, the Directorate supervises and monitors the centres on an ongoing basis, making an average of four visits each quarter to each of the four internment centres nationwide.

251. Regarding the recommendation in paragraph 84 (b), the goal of the National Institute for Juvenile Offenders, which oversees the Special Justice System for Juvenile Offenders, is to provide care for children and adolescents in conflict with the law through psychologists, educators, social workers and lawyers who guide and advise them from the beginning of the justice process until they have completed the penalty imposed, whether it is a precautionary measure, a conduct order linked to an alternative penalty or a custodial penalty.

252. In order to ensure that deprivation of liberty is used as a measure of last resort and for the shortest possible period of time, the National Institute for Juvenile Offenders ran a campaign to strengthen the programme of non-custodial alternative measures, on a quarterly basis, with the aim of decongesting the educational internment centres. As of August 2020, 329 children and adolescents were serving sentences in the five educational internment centres administered by the National Institute for Juvenile Offenders and 1,423 children and adolescents were completing sentences at liberty subject to guidance and supervision outside of the educational internment centres.

253. Regarding the recommendation contained in paragraph 84 (c), the National Institute for Juvenile Offenders' legal department monitors the period of pretrial detention, from the moment the child or adolescent is linked to the proceedings through to their admission to an educational internment centre to their release upon completion of the period of precautionary detention, thereby preventing any unlawful detentions.

⁷⁴ Executive Decree No. PCM-028-2017, Gaceta No. 34,410.

254. In 2019, in coordination with the judiciary and the Juvenile Justice Committee and with assistance from USAID and the Tutor Foundation, the National Institute for Juvenile Offenders rolled out the Adolescent Management Information System of Honduras, the database in which cases brought before the children's courts are registered. Use of the system has enhanced the management of information related to compliance with non-custodial measures imposed upon children and adolescents as it allows for timely and effective coordination between the National Institute for Juvenile Offenders and the competent courts.

255. In addition, 127 judicial officials were trained in how to use the Adolescent Management Information System, among them trial judges, sentence enforcement judges, secretaries, receivers, clerks, social workers, psychologists and staff of the judiciary's Information Technology Directorate.⁷⁵

256. Regarding measures taken to ensure the physical and psychological recovery and social reintegration of children and adolescents in conflict with the law, the National Institute for Juvenile Offenders has four programmes:⁷⁶

- (a) Prevention, rehabilitation and social reintegration;
- (b) Formal and informal education programme;
- (c) Alternative measures to deprivation of liberty; and,
- (d) Health and well-being.

257. The protocols for the rehabilitation of children and adolescents in conflict with the law were drawn up in line with the National Policy for the Prevention of Violence against Children and Young Persons and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty.

258. The education programme strengthens the reintegration programme by offering formal and informal education in crafts and trades. In 2019, 75 per cent of the children and adolescents in educational interment centres were enrolled in formal education programmes and, as of September 2020, the percentage of children and adolescents in conflict with the law in formal and informal educational programmes had risen to 100 per cent. Formal education includes basic education, secondary education and baccalaureate-level humanities and computer science studies.

259. The National Institute for Juvenile Offenders and the Honduran Professional Training Institute have entered into a cooperation agreement to guarantee informal education for children and adolescents subject to custodial and non-custodial measures.

260. Under the health and well-being programme, children and adolescents in educational interment centres receive comprehensive medical and health-care services, including dental, psychological, psychiatric and social assistance services. Between the start of 2017 and August 2020, children and adolescents received care or treatment on 19,336 occasions. To date, as a result of the implementation of biosafety protocols to prevent the spread of the virus, no COVID-19 infections have been reported.

261. Regarding the recommendation in paragraph 84 (d), the Public Prosecution Service, acting through the specialized prosecutors' offices forming part of the Office of the Special Prosecutor for Human Rights, has been investigating complaints of acts of torture allegedly committed in detention facilities since 2018 and these complaints remain under investigation.

262. With regard to the recommendation that deaths during detention or custody should be investigated promptly and thoroughly contained in paragraph 84 (e), the Public Prosecution Service, through the Office of the Special Prosecutor for Offences against Life, has issued instructions stipulating that wrongful deaths that have occurred in the various prisons must be investigated promptly with the aim of identifying the perpetrators of, and/or participants in, acts or omissions that were a determining factor in the deaths. Autopsies have also been

⁷⁵ 2019 annual report of the judiciary.

⁷⁶ Executive Decree No. PCM-028-2017, Gaceta No. 34,410, art. 13.

ordered in each case, through the forensic medicine service, as part of the investigation protocol.

263. With regard to the recommendation in paragraph 84 (f), with the support of UNICEF, the National Institute for Juvenile Offenders is in the process of developing a public policy and comprehensive care model for children in conflict with the law aimed at improving protection of the rights of children and adolescents in the juvenile justice system. The National Institute for Juvenile Offenders, UNICEF and Diego Portales University of Chile have trained 17 managerial staff members on the policy.

264. In 2018, the Expert Committee on Juvenile Justice, composed of the Special Prosecutor for Children, judges responsible for procedural safeguards and enforcement, public defenders and representatives of civil society organizations and international cooperation bodies, was formed to consider issues related to children in conflict with the law and how to improve living conditions in educational internment centres. Measures since adopted include the introduction of separate units, care by specialized guards, a prohibition on the use of lethal weapons, the recruitment of specialized security personnel, the provision of training on human rights and children's rights and infrastructure improvements.

265. The National Institute for Juvenile Offenders has inter-agency platforms for coordination with the different actors in the Special Justice System for Juvenile Offenders, including the Subcommittee for Juvenile Justice, led by the judiciary, and the Inter-agency Expert Committee on Juvenile Justice, which is intended to become the National Institute's Advisory Committee; The only thing remaining is for the representative of the Office of the President to be appointed.

266. In addition, a qualitative exploratory survey of girls serving sentences in the Sagrado Corazón de María Centre run by the National Institute for Juvenile Offenders has been carried out. Safety and security protocols have been drawn up for the different educational internment centres in order to improve care for girls.

267. The clinical psychology department of the National Autonomous University of Honduras has trained 70 of the Institute's specialists in how to administer first aid, how to deal with adolescents who have a history of physical violence and sexual abuse or suffer from addiction, and how to develop their skills for adult life.

J. Ratification of the Optional Protocol on a communications procedure

268. Regarding the recommendation contained in paragraph 85, on the ratification of the Optional Protocol on a communications procedure, the Government of Honduras is constantly reviewing and evaluating international instruments but has not yet taken a decision regarding the communications procedure. However, victims seeking an international remedy have the possibility of submitting their complaints to the Inter-American system once domestic remedies have been exhausted.

K. Cooperation with regional bodies

269. Regarding the recommendation in paragraph 86, concerning cooperation with the Organization of American States in the implementation of the Convention and other human rights instruments, during the reporting period the Government prepared and, in 2017, submitted:

(a) its report on compliance with the Inter-American Convention on the Elimination of all Forms of Discrimination against Persons with Disabilities and report on implementation of the Program of Action for the Decade of the Americas for the Rights and Dignity of Persons with Disabilities; and,

(b) progress reports on the implementation of the Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights (Protocol of San Salvador) corresponding to the first and the second groups of rights.

270. In 2020, the follow-up reports of the State of Honduras corresponding to the first and second groups of rights covered by the Protocol of San Salvador, prepared in response to the recommendations made by the Working Group in December 2017, were submitted.

271. From July 30 to 3 August 2018, at the invitation of the State, the Inter-American Commission on Human Rights made an on-site visit to Honduras to observe the human rights situation and address issues such as justice and impunity, violence, inequality, democratic institutions, freedom of expression, economic, social, cultural and environmental rights, and the rights of children and young persons.

272. As a result of the visit, in November 2019, the Inter-American Commission on Human Rights and the Government of Honduras established a special committee of expert advisors on compliance with human rights recommendations, with a remit to focus on five population groups, namely children, persons with disabilities, human rights defenders, women, and Indigenous and Afro-Honduran Peoples. The 30 recommendations set forth by the Inter-American Commission on Human Rights in its report will be followed up through the Honduran System for Monitoring Human Rights-related Recommendations, with a follow-up matrix being formulated jointly and capacity-building activities organized for public officials.

273. In the period 2018–2020, the Honduran authorities took part in five thematic hearings of the Inter-American Commission on Human Rights, submitted two advisory opinion requests before the Inter-American Court of Human Rights and received visits from experts and working groups.

274. Honduras currently holds the presidency of the Directing Council of the Inter-American Children's Institute.

IV. Follow-up to the Optional Protocols to the Convention on the Rights of the Child

A. Optional Protocol to the Convention on the sale of children, child prostitution and child pornography

275. Regarding the actions taken and progress made by the State in implementing this Optional Protocol, the Committee is referred to the detail contained in this report, especially the information in paragraphs 105 *et seq.*, under the subheading “Sexual Exploitation and Abuse”.

276. The principal measures included:

- (a) Adoption of the Act on Trafficking in Persons;⁷⁷
- (b) Operations of the Inter-Agency Commission for the Prevention of Commercial Sexual Exploitation and Trafficking of Children and Adolescents;
- (c) Creation of the Rapid Response Team;
- (d) Rapid Response Team Action Protocol for Victim Support;
- (e) Strategic Plan to Combat Commercial Sexual Exploitation and Trafficking in Persons (2016–2022); and
- (f) Awareness-raising and campaigns to prevent commercial sexual exploitation and trafficking in persons.

⁷⁷ Legislative Decree No. 59-2012, Gaceta No. 32,865.

B. Optional Protocol to the Convention on the involvement of children in armed conflict

277. Military service in Honduras is voluntary, as established in the Constitution, as amended by Legislative Decree No. 24-1994, ratified by Legislative Decree No. 65-1995, amending article 276 of the Constitution, which stipulates that: “Citizens aged between 18 and 30 years old shall perform military service on a voluntary basis”. Thus, the safeguards contained in domestic legislation ensure that no citizen, and no child or adolescent, can be compulsorily recruited.

278. There are no armed conflicts in Honduras. Accordingly, members of the armed forces who perform voluntary military service do not participate in combat actions.

279. Lastly, as reported, the State has ratified the Arms Trade Treaty and the Treaty on the Prohibition of Nuclear Weapons that will enter into force in January 2021, and the new Law for the Control of Firearms, Munitions, Explosives and Related Materials has been adopted.
