

**Responses to Recommendations**

**HONDURAS**

Review in the Working Group: 04 November 2010  
 Adoption in the Plenary: 17 March 2011

**Honduras's responses to recommendations (as of 03.09.2011):**

<b>In the Report of the Working Group:</b>	<b>In the Addendum:</b>	<b>During the plenary:</b>	<b>Summary:</b>
117 REC accepted (among which 112 are considered as already implemented or in the process of implementation); 12 pending	No addendum	Out of the 12 pending, the delegation stated accepting 10 and that 2 were requiring "further budgetary checking" (first part of 83.6 and 83.10) which are therefore considered as pending <sup>1</sup>	Accepted: 128 Rejected: 0 No clear position: 0 Pending: 2

**List of recommendations contained in Section II of the Report of the Working Group A/HRC/16/10:**

**81. The recommendations formulated during the interactive dialogue and listed below have been examined by Honduras and enjoy its support:**

A - 81.1. Review its national law in order to ensure full and unhampered enjoyment of human rights by all members of society, including those belonging to the most vulnerable groups, such as women, lesbian, gay, bisexual and transgender persons and indigenous peoples (Czech Republic);

A - 81.2. Implement the provision of the resolution on human rights defenders adopted by the Human Rights Council at its thirteenth session, on the establishment of a focal point for the protection of human rights defenders within the national administration (Ireland);

A - 81.3. Take all necessary measures, including by undertaking a reform of legislation governing the telecommunications sector and guaranteeing access to public information, to guarantee freedom of the press, freedom of expression and the right to peaceful assembly (Canada);

A - 81.4. Fully involve civil society in the follow-up to this review (United Kingdom);

A - 81.5. Continue consultations with civil society in the follow-up to this review (Austria).

<sup>1</sup> The total number of recommendations is now 130 as one was split.

**82. The following recommendations enjoy the support of Honduras, which considers that they have already been implemented or are in the process of implementation:**

- A - 82.1. Ratify the main human rights treaties to which Honduras is not yet a party (Argentina);
- A - 82.2. Ratify the Protocol to Prevent, Suppress and Punish Trafficking in Persons, particularly Women and Children (Ecuador);
- A - 82.3. Continue the process of bringing national legislation into line with international standards (Azerbaijan);
- A - 82.4. Make efforts to incorporate into national legislation the prohibition of all forms of the corporal punishment of children (Costa Rica);
- A - 82.5. Strengthen the Office of the National Commissioner for Human Rights (Peru);
- A - 82.6. Continue to ensure the independence of and support for the Office of the National Commissioner for Human Rights and the Truth and Reconciliation Commission, in order to fulfil their mandates (Indonesia);
- A - 82.7. Ensure the independence and the proper funding of the Office of the National Commissioner for Human Rights and the Institution for Children and the Family, at a time when restrictions on freedom of expression, discrimination, and gender-based and domestic violence are all on the rise (Hungary);
- A - 82.8. Strengthen the National Institute for Women with adequate human and logistical resources to enable it to effectively discharge its role (Ghana);
- A - 82.9. Establish national mechanisms guaranteeing full protection for women, reinforcing the necessary competencies and budget and the National Institute for Women and recognizing the legal character of the Municipal Women's Offices (Spain);
- A - 82.10. Step up efforts to increase the visibility of all initiatives and actions aimed at the promotion of and respect for human rights, through democratic mechanisms and conciliatory processes (Panama);
- A - 82.11. Continue pursuing the promotion of human rights, particularly through the consolidation of democratic institutions, freedom of expression, the protection of women, and assistance to indigenous and Afro-Honduran peoples (The Holy See);
- A - 82.12. Develop a national action plan on human rights (Peru);
- A - 82.13. Take concrete measures to raise public awareness of existing legislation and policies, which is indispensable for their effective application (Republic of Korea);
- A - 82.14. Incorporate strategies for human rights education and training, focused in particular on the armed forces (Costa Rica);
- A - 82.15. Promote human rights education and training, particularly among such administrators of justice as police officers, judges and prosecutors (Thailand);
- A - 82.16. Devise programmes of human rights education on behalf of the police and the security forces, and constantly monitor the effectiveness of such programmes (Italy);
- A - 82.17. Improve the policies for the protection of the rights of children, and guarantee due access to justice for child victims of violence (Brazil);
- A - 82.18. Continue working towards the adoption of plans and public policies for the promotion and protection of the rights of lesbian, gay, bisexual and transgender persons and other vulnerable populations likely to be discriminated against (Colombia);

A - 82.19. Extend a specific invitation to the United Nations Special Rapporteur on the situation of human rights defenders (United Kingdom);

A - 82.20. Consider including, in the request to establish a country office of OHCHR, a request for technical assistance and cooperation with a view to the development of a comprehensive strategy, with the participation of civil society, to ensure respect for and the defence of human rights (Panama);

A - 82.21. Adopt all necessary measures to eliminate all forms of discrimination, including indirect discrimination against women; guarantee comprehensive attention to victims of gender-based violence, sexual violence, trafficking in persons and sexual exploitation (Ecuador);

A - 82.22. Take the necessary measures to guarantee the fundamental rights of Honduran citizens, particularly regarding the right to life, stepping up efforts to ensure food security and improving the general security for people (Switzerland);

A - 82.23. Promptly, thoroughly and impartially investigate all cases of death in custody and provide adequate compensation to the families of victims, as recommended by the Committee against Torture (Austria);

A - 82.24. Take concrete actions to implement recommendations made by the Committee against Torture in 2009, by the Committee on the Rights of the Child in 2007 and by the Human Rights Committee in 2006 concerning the violent killing of juveniles, emphasizing in particular effective investigations, so as to arrest and punish all material and intellectual perpetrators of such killings, as well as raise awareness about the mistreatment of children (Uruguay);

A - 82.25. Adopt measures as a matter of urgency to put an end to arbitrary detention, torture and illegal centres of detention; ensure due oversight regarding the legality of detentions; and ensure the effectiveness of judicial remedies against such practices (Argentina);

A - 82.26. Establish a mechanism for monitoring the legality of arrests and detentions (Haiti);

A - 82.27. Implement sustainable public policies to prevent torture and prosecute and punish perpetrators; train and sensitize the armed forces and the police; define the crime of torture in domestic legislation (Argentina);

A - 82.28. Take the necessary measures to prevent high numbers of disappearances and extrajudicial killings related to police actions, in particular with regard to children (Hungary);

A - 82.29. Take prompt and effective steps to protect human rights defenders from violent attacks (Austria);

A - 82.30. Take the necessary steps to ensure the protection of human rights defenders, including by implementing precautionary measures requested by international human rights bodies (Canada);

A - 82.31. Adopt measures to end threats against and harassment of human rights defenders, journalists and judges, in accordance with the 1998 General Assembly declaration on human rights defenders, such as the establishment of a mechanism to effectively implement the precautionary measures requested by the Inter-American Commission on Human Rights (Ireland);

A - 82.32. Increase efforts to protect journalists (Germany);

A - 82.33. Take the necessary measures to improve the security of journalists and human rights defenders, and carry out independent and credible investigations into the murders of seven journalists and threats against several others that occurred in 2010, and bring to justice the perpetrators of those condemnable acts (France);

A - 82.34. Ensure that independent, impartial and effective investigations into the unlawful use of force against women are carried out by Honduran law enforcement officials (Ireland);

A - 82.35. Carry out independent, impartial and effective investigations into the unlawful use of force against lesbian, gay, bisexual and transgender activists by Honduran law enforcement officials (Ireland);

A - 82.36. Take concrete steps to ensure prompt, adequate, and transparent investigation of killings, intimidations and other abuses of persons from the lesbian, gay, bisexual and transgender community (United States);

A - 82.37. Take immediate steps to address the problems with the application of the current legislation and policies, including a lack of public funding, so as to protect the right to life, bodily integrity, liberty and security of all women (Ireland);

A - 82.38. Intensify actions and adopt broad measures to combat violence against women, children, young people and lesbian, gay, bisexual and transgender persons (Brazil);

A - 82.39. Adopt effective measures to prevent gender-based violence and provide protection and assistance to victims; harmonize domestic legislation with international instruments on human trafficking (Argentina);

A - 82.40. Step up efforts to eradicate child abuse and domestic violence through the effective implementation of national strategies (Indonesia);

A - 82.41. Continue to put forward effective measures to eliminate violence against women (Azerbaijan);

A - 82.42. Take practical measures to combat sexist, domestic and sexual violence (Haiti);

A - 82.43. Put in place protection measures to prevent, combat and punish perpetrators of violence against women and children, and conduct a campaign to raise awareness on violence against women (Canada);

A - 82.44. Further implement policies to eliminate violence against women and children (Thailand);

A - 82.45. Take new actions to put an end to violence against women and to combat trafficking in human beings (France);

A - 82.46. Continue and enhance existing measures to protect women and children from violence, such as the training of Honduran police and the development of the dedicated Gender Unit within the police system (Japan);

A - 82.47. Fight against women trafficking and enhance, in this regard, regional cooperation (Italy);

A - 82.48. Strengthen support for victims of human trafficking (Japan);

A - 82.49. Take necessary steps to fight human trafficking (Azerbaijan);

A - 82.50. Allocate more resources to fight trafficking in human beings and support victims of trafficking and sexual exploitation (Germany);

A - 82.51. Devote particular attention to fighting the worst forms of child labour and child trafficking, including that for the purpose of commercial sexual exploitation (Uruguay);

A - 82.52. Strengthen efforts to eradicate child abuse, child labour and the sexual exploitation of children (Azerbaijan);

A - 82.53. Take effective measures to improve conditions of detention, in particular to reduce overcrowding and violent crime in prisons, as well as to improve prisoners' access to educational and health services (Austria);

A - 82.54. Continue measures to strengthen the independence of the judiciary (Azerbaijan);

A - 82.55. Make all efforts to ensure the independence of the judiciary (Ghana);

A - 82.56. Undertake all necessary measures to ensure the independence of the judiciary, including by putting an end to any intimidation or unjustified disciplinary procedures against judges perceived as critical of the coup (Slovenia);

A - 82.57. Strengthen the administration of justice according to international standards, which may contribute to reducing the growing number of cases of impunity (Hungary);

A - 82.58. Guarantee effective compliance with the precautionary measures of the Inter-American Commission on Human Rights (Brazil);

A - 82.59. In line with the concerns expressed by the Committee against Torture and the Human Rights Committee, establish an independent body to safeguard the independence of the judiciary and supervise the appointment, promotion and regulation of the profession (United Kingdom);

A - 82.60. Take concrete actions to consolidate democracy; continue institutional, infrastructural and constitutional reforms to enhance the administration of justice and the rule of law (Nigeria);

A - 82.61. Consider establishing an independent body to safeguard the independence of the judiciary (Poland);

A - 82.62. Establish an independent body to safeguard the independence of the judiciary and to supervise the appointment, promotion and regulation of members of the profession (Slovakia);

A - 82.63. Take the necessary measures to ensure that the justice system effectively combats impunity, and analyse the feasibility of establishing an international commission against impunity on the model of the International Commission against Impunity in Guatemala (Switzerland);

A - 82.64. Strengthen the Office of the Special Prosecutor for Human Rights, and ensure that the Special Prosecutor receives proper protection against violence and threats thereof (Netherlands);

A - 82.65. Carry out impartial and independent investigations to combat impunity in cases of alleged violations of human rights, and inform the international community about those investigations (Costa Rica);

A - 82.66. Investigate, prosecute and punish those responsible for the harassment of members of the judiciary, and provide adequate redress for victims (Argentina);

A - 82.67. Provide sufficient financial and human resources to the new Ministry for Justice and Human Rights and to the Office of the Special Prosecutor for Human Rights, so that they can perform their function of preventing and effectively investigating cases of human rights violations, particularly those committed against journalists and human rights defenders (Mexico);

A - 82.68. Provide adequate resources as well as professional and human rights training to the judiciary and the police forces (Austria);

A - 82.69. Strengthen the legal and judicial system in order to ensure that perpetrators of human trafficking, among others, are brought to justice (Thailand);

A - 82.70. Approve the law on judicial career and ensure that it establishes an independent body to guarantee the independence of the judiciary and supervise the appointment, promotion and regulation of members of the profession (Spain);

A - 82.71. Take prompt and effective steps to hold to account perpetrators of corruption, extortion, torture and other forms of violence in the ranks of the judiciary and the police and security forces (Austria);

A - 82.72. Carry out investigations into the recent dismissal of three judges and one magistrate so that, if it is appropriate, they are reinstated, and adopt measures to ensure the immovability of members of the judiciary (Mexico);

A - 82.73. Strengthen State and Government mechanisms to better investigate and sanction those responsible for violations of human rights (Canada);

A - 82.74. Consider the possibility of applying sentences alternative to imprisonment, particularly for juveniles and adolescents in conflict with the law (Mexico);

A - 82.75. Bring the juvenile justice system fully into line with the Convention on the Rights of the Child (Poland);

A - 82.76. Continue bolstering the investigative and prosecutorial resources in order to conduct prompt, transparent, credible and effective investigations of the killing of journalists since March 2010, and effectively prosecute those responsible for these crimes (United States);

A - 82.77. Continue to investigate cases of violence against journalists and to effectively prosecute those responsible for such acts (Italy);

A - 82.78. Continue investigations into the murders of journalists, human rights activists, and opposition and Government figures (Australia);

A - 82.79. Intensify efforts to investigate and prosecute those responsible for the recently reported crimes committed against journalists (Netherlands);

A - 82.80. Improve its investigative capacity to solve the cases of murdered women, journalists and human rights defenders, and bring to justice those responsible (Canada);

A - 82.81. Approve, as soon as possible, the law on comprehensive compensation for victims of human rights violations (Peru);

A - 82.82. Adopt measures to ensure that the Truth Commission enjoys absolute legitimacy and transparency in the election of its members, full independence to efficiently carry out its mandate, and clarity with respect to the scope of its mandate, so that it meets its objective, which is to know the truth regarding the serious human rights violations committed (Argentina);

A - 82.83. Bring to justice people who have been identified by the Truth Commission as having committed human rights violations (Peru);

A - 82.84. Investigate and bring to justice those responsible for reported abuses in the aftermath of violations of constitutional order that occurred on 28 June 2009 (Sweden);

A - 82.85. Take relevant steps in order to conduct immediate, independent, transparent and thorough investigations of human rights violations committed during and after the events of June 2009, and initiate further legal proceedings against those found responsible for such crimes (Czech Republic);

A - 82.86. Fully investigate regarding all reports about violations of human rights in the context of last year's political turmoil (Germany);

A - 82.87. Investigate and punish the violations of human rights committed in the aftermath of the coup d'état of 28 June 2009 (Ecuador);

A - 82.88. Ensure that independent, transparent, appropriate and effective investigations are carried out regarding the allegations and reports of human rights violations since June 2009 and, depending on the results thereof, bring to justice the perpetrators of those acts in processes that could be defined as fair trials according to international standards (Spain);

A - 82.89. In compliance with its international obligations, duly carry out, without delay, in an independent manner and respecting fair trial guarantees, investigations into the human rights violations; prosecute perpetrators; and compensate victims, in order to end impunity for crimes committed as a result of the coup d'état (Argentina);

A - 82.90. Investigate and sanction effectively all reported cases of human rights violations committed during and after the political crisis, and ensure that persons belonging to the armed forces and the police are not excluded from these investigations (Netherlands);

A - 82.91. Continue to protect, through legal and administrative acts, freedom of expression and freedom of the press, as well as access to information (Chile);

A - 82.92. Fully implement the law on transparency and access to public information (Peru);

A - 84.93. Take all necessary measures to protect freedom of expression, including by ensuring that journalists and members of the political opposition are able to express their views without fear of intimidation, and by investigating and bringing to justice those responsible for violence directed at journalists (Sweden);

A - 82.94. Carry out an active prevention policy against violence and acts of intimidation against media and members of the political opposition, and give the established mechanisms the necessary resources and means to accomplish their mandate in the field of human rights protection (Switzerland);

A - 82.95. Adopt effective measures to guarantee the right to life and the physical integrity of Honduran journalists, as well as the exercise of freedom of expression; adopt all possible measures to carry out investigations in order to end impunity for the killing of journalists (Argentina);

A - 82.96. Adopt urgent measures to address the increasing vulnerability of journalists working in the country, including at the legal level (see crimes of press) and by protecting them from suppression and impunity (Uruguay);

A - 82.97. Ensure freedom of expression, in conformity with obligations under the International Covenant on Civil and Political Rights, in particular in relation to journalists, human rights activists and members of the opposition (Australia);

A - 82.98. Fully restore the freedom of the media, protecting them from any harassment or intimidation, in accordance with its international obligations (Slovakia);

A - 82.99. Ensure that journalists, opinion makers, members of the opposition and human rights defenders can express their criticisms and opinions freely and peacefully, and put an end to acts of harassment against opponents of the coup d'état and against judges, in view of the separation of powers (Uruguay);

A - 82.100. Guarantee freedom of expression, notably by combating attacks against journalists and ensuring that journalists, opinion makers and members of the political opposition are free to express their views (Czech Republic);

A - 82.101. Continue to make progress in the implementation of the National Plan to Generate Decent Work, with a view to achieving the employment goals by 2015 (Colombia);

A - 82.102. Address the root causes of poverty, unemployment and lack of education, particularly those affecting children and juveniles, which would help to combat violence and organized crime – which, not infrequently, are the consequences of disappointment and the hopeless future of unemployed young people - as well as to prevent migration and the involvement of persons in drug trafficking and human trafficking (Holy See);

A - 82.103. Speed up efforts to reduce poverty and unemployment in the country (Azerbaijan);

A - 82.104. Complete quickly the National Health Plan 2021, which was prepared in 2005 and is currently undergoing reform, to enable the full enjoyment of the highest possible level of health for the citizens of Honduras (Ghana);

A - 82.105. Increase budget allocations for the education and health sectors (Azerbaijan);

A - 82.106. Take urgent action to develop a specific policy to protect the rights of minorities and indigenous peoples and address the key question of racism (Nigeria);

A - 82.107. Ensure that the eligibility criteria for indigenous and Afro-Honduran peoples to receive the benefits of the Presidential Programme on Health, Education and Nutrition in a culturally appropriate manner are made fair, non-discriminatory and all-inclusive (Ghana);

A - 82.108. Make efforts to take into account the need to integrate indigenous and Afro-Honduran peoples into the labour market (Angola);

A - 82.109. Develop specialized and differentiated programmes to assist migrant children returned or deported to Honduras, with an approach of restoring their rights while ensuring their effective reintegration into the family and society (Uruguay);

A - 82.110. Develop specialized programmes to assist with minor and adolescent migrants returned or deported to Honduras, in order to ensure their effective social reintegration (Mexico);

A - 82.111. Follow up to the recommendations formulated by the United Nations High Commissioner for Human Rights in March 2010 aimed at establishing a national plan of action for human rights, and by the Committee against Torture in 2009 with a view to establishing an independent body to investigate allegations of ill treatment and torture (France);

A - 82.112. Continue the implementation of the recommendations contained in the report of the High Commissioner (Brazil).

**83. The following recommendations will be examined by Honduras, which will provide responses in due course, but no later than the 16th session of the Human Rights Council, in March 2011. The response of Honduras to these recommendations will be included in the outcome report adopted by the Council at its 16th session:**

A - 83.1. Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, and the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption (Ecuador);

A - 83.2. Ratify (Ecuador and Spain)/sign and ratify (France)/consider ratifying (Brazil) the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women;

A - 83.3. Ratify the Optional Protocol to the Convention on the Rights of Persons with Disabilities, and sign and ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Spain);

A - 83.4. Enact comprehensive anti-discrimination legislation to effectively protect the human rights of persons belonging to indigenous minorities and Afro-Honduran peoples and of lesbian, gay, bisexual and transgender persons, in particular with regard to violence against such persons and their access to the labour market (Austria);

A - 83.5. Repeal all national legal provisions that are incompatible with international norms, such as the legislation that encourages detention on the basis of mere suspicion of having broken the law (Haiti);

P - 83.6. Establish an institution specifically addressing the rights of children;

R - ensure respect for the rights of indigenous children or children living in rural or remote areas; adopt the necessary measures to ensure respect for the rights of girls, boys and adolescents living in the streets or in situations of vulnerability (Ecuador);

A - 83.7. Adopt a comprehensive law on non-discrimination based on international human rights standards, including gender identity and expression, and sexual orientation, which would enhance and specify the protection provided for in article 321 of the Penal Code, and which would create an independent body to promote non-discrimination and equality, and monitor compliance with this law by public and private actors (Ireland);

A - 83.8. Include sexual orientation and gender identity as grounds in antidiscrimination legislation, and provide training to law enforcement and judicial officials to promote respect for the rights of all persons, regardless of their sexual orientation or gender identity (Netherlands);

A - 83.9. Consider new concrete guarantees so that human rights defenders can do their work (Chile);

P - 83.10. Empower the Public Prosecutor's Office with its own investigative capacity to enable it to carry out independent inquiries (Poland);

A - 83.11. Drop any disciplinary proceedings against judges perceived as critical of the legality of the coup d'état (Slovakia);

A - 83.12. Enact legislation to protect the land rights of indigenous persons and to ensure that their interests are safeguarded in the context of the exploitation of natural resources (Austria).

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