

Congregation of Our Lady of Charity of the Good Shepherd
HONDURAS
Individual Submission to the 22nd Session of the Universal Periodic Review
April / May 2015

Key issues

1. Killing of juveniles
2. Delay in wage payment
3. Harassment experienced by indigenous communities to sell their lands

Summary Executive

1) The State of Honduras in the UPR of 2010 received recommendations, which the Organization followed:

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, ... , as well as raise awareness about the mistreatment of children (Uruguay);

And: 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);

2) However, currently, crime, violence, extortion, kidnapping, death threats and the recruitment of children for criminal activities, have increased and become part of everyday life. Also the lack of Government's response to protect its Citizens, has led to the loss of confidence in the application of the law.

3) Two additional recommendations in the former report were 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 ... (Holy See);

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

4) However in Honduras more than 71% of the Population is below the poverty line. That is according to data from the World Bank. (1)

5) Violence and poverty have caused a massive immigration exodus of Hondurans to the United States.

6) The delay in wage payment for workers in the health and education sector, and the harassment experienced by indigenous communities to sell their lands to be exploited in mining activity is a considerable problem.

Background and Framework

7) The Organization, the Congregation of Our Lady of Charity of the Good Shepherd is an international organization of women religious in special consultative status with the Economic and Social Council of the United Nations - ECOSOC since 1996, working particularly with women and girls in 73 countries.

Since 1961 the organization has accompanied women, youth and children, in the Sainte Mary Euphrasia Mission in the Germania Village, in Tegucigalpa, Honduras. The organization runs a microcredit program and provides integral support to families, illiterate women in extreme poverty, heads of household, with migrant background and working in the informal sector: wash and ironing with a very low remuneration. What they earn is insufficient to live because of the high cost of the basic basket.

Promotion and protection of Human Rights

1. Killing of juveniles

8) The organization is deeply concerned about the vulnerability and high risk that Honduran children, girls and young people are exposed to. Despite the fact that the National Policy of Prevention of Violence against Children and Youth was implemented and approved on February 2013 and even the Mobile Court was created - whose purpose is the resolution of smaller civil conflicts. These Mobile Courts also serve as filters to legally orient the population solving the conflicts. The cruel murders of children, young people remain alarming. It is not known who is behind these murders, it could be gangs or revenge. Any type of young people and children of any age are murdered.

9) 5 young people playing in a football field close to the organization were massacred. Never before happened such a criminal act. (2)

10) Furthermore, children who have relatives working in the United States are vulnerable to blackmail and often beaten because they have the benefits of remittances.

11) The Organization likes to bring hear the testimony of Mr. Zeid Ra'ad Al Hussein United Nations High Commissioner for Human Rights in his Update at the Opening of the 27th HRC session ITEM 2 “More than 50,000 unaccompanied children have arrived in the USA since October 2013. They have been fleeing violence and deprivation in countries such as El Salvador, Guatemala and Honduras; some are as young as five years old. While the underlying causes of their flight involve poverty and inequality, the proximate trigger is their urgent fear of gang violence targeted specifically against children, as potential members of such gangs.”

The Organization recommends the following:

12) To create a Ministry of Social Policy with “Social Protection Floor”, to review the fiscal Policy.

To raise awareness of the military and private sector, regarding funds for this new Social Ministry.

To design a Public Safety Policy, to reduce the level of violence and regains the trust of citizens.

To inform the public of the existence of the Mobile Court for the resolution of family conflicts; and expand coverage by providing human resources and financing to the Mobile Courts of Peace especially in the most violent municipalities.

And to create awareness, against the family Revenge.

2. Delay in wage payment

13) Contract employees of the Ministry of Public Health Honduras, in the Metropolitan Region and Central District of Health do not receive back pay since March 2013, including 1500 nurses since January 2013 and other public employees in the health sector since 2012 do not receive their salary. (3)

14) Also workers from the Ministry of Education, with 7000 teachers, have not received salaries since June 2013. The same applies to 5000 teachers. (4)

The Organization recommends the following:

15) The amendment of article 129, statute 5 of the Honduran Constitution to hold accountability for the employer. (That article cites: "every worker has the right to earn a minimum wage.")

We recommend the following modification: every worker is entitled to receive a minimum salary and without delay.

training on Human Rights to political parties, specially the right to work (Universal Declaration of Human Rights, Article 23).

3. Harassment experienced by indigenous communities to sell their lands

16) Honduras is a multi-ethnic, multicultural and multilingual country. Whose indigenous population are: Pech, Nahua, Lencas, Tolupanes, Garifuna, Misquito, Tawahkas and Chorti and Afro-Antilles and they represent between 7 and 13% of the total population (IDB, 1999).

17) Honduras ratified the ILO Convention 169 in 1995 that establishes the "recognition of the aspirations of indigenous peoples, to take control of their own institutions and ways of life and their economic development". (5)

18) However many government decisions are made without consultation of the indigenous community, benefiting and granting power decision to mining corporations, who are pressing to people living in these communities so that they abandon their lands or to sell it at low prices - then set the mining companies.

19) Indigenous communities reject mining exploitation because it destroys the environment and does not allow the development of the community. The sources of water are taken for

mining activities, deplete them and contaminate with cyanide. And these sources of water are fundamental to life and community development of the indigenous communities. This dissatisfaction has led to manifestations of indigenous Tolupanes de San Francisco de Locomapa of the Department of Yoro community. Some indigenous people of this community were killed on August 25, 2013, while they blocked the road in protest by mining activities in their area. (6)

The Organization recommends the following:

20) The fulfillment of the Convention 169 in respect of indigenous peoples.

To strengthen the General Mining Law and sustainability, to achieve balancing the economic, social and environmental needs and to preserve and protect water sources for the benefit of indigenous peoples and the interests of the nation.