



**Convention against Torture
and Other Cruel, Inhuman
or Degrading Treatment
or Punishment**

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Committee against Torture

**Third periodic report submitted by Honduras
under article 19 of the Convention pursuant to the
simplified reporting procedure, due in 2020***

[Date received: 15 September 2020]

* The present document is being issued without formal editing.



I. Introduction

1. The State of Honduras hereby submits to the Committee against Torture its third periodic report under article 19 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment pursuant to the simplified reporting procedure, thereby responding to the list of issues prior to reporting issued by the Committee on 12 June 2019.
2. The report was prepared by the Ministry of Human Rights,¹ the institution responsible for submitting reports to the international and regional human rights treaty bodies, in coordination with the Special Response Group on Human Rights, the inter-institutional team tasked with following up on the recommendations of the Honduran System for Monitoring Human Rights-related Recommendations,² which either entered the information into the system or transmitted it electronically. The list of issues prior to reporting was also linked in the system to the recommendations made by the Committee in 2016.
3. The State of Honduras appreciates the Committee's assessment, issued on 20 August 2018, of the State's follow-up report dated 14 August 2017, which indicated that the Committee considered all of its recommendations for follow-up to have been partially implemented. It encourages the Committee to continue this practice, as it provides States parties with timely notice of those areas in which they are succeeding and those in which they are falling short in their efforts to comply with the recommendations.

II. Replies to the list of issues pursuant to the simplified reporting procedure

A. Reply to paragraph 2 of the list of issues (CAT/C/HND/QPR/3)

4. The new Criminal Code³ that entered into force on 25 June 2020 is more in line with international standards on the indictability and prosecution of other criminal behaviours or offences as acts of torture than the limits set in article 209-A, on the offence of torture, which had been added to the previous Criminal Code⁴ in 2011 through Decree No. 22-2011.
5. Under the new criminal law, there is no statute of limitations for the offence of torture (art. 116 (1)). Moreover, in the relevant section acts amounting to torture are treated as offences against the international community and various forms of torture not covered by the previous legislation have been included.
6. Torture is punishable by terms of imprisonment of 6 to 10 years and general disqualification from office for 15 to 20 years. These penalties are multiplied by one third when the victim is a minor, a pregnant woman, an older person or a person with a disability. Furthermore, the offence of commission by omission applies to authorities, officials and public servants who, by dereliction of duty, allow others to commit acts constituting torture or other offences against psychological integrity.
7. Another addition to the Criminal Code was the introduction of the two new offences of degrading treatment and inhuman treatment. Furthermore, the new Code establishes particular penalties for acts of torture occurring in the context of crimes against humanity committed as part of a widespread or systematic attack against a civilian population and with knowledge of that attack (art. 139 (6)) and/or in the context of war crimes and serious breaches of the Geneva Conventions (art. 144 (2)). In such cases, the penalty for acts of torture is imprisonment for 30 years, loss of nationality and general disqualification for the same duration as the prison sentence.

¹ Executive Decree No. PCM-055-2017, published in La Gaceta No. 34441.

² Executive Decree No. PCM-028-2017, published in La Gaceta No. 34410.

³ Legislative Decree No. 130-2017, published in La Gaceta No. 34940.

⁴ Legislative Decree No. 144-83, published in La Gaceta No. 28182.

8. As for including the offence of torture in the Military Code, Honduras is of the view that the relevant provisions of the Criminal Code can be applied irrespective of the context.

B. Reply to paragraphs 3 to 7 of the list of issues

9. In response to paragraph 3, on measures adopted to ensure that all fundamental legal safeguards, including, in particular, access to counsel and medical examinations and a strengthened public defence service, are respected in arrest proceedings by means of a manual or protocol issued for the purpose, it should be noted that, pursuant to the national security policy and civil security strategies, law enforcement authorities carry out arrest and detention proceedings in accordance with articles 68 and 71 of the Constitution, the rules established in articles 101, 175 and 282 of the Code of Criminal Procedure, police procedure handbooks⁵ and the Procedural Guidelines, in strict compliance with human rights. Whenever they detain a person, law enforcement officers have a duty to:

- (a) Identify themselves as such and show the card or badge that attests to their status;
- (b) Use force only when strictly necessary;
- (c) Refrain from committing, encouraging or permitting the use of torture or cruel, inhuman or degrading treatment or punishment;
- (d) Uphold detainee's right to be presumed innocent and to the protection of their image;
- (e) Inform arrested or detained persons of their fundamental rights, including the right to be informed of the reason for their arrest, to inform a person of their choosing of their arrest and the facility to which they will be taken, to be assisted by counsel, to remain silent, not to testify against themselves, to be informed that only statements made before a competent judge have probative value and to be examined by a forensic doctor, or by another available doctor, for the purpose of recording their physical condition, as well as the rights and legal safeguards enshrined in article 101 of the Code of Criminal Procedure.

10. Information on the place, date and time of arrest are recorded in a dedicated register.⁶

11. To prevent violations of the human rights of lesbian, gay, transgender, bisexual and intersex persons during search and arrest procedures, the Ministry of Human Rights drew up a protocol for the search and arrest of lesbian, gay, transgender, bisexual and intersex persons, in accordance with the Code of Criminal Procedure and international standards. The protocol provides that the search or arrest of lesbian, gay, transgender, bisexual and intersex persons must be carried out without discrimination and with respect for their physical integrity, right to privacy, sexual orientation and gender identity.

12. With regard to strengthening the public defence service, it should be noted that:

- (a) There are currently 33 branches of the public defence service nationwide, providing a ratio of 3 public defenders per 100,000 inhabitants and a total of 275 public defenders, including 181 women and 94 men. In 2018, the public defence service participated in 43,544 criminal hearings;⁷
- (b) The Intervention Unit was established within the public defence service in 2019 to provide expert professional assistance to children and adolescents in conflict with the law and guarantee access to a public defender from the time of arrest. The public defence service meets regularly with judges to discuss requests for free legal assistance for children in conflict with the law;⁸
- (c) Under the "Unidos por la Justicia" project of the United States Agency for International Development, a risk matrix, along with a case assignment and management

⁵ Legislative Decree No. 18-2017, art. 85 (16), published in La Gaceta No. 34463.

⁶ Code of Criminal Procedure, arts. 101, 175 and 282.

⁷ 2018 annual report of the judiciary.

⁸ 2019 annual report of the judiciary.

module, has been developed for the public defence service. In addition, an assessment of the needs and capacities of the public defence service has been conducted and virtual interviews have been held with persons deprived of their liberty represented by public defenders. Under the European Union's Justice Programme and in conjunction with the Judicial Academy, a training curriculum for the public defence service was designed, resulting in 90 per cent of officials receiving training in 2018, chiefly on criminal matters. Furthermore, with the technical support of the Spanish Agency for International Development Cooperation, a statistics plan was drawn up to strengthen the public defence service through an automated data system;

(d) Concerning financial resources for the public defence service, the judiciary, drawing from the general State budget, allocated a budget of 191,589,261.90 lempiras (L) in 2018, which rose to L 198,376,524.65 in 2019.

13. Regarding paragraph 4, the National Congress has taken the following legislative measures to guarantee the independence of the judiciary.

(a) The Constitution:

(i) Article 303 recognizes that the power to administer justice flows from the people and is exercised freely on behalf of the State by independent judges who are bound solely by the Constitution and the law;

(ii) Article 205 (9) stipulates that it is the responsibility of the National Congress to "elect, for the corresponding period, Supreme Court justices from the list put forward by the Nominations Committee referred to in the Constitution."

(iii) Article 311 establishes that Supreme Court justices are elected by two-thirds majority vote in the National Congress from a list of candidates of no fewer than three persons per opening on the bench. Once a complete list of candidates has been submitted, the election may take place. Where a qualified majority is not achieved for all the vacant posts, the National Congress proceeds to individually elect the remaining justices by direct secret ballot, as many times as necessary until a two-thirds majority is achieved. The justices are elected from a list of candidates put forward by a Nominations Committee comprising: a representative of the Supreme Court elected by a two-thirds majority of the justices; a representative of the Honduran Bar Association elected by assembly members; the National Commissioner for Human Rights; a representative of the Honduran Private Enterprise Council elected by assembly members; a representative of university law faculties, whose proposed nominee is communicated by the National Autonomous University of Honduras; a representative elected by civil society organizations; and a representative of workers' confederations. The organization and functioning of the Nominations Committee is regulated by law;

(iv) Article 312 establishes that the organizations represented on the Nominations Committee must be invited by the President of the National Congress, no later than 31 October of the year preceding the election of the justices, to submit their proposal to the Standing Committee of the National Congress by 23 January with a view to holding the election on 25 January. If, once convened, the Nominations Committee fails to submit a proposal, the National Congress proceeds to elect the justices by qualified majority of the entirety of its members;

(v) Organic Act on the Nominations Committee for the Election of Supreme Court Judges;⁹

(vi) Organic Act on the Public Prosecution Service, which sets out the procedure for electing the Attorney General and the Deputy Attorney General, and requires public meetings at which the candidates are heard to be organized;

⁹ Legislative Decree No. 140-2001.

- (vii) The Act on Special Protection for Serving and Former Public Officials exposed to Extraordinary Risk¹⁰ was amended¹¹ to expand the at-risk category;
- (viii) The establishment of courts with national jurisdiction,¹² pursuant to the Special Act on Courts with Nationwide Competence in Criminal Matters;
- (ix) The addition of articles 1, 2 (1), 3 and 6 (1) to Legislative Decree No. 247-2010¹³ containing the Special Act on Courts with Nationwide Competence in Criminal Matters for the purpose of complementing and strengthening efforts to combat corruption, extortion and organized crime syndicates through the establishment, organization and operation of courts with nationwide competence in criminal matters;
- (x) The addition of articles 127-A and 127-B to the Code of Criminal Procedure¹⁴ to allow for the use of virtual hearings and videoconferences to ensure the safety of judges, prosecutors and other parties to proceedings;
- (xi) Legislative Decree No. 97-2017 on the addition of articles 127-A and 127-B to the Code of Criminal Procedure to allow for the use, on an exceptional basis, of virtual hearings, by telematic means, in criminal proceedings;
- (xii) Among other temporary measures taken in response to the coronavirus disease (COVID-19) pandemic, article 184 of the Code of Criminal Procedure¹⁵ was amended to remove the list of offences for which judges were precluded from imposing a precautionary measure other than pretrial detention.

14. In sum, the National Congress has taken legislative measures that expand the powers of judges in the criminal sphere and guarantee a mechanism to strengthen their management and administration of justice, thereby helping to fulfil the principle of judicial independence.

15. Discussions are under way regarding a bill on the handling of electronic judicial case files that develops a new legal framework to ensure efficient judicial management and replace paper files with electronic ones.

16. The procedure for electing the Attorney General and the Deputy Attorney General is conducted in accordance with articles 205 (11) and 233 of the Constitution, articles 19, 20 and 22 of the Act on the Public Prosecution Service and the regulations governing the Nominations Committee.

17. On 10 April 2018, the Nominations Committee, which is composed of representatives of the judiciary, the National Autonomous University of Honduras, the National Association of Private Universities of Honduras, the Honduran Bar Association, the Office of the National Commissioner for Human Rights and civil society, in accordance with article 233 of the Constitution, articles 19, 20 and 22 of the Act on the Public Prosecution Service and the regulations governing the Nominations Committee, published the general invitation to take part in the process of nominating and selecting candidates for the positions of Attorney General and Deputy Attorney General on the websites of the judiciary, the Public Information Institute and all the other entities represented in the Nominations Committee. Detailed information was provided on the list of candidates registered to take part in the selection process¹⁶ and the profiles of the candidates, including their curricula vitae and proposals.¹⁷

18. The current Attorney General was elected through Decree No. 69-2018 of 17 July 2018. He had undergone the assessment process in 2013 and, having met the requirements, did not have to undergo the process again.

¹⁰ Legislative Decree No. 223-2013.

¹¹ Legislative Decree No. 93-2014.

¹² Legislative Decree No. 247-2010.

¹³ Legislative Decree No. 89-016.

¹⁴ Legislative Decree No. 97-2017.

¹⁵ Legislative Decree No. 36-2020.

¹⁶ <http://www.poderjudicial.gob.hn/PSFG/Documents/Comunicado-PSFG-Aspirantes-ProcesoDenuncias.pdf>.

¹⁷ <http://www.poderjudicial.gob.hn/PSFG/Paginas/PerfilesDeCandidatos.aspx>.

19. A report providing detailed information on the Nominations Committee can be found at <http://www.poderjudicial.gob.hn/PSFG/Documents/Informe.pdf>.

20. Regarding paragraph 5, on measures to ensure the independence of the National Committee for the Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CONAPREV), Legislative Decree No. 136-2008 establishes the mechanism's technical, institutional and budgetary framework. As for its mandate, any legal or administrative provision that restricts, limits or delays access to State funds or transfers is inapplicable, thus safeguarding its administrative, technical and budgetary independence.

21. In 2020, the mechanism's budget was increased by 61 per cent compared to 2017.¹⁸ It is important to note that article 2 (12) of Executive Decree No. PCM-009-2018, which had placed the National Committee under the Governance Office, was repealed by Executive Decree No. PCM-025-2018.

22. The specific selection criteria for candidates for membership of the National Committee are contained in articles 8, 11 and 12 of Decree No. 136-2008 on the Act on the National Mechanism for the Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

23. The Act establishes the composition of the National Committee as follows:

(a) "Article 8 – Composition of the National Committee: The National Committee shall be composed of three experts, who shall be appointed for a three-year term, renewable once, and shall be selected in the following manner:

- (i) One expert by the executive branch,
- (ii) One expert by the National Congress; and
- (iii) One expert by civil society organizations working in the prevention of torture and the rehabilitation and reintegration of persons deprived of their liberty..."

24. Thus, the executive branch, the National Congress and civil society organizations, within their areas of competence, have designated professionals to constitute the National Committee taking into account the relevant requirements and any disqualifications that members may have, in accordance with the Act.

25. The following aspects are taken into account when designating the representative of the National Congress:

(a) "Article 12 – Disqualifications: The following may not be members of the National Committee:

- (i) Members of registered political parties who hold government office;
- (ii) Persons who have been convicted of a deliberate offence or a human rights violation;
- (iii) Persons with outstanding debts to the tax authorities;
- (iv) The President and Vice-President of the Republic, Supreme Court justices, ministers and deputy ministers, heads of senior government bodies and the senior management of decentralized entities of the public administration and special State bodies;
- (v) Persons who are active members of or have retired from the Armed Forces and State security forces;
- (vi) Holders of State licences to extract natural resources and contractors providing services or carrying out public works financed through State funds who have outstanding obligations with the State in connection with these works; and
- (vii) Spouses and relatives to the fourth degree of consanguinity or second degree of affinity of the persons enumerated above.

¹⁸ See <https://www.sefin.gob.hn/formulacion-y-aprobacion/>, retrieved on 11 September 2020.

26. Members of the National Congress present proposals to the Executive Committee, which then considers the best qualified candidates from the pool of nominees who meet the requirements set under articles 11 and 12 of the Act on the National Mechanism for the Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

27. The representative put forward by civil society organizations was elected in September 2019. The nomination process for the new representatives of the executive branch and the National Congress is under way; once the process has been completed, all the commissioners will be sworn in. It should be noted that the officials nominated for the previous term can continue to exercise their mandate until the new representatives have been appointed, thus enabling the National Committee to continue to operate and conduct its work.

28. Regarding the reform of the National Committee, on 4 November 2019, a proposal to amend article 12 (5) of the Act on the National Mechanism for the Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, on disqualifications for membership of the National Committee, was presented to the National Congress.

29. Under the amendment, retired members of the Honduran Armed Forces or of the State security forces would no longer be disqualified. The Commission rejected the amendment following consultations with various human rights actors, including the country office of the Office of the United Nations High Commissioner for Human Rights.

30. In fulfilment of its mandate, the National Committee has formulated a protocol for action pursuant to which, as at 22 November 2019, it had received 305 individual and collective complaints of alleged human rights violations against persons deprived of their liberty, including suspected cases of torture within the meaning of the Convention and the Criminal Code. Forty-six complaints were referred to the Public Prosecution Service, primarily to the Office of the Special Prosecutor for Human Rights. There are currently 10 local teams that carry out aspects of the Committee's mandate in detention facilities. As at 28 July 2020, 80 visits had been carried out in various prisons during the global health crisis resulting from COVID-19.

31. In addition, the National Committee has distributed guides on the documentation and handling of cases of torture.

32. In keeping with its mandate, as at 22 November 2019, the National Committee had held 55 training sessions, totalling 222 hours of training, in which 2,507 persons (1,701 men and 806 women) had taken part, including 203 representatives of vulnerable segments of the population or ethnic groups.

33. The National Committee conducts both regular, periodic and ad hoc preventive visits in fulfilment of its mandate. From the start of 2017 to August 2020, it conducted 454 visits where it assessed the living conditions of persons deprived of their liberty and respect for their human rights. Following the visits, it made recommendations to the institutions concerned on the prevention of torture and ill-treatment.

34. Complaints can be lodged in person at National Committee offices, by a third party, by telephone or via the electronic application WhatsApp. They can also be lodged through the National Committee's website www.conaprev.gob.hn/index.php/denuncias.

35. As for the reports of visits being refused, the National Prison Institute notes that it collaborates with the National Committee to ensure respect for safeguards and the rights of persons deprived of their liberty. For example, the Human Rights Protection Unit provides training in the prevention of torture and cruel, inhuman and degrading treatment and in the mandate of the preventive mechanism to the personnel of 23 prison establishments and to persons deprived of their liberty. This training had been incorporated into the annual human rights training plan.

36. Below is the response to paragraph 6, on efforts to combat violence against women, including disaggregated statistics, as well as updated information on the protection and support services available to victims of all forms of violence against women and on the training programmes designed to sensitize law enforcement officers about domestic and sexual violence.

37. In addition to the legislative measures described in the previous periodic report, the offence of femicide is defined in article 208 of the Criminal Code and carries a penalty of 20 to 25 years' imprisonment, or 25 to 30 years in aggravated cases. Furthermore, a new offence of violence against women is defined in article 209 and carries a penalty of 1 to 4 years' imprisonment. Certain conduct previously considered of lesser gravity can now be subsumed under these offences.

38. As for the State's efforts to prevent gender-based violence, including domestic violence, and provide assistance and protection to women, the Cities for Women Programme¹⁹ was established in 2016 with the aim of improving living standards by providing over 40 comprehensive assistance services through six units, coordinated by six specialized institutions, and making a range of services available in a single location. Every Cities for Women centre has a rights protection and assistance unit that provides services in response to various forms of violence against women, including counselling, referrals, support groups and assistance, and follows up on cases through a range of services designed to empower women.

39. The Cities for Women Programme, which has been elevated to the rank of State policy, operates five centres located in the main cities, as well as a mobile unit.²⁰ Between 2016 and 2019, the Cities for Women centres provided assistance to 917,385 women, who benefited from 1,980,026 services provided through inter-institutional coordination.

40. There are also seven shelters in the main cities where women survivors of violence can obtain psychosocial support and legal assistance. Each shelter has its own sustainability model. The National Institute for Women provides financial support to two of the shelters and is working towards the adoption of a law on shelters that would provide for the provision of emergency shelter in strategic locations throughout the country.

41. In order to strengthen the capacities of facilities that provide support and health services to women survivors of violence, in 2016 the Ministry of Health prepared a manual on providing comprehensive care for women who are victims or survivors of gender-based violence. The manual sets out the steps to be followed by health professionals in caring for such women, including with respect to legal services, and is intended to complement existing health-care regulations.

42. Concerning the timely provision of assistance in cases of gender-based violence in all its forms, including domestic violence, threats, harassment and femicide, the joint services of the 911 National Emergency System have established links to the various institutions in order to respond immediately to victims. From the start of 2017 to July 2020, 276,271 reports of domestic violence were received. In 2018, there was a 44.5 per cent increase in reports compared with 2017, in 2019 a 30.4 per cent increase over 2018, and, in the early months of 2020, a 5.1 per cent increase over the first quarter of 2019.

43. Between the start of 2016 and July 2020, the special domestic violence courts registered 81,928 complaints and handed down 76,895 rulings against perpetrators of offences of domestic violence, with specialized integrated support units implementing security measures for the protection of women victims of any type of violence. In areas of the country where there are no special courts, such cases are tried by magistrates' courts.

44. To guarantee access to justice in cases of femicide, in 2016 the National Congress set up the Unit for the Investigation of Violent Deaths of Women and Femicides, which is attached to the Specialist Criminal Investigation Agency, as well as the Inter-Agency Commission for Monitoring the Investigation of Violent Deaths of Women and Femicides,²¹ which is composed of representatives of the Public Prosecution Service (through the Specialist Criminal Investigation Agency and the Office of the Special Prosecutor for Offences against Life), the Ministry of Health, the Ministry of Human Rights, the National Institute for Women, the Office of the National Commissioner for Human Rights and three representatives of women's organizations working on femicide.

¹⁹ Executive Decree No. PCM-031-2016, published in La Gaceta No. 34023.

²⁰ Legislative Decree No. 159-2016, published in La Gaceta No. 34409.

²¹ Legislative Decree No. 106-2016, published in La Gaceta No. 34201.

45. The Inter-Agency Commission for Monitoring the Investigation of Violent Deaths of Women and Femicides was established in 2018 to improve accountability and inter-institutional coordination procedures. It provides a space for dialogue with civil society organizations in the search for solutions to the problem of femicide. Achievements include the publication of the Inter-Agency Commission's regulations, the establishment of a database and the allocation of L 40 million to the Unit for the Investigation of Violent Deaths of Women and Femicides attached to the Specialist Criminal Investigation Agency.

46. Pursuant to the Institutional Strategic Plan 2015–2020, the Public Prosecution Service has set up specialized integrated support units. There are 18 such units nationwide, which between them received 11,541 complaints of domestic violence between the start of 2016 and September 2019.

47. With regard to awareness-raising on gender and violence against women, the National Institute for Women, in coordination with the National Police, is working towards the adoption of a curriculum for the various training entities of the country's police system.

48. The purpose of the proposed curriculum is to standardize institutional requirements, particularly in relation to the handling of cases of domestic or sexual violence, and to address central issues relating to violence against women, including women's rights, revictimization, the cycle of violence, learned defencelessness, Stockholm Syndrome, due process, due diligence and other topics of particular relevance for police operations. To this end, it is necessary to establish appropriate harmonized protocols at the national level and to bear in mind the various levels of training in the National Police, namely: (a) in-service training; (b) professional development; and (c) officer training.

49. In order to implement good practices in dealing with violence against women, the gender unit coordinates inter-agency efforts aimed at ensuring that the National Police include cross-cutting modules combining theory and supervised practical application in their educational models. Pilot courses based on this model have been introduced at the Criminal Investigation Academy located in the city of Comayagua. Furthermore, the numerous units located in urban areas are in the process of preparing a diagnostic assessment with a view to implementing the National Police Institutional Gender Policy. To strengthen training and awareness-raising programmes on violence against women, the Office of the Special Prosecutor for the Protection of Women, which has 73 prosecutors nationwide, the Public Prosecution Service and the various regional offices, conduct training activities, talks and discussions intended for various sectors, in order to create and nurture a culture in which incidents are reported and inform the public about how to obtain prompt access to the services they provide.

50. During the period under review, from 2016 to July of 2020, the Armed Forces Directorate of Humanitarian Law and the Ministry of Defence, with support from the Ministry of Human Rights, trained more than 7,000 military personnel in the prevention of gender-based violence.

51. It is important to recognize that the COVID-19 pandemic led to an exponential increase in some of the most serious forms of gender violence. Steps were taken to reduce these using affirmative action measures, including the judiciary's sustained focus on domestic violence cases and the placement of public service announcements on the social media pages of various institutions connected with the issue, with a view to empowering women to seek justice.

52. In response to the confinement accompanying the COVID-19 pandemic, the Ministry of Human Rights, in coordination with women's human rights organizations, the Commission for Monitoring Femicide and the Office of the National Commissioner for Human Rights, conducted a domestic violence prevention campaign entitled "Coexistence Without Violence", the aim of which was to follow up on domestic violence complaints and provide victim assistance. Likewise, a campaign entitled "+ Partnership – discrimination and stigmatization" is to be developed jointly with the European Union.

53. An important event to highlight was the adoption of Legislative Decree No. 99–2020 on special measures to disseminate information on, prevent and address violence against women and actions to ensure gender equality during the national emergency declared as a

result of the COVID-19 pandemic. This Decree provides for the development of a mass information campaign, making use of all communications media, with the aim of educating and informing the general public about issues such as the various forms of violence against women.

54. With regard to paragraph 7, concerning efforts to combat trafficking in persons, including the number of complaints, prosecutions, convictions, and victim support programmes, as well as international agreements and civil society organizations, the institutional framework of the Honduran Inter-Agency Commission for the Prevention of Commercial Sexual Exploitation and Trafficking in Persons has been strengthened by increasing its budget allocation from L 2,249,664 in 2016 to L 8,000,000 in 2020, which represents a 72-per-cent budget increase. Furthermore, by means of Executive Decree No. PCM-035–2018, the Commission has been attached to the Ministry of Human Rights as an independent body.

55. From the start of 2016 to August 2020, the Commission identified 490 new victims of trafficking in persons, 80 per cent of whom were women. To date, assistance has been provided to a total of 605 victims.

56. With regard to complaints, the Public Prosecution Service, through the Directorate General of the Attorney General’s Office, reports that, in the period 2016–2020, it received 392 complaints for trafficking in persons offences and 65 for commercial sexual exploitation offences, giving a total of 457 complaints, and initiated the corresponding investigative proceedings. As for prosecutions, the unit for combating trafficking in persons, commercial sexual exploitation and people smuggling obtained 47 convictions for trafficking in persons and sexual exploitation and 48 convictions for people smuggling during this period.

57. Below are statistics on the total number of cases of and persons prosecuted for trafficking in persons and commercial sexual exploitation in the period 2016–2020.

<i>Description</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>2019</i>	<i>2020</i>
Complaints of trafficking in persons	49	109	122	91	21
Complaints of commercial sexual exploitation	13	29	23	0	0
Prosecutions for trafficking in persons	14	26	32	55	0
Prosecutions for commercial sexual exploitation	10	64	24	23	0
Convictions for trafficking in persons	8	5	17	17	0
Convictions for commercial sexual exploitation	4	12	11	21	0

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

58. With regard to measures adopted to prevent, combat and criminalize trafficking, the Honduran Inter-Agency Commission for the Prevention of Commercial Sexual Exploitation and Trafficking in Persons approved the 2016–2022 Strategic Plan to Combat Commercial Sexual Exploitation and Trafficking in Persons. The Plan is designed to prevent, investigate and punish trafficking in persons, as well as to ensure the provision of comprehensive care and protection for victims. A protocol has been developed for the rapid response team tasked with providing support to victims of commercial sexual exploitation and trafficking in persons in Honduras. The Trafficking in Persons Act and its regulations have been enacted, and the Criminal Code has been amended to change the penalties and fines imposed for trafficking in persons and enforced sexual exploitation and incorporate cybercrime affecting children and adolescents.

59. Also in the period 2016–2020, the Honduran Inter-Agency Commission for the Prevention of Commercial Sexual Exploitation and Trafficking in Persons organized 24 local committees nationwide and conducted awareness-raising campaigns that benefited an estimated 1,137,308 persons, of whom some 388,880 received training and 748,428 took part in awareness-raising activities. The Commission’s coordinating team trained 87,045 persons, mostly professionals with direct nationwide responsibilities in one or more fields of work in relation to the issue, as well as vulnerable population groups.

60. Important synergies have been created with non-governmental organizations in the implementation of projects designed to prevent and combat trafficking in persons. A total of 32 bodies, composed of representatives of institutions, independent bodies with decision-making powers and non-governmental organizations 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.

61. In terms of measures adopted to provide victims with access to effective remedies, the rapid response team, the Inter-Agency Team of Experts and the competent governmental institutions, with the support of civil society organizations, provided rescue, protection and assistance services to all victims from the moment they were identified.

62. In order to ensure that victims receive legal assistance, the Commission accompanies them during visits to the Public Prosecution Service and the courts; offers legal advice during proceedings before family courts for failure to comply with alimony payments; provides documentation for land and home; issues accreditation for victims through administrative resolutions; coordinates with Honduran consulates abroad to request that victims be granted temporary or permanent immigration status in other countries; and requests birth certificates for purposes of victim documentation.

63. In terms of measures taken to provide shelter and medical and psychological care to victims of trafficking, the following coordinated primary and secondary assistance services have been provided: support; shelter; food; clothing; psychological, social and medical assistance; education; occupational training; technical courses; employment; documentation; transportation; family assistance; housing; treatment for addiction; therapeutic and self-help groups; entrepreneurship; financial loans; asylum; repatriation; face-to-face follow-ups; supervised visits; family visits; recreation; and telephone calls.

64. Psychological support includes the following services: psychological first aid; emotional containment; crisis intervention; individual and family counselling; self-reflection and victim self-identification process; administration of psychological tests; interviews and psychological evaluations; referrals to public hospitals with specialized psychiatric and psychological care; psychological reporting; and coordination with governmental institutions and civil society organizations to strengthen the process of psychological support.

65. From 2016 to the present date, a total of over 800,000 direct and indirect services have been provided to victims and their families.

66. Regarding international agreements, the Government wishes to inform the Committee of the following:

(a) The Honduran Inter-Agency Commission for the Prevention of Commercial Sexual Exploitation and Trafficking in Persons continues to provide a high level of technical assistance to member institutions and organizations at the local, national and regional levels, as well as to engage in significant cooperation and coordination with them. It has signed cooperation agreements with the Organization of American States, Lawyers Without Borders Canada and the International Bureau for Children's Rights for the implementation of projects designed to strengthen institutional responses in the areas of prevention, victim assistance and prosecution. A significant share of its funds was earmarked for comprehensive reintegration of the victims and/or survivors of this offence;

(b) The Government of Honduras continues to participate actively and play a coordinating role in regional forums that address this issue, including the Regional Coalition against Trafficking in Persons and Smuggling of Migrants, where it has promoted regional cooperation in preventing these offences; victim protection and assistance; and the effective implementation of legal obligations. In this forum, it has given account of progress achieved and the challenges that the State faces. With the participation of member States, three in-person meetings were held each year from 2016 to 2020. During these meetings, agreements were reached and processes launched within the framework of strategic and operational decisions taken by the region and the States. Honduras is also a member of the Regional Action Group of the Americas for the Prevention of the Sexual Exploitation of Children and Adolescents in Travel and Tourism, the WeProtect Global Alliance, the Regional Conference on Migration, and counterpart institutions in other countries of the region;

(c) Honduras participates in the Blue Heart Campaign spearheaded by the United Nations Office on Drugs and Crime. This awareness-raising initiative is aimed at combating trafficking in persons and its impact on victims and society, and is being implemented through a series of prevention and training activities;

(d) Coordination and joint actions with the Northern Triangle countries have been strengthened with the aim of preventing and combating trafficking in persons linked to the smuggling of migrants and irregular migration;

(e) It should also be noted that Honduras is a party to the Regional Protocol for the Repatriation of Victims of Trafficking in Persons concluded between Belize, Costa Rica, El Salvador, Guatemala, Mexico, Nicaragua, Panama and the Dominican Republic, under the auspices of the Regional Coalition against Trafficking in Persons and Smuggling of Migrants.

C. Reply to paragraphs 8 to 10 of the list of issues

67. In reply to the issues raised in paragraph 8, concerning measures adopted in relation to the principle of non-refoulement, the National Institute of Migration reports the following:

(a) Honduras applies the principle of non-refoulement in accordance with the Convention relating to the Status of Refugees;

(b) Concerning expulsions, article 101 of the Migration and Aliens Act defines the persons subject to such procedures. As indicated subsequently in article 105 of the Act, under the procedure set forth therein, offenders are given a hearing and informed of their rights and obligations, including their right to appeal against the administrative decision ordering their expulsion, in accordance with the law. Offenders may also exercise their right to file a writ of *amparo*, which may be admitted with suspensive effect of the contested action;

(c) As to the suspension of the right to enter the national territory, deported or expelled foreign nationals have the right to opt for suspension of the contested act, by means of a request for pardon after two years have transpired in the case of deportation and after five years in the case of expulsion. However, the filing of this request does not oblige the State of Honduras to grant the pardon, nor to authorize the re-entry of the foreign national, as stipulated in article 144 of the regulations of the Migration and Aliens Act and the filing procedure described in article 145 of the same regulations;

(d) As part of its commitment to respecting the dignity of the person and the rules of due process and in implementation of strategic initiatives and alliances, the State had assigned responsibility for receiving and processing applications for refugee status to the Human Rights and Migrant Assistance Bureau of the National Institute of Migration. As part of the application process, guidance in legal and migration matters is provided through the professional services of legal and human rights officers. This guidance is coordinated through civil society organizations accredited by the Office of the United Nations High Commissioner for Refugees (UNHCR) or by the professional or body chosen by the person to provide advice or representation; for example, the Norwegian Refugee Council currently provides the humanitarian assistance for applicants organized by UNHCR;

(e) Regarding interpreter services, during the asylum procedure, the National Institute of Migration relies on the services of subcontracted interpreters specializing in English, French and Portuguese and on cooperation with UNHCR for this type of assistance. In the past, the Government has also coordinated with associations of foreign residents or naturalized citizens in Honduras to provide this service when the necessary language was less widely available or unusual within the national territory.

68. With regard to paragraph 9, concerning the number of asylum and refugee applications granted from 2016 to 2020, a total of 292 applications for refugee status were submitted. Of these, 137 are currently being processed, 61 have been awarded refugee status, 45 have been withdrawn and 3 have been rejected.

69. To date during the current administration, no persons requesting refugee status have been returned to their country of origin. All cases are examined in accordance with the provisions of article 3 of the Convention, and supplementary protection is offered.

70. The nationalities of applicants for refugee status are as follows: 212 Nicaraguans, 34 Salvadorans, 19 Cubans, 10 Haitians, 8 Venezuelans, 4 Colombians, 3 Ivoirians, 1 Guatemalan and 1 Guinean.

71. Applications have been approved based on the grounds set forth in the 1951 Convention relating to the Status of Refugees, that is, in the case of any person who, owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, unwilling to avail himself of the protection of that country; and also on those set forth in the Cartagena Declaration of 1984, that is, in the case of persons who have fled their country because their lives, safety or freedom have been threatened for any of the following reasons: grave and continuous generalized violence; foreign aggression; internal armed conflicts; massive, permanent and systematic violation of human rights; and who suffer persecution in the form of sexual violence or other forms of gender-based persecution based on human rights violations, as established in article 42 of the Migration and Aliens Act.

72. With regard to paragraph 10, the data requested by the Committee are not available.

D. Reply to paragraphs 11 to 13 of the list of issues

73. In reply to the issues raised in paragraph 11, acts of torture are considered universal crimes whenever they occur in a systematic and widespread fashion, in conformity with the definition set forth in article 144 (2) and article 139 (6), read in conjunction with article 9 of the new Criminal Code, in that they are considered war crimes.

74. The new legislation provides for the application of the criminal law, and specifically, for the prosecution and indictability of acts of torture and their various forms as universal crimes against the international community, wherever they occur and whatever the nationality of the perpetrator or the victim. The new Criminal Code thus strengthens the prosecution of acts of torture in Honduras.

75. In cases of systematic and widespread torture, which are included among crimes against the international community, the Public Prosecution Service is authorized to investigate acts of torture wherever they occur and whatever the nationality of the perpetrator or the victim, in accordance with the provisions of the aforementioned articles.

76. With regard to paragraph 12, the State reiterates that the extradition treaties concluded by Honduras with other States parties are set out in paragraphs 119 and 120 of the State party report it submitted in 2015, in its reply to the issues raised in paragraph 15.

77. As for paragraph 13, the State reiterates the information provided in paragraph 121, in reply to the issue raised in paragraph 16.

E. Reply to paragraphs 14 to 16 of the list of issues

78. With regard to paragraph 14, which requests updated information on training programmes on the prevention of torture, the State reports that, as part of the Plan for Strengthening and Professionalizing the National Police, and on the basis of the Police Service Act adopted in 2017, the Policy for the Prevention of Violence in Honduras and the Comprehensive Policy on Coexistence and Public Safety 2011–2022, the Ministry of Security follows an in-service training model for members of the police force, with a focus on the protection of human rights. Thus, from 2015 to 2019, 11,099 police officers and 1,091 officials received training on topics relating to human rights and the prevention of torture.

79. As part of the Civil Security Project in the Northern Triangle of Central America, 30 officials and 200 police officers received training as trainers in the national model of community policing, and from 2016 to 2020 the Ministry of Security trained law enforcement bodies through a course entitled “Police Officers and the Control and Prevention of Torture” with a view to strengthening their professional skills.

80. In order to perform their duties with professionalism, military personnel receive training on a continuing basis. From 2016 to the present, the Armed Forces and the Ministry of Defence, in coordination with the Ministry of Human Rights, the National Committee for the Prevention of Torture, the Office of the National Commissioner for Human Rights, the International Committee of the Red Cross (ICRC) and the United States Southern Command, have been running a military personnel training programme on human rights and the prevention of torture that is consistent with international standards with the aim of preventing acts of torture and strengthening the principles and values of military personnel. The programme covers the following subjects:

- (a) Human rights procedures and the absolute prohibition of torture; and
- (b) Human rights and differentiated search procedures for vulnerable groups.

81. These training processes are evaluated continuously to measure indicators of efficiency in the education and training programmes provided to members of the Armed Forces, the aim being to ensure that they guarantee and respect the rights of all persons in military operations.

82. In 2019, the National Committee for the Prevention of Torture and Cruel, Inhuman or Degrading Treatment or Punishment organized two training days for 40 public officials of the National Institute for Juvenile Offenders on the prevention of torture, 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 deprived of liberty.

83. The Ministry of Human Rights, through the Directorate for Education and a Culture of Peace, also organizes training programs on human rights and the prevention of torture, including the Army's Individual Basic Training Course, which lasts 70 hours and covers the topic of prevention of torture in module 4. In addition, the course for military police cadets was imparted to 18,156 members of law enforcement bodies between 2016 and 2019 and the human rights curriculum was updated to include the subject of the prevention of torture.

84. The Training for Trainers in Human Rights for the Armed Forces is a new addition to the training programmes offered by the Ministry of Human Rights that, to date, has been completed by 60 trainers from the Armed Forces.

85. The National Prison Institute, through the National Prison Academy, provides training for prison service personnel by means of an academic programme consisting of 34 subjects, lasting 550 class hours spread over a 16-week period. The course includes the subject of human rights and the prevention of torture and cruel, inhuman or degrading treatment, which is taught by the National Committee for the Prevention of Torture.

86. In 2017, as part of the institutional human rights training plan, the human rights protection unit of the National Prison Institute provided training in human rights to 2,469 participants, including persons deprived of their liberty and National Prison Institute staff. In 2018, it provided training to 500 officials (374 men and 126 women) and 2,500 persons deprived of their liberty on the subject of the prevention of torture and cruel, inhuman or degrading treatment. Likewise, in 2019, a total of 600 employees and officials of the prison system (419 men and 181 women) in 24 prisons nationwide participated in awareness-raising and training activities on the subject of non-discrimination and differential treatment for groups of persons deprived of their liberty in vulnerable situations.

87. In addition, in 2019 the National Prison Institute, under an agreement with the Defence University of Honduras, ran a four-month course in Prison Management and the Treatment of Prisoners, providing training to 358 persons, including 27 expert committee members, Prison Academy staff, and officials of the National Committee for the Prevention of Torture, the Public Defence Service, the National Police and the Military Police.

88. Furthermore, the National Prison Institute, ICRC, the Mission to Support the Fight against Corruption and Impunity in Honduras, and the Europe Latin American Assistance Program against Transnational Organized Crime (PAcCTO programme) conducted two workshops in 2019 on the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) and Challenges in Prison Management, providing

training for 40 National Prison Institute officials (24 directors, 11 prison officers and 5 expert committee members) in the first workshop and 36 officials (12 directors, 12 deputy directors and 12 prison officers) in the second.

89. The National Prison Institute coordinates with the Office of the National Commissioner for Human Rights, the Ministry of Human Rights, the National Committee for the Prevention of Torture, ICRC and civil society organizations to implement training and educational activities for staff of the Institute itself and members of the Intervention Commission in the following areas: human rights and the rights of persons deprived of their liberty; the prohibition of torture, and cruel, inhuman or degrading treatment; and the use of force.

90. On 4 August 2020, in the context of the COVID-19 pandemic, and as part of actions promoted by the Ministry of Human Rights that take a differentiated approach, 40 public servants of the National Prison Institute received training through a 16-hour series of virtual conferences entitled “Shaping a culture of peace, human rights and prevention of discrimination”, organized to promote respect for the rights of persons deprived of their liberty.

91. In 2018, the Public Prosecution Service, through the Office of the Special Prosecutor for Human Rights, provided human rights training to 1,937 persons, including judges, prosecutors, public defenders, police officers, members of the Armed Forces, students, lawyers and representatives of civil society.

92. In addition, in 2019, the Public Prosecution Service Training Academy, in coordination with the Office of the United Nations High Commissioner for Human Rights (OHCHR), organized a specialized course on international standards and the investigation of human rights violations for 30 prosecutors with the objective of strengthening capacities in the investigation of human rights violations. The three-month course was taught by experts from Argentina, Colombia, Guatemala and Honduras and consisted of 6 modules.²²

93. Furthermore, through its training school, the judiciary organized the following activities:

(a) In 2018, ICRC and the National Committee for the Prevention of Torture conducted a workshop on the regulatory framework of the prison system and a round table on investigation techniques in torture cases, which was attended by 16 appeal court judges, enforcement judges, criminal court judges and public defenders;

(b) In 2019, it ran a training of trainers course in the prevention of torture and the human rights of persons deprived of their liberty for enforcement judges, public defenders, criminal court auxiliary staff and justice officials;

(c) In addition, the criminal enforcement courts ran 48 workshops on human rights for the prison population.²³

94. With regard to paragraph 15, concerning training in relation to the excessive use of force, from 2016 to 2020 the Ministry of Security, under the Plan for Strengthening and Professionalizing the National Police, trained 28,188 police officers in the use of force, with the aim of ensuring that law enforcement bodies carry out procedures in accordance with international standards.

95. In 2018, the Ministry of Security, in coordination with the Mobile Anti-Riot Squadron of the Colombian National Police and the Republican Security Company of the French Police trained and coached members of the Police Investigation Directorate on police procedures and actions used in crowd management and control and the legal use of force in police procedures, with a focus on human rights.

96. In addition, in 2019 the Police Officer Training Centre of the Ministry of Security’s National Directorate for Police Education trained more than 100 police officers of

²² See: <https://oacnudh.hn/curso-especializado-en-estandares-internacionales-e-investigacion-de-violaciones-de-derechos-humanos/>.

²³ 2019 annual report of the judiciary, available at: https://portalunico.iaip.gob.hn/portal/ver_documento.php.

Departmental Police Unit No. 7 and 30 members of the Armed Forces of the 110th Infantry Brigade in the subjects of implementing precautionary measures in criminal prosecution, human rights and the manual on the use of force, with a view to ensuring that procedures are carried out lawfully and in conformity with international instruments.

97. In terms of training on the use of force for military personnel, all academies and educational and training centres of the Armed Forces include the subject of the use of force and firearms in their curricula. During the reporting period, the ICRC-certified instructors of the Armed Forces trained 32,000 Armed Forces personnel in the use of force and firearms with a focus on international standards.

98. In 2018, with a view to strengthening procedures for the investigation of human rights violations, two training sessions were provided to members of the Technical Criminal Investigation Agency, in the cities of Santa Rosa de Copán and San Pedro Sula. In addition, the Public Prosecution Service Training School, in coordination with OHCHR and Lawyers Without Borders Canada, conducted an 8-hour workshop entitled “Command responsibility and duty of the State in investigating and punishing offenders: Analysis and comparison of experiences in the Latin American Region”, which was designed for prosecutors assigned to the Office of the Special Prosecutor for Human Rights, the Prosecution Support Unit of the National Inter-institutional Security Force, as well as the Office of the Special Prosecutor for Offences against Life and the Office of the Special Prosecutor for the Protection of Human Rights Defenders, Journalists, Social Communicators and Justice Officials.²⁴

99. In reply to the issues raised in paragraph 16, concerning training programmes for justice officials, see the replies to paragraphs 14 and 15, which provide information on training and education programmes.

100. In relation to programmes that include the Istanbul Protocol, the Public Prosecution Service has run torture prevention programmes that include information on the standards and procedures established in the Protocol for members of law enforcement bodies and public servants. Along these lines, in 2019, 19 training sessions were provided to 1,385 persons, including 207 Military Police personnel, 447 investigative police officers, 367 prison officers and 364 road and transport officers, municipal police officers and students of the National Police Academy. In January and February 2020, 4 training sessions were conducted for 229 people, including medical personnel from the University Teaching Hospital and the San Felipe Hospital, as well as members of the National Inter-institutional Security Force.

F. Reply to paragraphs 17 to 24 of the list of issues

101. With regard to paragraph 17, concerning laws, regulations, manuals and protocols on interrogations and the detention process, the State of Honduras reports that articles 94 and 101 of the Code of Criminal Procedure prohibit the collection of evidence by unlawful means, especially torture, cruel, inhuman or degrading treatment and other human rights abuses. Article 228 further prohibits subjecting a person to techniques or methods that alter their capacity to be aware of and understand the consequences of their acts or their free will, such as ill-treatment, threats, physical or psychological violence, torture, and the use of psychotropic drugs, hypnosis and polygraphs or lie detectors.

102. At the administrative level, article 64 of the Special Regulations for the Organization and Functioning of the General Directorate of Prosecutors prohibits prosecutors from using proscribed or illicit evidence or seeking to use and/or obtain such evidence. Consequently, they are required to inform the competent authorities of the Office of the Special Prosecutor for the Prosecution of Justice Sector Servants and Officials of any act in which this type of evidence has been produced, fostered, created or generated in the course of the investigation process or within the criminal process.²⁵

²⁴ See: <https://www.mp.hn/index.php/author-login/132-marzo2019/4053-escuela-de-formacion-del-mp-imparte-taller-sobre-responsabilidad-de-mando-y-deber-del-estado-de-honduras>.

²⁵ Decision No. FRG-011-2016, published in the Official Gazette No. 34028.

103. This rule remains in force at the time of both arrest and detention, as well as at the time when accused persons declare that they will give their statement under oath freely and without being subjected to any coercion, threat or promise.

104. Regarding the drafting and approval of the bill on the use of force, the Justice and Human Rights Commission of the National Congress has issued a favourable opinion on the proposed initiative that should culminate in the adoption of the Act Governing the Use of Force for Law Enforcement Officials and Institutions of the Republic of Honduras, which is currently before the Congress for consideration.

105. In reply to paragraph 18, on the participation of the military in the functions of public security, the strengthening of prison management, the Prison Control Forces and the Prison Response Group, and on trials in military installations, the State wishes to report the following information.

106. According to projections, as part of the Plan for Strengthening and Professionalizing the National Police, there will be at least 26,183 police officers by 2022 and it should thus be possible to reduce the use of the Armed Forces in public security functions. The training process for new police officers has been increased from 3 months to 1 year and during the reporting period approximately 9,823 police officers were trained using the new curriculum, surpassing the 2,373 police officers trained from 2010 to 2014.

107. With the strengthening of the National Police, it is expected that the support provided by the Armed Forces in public security tasks will decrease in the medium and long term, in line with the reduction in levels of violence in the different municipalities of the country. Accordingly, the Military Police will cease providing support, initially in municipalities with a homicide rate of under 25 per 100,000 inhabitants, and, subsequently, in those with fewer than 37 homicides for every 100,000 inhabitants. Gradually, therefore, the Military Police will no longer be required to perform public security tasks.

108. In order to reform and improve the management of the prison system and protect the lives and physical integrity of persons deprived of their liberty, and in response to violence and deaths at several prisons across the country at the end of 2019, the Government declared a state of emergency at prisons nationwide and suspended the exercise of the functions of the National Prison Institute authorities by Decree PCM-068-2019 of 16 December 2019. The Decree necessitated the appointment of an Intervention Commission formed entirely of officers from the National Inter-Agency Security Force to serve on an exceptional basis for a period of six months.

109. The Commission was created to expedite prison reform, improve prison management and restore peace and harmony inside the country's prisons. Owing to the COVID-19 pandemic, by Executive Decree No. PCM-051-2020 the Government extended its mandate until 31 December 2020 so that it could complete its evaluation of the measures deemed appropriate to improve the administrative and financial situation of the prison system.

110. The Commission is responsible for standardizing and ensuring the smooth operation of prisons and educational detention centres nationwide by:

- (a) Comprehensively restructuring prison management;
- (b) Establishing medical care units for persons deprived of their liberty, including juveniles, in coordination with the Ministry of Health and the forensic medicine services;
- (c) Implementing a new system for communications including visits and telephone calls;
- (d) Implementing a system of virtual hearings;
- (e) Establishing a national monitoring centre;
- (f) Proposing solutions to reduce the prison population based on studies of State prison policy, in coordination with the Inter-Agency Criminal Justice Commission.

111. Within the framework of the Fourth Meeting of Officials Responsible for Penitentiary and Prison Policies of the Organization of American States, the General Secretariat of the Organization of American States (OAS) and the State of Honduras signed an agreement to

develop a strategy for building the capacities of the National Prison Institute and contributing to the rehabilitation and social reintegration of persons deprived of their liberty.

112. As part of this process, the Institute has each year provided training for prison service staff, as follows:

(a) In 2016, 256 prison officers at the Támara facility were certified as part of the National Prison Academy's initial activities;

(b) In 2017, 226 new prison officers graduated, thereby continuing to enhance prison management and the skills of the Institute's staff;

(c) In 2018 and 2019, 299 new prison officers graduated.

113. The National Prison Academy has cooperation agreements with the Ministry of Security for education, training, professional specializations and research in the prison field and works with the Defence University of Honduras to provide capacity-building programmes. It has also concluded a memorandum of understanding for cooperation in prison matters with the French National Prison Administration Academy with a view to carrying out training, research and scientific exchange activities in penitentiary and criminological sciences as part of the drive to increase professionalism and skills within the prison service.

114. In 2019, the Institute provided a series of training courses with the support of ICRC to build capacity within the National Prison System. These courses included:

(a) Training for 58 prison officer cadets on prison management and administration and the application of international regulations;

(b) Training on the classification of persons deprived of their liberty, provided by the director of the Regina Coeli prison in Italy to specialist teams, prison directors and teachers and students at the National Prison Academy;

(c) Guidance for members of interdisciplinary expert councils on procedures for the classification of persons deprived of their liberty.

115. In addition, under the auspices of the PACcTO Programme, a workshop on the professionalization of prison services was organized for staff of the Institute by the deputy director of the National Prison Administration Academy and the Forum on the Prison Treatment, Classification and Location of Persons Deprived of their Liberty and International Standards.

116. The Prison Response Group was created in 2018 to serve as a special intervention force in the control and transfer of persons deprived of their liberty. It is comprised of prison officers and is not part of the Armed Forces or the National Police. In the same year, the State deployed Prison Control Forces, which report directly to the Sectoral Cabinet Committee for Defence and Security, within the prison system.

117. With regard to trials conducted in military installations, the State reports that, for security reasons, and to safeguard the lives and physical integrity of judicial officers and other participants in proceedings, the national criminal courts try offences committed by organized criminal groups and proceedings related to the seizure of assets in military facilities. However, these facilities are civilian courts that form part of the judiciary and proceedings held therein are governed by the Code of Criminal Procedure and other applicable laws.

118. As at June 2020, 79 prisoners were being detained in military facilities. Of this total, 39 were being held at the premises of the First Infantry Battalion in the village of El Ocotal, in the department of Francisco Morazán; 19 (4 convicted and 15 indicted prisoners) were being detained at the premises of the Third Infantry Battalion in Naco, in the department of Cortés; and 21 prisoners were being held pending or during trial at the premises of the Second Tactical Infantry Battalion. Prisoners placed in these facilities by the judiciary are subject to strict security measures in order to safeguard their right to life and bodily integrity.

119. In response to paragraph 19, on steps taken to reduce prison overcrowding, in 2019 the National Prison Institute's legal department, in coordination with the judiciary, reviewed the criminal files of 845 persons sentenced to less than 5 years' imprisonment and released them as part of a measure to ease overcrowding in prisons. A further 517 persons deprived

of their liberty were granted early release and 6 were freed under the Special Act on Terminal Diseases.

120. The judiciary had granted benefits under a plan to ease prison overcrowding in the context of the COVID-19 pandemic to 1,263 persons deprived of their liberty as at 12 June 2020. Of this number, 659 had been granted early release and 260 had been released on parole. In a smaller number of cases, the prisoners' sentences had been commuted, remitted or reviewed, and some prisoners had been released on account of a terminal illness.

121. As regards the use of alternatives to pretrial detention, and in the light of recommendations from the Inter-American Court of Human Rights and OHCHR regarding the adoption of measures to guarantee the health and physical integrity of persons deprived of liberty and reduce overcrowding in detention centres as a measure to contain the COVID-19 pandemic, on 10 June 2020 the National Congress passed Legislative Decree No. 036-2020, amending article 184 of the current Code of Criminal Procedure, on the catalogue of offences for which alternatives to pretrial detention are not accepted, which includes drug trafficking, specific cases of rape, arms trafficking and offences related to organized crime.²⁶ It also provided for an ex officio review of pretrial detention measures for indicted prisoners exposed to a higher risk of contracting COVID-19 owing to their age or state of health, such as persons over 60 years' old, prisoners with diabetes or high blood pressure, immunocompromised persons and those living with HIV, cancer patients and persons suffering from autoimmune diseases, heart failure and chronic kidney disease, who may instead be placed under house arrest.

122. As regards alternatives to imprisonment, the new Criminal Code provides for the following alternative forms of sentence completion and release on parole:

- (a) Suspended sentences;
- (b) House arrest, weekend detention, tagging, expulsion from the national territory or conditional suspension of the sentence; and
- (c) Release on parole, which may be granted when half of the time has been served in the case of prison sentences of up to 15 years or when two thirds of the time has been served for sentences of 15 to 30 years. The previous Criminal Code allowed for parole when three quarters of the sentence had been served.²⁷

123. The table below contains data disaggregated by sex and legal status on persons deprived of their liberty.

Year	Legal status						Total
	Convicted			Indicted			
	M	F	Subtotal	M	F	Subtotal	
2016	7 787	245	8 032	8 672	499	9 675	17 544
2017	7 703	260	7 963	10 420	766	11 186	19 179
2018	10 359	734	11 093	9 060	378	9 438	20 684
2019	No data	No data	No data	No data	No data	No data	21 854
January–June 2020	9 397	428	9 825	11 246	801	12 047	21 872

Data provided by the National Prison Institute for 2016 to June 2020

124. As at August 2020, 97 foreign nationals deprived of their liberty had been indicted (85 men and 12 women) and 71 had been convicted (63 men and 8 women).

125. Also as at August 2020, the prison population was 7,052 over capacity, which is equivalent to an overpopulation rate of 47.58 per cent.

²⁶ Legislative Decree No. 36-2020, published in La Gaceta No. 35,279, articles 36 (3) (c), 39, 40, 52, 73, 74, 75, 76, 77, 78, 81, 84 and 631.

²⁷ Legislative Decree No. 130-2017, published in La Gaceta No. 34,940 of 10 May 2019.

126. To improve the living conditions of prisoners, the National Prison Institute's budget has been increased from L 749,634,590 in 2016 to a current level of L 1,238,530,010, equivalent to a 65 per cent rise in the period 2016–2020. The additional resources have been used, *inter alia*, to improve food, health-care services and infrastructure, hire staff and purchase equipment.

127. As regards improvements to prison infrastructure, in 2018 and 2019, a total of 440 beds were added; repairs and maintenance were carried out in maximum security units, dormitories and food storage areas; nine kitchens were remodelled; Támara National Prison's maximum security unit was equipped with a medical clinic and visitor waiting areas; offices for expert committees, psychologists, social workers and dentists were built at prisons around the country; and, in cooperation with ICRC, two classrooms were equipped and a study room was built for trainee prison officers.

128. Since 2017, the State has been allocating an annual budget of L 273,248,160 to ensure that persons deprived of their liberty receive proper meals. Furthermore, in order to improve the quality and preparation of food, a nutrition specialist was hired in 2018 to prepare a menu and diet manual for prisoners.

129. Within the framework of the Public Health Policy and the 2021 National Health Plan, the National Prison Institute has allocated an annual budget of L 11 million for the purchase of medicines. Further consignments of medicines are provided by the Ministry of Health, which has ensured sufficient supplies at medical clinics in prisons nationwide. In addition, the Institute organized a workshop on annual forecasting and planning for medicines, in coordination with ICRC, which was attended by health-care personnel from 25 prisons around the country and has strengthened the management of inventories and the procurement of medicines.

130. In 2018, the Institute had 85 physicians, including a gynaecologist and a paediatrician in the National Women's Prison for Social Adaptation, 4 professional nurses, 58 auxiliary nurses and 20 dentists on its staff, who between them administered 154,435 medical treatments and 17,720 dental treatments to persons deprived of their liberty. In 2019, health-care personnel administered 145,356 medical treatments and 17,849 dental treatments.

131. In the period 2016–2020, the Institute took the following steps to ensure that persons deprived of their liberty have access to health care and enjoy the highest level of physical, mental and social well-being:

(a) On 31 August 2018, the Institute signed a framework agreement on inter-institutional cooperation for comprehensive health care and the prevention of communicable diseases;

(b) In 2019, the Expert Committee on Prison Health, comprised of representatives of the National Prison Institute, the Ministry of Health, the judiciary, the forensic medicine service, the Ministry of Human Rights and ICRC, among others, developed and standardized the format for the initial medical examination of persons deprived of their liberty;

(c) Under the Expanded Programme on Immunization, in 2019 the National Prison Institute and the Ministry of Health set up a cold chain at the nursery unit of the National Women's Prison for Social Adaptation in order to provide essential vaccines to children under 4 years of age whose mothers are deprived of their liberty;

(d) In 2019, the Ministry of Health conducted rapid tests to detect HIV and syphilis, held vaccination drives against influenza, mumps and hepatitis B, fumigated premises to eliminate vectors and ran campaigns to raise awareness of diseases including tuberculosis, dengue, the Zika virus disease, chikungunya and HIV among persons deprived of their liberty.

132. To help to support prisoners living with HIV, in 2019, the National Prison Institute and Ministry of Health, with funding from the Global Fund to Fight AIDS, Tuberculosis and Malaria, conducted a study of sexual practices, attitudes and HIV, syphilis and tuberculosis awareness and prevalence among persons deprived of their liberty. In addition, in coordination with the regional health authorities, the Institute's health staff conducted rapid HIV and syphilis tests among prisoners and educated them about HIV.

133. A workshop on controlling tuberculosis infection was held in June 2019 for health staff at 12 prisons with a view to combating the spread of the disease, ensuring comprehensive care for prisoners with tuberculosis, in line with the Ministry of Health guidelines, as part of the programme to prevent and combat tuberculosis and improving health-care services for persons deprived of their liberty.

134. According to the Ministry of Health data on the epidemiological situation of tuberculosis in prisons, a total of 127 detainees at 25 prisons had the disease between January and May 2020, of whom 125 were men and 2 were women. Of the total number of cases, 72 per cent were at the Choluteca, Morocelí, Danlí, Ilama, Támara and Olancho prisons and the National Women's Prison for Social Adaptation.

135. In 2019, prisoners benefited from 56,720 outpatient consultations – 3,518 for women and 53,202 for men – provided at 10 prisons nationwide through the Ministry of Health's regional hospital network. Of these, 9,655 were first-time consultations and 47,065 were follow-ups.

136. With respect to paragraph 20, on the steps taken by the State party to safeguard prison workers, article 3 of the Criminal Code establishes a humane punishment principle whereby no punishment or security measure that violates human dignity or involves cruel, inhuman or degrading treatment may be imposed.

137. The Act on Work for Persons Deprived of their Liberty and the Regime for Highly Dangerous and Aggressive Prisoners, which was passed by the National Congress by Decree No. 101-2015, governs the organization and performance of the work that prisoners are required to carry out as part of rehabilitation, social readaptation and occupational therapy processes and establishes a special system for highly dangerous and aggressive prisoners held in maximum security institutions.

138. The Act also establishes work and isolation regimes for prisoners held in special maximum-security cells. Since the Act was debated, the National Congress has ensured compliance with at least the minimum levels set in the relevant international standards, including the Nelson Mandela Rules.

139. Any violation committed or disproportionate punishment inflicted by persons working within the prison system are isolated incidents that violate the spirit of the Act.

140. The objective of the maximum-security regime is to foster changes in prisoners' behaviour and guarantee them security of person while promoting orderly and peaceful coexistence and ensuring humane treatment. Prisoners subject to the regime have access to common leisure and recreation areas, are not subjected to torture or cruel, inhuman or degrading treatment or punishment, receive the same food and drinking water allowances, are entitled to family visits and are monitored on an ongoing basis by national and international human rights organizations in accordance with rules 43 to 46 and 106 of the Nelson Mandela Rules.

141. In response to concerns expressed by human rights organizations about difficulties in meeting the requirements for visits by family members and relatives of persons deprived of their liberty and the costs involved in obtaining a visitor's card, in the General Provisions on the State Budget for fiscal years 2019 and 2020 adopted by Legislative Decrees No. 180-2018²⁸ and No. 171-2019,²⁹ the State lifted all charges linked to performing the formalities and obtaining the documents necessary to obtain a visitor's card with a view to maintaining and strengthening ties between persons deprived of their liberty and their families and communities. Prisoners may receive three visits per day.

142. With regard to social reintegration programmes, the task of promoting prisoners' workforce reintegration and providing them with post-release support lies with the Social and Workforce Reintegration Unit of the National Prison Institute set up in 2018. The Institute has a multidisciplinary team composed of psychologists, social workers, lawyers and teachers

²⁸ Legislative Decree No. 180-2018 on the State budget for fiscal year 2019, published in La Gaceta No. 34,825.

²⁹ Legislative Decree No. 171-2019 on the State budget for fiscal year 2020, published in La Gaceta No. 35,137.

to ensure that the rehabilitation and reintegration process is conducted effectively and comprehensively. Psychosocial specialists provide individual and group therapy and issue opinions, when requested by the enforcement courts, on applications for commutation, parole and early release.

143. With a view to strengthening all aspects of the reintegration process, in 2018 the Institute carried out 20,822 psychological consultations, 16,206 social assessment and support visits and 45,319 legal advice sessions with persons deprived of their liberty in various prisons. In 2019, the Institute's legal department provided 42,987 legal assistance and counselling sessions, while the psychosocial department conducted 18,434 psychological consultations and 15,583 socioeconomic assessments with detainees.

144. The Institute's education department is responsible for carrying out and evaluating enrolment procedures and for monitoring both formal and non-formal education programmes. In 2019, it developed the Social and Workforce Reintegration Protocol and enrolled 6,703 prisoners in the formal education system. Formal education is provided in coordination with the Ministry of Education under the "Educatodos" (Education for All) model in 16 prisons and the Alfasic model in 8 prisons, through facilitators working in each institution.

145. Of the total prison population, 31 per cent are enrolled in non-formal education programmes. In 2019, 3,344 persons deprived of their liberty – 2,196 (11 per cent) men and 1,148 (97 per cent) women – received training under these programmes in skills such as baking, sewing, handicrafts, carpentry, beauty, computing, English, customer service, interpersonal relations, livestock rearing including pig breeding and fattening, nursery planting, the cultivation of vegetables, legumes and basic grains, and the development of poultry farms. It is worth noting that 2,154 persons deprived of their liberty have worked in the agricultural, poultry and swine trades.

146. Furthermore, 2,400 prisoners have taken part in a course on human development. The rehabilitation process also includes recreational and sporting activities, in which 8,021 prisoners participated in 2019.

147. Regarding paragraph 21, on differentiated measures for the protection of children and adolescents in conflict with the law, the National Institute for Juvenile Offenders³⁰ was created in 2017 as the State entity responsible for organizing, administrating and operating educational detention centres for juvenile offenders deprived of their liberty and for coordinating the juvenile justice system.

148. The Institute has four programmes for the comprehensive care of children and adolescents in conflict with the law. Both formal education opportunities and non-formal arts and crafts classes are available through the Institute's education programme. In 2019, 75 per cent of the children and adolescents in educational detention centres were enrolled in formal education programmes. As at September 2020, the inclusion of children and adolescents in conflict with the law in formal and non-formal educational courses had increased to 100 per cent, the education offered had been expanded from basic and secondary school levels up to baccalaureate-level humanities and computer science, and two libraries had been opened.

149. The National Institute for Juvenile Offenders and the National Institute for Vocational Training have concluded a cooperation agreement for the training of children and adolescents subject to custodial and non-custodial measures.

150. Under the health and well-being programme, the National Institute for Juvenile Offenders provides comprehensive medical and health-care services, including dental, psychological, psychiatric and social assistance services. In 2019, the children and adolescents in the centres each used the medical services an average of three times per month. In addition, medical, dental and microbiology specialists have been hired and the respective laboratories have been set up. In the context of the COVID-19 pandemic, biosafety protocols have been established to prevent the spread of the virus.

151. In order to improve care for girls deprived of their liberty, the National Institute for Juvenile Offenders conducted a qualitative exploratory study of girls detained at the Sagrado

³⁰ Executive Decree No. PCM-061-2017, published in La Gaceta No. 34,450.

Corazón de María Centre. It also designed security protocols for the various educational detention centres.

152. With the support of the United Nations Children's Fund (UNICEF), the Institute 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 Institute, UNICEF and the Diego Portales University of Chile have trained 17 managerial staff members on the policy.

153. 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.

154. In 2018, a committee of experts in juvenile justice comprised 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 their living conditions in educational detention centres. The measures since adopted include the introduction of separate units, care by specialized guards, prohibition of the use of lethal weapons, recruitment of specialized security personnel, provision or training on human rights and children's rights, and infrastructure improvements.

155. Every year, the National Directorate for Children, Adolescents and Families monitors 116 children and adolescents in detention centres who have been victims of gangs and conducts quarterly visits to centres to ensure that rehabilitation and reintegration programmes are being operated in line with international standards.

156. The National Prevention, Rehabilitation and Social Reintegration Programme has set up a psychological counselling service that focuses on strengthening life skills and values. In 2019, it helped 600 juveniles in conflict with the law through the process of rehabilitation. In collaboration with the International Development Law Organization, it also organized a national meeting on restorative justice to consider how to prevent, reduce and punish human rights violations and provide full redress for harm suffered. Various actors working in the fields of prevention and social rehabilitation took part with the aim of developing a future public policy.

157. The National Prison Institute has reported that women are detained in separate units to men. In addition, the number of female security guards has been increased at the National Women's Prison for Social Adaptation and all other detention facilities that have units or sections for women deprived of their liberty.

158. To ensure the safety of women in detention, the National Women's Prison for Social Adaptation has a prison response group that intervenes in the event of an incident. Through the prison's directorate, the Institute places a strong emphasis on maintaining daily communication and interaction with women deprived of their liberty, based on principles of professional ethics, equality and non-discrimination.

159. The prison's psychological care service has been improved in order to provide comprehensive support to women deprived of their liberty; child facilities have been upgraded; water storage tanks, a fertilizer storage container for cultivation projects and sports grounds have been built; and dormitories have been refurbished.

160. The Institute gathers statistical data on prisoners with disabilities, lesbian, gay, bisexual, transgender and intersex prisoners, inmates undergoing psychiatric treatment and prisoners with terminal illnesses or degenerative diseases of the nervous system, among others, in order to improve conditions for prisoners in vulnerable situations. Protocols for the care of vulnerable groups are also being developed to this end.

161. The Institute's Human Rights Unit has prepared a draft protocol for the treatment of lesbian, gay, transgender, bisexual and intersex persons deprived of their liberty in Honduras, with the support of the Ministry of Human Rights. The protocol, which is currently pending adjustments and comments, establishes a differentiated approach for the treatment of lesbian,

gay, transgender, bisexual and intersex prisoners and contains a chapter on the prevention of torture and cruel, inhuman and degrading treatment.

162. In 2019, staff at the Office of the Special Prosecutor for Human Rights received training at a workshop entitled “Incorporation of a Differentiated Approach for Lesbian, Gay, Transgender, Bisexual and Intersex Persons in Criminal Investigations”, hosted by Cattrachas, a Honduran non-governmental organization.

163. Replies to the issues raised in paragraph 22, on inter-prisoner violence and violent acts by prison staff, and the number of complaints made and their outcomes, are given in the paragraphs below.

164. The Public Prosecutor’s Office has opened an investigation into the events at Tela Prison on 20 December 2019 and has received preliminary autopsy reports from the forensic medicine service. For its part, the Specialist Criminal Investigation Agency has identified 30 suspected members of the criminal gang known as MS-13 and has taken statements from them in pretrial proceedings. The case is still under investigation.

165. Regarding the violent incidents of 22 December 2019 at Siria Prison in El Porvenir, in the department of Francisco Morazán, where 19 prisoners died as a result of a confrontation between members of MS-13 and the 18th Street gang, the Public Prosecutor’s Office is overseeing an investigation by the prison authorities into an alleged violation of the duties of officials. A homicide investigation in respect of the 19 prisoners who died has also been opened, and the Police Investigation Directorate has seized security footage for expert analysis. In addition, the forensic medical service has drawn up 19 autopsy reports, with 6 reports pending. To date, the Office of the Special Prosecutor for Offences against Life has received 19 death scene investigation reports and 13 statements from prison staff, including the director of Siria Prison.

166. Officers from the Police Investigation Directorate and the Specialist Criminal Investigation Agency are in charge of the criminal investigation into both violent incidents that occurred in 2019.

167. The National Prison Institute and the Intervention Commission have cooperated fully with the investigations of the Police Investigation Directorate, the Specialist Criminal Investigation Agency and the forensic medicine service with a view to establishing the facts and holding the perpetrators criminally responsible. The Institute’s General Inspectorate carried out internal investigations and consequently decided to suspend the directors, deputy directors and prison officers of both centres from their duties. The corresponding reports were sent to the Attorney General.

168. With regard to complaint and whistle-blowing mechanisms, the Institute has: (1) adopted an operations handbook; (2) set up mailboxes in the units at Támara National Prison; (3) created a telephone hotline (+504 2236-9020 ext. 38) and two email accounts (denuncias_inp@yahoo.com and denuncias@inp.goh.hn) for complaints; and (4) launched a computer application for the submission of complaints from family members, legal representatives, the National Committee for the Prevention of Torture and Cruel, Inhuman or Degrading Treatment or Punishment, the Office of the National Commissioner for Human Rights, the Ministry of Human Rights and civil society organizations working to defend prisoners’ rights.

169. In 2019, the Human Rights Protection Unit received 586 complaints, of which 379 concerned problems with the issuance of visitor’s cards, 31 related to transfers of persons deprived of their liberty to court hearings, 102 pertained to issues affecting the right to health such as transport to medical appointments and the admission of medicines, 46 concerned ill-treatment of detainees by prison staff and 28 were for mistreatment of family members on visiting days.

170. As at June 2020, 155 complaints had been received, of which 75 related to problems with the issuance of visitor’s cards, 7 related to transfers of persons deprived of their liberty to court hearings, 50 pertained to the right to health such as transport to medical appointments, the admission of medicines and care within prisons, 19 concerned ill-treatment of detainees by prison staff and 4 were for mistreatment of family members on visiting days.

171. Through the prison audit programme, the enforcement courts received 57 complaints from persons in pretrial detention in 2019. Furthermore, 661 prison visits were carried out to verify that the rules governing the prison system and the living conditions of prisoners were being correctly applied.

172. Regarding paragraph 23, a total of 285 prisoner deaths were recorded between 2016 and June 2020, of which 92 were violent deaths inside prison, 13 were violent deaths outside prison, 162 were due to natural causes, 14 were deaths by suicide and 4 were accidental deaths.

173. Table showing the number of deaths of persons deprived of liberty custody between 2016 and June 2020.

Year	Type of death										Total deaths
	Violent		Violent outside prison		Natural causes		Suicide		Accidental		
	M	F	M	F	M	F	M	F	M	F	
2016	8	0	3	0	29	2	5	0	1	0	48
2017	12	0	0	0	24	1	1	0	1	0	39
2018	4	0	3	0	28	4	3	0	2	0	44
2019	56	0	3	1	32	6	4	0	0	0	102
January–June 2020	5	7	2	1	34	2	1	0	0	0	52
Subtotal	85	7	11	2	147	15	14	0	4	0	
	92		13		162		14		4		285

Data provided by the National Prison Institute for the period 2016–June 2020

174. As shown, the number of deaths among persons deprived of liberty decreased between 2016 and 2018. However, due to an exceptional situation in 2019, the number of deaths rose, which led to the adoption of an emergency decree for prisons³¹ nationwide in order to restore peace and harmony within the prison system. Measures are currently being taken to reduce the number of violent deaths in detention facilities.

175. To ensure that investigations into deaths, including the deaths of persons in detention or custody, are carried out promptly and thoroughly, the Public Prosecution Service, through the Office of the Special Prosecutor for Offences against Life, has issued instructions that wrongful deaths that have occurred in the different prisons must be investigated promptly, with the objective of identifying the perpetrators of, and/or participants in, acts or omissions that were a determining factor in these deaths. Autopsies have also been ordered in each case through the forensic medicine service, as part of the investigation protocol.

176. With respect to paragraph 24 on persons deprived of liberty in psychiatric hospitals and other institutions, the Ministry of Health reports that 55 persons are currently deprived of liberty in such institutions. Twelve of them have been admitted to the Mario Mendoza National Psychiatric Hospital, while the Santa Rosita Psychiatric Hospital currently provides care to 43: 37 men (13 in the acute men's ward and 24 in the chronic men's ward) and 6 women (5 in the acute women's ward and 1 in the chronic women's ward).

177. At both hospitals, general practitioners, psychiatrists, psychologists, chemists and pharmacists, social workers, nurses, auxiliary nurses, occupational therapists, dentists, laboratory technicians and, if required, legal advisers, work in shifts to provide care to persons deprived of liberty. The health services provided to all patients include specialized medical care, medicines, food and clothing. There are also care protocols that do not apply exclusively to persons deprived of liberty.

³¹ Executive Decree No. PCM-068-2019, published in La Gaceta No. 33,125.

178. In 2020, the Santa Rosita Psychiatric Hospital was allocated a budget of L 166,290,067 to provide care to all patients, including patients committed to the hospital by the criminal courts.

G. Reply to paragraphs 25 to 28 of the list of issues

179. With regard to paragraph 25, regarding internal complaint and whistle-blowing mechanisms in detention facilities, please see the reply to paragraph 22 of the list of issues.

180. Regarding the steps taken to ensure that places of detention are subject to regular inspection by the Public Prosecution Service, the Service undertakes ongoing supervision, at the national level, of prisons and police cells used for temporary custody through prosecutors from the Office of the Special Prosecutor for Human Rights and from local and regional prosecutors' offices in order to monitor detention conditions and respect for human rights.

181. In response to paragraph 26, regarding investigations into allegations of torture and the excessive use of force, since 2018 the Office of the Special Prosecutor for the Protection of Human Rights Defenders, Journalists, Social Communicators and Justice Officials has investigated five reports of torture. One of these cases has since been closed but four remain under investigation. During the period under review, the Office of the Special Prosecutor for Human Rights received 63 complaints of torture, which are currently under investigation. Additionally, as at July 2020, that Office had investigated 39 cases of the excessive use of force occurring in 2017 and 2018 in the wake of the elections. Ten of these cases have been prosecuted and 29 remain under investigation.

182. One of the components of the Honduras Human Rights Support Programme implemented between 2013 and 2017 with the assistance of the European Union was the strengthening of the Office of the Special Prosecutor for Human Rights. The Office received €700,000 for office equipment, technological tools and high-level training in respect for human rights for prosecutors and judges from across the country who studied for a diploma in criminal investigation and forensic evidence through the United Nations University for Peace.

183. With regard to victim and witness protection, in implementation of the Act on the Protection of Witnesses Involved in Criminal Proceedings³² a witness protection programme had been created under the aegis of the Public Prosecution Service, whose Strategic Plan 2015–2020 set a series of strategic objectives with a view to strengthening the institution's potential. The third strategic objective was to provide care and effective protection for witnesses and victims of crime, and efforts in that connection include the creation of a new prosecution management system that allows the Office of the Special Prosecutor for Human Rights to increase the effectiveness and efficiency of its investigations and prosecutions by undertaking strategic criminal prosecutions.

184. With regard to paragraph 27, on the progress made in investigations into presumed cases of enforced disappearance during the period under review, in 2016 the Enforced Disappearances Unit was created within the Office of the Special Prosecutor for Human Rights of the Public Prosecution Service as a specialized unit that receives and investigates all alleged cases of torture, cruel, inhuman or degrading treatment, temporary or permanent enforced disappearance and murder that occur in Honduran territory.³³

185. Since the amendment of article 41 of the Public Prosecution Service Act,³⁴ "serious crimes and those with significant social impact" are referred to the Specialist Criminal Investigation Agency. For this reason, the Office of the Special Prosecutor for Human Rights has begun to cooperate in case management with the aim of resolving cases more rapidly and guaranteeing impartiality in investigations. The National Inter-Agency Security Force's Prosecution Support Unit has made significant progress in leading lines of inquiry into cases of torture, albeit with a degree of difficulty in identifying perpetrators.

³² Legislative Decree No. 63-2007, published in La Gaceta No. 31358.

³³ Decision No. FRG-011-2016, published in La Gaceta No. 34028.

³⁴ Legislative Decree No. 53-2020, published in La Gaceta No. 35281.

186. To strengthen the work of prosecutors, in 2017 the Public Prosecution Service, with support from ICRC, ran a training workshop on human rights and enforced disappearance for 20 prosecutors from the Office of the Special Prosecutor for Human Rights, the Office of the Special Prosecutor for Offences against Life, the Office of the Special Prosecutor for Organized Crime and the Office of the Prosecutor for Cases involving Children and Persons with Disabilities in order to increase their knowledge of approaches to the subject and the international legal framework and to raise their awareness of the human element, the role of families and the psychological and psychosocial consequences of such crime.³⁵

187. The investigative procedures undertaken to date by the Public Prosecution Service include requesting information from the National Registry Office in cases of missing national or, in cases where the missing persons are foreign nationals, requesting information from the Directorate General for Migration and Alien Affairs of the National Institute of Migration. Information is also requested from the country of origin under the Treaty on Mutual Legal Assistance in Criminal Matters concluded by Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Panama for the purpose of obtaining the information necessary to verify and identify victims and their families.

188. With reference to paragraph 28, on progress made in the process of cleaning up the police force and on the penalties imposed on police officers dismissed for having committed acts of torture, in 2016 the National Congress decreed a state of emergency in respect of the clean-up of the National Police and created the Special Commission for the Reform and Comprehensive Strengthening of the National Police, leading to the removal of more than 6,000 police officers and officials from their posts.³⁶

H. Reply to paragraphs 29 and 30 of the list of issues

189. With reference to paragraph 29, regarding information on the bill on comprehensive reparation for victims of human rights violations, including acts of torture, each time a new Government comes to power, bills presented but not approved during the previous legislative term become void and, consequently, are considered not to exist. Therefore, the bill on comprehensive reparation for victims of human rights violations caused by actions or omissions attributable to the State was presented once more on 16 May 2018 and has been submitted to the Commission on Justice and Human Rights for a decision.

190. In preparation for this decision, requests for expert opinions were sent to the Office of the Attorney General and the Office of the National Commissioner for Human Rights in August 2019. These opinions are pending.

191. Regarding paragraph 30, no new information is available for the reporting period.

I. Reply to paragraph 31 of the list of issues

192. With regard to paragraph 31 of the list of issues, see the response to paragraph 17.

J. Reply to paragraphs 32 to 35 of the list of issues

193. In response to paragraph 32, regarding the protection of human rights defenders, including environmental activists, journalists, social communicators, justice officials and representatives of civil society who are at risk, in 2016 the Directorate General of the Protection System attached to the Ministry of Human Rights, pursuant to the Act for the Protection of Human Rights Defenders, Journalists, Social Communicators and Justice Officials³⁷ and with technical assistance from the European Union in 2016 and from the United States Agency for International Development between 2017 and 2019, created and strengthened the Case Registration and Rapid Response Unit, the Risk Analysis Unit and the

³⁵ <https://www.mp.hn/index.php>.

³⁶ See <https://www.policianacional.gob.hn/noticias/5370>, accessed 11 September 2020.

³⁷ Legislative Decree No. 34-2015, published in La Gaceta No. 33730.

Implementation and Monitoring Unit. In May 2018, it also created the Prevention and Context Analysis Unit.

194. Freedom House has provided technical assistance to the Directorate General of the Protection System to strengthen the Units' technical capacities, thereby facilitating the development of collective and individual rapid protection assessments and technical risk assessment tools that allow intersectional analyses to be carried out. Individual risk assessments take a gender-differentiated approach to women and lesbian, gay, bisexual, transgender and intersex persons. Rapid protection assessments are undertaken during initial interviews of persons requesting protection measures. A technical risk assessment is subsequently completed and, once any granted protection measures are agreed upon with the beneficiary through the Technical Committee of the Protection Mechanism, the required follow-up is provided by the Directorate General of the Protection System.

195. 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, since 2018 the Prevention and Context Analysis Unit has devised 11 prevention plans with the active participation of civil society.

196. As part of activities related to the letter of understanding signed by the Ministry of Human Rights and UNHCR, in 2019 work began on drafting manuals for the application of a gender perspective and an intersectional approach, which are currently under review.

197. Pursuant to the Act for the Protection of Human Rights Defenders, Journalists, Social Communicators and Justice Officials and its regulations,³⁸ the National Protection Council held 36 ordinary meetings and 11 extraordinary meetings between January 2016 and July 2020. The measures adopted to protect human rights defenders from intimidation or 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 compliance with the Act, training 900 persons including human rights defenders, members of indigenous communities, including the Garifuna community, trade unionists, journalists, communicators and justice officials.

198. Furthermore, since its creation in July 2015 and up to 31 July 2020, the Directorate General of the Protection System had considered 547 requests for protection measures. Of these, 197 cases remain active, including 124 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, 73 per cent (143) relate to human rights defenders, 10 per cent (20) to journalists, 11 per cent (22) to social communicators and 6 per cent (12) to justice officials.

199. In terms of the vulnerable groups protected by the system, 41 cases relate to the defence of the environment and community pool resources and 14 to the defence of the rights of the lesbian, gay, bisexual, transgender and intersex community. Twenty-three cases relate to indigenous peoples and 11 to Honduran human rights defenders of African descent.

200. In 31 of the 197 active cases, the Inter-American Commission on Human Rights has ordered the adoption of precautionary measures, under the supervision of the Protection Mechanism, and in the remaining 166 cases protection measures have been granted through domestic procedures.

201. The Directorate General of the Protection System has been strengthened through budgetary increases between 2016 and 2019 and, since 2017, an additional allocation from the Public Security Tax Trust for the Protection Fund, which are allowing it to grant various protection and prevention measures in line with the provisions of article 66 of the Act for the

³⁸ Executive Agreement No. 59-2016, published in La Gaceta No. 34117.

Protection of Human Rights Defenders, Journalists, Social Communicators and Justice Officials.

202. An evaluation of the Protection Mechanism is due to be undertaken with the assistance of the Inter-American Commission on Human Rights within the framework of the Special Technical Assistance Board, and the plans for this evaluation are currently under development.

203. Another important step forward in ensuring that threats and attacks against human rights defenders, journalists and members of civil society organizations are investigated and prosecuted was the creation of the Office of the Special Prosecutor for the Protection of Human Rights Defenders, Journalists, Social Communicators and Justice Officials. The Office was launched on 15 March 2018³⁹ and is divided into three specialized sections: complaints registration, prosecution of public officials and prosecution of private individuals.

204. With reference to the progress made in the proceedings against those responsible for the death of environmentalist Berta Isabel Cáceres in March 2016, in her home in La Esperanza, a municipality in the department of Intibucá, on 29 November 2018 the first chamber of the National Trial Court delivered a unanimous verdict of guilty against seven of the eight defendants: Mariano Díaz Chávez, Douglas Geovanny Bustillo, Sergio Ramón Rodríguez, Elvin Heriberto Rápalo, Henry Javier Hernández, Edilson Duarte Meza and Óscar Torres Velásquez as co-perpetrators of Ms. Cáceres' murder. On 3 December 2019, those found guilty were handed individualized sentences, with four of the perpetrators sentenced to 50 years' imprisonment and the remaining three to 30 years' imprisonment.

205. Elvin Heriberto Rápalo, Óscar Aroldo Torres Velásquez, Edilson Duarte Meza and Henry Javier Hernández were also found guilty as co-perpetrators of the attempted murder of a protected witness. The trial court found that, during the public oral hearing, defendant Emerson Duarte Meza was not proved to have participated, and he was acquitted of all charges.

206. Also in custody pending trial in this case is Roberto David Castillo Mejía, accused of instigating Ms. Cáceres' murder, who at the time of the crime was the Executive President of Desarrollos Energéticos S.A. On 31 July 2020, the Court of Appeal dismissed the appeal filed by Mr. Castillo Mejía's counsel in which he requested the suppression of an analysis of telephone data that constituted evidence of his having instigated the crime. While the case has been sent for public oral hearing, the defence counsel has challenged the composition of court, and the decision of the Court of Appeal remains pending.

207. Regarding paragraph 33 on measures to combat organized crime, in accordance with the Plan for Strengthening and Professionalizing the National Police, in 2018 the Ministry of Security and Defence created the National Police Anti-Drug Directorate, responsible for preventing, eradicating and investigating drug trafficking and related crimes under the oversight of the Public Prosecution Service and in accordance with the United Nations Convention against Transnational Organized Crime. In the same year, 10 arrest warrants were issued for persons subject to extradition orders for drug trafficking and 18 persons were extradited for drug trafficking to the United States of America. In coordination with the Office of the Special Prosecutor for Special Operations, special teams have been created that participate in international operations against organized crime, such as Operations ITZEL, MAMBER and Epervier.

208. Similarly, thanks to the technical and financial support of the American Embassy, the following special units have been created within the Ministry of Security and Defence: the Transnational Anti-Gang Centre; the Transnational Criminal Investigation Unit, which investigates trafficking and smuggling of persons; and the National Anti-Kidnapping Unit, responsible for investigating all forms of kidnapping. The International Criminal Police Organization (INTERPOL) is responsible for investigating microtrafficking, cybercrime and international organized crime. Additionally, police units in border areas have been strengthened.

³⁹ Decision No. FRG-002-2018, published in La Gaceta No. 34593.

209. As part of the fight against organized crime and all forms of violence, the Ministry of Defence has engaged in efforts to tackle the drug trafficking cartels operating in the western and Atlantic areas of the country. As a result of land, air and naval operations, between 2018 and 2019, 445 individuals were arrested for unlawful possession of weapons and more than 1,340 for drug trafficking. The authorities seized 3,361 kilograms of cocaine, 28,267 pounds of marijuana, 529,000 marijuana plants, 2,877 grams of crack cocaine and 5,852 crack rocks.

210. In 2018 the Public Prosecution Service seized cash and property to the value of L 1,182 million in the fight against drug trafficking, corruption and organized crime. Additionally, the Office of the Special Prosecutor for Offences against Life has been strengthened and trained personnel has been hired to work in the unit responsible for investigating high-profile deaths. The unit employs 35 prosecutors, as well as 14 investigative agents in Tegucigalpa and 12 in San Pedro Sula.

211. The criminal courts dealing with extortion received 263 cases. Sentences have been handed down via a summary procedure in 100 of these cases, formal trial proceedings have begun in 81 of them and pretrial proceedings are under way in 33. Furthermore, 13 arrest warrants have been issued and 266 persons have been formally indicted.

212. In response to paragraph 34, regarding the steps taken to ensure that all crimes and acts of violence committed against persons because of their sexual orientation or gender identity are investigated and prosecuted, in 2013 the Public Prosecution Service created a department to investigate deaths of persons belonging to vulnerable social groups, which include lesbian, gay, bisexual, transgender and intersex groups, so that particular attention may be paid to these cases.

213. The department has two investigative teams: one within the Specialist Criminal Investigation Agency and the other within the Police Investigation Directorate Task Force. In recent years, the work of these teams has led to several convictions for the murders of vulnerable persons. The department has offices in the cities of Tegucigalpa and San Pedro Sula. Both offices investigate murders across the country and are in constant communication with the relevant groups so as to create policies that allow information to be communicated securely.

214. It should be noted that the Office of the Special Prosecutor for Human Rights employs staff trained in attending to users from the lesbian, gay, bisexual, transgender and intersex communities. They are responsible for handling cases submitted by members of these communities and their organizations and groups.

215. In response to paragraph 35, the criminal offence of abortion is unchanged in the new Criminal Code. Article 196 of the new Code sets out all unlawful conduct that violates the legal right of dependent life.

216. The voluntary termination of pregnancy in cases of rape has not yet been reviewed in the context of current legislation. However, the debate opened up during the adoption of the new Criminal Code revealed that it is not accepted socially.

217. The National Congress, through the Legislative Commission on Equity and Gender, is in the process of reviewing a series of draft decrees that address the voluntary termination of pregnancy in cases of rape. Furthermore, a draft comprehensive act on violence against women, which contains a number of provisions on the subject, is being disseminated in an effort to make progress to this end but it has yet to achieve consensus on its adoption.

K. Reply to paragraphs 36 and 37 of the list of issues

218. Regarding paragraph 36, on measures adopted in response to terrorist threats, articles 587 to 596 of the new Criminal Code define and penalize terrorism in its various forms. The specific criminal offences penalized include: (a) association for the purpose of terrorism, (b) participation without belonging to a terrorist association, (c) attendance at training camps and (d) cyber- or electronic terrorism, among others.

219. Besides have adopted regulations to bring legislation into line with international conventions, Honduras complies with international standards such as the revised Forty

Recommendations on Combating Money Laundering and the Financing of Terrorism and Proliferation of the Financial Action Task Force.

220. According to article 227 of the Special Regulations on the Organization and Operation of the Directorate General of the Attorney General's Office,⁴⁰ the competence to investigate terrorism lies with a special department of the Office of the Special Prosecutor for Organized Crime. This Office coordinates with its international counterparts through the International Agreements and Affairs Unit of the Public Prosecution Service.

221. Additionally, domestic legislation includes regulations aimed at establishing preventive and monitoring measures and sanctions related to biosecurity and terrorism, such as the Act on the Financing of Terrorism (Decree No. 241–2010) and the Act on Money Laundering.

222. Regarding paragraph 37, on the individual complaints procedure, the State has not, to date, considered making the declarations provided for under articles 21 and 22 of the Convention. However, this fact cannot be considered a breach of the Convention, and much less a situation that renders alleged victims vulnerable or defenceless, given that they may lodge their complaints at the international level, before the Inter-American Commission on Human Rights and, subsequently, before the Inter-American Court of Human Rights, two international bodies.

L. Reply to paragraph 38 of the list of issues, on additional information

Protection of persons deprived of liberty during the coronavirus disease (COVID-19) pandemic

223. During the COVID-19 pandemic, protection and care for persons deprived of liberty has been a priority for the prison system, which has undertaken the following actions:

(a) The National Prison Institute has adopted a series of strict biosafety protocols in prisons. These procedures require the disinfection of all persons and vehicles entering prisons, the segregation of new inmates in a specially fitted isolation area, their daily assessment and the continuous provision of biosafety and personal hygiene supplies. Since March, persons deprived of liberty in the 25 prisons have been provided with hygiene products and kits.

(b) In order to broaden health coverage and respond to the crisis caused by COVID-19 in prisons, the National Prison Institute has taken specific steps to expand and deliver health services that are appropriate to the current prison population and, in March 2020, began to recruit additional health-care staff, including 50 doctors employed by the State to assist detainees, raising the current total to 137, and 27 auxiliary nurses, for a current total of 77, distributed across the country's 25 prisons.

(c) The National Prison Institute authorities have distributed more than 3,200 rapid tests in prisons to detect viral loads and at least 3,000 packages of a combination drug containing microdacyn, azithromycin, ivermectin, and zinc, known as MAIZ, to reduce them.

(d) The Ministry of Health has performed 1,393 swab and polymerase chain reaction (PCR) tests. Of the 838 that gave a positive result, 753 had been administered to persons deprived of liberty, representing 3.4 per cent of the prison population, and the remainder to the prisons' administrative and operational staff.

(e) As a member of the Expert Committee on Prison Health, the Ministry of Human Rights advocated the creation of a Subcommittee on Health and Human Rights to monitor the prison population and respond to the situation regarding COVID-19, dengue and HIV/AIDS, guided by the recommendations of international and national human rights organizations.

(f) The Ministry of Human Rights conducted visits to prisons to gather information on the situation of persons deprived of liberty, corroborating the health status of

⁴⁰ Decision No. FRG-011-2016, published in La Gaceta No. 34028.

detainees in the National Women's Prison for Social Adaptation in Támara, in the department of Francisco Morazán, pursuant to the recommendations made by the Inter-American Commission on Human Rights in resolution No. 1/2020.

(g) The National Committee for the Prevention of Torture and Cruel, Inhuman or Degrading Treatment or Punishment has made monitoring visits to the prisons in Santa Rosa de Copán, where it congratulated the technical team on its implementation of the biosafety protocol to prevent COVID-19.

Functioning of the Ministry of Human Rights

224. The Ministry of Human Rights, created by Executive Decree No. PCM 055-2017, became operational in January 2018, with an allocated budget of L 96,356,341. It comprises seven directorates, namely the Directorate of Public Policies and the National Plan of Action on Human Rights, the Directorate for Education in Human Rights and a Culture of Peace, the Directorate for Monitoring the Compatibility of National Law with International Treaties, the Directorate for Research and Compliance with International Commitments, the Directorate General of the Protection System, the Directorate for the Preventive Management of the Risk of Human Rights Violations and Social Conflict; and the Directorate for the Protection of Persons Internally Displaced by Violence. These directorates are attached to the Offices of the Under-Secretaries for the Promotion and Protection of Human Rights. The Human Rights Observatory also falls under the Ministry.

225. The Directorate of Public Policies and the National Plan of Action on Human Rights promotes the human rights of vulnerable groups and advises 53 State bodies on adopting a human rights-based approach. With the assistance provided through the agreement concluded with OHCHR, actions on public policy and the National Plan of Action on Human Rights have been linked to the recommendations of the nine treaty bodies and the 2030 National Agenda for the Sustainable Development Goals.

226. Furthermore, the Honduran System for the Monitoring of Recommendations has been implemented. In 2019 the Directorate for Research and Compliance with International Commitments, with the support of the United States Agency for International Development and in conjunction with OHCHR, delivered a six-month specialized course on human rights to 35 public officials which comprised 10 modules addressing such matters as the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, gender-based violence and human rights defenders.

227. The Directorate for Monitoring the Compatibility of National Law with International Treaties pays particular attention to legislative harmonization. Since its inception, it has issued 62 legal opinions on the compatibility of national legislation, including draft laws, regulations, Executive Decrees adopted by the President in the Council of Ministers and existing regulations, with international treaties. In 2018, it ensured that the bill on the National Register of Missing and Disappeared Persons complied with international treaties and produced legal opinions on the regulations of the Inter-Agency Commission for Follow-up to Investigations of Violent Deaths of Women and Femicides, the draft decree on the Integrated System for the Rights of Children and Adolescents in Honduras and the bill on shelters.

228. In 2019, it made observations on the new Criminal Code, the Trafficking in Persons Act and its regulations and the National Policy on the Rights of Children and Adolescents, and provided training for justice officials on international human rights protection systems and on monitoring the compatibility of legislation with treaties.

229. The Directorate for Education in Human Rights and a Culture of Peace has furthered human rights education by implementing the Virtual Human Rights Education Platform. As of this year, the Platform is offering four free, remote courses for public officials and civil society. Notably, the Platform offers a remote course on the prevention of discrimination that includes three modules, on discrimination, the regulatory framework for protection against discrimination and actions to prevent it. It also offers a course entitled "The Right to Peace", which also comprises three modules, on peace as a human right, living in peace and transforming conflict.

230. The Ministry of Human Rights has an early warning system that serves as a mechanism for preventing and addressing conflict. Through it, quantitative and qualitative information on conflict situations is systematically collected, processed and analysed, and used to produce alerts and recommendations for decision makers on the measures or actions to be taken to prevent their emergence or escalation. Between 2018 and July 2020, 69 early warnings were issued and 17 institutional expert committees on conflict prevention were established.

Creation of the Integrated System for the Rights of Children and Adolescents in Honduras

231. In order to comprehensively guarantee the rights of children and adolescents, Executive Decree No. PCM 020-2019 established the Integrated System for the Rights of Children and Adolescents in Honduras, which applies a multisectoral model to prevention, promotion, protection, guarantees and reparations in relation to the rights of children and adolescents, and is comprised of coordinating bodies at the three territorial levels, namely, 170 municipal committees tasked with upholding the rights of children, 3 departmental committees and 1 national committee, as well as specific mechanisms for the participation of civil society organizations working on children's issues and institutions of the three branches of government.
