



**Convention on the Rights  
of Persons with Disabilities**

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**Committee on the Rights of Persons with Disabilities**

**Second to fourth periodic reports submitted by  
Honduras under article 35 of the Convention, due  
in 2022\***

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\* The present document is being issued without formal editing.



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## I. Introduction

1. The State of Honduras hereby submits its combined second to fourth periodic reports under the Convention on the Rights of Persons with Disabilities to the Committee on the Rights of Persons with Disabilities, in accordance with article 35 (2), (4) and (5) of the Convention, the guidelines on periodic reporting,<sup>1</sup> the harmonized guidelines on reporting under the international human rights treaties and the Committee's previous concluding observations.<sup>2</sup>
2. The preparation of this report was coordinated and carried out by the Ministry of Human Rights<sup>3</sup> and the liaisons who make up the Special Response Group on Human Rights within the Honduran System for the Monitoring of Recommendations.<sup>4</sup>
3. The report summarizes the main measures taken by the State between 2017 and May 2022 to implement the Convention and the Committee's recommendations, as well as the challenges faced.
4. On 27 January 2022, when the new Government took office, President Xiomara Castro reaffirmed her commitment to defending, protecting and ensuring human rights. She also acknowledged the problems encountered by persons with disabilities, who face exclusion and discrimination on account of the lack of inclusive public policies, institutions focused on their welfare, and public awareness-raising campaigns. In order to address these problems and achieve the related goals and objectives, the Government Plan to Refound the Homeland and Construct a Socialist and Democratic State is being implemented.
5. Among the first actions taken by President Xiomara Castro under the Plan was to strengthen, reorganize and restructure the public administration, including by establishing new institutions such as the Ministry of Social Development,<sup>5</sup> which has taken on the functions and responsibilities of the former Ministry of Social Development and Inclusion with a view to instituting inclusive, non-violent social policies that promote solidarity.
6. During the government transition period, civil society organizations, acting through a special committee of persons with disabilities, presented proposals made by members of the public to President Xiomara Castro in the hope that they would be taken into account by the new Government.

## II. General provisions of the Convention

### **Regulatory and institutional framework for persons with disabilities (arts. 1–4 and recommendations 6, 8, 10 and 12)**

7. Honduras recognizes persons with disabilities as fully fledged holders of the rights inherent in human dignity established in the Constitution, national law and the international human rights conventions ratified by the State. Various legislative and public policy measures have been taken in recent years to protect the rights of persons with disabilities.
8. The legal framework described below has been put in place to promote, protect and ensure the full enjoyment of the rights of Hondurans.
9. The new Labour Inspection Act<sup>6</sup> entered into force on 15 March 2017 and its implementing regulations were adopted in 2019.<sup>7</sup> These texts establish effective mechanisms for reporting abuse and exploitation and monitoring respect for labour rights. They establish

<sup>1</sup> Guidelines on periodic reporting to the Committee on the Rights of Persons with Disabilities, [CRPD/C/3](#) (Geneva, 2016).

<sup>2</sup> Concluding observations on the initial report of Honduras, [CRPD/C/HND/CO/1](#) (Geneva, 2017).

<sup>3</sup> Executive Decree PCM-055-2017, *La Gaceta* No. 34,441.

<sup>4</sup> Executive Decree PCM-028-2017, *La Gaceta* No. 34,410.

<sup>5</sup> Executive Decree PCM-05-2022, *La Gaceta* No. 35,892.

<sup>6</sup> Legislative Decree No. 125-2016, *La Gaceta* No. 34,290.

<sup>7</sup> Decision STSS-350-2019, *La Gaceta* No. 35,183.

penalties and fines for, among other things, failure to comply with labour regulations or to uphold labour rights, actions that adversely affect workers, breaches of collective bargaining agreements, and measures to prevent labour inspections from being carried out.

10. The Labour Inspection Act also establishes that labour inspectors are responsible for monitoring working conditions in all workplaces, whether private or public, and any place where an employment relationship exists. Inspections may be carried out on workdays or non-workdays, during or outside working hours. In addition to regular inspections, extraordinary inspections may be conducted if there is an imminent danger or risk.

11. Other regulations adopted for the benefit of workers and the productive sector of the economy include:

(a) The Support for Micro- and Small Businesses Act,<sup>8</sup> which is intended to bolster such businesses through incentives that further economic growth by generating new employment opportunities and promoting well-being, development and personal fulfilment;

(b) The 2017–2028 National Employment Policy,<sup>9</sup> which is intended to increase the productive capacities of Hondurans, especially young people, and their access to opportunities and productive employment in conditions of security, equity and dignity;

(c) The Joint Action Framework, which sets out a plan for implementing the National Employment Policy and is linked to the Sustainable Development Goals. Both reflect a multisectoral and multidimensional approach and are based on an inclusive economic growth strategy. The aim of the Framework is to increase access to the labour market for Hondurans, especially young people, women and vulnerable groups, by generating high-quality employment opportunities and improving working conditions and productivity. Area of focus 2.6 of the Framework covers the generation of alternative forms of employment and sources of income for persons with disabilities, while area of focus 3 on job training includes the development of a subprogramme for young people with disabilities;<sup>10</sup>

(d) The Regulation on Protected Adolescent Labour in Honduras,<sup>11</sup> which was adopted in 2020 and sets out the conditions under which adolescents over 14 years of age may be authorized to work, in accordance with article 119 of the Code on Children and Adolescents and other relevant laws.

12. As regards political participation, Honduras overhauled its electoral institutions in 2019 and created two new bodies, the National Electoral Council and the Electoral Court. These bodies are autonomous and independent, have nationwide jurisdiction and operate on an equal footing. Their role is to implement an electoral model in which administrative, technical and logistical functions are separated from the judicial functions performed by the former Supreme Electoral Court.<sup>12</sup>

13. In May 2021, the National Congress approved the new Electoral Act,<sup>13</sup> which regulates the organization and functioning of electoral bodies; protects and guarantees the free exercise of political rights; and establishes mechanisms and procedures to ensure the realization of those rights.

14. Measures taken by the National Electoral Council during the period under review include:

<sup>8</sup> Legislative Decree No. 145-2018, *La Gaceta* No. 34,806, amended by Legislative Decree No. 147-2019, *La Gaceta* No. 35,129.

<sup>9</sup> Executive Decree PCM-029-2017, *La Gaceta* No. 34,333.

<sup>10</sup> Socioeconomic Council, *Un Compromiso Tripartito por el Empleo Digno y Productivo: Política Nacional de Empleo de Honduras PNEH 2017–2028 y Marco de Acción Conjunta de la PNEH* (Tripartite Commitment to Decent and Productive Employment: 2017–2028 National Employment Policy and Joint Action Framework), November 2018, consulted on 20 June 2022, available at <http://www.ces.hn/images/Manual%20CES2018.pdf>.

<sup>11</sup> Executive Decision STSS-578-2020, *La Gaceta* No. 35,459.

<sup>12</sup> Legislative Decree No. 200-2018, *La Gaceta* No. 34,856.

<sup>13</sup> Legislative Decree No. 35-2021, *La Gaceta* No. 35,610.

(a) The establishment of the National Institute for Political and Electoral Training<sup>14</sup> in 2021. This technical and educational body is responsible for designing and conducting training for members of political parties, members of electoral bodies and citizens in general, including vulnerable groups such as persons with disabilities, in order to foster their effective participation;

(b) The creation of the Virtual Classroom Platform to provide training to women running for office on topics such as democratic values and the political participation of women, and combating gender-based political violence.

15. In the field of education, instruments such as the 2018–2030 Education Sector Strategic Plan,<sup>15</sup> which is aligned with Sustainable Development Goal 4 and the related targets, have been adopted within the framework of the National Agenda for Sustainable Development. The Plan identifies three strategic areas: (a) inclusive access to the education system; (b) appropriate, relevant and effective learning; and (c) institutions, decentralization and democratization.

16. As regards inclusive education for all vulnerable groups, action 22 of the 2018–2030 Education Sector Strategic Plan consists of the adoption and implementation of an inclusive education policy. Accordingly, the Public Policy on Inclusive Education<sup>16</sup> was adopted in 2019. The aim of the Policy is to ensure that all members of vulnerable groups have access to high-quality, equitable, relevant and effective education through the national education system, to ensure sustainability and universal access through the optimization of infrastructure and the provision of reasonable accommodation, and to ensure that such persons remain in education by removing the barriers created by stigmatization and discrimination.

17. The strategic objectives of the policy include, in addition to guaranteeing inclusive education for all vulnerable groups, ensuring the production of and access to disaggregated qualitative and quantitative information on inclusive education in the national education system.

18. Regarding the adoption of food security regulations, Honduras has introduced a School Meals Act<sup>17</sup> to ensure that children and adolescents in public schools have access to food. The National School Nutrition Programme was established under the Act and is being implemented by the Ministry of Education and the Ministry of Social Development. The Programme encourages school attendance, improves student performance and contributes to the health and nutrition of children and adolescents.

19. The National Policy on Long-Term Food and Nutrition Security and the National Strategy on Food and Nutrition Security for the period up to 2030 were adopted in 2018.<sup>18</sup>

20. As regards amendments to criminal law, chapter II, title VI of the new Criminal Code,<sup>19</sup> which entered into force on 25 June 2020, contains provisions against all forms of discrimination, including discrimination on the basis of age, illness or disability. It establishes penalties, prison sentences, fines and special disqualification from employment or holding office for public officials, individuals and businesses that commit the offence of discriminatory refusal to provide a service. The refusal may concern public services<sup>20</sup> or professional services.<sup>21</sup> This offence may be committed against a person, a group, an association, a corporation or the members thereof, including persons with disabilities and organizations for persons with disabilities.

<sup>14</sup> Regulations of the National Institute for Political and Electoral Training. National Electoral Council Decision No. 17-2021, *La Gaceta* No. 35,746.

<sup>15</sup> National Board of Education. Extraordinary session No. 001-2019 of 9 April 2019.

<sup>16</sup> Executive Decree PCM-054-2019, *La Gaceta* No. 35,096.

<sup>17</sup> Legislative Decree No. 125-2016, *La Gaceta* No. 34,380.

<sup>18</sup> Executive Decree PCM-086-2018, *La Gaceta* No. 34,863.

<sup>19</sup> Legislative Decree No. 130-2017, *La Gaceta* No. 34,940.

<sup>20</sup> Criminal Code, art. 211.

<sup>21</sup> Criminal Code, art. 212.

21. The Criminal Code establishes penalties for the offences of incitement to discrimination and any form of violence against a group, an association, a corporation or the members thereof, including persons with disabilities. These penalties include prison sentences and fines, as well as special disqualification in cases where the offence was committed by a public official.<sup>22</sup>

22. In April 2022, the Framework Act on the Social Protection System was repealed as it had been declared unconstitutional<sup>23</sup> on the grounds that it violated 11 articles of the Constitution.<sup>24</sup>

23. Developments in the area of children and family include the amendment of the Family Code to prohibit child marriage;<sup>25</sup> the ratification of the Convention on Protection of Children and Cooperation in respect of Intercountry Adoption; the passing of the Special Adoption Act<sup>26</sup> and its implementing regulations;<sup>27</sup> the adoption of implementing regulations for the Act on Responsible Parenting;<sup>28</sup> the introduction of the 2021–2026 National Response Plan to Combat Violence against Children and Adolescents; and the adoption of the Protocol for Referral of Children Engaged in Child Labour to State Social Programmes.<sup>29</sup>

24. The following laws and measures for the empowerment and economic participation of women were introduced between 2017 and 2021:

(a) The Equal Pay Act, which prohibits gender-based discrimination in relation to the wages paid to women and men;<sup>30</sup>

(b) The Act on the National Solidarity Loan Programme for Rural Women;<sup>31</sup>

(c) The creation of the “Cities for Women” programme, a nationwide initiative that was elevated to the status of a national policy by means of a decree;<sup>32</sup>

(d) The Honduran Women’s Financial Inclusion Plan, which is designed to promote women’s empowerment and development and their access to the financial system, savings and credit;

(e) A line of credit for microenterprises: Working Capital for Women;

(f) The creation of the Rural Women’s School for Equality and Empowerment;

(g) The creation of a working group on gender and employment to mainstream gender in the National Employment Policy;

(h) Special measures to disseminate information on, prevent and address violence against women and actions to guarantee gender equality during the national emergency declared as a result of the coronavirus disease (COVID-19) pandemic;<sup>33</sup>

(i) The incorporation of the gender perspective into the General Provisions of the State Budget in order to close the gender gap.

25. Significant progress has been made on environmental matters since 2015, including through:

(a) The ratification of the Paris Agreement in April 2016;

<sup>22</sup> Ibid., art. 213.

<sup>23</sup> SCO-0858-2015.

<sup>24</sup> Arts. 142, 143, 189, 196, 205 (1), 206, 213–215, 352 and 363.

<sup>25</sup> Decree No. 44-2017, *La Gaceta* No. 34,471.

<sup>26</sup> Legislative Decree No. 102-2018, *La Gaceta* No. 34,841.

<sup>27</sup> Executive Decision DINAF-309-2021, *La Gaceta* No. 35,569.

<sup>28</sup> Executive Decision No. 004-2019, *La Gaceta* No. 34,888.

<sup>29</sup> Decision STSS-389-2019, *La Gaceta* No. 35,113.

<sup>30</sup> Legislative Decree No. 27-2015, *La Gaceta* No. 33,799.

<sup>31</sup> Legislative Decree No. 110-2015, *La Gaceta* No. 33,984.

<sup>32</sup> Executive Decree PCM-031-2016, elevated to the status of a national policy by Legislative Decree No. 159-2016 and decentralized by Executive Decree PCM-023-2018.

<sup>33</sup> Legislative Decree No. 99-2020.

- (b) The adoption of the National Strategy for the Management and Sustainable Use of Natural Resources in Honduras, in 2016;
- (c) The adoption of the Water, Forest and Land Master Plan in 2016;
- (d) The establishment of the National Climate Change and Sustainable Development Observatory, and the implementation of a plan for monitoring, evaluation and follow-up on environmental and climate matters in 2017;
- (e) The adoption of the National Biodiversity Strategy and Action Plan in 2017;
- (f) The adoption in 2017 of the Honduras Climate Agenda, which is part of the Honduras Environmental Agenda;
- (g) The adoption of the National Adaptation Plan and technology action plans on adaptation to and mitigation of climate change in 2018, with support from the United Nations Development Programme (UNDP) and civil society organizations.

26. During the first session of the National Congress under the administration of President Xiomara Castro, the following laws and legislative changes were introduced for the benefit of the Honduran population:

- (a) Adoption of the Act for the Rebuilding of the Constitutional State of Rights and for Non-Repetition, which condemns the coup d'état that took place in 2009, recognizes and validates the Cartagena Agreement and grants an amnesty to political prisoners, victims of the coup d'état and persons who were prosecuted or sentenced for crimes committed in the course of their duties between 27 January 2006 and 28 June 2009 or who carried out acts of protest or acts of sovereign defence in the period up to the date of entry into force of the Act;<sup>34</sup>
- (b) Repeal of the Act on the Classification of Public Documents relating to Security and National Defence, known as the Secrets Act, on the grounds that it violated the right of access to public information and transparency;<sup>35</sup>
- (c) Repeal of the Decree on the Creation and Configuration of Employment and Economic Development Zones<sup>36</sup> on the grounds that it was detrimental to the country's sovereignty and independence;
- (d) Repeal of the Hourly Employment Act and confirmation that all labour relations remain under the protection of the Constitution, the Labour Code and the international instruments ratified by Honduras;<sup>37</sup>
- (e) Amendment to the general State budget for the 2022 fiscal year,<sup>38</sup> representing an increase of 71,634,785,430 million lempiras (L) compared with the 2021 fiscal year.

27. In addition, the Social Programme for the Families of the Martyrs of the Honduran Resistance, which covers scholarships, pensions, housing, health care, psychological care, employment and facilitation of access to justice, is being implemented to provide reparation to the victims of the 2009 coup d'état.

28. As part of the restructuring of the public administration under President Xiomara Castro, the following ministries have been established:

- (a) The Ministry of Social Development;
- (b) The Ministry of Transparency and Anti-Corruption Measures;
- (c) The Ministry of Strategic Planning;
- (d) The Ministry for the Development and Monitoring of Projects, under the Office of the President;

<sup>34</sup> Legislative Decree No. 4-2022, *La Gaceta* No. 35,840.

<sup>35</sup> Legislative Decree No. 12-2022, *La Gaceta* No. 35,873.

<sup>36</sup> Legislative Decree No. 32-2022, *La Gaceta* No. 35,902.

<sup>37</sup> Legislative Decree No. 38-2022, *La Gaceta* No. 35,909.

<sup>38</sup> Legislative Decree No. 30-2022, *La Gaceta* No. 35,894.

- (e) The Ministry of Women's Affairs;
- (f) The Ministry of Cultures, Arts and Heritage of the Peoples of Honduras;
- (g) The Ministry of Infrastructure and Transport.

29. Regarding paragraph 6 of the previous concluding observations, in which the Committee recommends that the State adopt a plan to amend, repeal, reform and/or adopt laws and policies with a view to recognizing persons with disabilities as rights holders and removing all derogatory terms, there is currently no specific programme or plan for the legal review of national regulations.

30. The process of designing and developing new policies is participatory and involves representatives of organizations of and for persons with disabilities, the Disability Directorate of the Ministry of Social Development, and other public and private actors involved in the sector.

31. Various bills and proposals to repeal or amend legislation have been submitted to the National Congress, namely:

(a) A draft amendment to article 120 of the Constitution, on children with disabilities and orphaned and abandoned children and adolescents, which was submitted in 2018 and on which the Special Advisory Committee of the National Congress has issued a favourable opinion;

(b) Draft amendments to articles 72, 73 and 78 of the Act on Equity and Comprehensive Development for Persons with Disabilities,<sup>39</sup> which were submitted in 2018 and have also received a favourable opinion from the National Congress;

(c) A draft amendment to article 1555 of the Civil Code, on the legal capacity of persons with disabilities, which has been submitted to the Special Advisory Committee for consideration;

(d) A draft amendment to article 169 of the Constitution, on promoting education for persons with disabilities and ensuring their comprehensive and inclusive development in society. This proposal was submitted in 2022 and is also awaiting consideration by the Special Advisory Committee.

32. Having these and other bills passed by the National Congress is also a challenge for the State institutions, civil society organizations and members of the public that promote them and engage in advocacy efforts.

33. As regards the updating of the Act on Equity and Comprehensive Development for Persons with Disabilities in line with the observations of the Office of the United Nations High Commissioner for Human Rights (OHCHR) country office in Honduras, the review was carried out in the light of international human rights standard and other laws containing derogatory terms, in consultation with all relevant sectors and stakeholders. Draft amendments to articles 19, 53-B, 55, 60, 61, 64–66 and 69 of the Act were submitted to the National Congress in 2021 and are currently awaiting consideration.

34. Two versions of the bill on sustainable inclusive development for persons with disabilities were submitted to the National Congress in 2018. A favourable opinion was issued in respect of one of them. However, the bill has not been passed yet.

35. As regards the recommendation in paragraph 8 of the previous concluding observations, under article 60 of the Act on Equity and Comprehensive Development for Persons with Disabilities, the Disability Directorate is responsible for introducing and monitoring the implementation of policies on prevention, care and comprehensive rehabilitation for persons with disabilities. It carries out social solidarity programmes; supports and manages access to national and international funding for organizations of and for persons with disabilities, for the implementation of programmes and projects based on the services that each organization provides; and raises awareness of the appropriate way to treat persons with disabilities.

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<sup>39</sup> Legislative Decree No. 160-2005, *La Gaceta* No. 30,832.



36. The Disability Directorate is headed by a director and a deputy director. It is made up of three units that are led by a coordinator who is in charge of the technical staff. These units are as follows: (i) the registration unit; (ii) the technical support unit, which is staffed by a lawyer and technical assistants specializing in advocacy, training, communication, project design and management, and human rights; and (iii) the administrative support unit.

37. The Disability Directorate operates in accordance with a set of job descriptions that were drawn up as part of the project on strengthening the rule of law for the protection and promotion of human rights in Honduras, with support from UNDP and funding from the Swiss Agency for Development and Cooperation and OHCHR.

38. With the current Government, the Disability Directorate is promoting a comprehensive care approach based on human rights, where the human person is considered central and there is a focus on ensuring the dignity of the human person.

39. Through the Disability Directorate, assistive devices are distributed to persons with disabilities of all ages to support and facilitate their involvement in everyday activities and in society. Between 2017 and 2021, 19,204 assistive devices were provided to persons with physical or sensory impairments at a cost of L 63,972,282.

40. As regards financial resources, between 2017 and 2021, the budget of the former Ministry of Social Development and Inclusion that was earmarked for persons with disabilities was derived from national funds, Paris Club assistance and trust funds. National funds were provided to organizations of and for persons with disabilities for activities in the areas of education, health care and rehabilitation. Trust funding was allocated to the Honduras for All programme, which was established in 2016 to comprehensively improve the quality of life of persons with disabilities through physical and social assistance.

41. More than 69,000 persons with disabilities benefited from the Honduras for All programme between its creation and December 2021.<sup>40</sup>

*Consolidated budget for 2017–2021. Cash transfers to organizations*

Year	Allocation in lempiras	
	Organizations of and for persons with disabilities	Trust funding
2017	27 360 673.75	50 000 000.00
2018	28 345 095.00	48 800 000.00
2019	28 395 135.00	48 800 000.00
2020	28 383 404.50	48 800 000.00
2021	36 093 110.00	48 800 000.00
<b>Total amount allocated</b>	<b>L 148 577 418.82</b>	<b>L 245 200 000.00</b>

*Source:* Disability Directorate, Cash Transfer Unit.

42. The priorities of the new Government include setting up the Solidarity Network, a decentralized programme of the Ministry of Social Development, the aim of which will be to reduce poverty and extreme poverty through programmes and projects to support vulnerable populations. In addition, the National Centre for Information on the Social Sector will become the Poverty and Vulnerability Observatory.<sup>41</sup>

43. Regarding the recommendation in paragraph 10 of the previous concluding observations on the definition of disability and the criteria used to certify disability, the Disability Directorate oversees the process of certifying that a person has a disability and is therefore eligible for discounts, for example in hospitals, pharmacies and restaurants and on transport, based on the definition of disability contained in article 7 of the Act on Equity and

<sup>40</sup> Honduras, Ministry of Social Development and Inclusion, “‘Honduras Para Todos’ mejora la vida de miles de personas con discapacidad” (“Honduras for All” improves the lives of thousands of persons with disabilities), 5 January 2022, available at <https://sedis.gob.hn/node/6948>.

<sup>41</sup> Decree PCM-05-2022, *La Gaceta* No. 35,892.

Comprehensive Development for Persons with Disabilities and in the light of article 1 of the Convention.

44. The number of disability cards issued nationwide was 7,046 in 2017, at a cost of L 999,150; 6,737 in 2018, at a cost of L 1,737,400; 9,378 in 2019, at a cost of L 1,875,600; 1,706 in 2020, at a cost of L 341,200; and 2,062 in 2021, at a cost of L 412,400.

45. The certification process is carried out by a multidisciplinary team comprising a doctor, a psychologist, a sociologist and technical staff from the Directorate. It consists of the following steps:

(a) The applicant is interviewed by a doctor and a psychologist if his or her disability is not visible;

(b) The doctor refers the applicant to the technical assistant, who records the relevant information on a diagnosis form;

(c) The information is digitized:

(a) The applicant's photograph is taken;

(b) The disability card is issued and delivered to the applicant;

(c) The certification is recorded in a register.

46. It remains difficult for the State to issue cards to persons with disabilities living in rural and remote areas where the Ministry of Social Development does not have an office.

47. The State does not have any updated information relating to the recommendation in paragraph 12 of the previous concluding observations.

#### **Specific rights under the Convention, aside from the rights enshrined in articles 6 and 7**

##### *(a) Equality and non-discrimination (art. 5 and recommendation 14)*

48. With regard to the recommendation contained in paragraph 14 of the concluding observations on discrimination against persons with disabilities and the denial of reasonable accommodation, the new Criminal Code penalizes all forms of discrimination but does not cover the denial of reasonable accommodation.

49. The Disability Directorate has made efforts to reduce discrimination related to disability by conducting an awareness campaign, distributing informational materials on disability, holding a forum to commemorate Down Syndrome Day, posting content on social media on the issue of prevention, providing funding for ramps in inclusive schools and organizing fairs displaying products made by persons with disabilities with the participation of organizations of and for persons with disabilities in the Central District, Comayagua and La Ceiba.

50. Between 2017 and 2021, the Disability Directorate held awareness-raising workshops on disability in which 8,863 persons with disabilities participated. It also carried out 684 home-based interventions. In addition, solidarity vouchers and solidarity food parcels were issued to persons with disabilities.

51. The Office of the National Commissioner for Human Rights has stated that the denial of reasonable accommodation and non-inclusion are considered forms of multiple and intersectional discrimination since they prevent persons with disabilities from participating actively in various areas, including education, health and employment. It also noted that there are no accessible mechanisms for reporting the denial of reasonable accommodation, no measures to provide redress and no statistics on the denial of reasonable accommodation as a form of discrimination.<sup>42</sup>

<sup>42</sup> Annual Report, 2019, Honduras, Office of the National Commissioner for Human Rights (2020), p. 192.

*(b) Awareness-raising (art. 8 and recommendation 20)*

52. With regard to the recommendation contained in paragraph 20 of the previous concluding observations on awareness-raising campaigns and strategies, the Disability Directorate holds awareness-raising workshops on the rights of persons with disabilities for civil servants, the general public and persons with disabilities themselves. As part of the awareness-raising strategy, the workshops include testimonies from persons with disabilities, and the distribution of copies of the Act on Equity and Comprehensive Development for Persons with Disabilities in order to raise the participants' awareness of this law. Media campaigns are also conducted, including on social networks.

53. A manual for communicators has been designed and prepared in order to raise journalists' and media communicators' awareness of the appropriate terms to use when referring to persons with disabilities. The manual will shortly be printed and distributed by the Ministry of Social Development.

54. The goals set out in the new Government Plan to Refound Honduras include the promotion of a national programme to raise awareness and understanding of persons with disabilities in coordination with State institutions such as the Ministry of Education and the Ministry of Health.<sup>43</sup>

55. With regard to the commemoration of a day dedicated to disability issues, Honduras has celebrated the Day of Solidarity with Persons with Disabilities in April every year since 1984. This event was established pursuant to a decree issued by the National Congress<sup>44</sup> and has evolved over the years to become a week of inclusion celebrated by organizations for and of persons with disabilities. The event involves awareness-raising and educational activities aimed at the general public and serves to strengthen relations with stakeholders from civil society organizations, the private sector, the State and academia; highlight the talents and creativity of persons with disabilities; and promote their participation and inclusion in society.

*(c) Accessibility, personal mobility and participation in cultural life, recreational activities, leisure and sports (arts. 9, 20 and 30 and recommendations 22 and 64)*

56. There is no up-to-date information available on the implementation of the recommendations contained in paragraphs 22 and 64 of the concluding observations, which concern the adoption of accessibility plans.

57. The Disability Directorate has implemented the Honduras for All programme to improve the accessibility of the physical environment for persons with disabilities. In this connection, progress has been made in providing parking spaces for persons with disabilities in shopping centres and hospitals and installing ramps in different public spaces and in inclusive schools in the Central District. Beaches in Tela and La Ceiba have also been made accessible.

58. Parks for a Better Life are spaces designed with social inclusion and accessibility in mind. A total of 80 per cent of the parks are accessible to persons with disabilities and have play equipment for children and adolescents with disabilities. A total of 14 per cent of visitors to the parks are older persons.<sup>45</sup>

59. As of 2021, there were 116 parks that were visited by an average of 375,000 people of all ages<sup>46</sup> every month, promoting the recovery and use of public spaces, sports and cultural activities, and healthy social relations and lifestyles.

60. Within the framework of the Tela Agreement,<sup>47</sup> which was established to include persons with disabilities in the Honduran banking system, private companies have taken

<sup>43</sup> Government Plan to Refound Honduras 2022–26, Honduras, Partido Libre (2022) p. 58, <https://www.libre.hn/plan-de-gobierno-de-xiomara-2022-2026>.

<sup>44</sup> Legislative Decree No. 56-84.

<sup>45</sup> National report for the third cycle of the universal periodic review, para. 33.

<sup>46</sup> Third periodic report submitted by Honduras to the Committee on Economic, Social and Cultural Rights.

<sup>47</sup> Agreement signed within the framework of the sixteenth Latin American Congress on the Development of Human Management and Social Responsibility, held in Tela, Honduras in 2014.

measures to assume their social responsibility for improving accessibility for persons with disabilities. In that connection, an agreement was reached to adapt the main offices of the banks in Tegucigalpa to make them accessible to persons with disabilities. This was achieved by installing ramps and appropriate signage, adapting car parks, bathrooms, counters and special desks, and facilitating access to financial goods and services that had not previously been available. The measures were implemented with the support of the Honduran Foundation for the Rehabilitation and Integration of Persons with Disabilities.

61. In order to ensure safe, inclusive and affordable access to public transport for persons with disabilities, the Disability Directorate has made contact with the transport sector with a view to implementing a discount campaign in urban buses. Furthermore, a sticker showing the percentage discount established in law for the use of transport by persons with disabilities has been designed.

62. The Office of the National Commissioner for Human Rights has stated that ensuring access to inclusive, safe, affordable and sustainable transport services for all persons with disabilities continues to be a challenge, since the general built infrastructure, transport vehicles, and information and communication services for the public are not sufficiently accessible. Furthermore, persons with disabilities face ill-treatment and discrimination and employees of urban and intercity transport companies fail to grant them discounts.<sup>48</sup>

63. According to the Office of the National Commissioner for Human Rights, the authorities of the central Government and the municipal governments acknowledge that they have not taken sufficient measures to monitor and sanction the failure to comply with accessibility standards, preventing persons with disabilities from effectively enjoying their rights. In one specific case, the Mayor's Office of the Central District failed to ensure that sufficiently accessible roads were designed and built in order to ensure barrier-free movement for persons with disabilities.<sup>49</sup>

64. To address the problem, a bill on school transport was submitted to the National Congress in 2022. Once adopted, it will provide for the granting of financial support to students who have difficulty travelling to school, prioritizing rural children and adolescents with disabilities who are Indigenous or of African descent.

65. In order to facilitate the mobility of persons with disabilities, within the framework of the Honduras for All programme, a trust fund was used to establish a budget of L 64,351,032 for the purchase of assistive devices such as wheelchairs, walking frames, white canes and support canes between 2017 and 2021.

66. In 2020, against the backdrop of the COVID-19 pandemic, the now defunct Ministry of Development and Social Inclusion implemented a method for delivering assistive devices, known as "House by House", with a view to reducing the risk of infection faced by persons with disabilities.<sup>50</sup>

(d) *Right to life (art. 10 and recommendation 24)*

67. With regard to the recommendation contained in paragraph 24 of the previous concluding observations on protecting the lives of persons with disabilities who are subject to extortion and threats, Honduran law protects the right to life and physical integrity in order to ensure the full and equal enjoyment of the human rights and fundamental freedoms of all persons, including those with disabilities. In this connection, article 32 (7) and (8) of the new Criminal Code establishes aggravated penalties and fines for all offences committed against persons with disabilities, persons belonging to vulnerable groups and minors.

68. Furthermore, offences related to organized crime that are covered by the new Criminal Code are punishable by aggravated penalties when the victims are children or adolescents under 18 years of age or persons with disabilities.

<sup>48</sup> Annual Report, 2020, Office of the National Commissioner for Human Rights.

<sup>49</sup> Annual Report, 2018, Honduras, Office of the National Commissioner for Human Rights (2019).

<sup>50</sup> Honduras, Ministry of Development and Social Inclusion, "Sedis comienza entrega de ayudas casa a casa a personas con discapacidad.", 9 August 2020, available at <https://sedis.gob.hn/node/5994>.

69. Under articles 246 and 373, the offences of extortion and making threats are punishable by harsher penalties when the victim has a disability. For example, the offence of extortion is punishable by a custodial sentence of between 10 and 15 years and a fine of between 500 and 1,000 days. Under article 374 on aggravating circumstances, these penalties are increased by one third when the victim has a disability.

70. Although persons with disabilities are protected by the establishment of increased penalties for offences to which they are particularly vulnerable, the Criminal Code<sup>51</sup> uses pejorative and inappropriate terms and should therefore be brought into line with the Convention.

71. The Office of the Special Prosecutor for Human Rights of the Public Prosecution Service is the body responsible for investigating complaints filed by persons with disabilities and initiating public criminal proceedings in order to combat and eradicate practices that violate their right to life and physical integrity and to ensure the prompt and effective administration of justice.

72. Between 2017 and February 2022, the Public Prosecution Service recorded 32 complaints of making threats and 2 complaints of extortion against persons with disabilities.

73. Under the regulations governing the Public Prosecution Service, testimonies and statements must be obtained voluntarily, without the use of any coercion, including in cases where the law requires the Service to obtain the authorization of the victims to investigate a complaint relating to a privately actionable offence.

(e) *Situations of risk and humanitarian emergencies (art. 11 and recommendation 26)*

74. The recommendation contained in paragraph 26 of the previous concluding observations states that the National Risk Management System should include a specific protocol to mitigate the risks to persons with disabilities in situations of risk, with accessible early-warning systems that incorporate sign language and Braille, focusing in particular on persons living in rural and remote areas. It also recommends that the State party mainstream disability in its climate change policies and programmes. The Contingency Commission, now the Ministry for National Risk and Contingency Management, uses the United Nations Children's Fund (UNICEF) standards on the inclusion, protection and assistance of persons with disabilities in emergencies and disasters in order to provide differentiated support to persons with disabilities in risk or emergency situations.

75. The Ministry for National Risk and Contingency Management reported that, in response to tropical storms Eta and Iota of November 2020, and in compliance with the relevant processes and procedures, persons with disabilities received priority protection by being registered in temporary housing centres or shelters in accordance with their identified needs.

76. No information is available on the mainstreaming of disability in climate change policies and programmes.

(f) *Equal recognition before the law (art. 12 and recommendations 28, 30 and 36)*

77. For information relating to the recommendation contained in paragraph 28 of the previous concluding observations on repealing any legal provisions that restrict the legal capacity of persons with disabilities and establishing a system of supported decision-making that respects their autonomy, will and preferences, in line with article 12 of the Convention and the Committee's general comment No. 1 (2014), see the replies related to the recommendation contained in paragraph 6.

78. In order to coordinate work on the proposal to amend article 1555 of the Civil Code to ensure recognition of the legal capacity of persons with disabilities and eliminate pejorative terms, thereby bringing the article into compliance with the Convention, a working group made up of representatives of the Counsel General's Office, the Office of the Vice-President, the Disability Directorate, the Ministry of Human Rights and organizations of and

<sup>51</sup> Arts. 205, 268 and 426.

for persons with disabilities<sup>52</sup> was established in 2018. The working group drafted the relevant amendments and submitted them to the National Congress in February 2019.

79. The draft amended article provides that “persons with disabilities shall enjoy legal capacity on an equal basis with others in all aspects of life. In such cases, the State shall ensure that measures relating to the exercise of legal capacity guarantee recognition of persons with disabilities before the law and their access to the support that they may need to exercise their legal capacity”, which is in line with article 12 of the Convention.

80. On 17 March 2022, two further motions to amend article 1555 of the Civil Code were submitted. The Government discussed and reached agreement on the proposals with the National Federation of Organizations of Persons with Disabilities of Honduras, the National Federation of Parents of Persons with Disabilities, the coordinating body of Honduran rehabilitation organizations and associations and the Coordinating Network of Rehabilitation Institutions and Associations of Honduras. In addition, a draft amendment to article 169 of the Constitution was put forward.

81. The body now known as the Ministry of Social Development supports federations, networks and organizations of persons with disabilities in connection with the proposal to amend article 1555 of the Civil Code to ensure that the State recognizes the legal capacity of persons with disabilities.<sup>53</sup> The proposed amendment has been submitted to the National Congress.

82. With regard to the recommendation contained in paragraph 30 on ensuring equal access for all persons with disabilities to property ownership and inheritance, the Government is facing the ongoing challenge of bringing national law, especially articles 556 and 1555 of the Civil Code, into compliance with the Convention.

83. With regard to access to loans, mortgages and the full range of financial services, the National Banking and Insurance Commission states that financial institutions decide whether clients are eligible for a loan on the basis of their ability to pay, their payment history and the sources of repayment of the loan, depending on the type of client and the financial product to be acquired. Justification must be provided to clients whose requests for services or products are denied. This justification may not be based on discrimination against users of financial services on the grounds of their sex, race, disability or political or religious views, among other factors.

(g) *Access to justice (art. 13 and recommendations 32 and 34)*

84. The recommendations contained in paragraphs 32 and 34 of the previous concluding observations concern the allocation of human and financial resources to the implementation of the Plan of Action on Access to Justice for Persons with Disabilities and measures taken to combat the discrimination faced by persons with disabilities, eliminate all restrictions on access to justice, ensure that the legal system is fully accessible and carry out procedural adjustments, including the provision of personal assistance and intermediaries, to ensure that persons with disabilities can effectively participate in legal proceedings. In order to ensure equal treatment for persons with disabilities in legal proceedings, the Supreme Court of Justice issued a decision ratifying the Brasilia Regulations Regarding Access to Justice for Vulnerable People<sup>54</sup> in 2017. The same decision provided for the establishment of the Judicial Commission on Access to Justice, which is responsible for ensuring compliance with the Brasilia Regulations.

85. In order to guarantee access to justice and prevent discrimination against persons with disabilities, the judiciary, with funding from the European Commission Programme for Social Cohesion in Latin America, made a proposal for the implementation of an institutional policy on access to justice in compliance with the Brasilia Regulations. It also organized a workshop, run by the Judicial Commission on Access to Justice, to review the outcome

<sup>52</sup> The National Federation of Organizations of Persons with Disabilities of Honduras, the National Federation of Parents of Persons with Disabilities and the coordinating body of Honduran rehabilitation organizations and associations.

<sup>53</sup> Available at <http://sedesol.gob.hn/?p=149>.

<sup>54</sup> Decision No. 05-15 of 23 October 2015, published in *La Gaceta* No. 33,885.

assessments and institutional policy guidelines concerning access to justice for vulnerable persons.<sup>55</sup>

86. In 2019, the judiciary made progress in collecting statistics for classifying appeals in cassation in which the case files of vulnerable groups are identified by type. A total of 77 cases filed with the Employment and Administrative Chamber concern claims to uphold the rights of vulnerable persons, including persons with disabilities.

87. In order to ensure that persons with disabilities have access to the justice system, including judicial services and resources that guarantee their safety, mobility, comfort, privacy and ability to understand and communicate, the judiciary has developed tools and guidance on the procedures for filing complaints with judicial bodies and on the rights to which persons with disabilities are entitled.<sup>56</sup>

88. In accordance with the Brasilia Regulations, the judiciary takes legislative, administrative and judicial measures, including procedural adjustments and the provision of personal assistance and intermediaries, to eliminate any barriers that might prevent persons with disabilities from participating effectively in legal proceedings. These measures include the use of cover pages of a different colour to differentiate the case files of cases involving vulnerable groups, including persons with disabilities, thereby ensuring that they receive priority attention. In addition, the judiciary has instructed the process server to go down to the ground floor of the building to ensure that persons who cannot climb the stairs, for reasons of disability or old age, are acquainted with case files or handed briefs. The same measure has been taken by the Court of Appeal in Criminal Matters since 2019.<sup>57</sup> It has also made reasonable adjustments to infrastructure, including car parks, and has installed ramps to facilitate access for persons with disabilities.

89. With regard to training on the Convention for justice officials, especially those living in rural areas and remote communities, the following activities were carried out between 2017 and 2022:

(a) In 2019, public officials of the Public Prosecution Service, the Ministry of Security and Defence and the judiciary<sup>58</sup> received training on the treatment of persons with disabilities, within the framework of the Convention and standards on access to justice for vulnerable persons.

(b) A videoconference on polices concerning access to justice for persons with disabilities was organized by the Justice and Gender Foundation of Costa Rica.

(c) In 2019, workshops were held to impart specialized advice on developing institutional practices relating to access to justice within the framework of the Brasilia Regulations.

(d) A workshop on access to justice for vulnerable persons and the Brasilia Regulations was held for judges and auxiliary staff of the Administrative Court.

(e) Training on the Brasilia Regulations was given to judges and auxiliary staff of Appeal Court No. 1.

(f) In 2020 the judiciary, with the support of the Salomón Jiménez Castro Judicial Training College, and in collaboration with the Justice and Gender Foundation, held videoconferences on the human rights of persons with disabilities for trial judges, public defenders, career judges, justices of the peace and auxiliary staff at the national level. A total of 26 justice officials participated in the sessions.<sup>59</sup>

90. With regard to the human and financial resources allocated to the Office of the Special Prosecutor for Human Rights to help women with disabilities who have been sexually abused, the Office was allocated a budget of L 19,852,147.34 in 2019, which was 64.47 per cent

<sup>55</sup> Annual Report of the Judiciary, 2019.

<sup>56</sup> Consulted on 30 May 2022, at <https://unidosporlajusticia.org/foro-acceso-a-la-justicia-e-inclusion-para-personas-con-discapacidad/>.

<sup>57</sup> Annual report of the judiciary, 2019, p. 158.

<sup>58</sup> Ibid., p. 376.

<sup>59</sup> Annual report of the judiciary, 2020.

greater than the amount allocated in 2017 (L 12,069,883.46). The budget for 2021 is L 14,742,732.44. The Office has 14 prosecutors, 3 assistant prosecutors and 6 administrative staff distributed across the office in Tegucigalpa and five regional offices in La Ceiba, San Pedro Sula, Santa Rosa de Copán, Tocoa, Comayagua and Choluteca.<sup>60</sup>

91. The Public Prosecution Service's 23 specialized comprehensive support units around the country provide assistance to women with disabilities who have been sexually abused. The offices handle complaints related to members of vulnerable groups, including persons with disabilities. In 2021, they received 849 complaints of sexual offences against women around the country.<sup>61</sup>

92. In 2018, the Office of the National Commissioner for Human Rights noted that no procedural adjustments had been made to ensure access to justice for persons with disabilities. It pointed out that barriers relating to infrastructure, communication, information and regulations could be seen to exist and that persons with disabilities had very limited access to justice, especially those living in rural areas, including communities of Indigenous Peoples and people of African descent.<sup>62</sup> In 2021, the Office of the National Commissioner for Human Rights received 144 complaints from persons with disabilities, most of which concerned restrictions on their access to justice and due legal process and violations of their employment rights and right to preventive health and immunization. A number of persons reported receiving death threats.<sup>63</sup>

93. According to the Public Prosecution Service, no budget has been allocated for a special prosecutor's office for persons with disabilities. Consequently, their access to justice when they are victims of an offence depends on the nature of the offence that they report. In this regard, their complaints could fall under the jurisdiction of the Office of the Prosecutor for Ordinary Offences, one of the special prosecutor's offices responsible for human rights, women, children or consumers, and/or the specialized comprehensive support units.

94. The Public Prosecution Service plays an active role in proceedings in which the victim has a disability. It establishes initial contact through the specialized comprehensive support units, which initiate the investigation and ensure that the necessary internal and external coordination takes place to support persons with disabilities.

95. The judiciary reports that the Honduran Sign Language Act is applied in court proceedings at the judge's discretion and in accordance with the requirements of the case. When one of the parties to the proceedings has a hearing impairment, a Honduran Sign Language interpreter is assigned to him or her. Persons with disabilities are generally informed about their case in writing. If they cannot read, the judge finds another means by which to inform them of any relevant judgments or orders.

96. In 2020, the judiciary established an online register of experts, interpreters and translators that serves as a public legal support system with a database of selected specialists with knowledge of different fields.<sup>64</sup>

- (h) *Liberty and security of the person, freedom from exploitation, violence and abuse, and the right to live independently and be included in the community (arts. 14, 16 and 19 and recommendations 36, 42 and 46)*

97. Paragraphs 36 and 42 of the previous concluding observations contain recommendations on bringing the Mental Health Act and the Criminal Code into line with article 14 of the Convention. A new Criminal Code has been adopted but, with regard to the

<sup>60</sup> Third periodic report submitted by Honduras to the Human Rights Committee, 2021.

<sup>61</sup> Consulted on 24 May 2022 at <https://www.mp.hn/publicaciones/mujeres-deben-denunciar-de-forma-inmediata-cualquier-forma-de-violencia-en-su-contrarecomiendan-fiscales-de-maie/>.

<sup>62</sup> Annual report, 2018, p. 99, Office of the National Commissioner for Human Rights.

<sup>63</sup> Consulted on 30 May 2022 at <https://www.conadeh.hn/en-la-era-del-empoderamiento-de-la-mujer-hondurena/>.

<sup>64</sup> Annual report of the judiciary, 2020, available at: <https://www.poderjudicial.gob.hn/SiteAssets/Paginas/CSJHN/MemoriaAnual2020.pdf>.



harmonization of the Mental Health Act, no regulations exist other than the Health Code, which has not been harmonized with the Convention.

98. Regarding the adoption of measures to prevent and protect all persons with disabilities from exploitation, violence, abuse and enforced begging, offences of this nature are punishable under the current Criminal Code, with the penalties being aggravated by one third when the victims have a disability or are otherwise vulnerable.<sup>65</sup> Such offences include:

- (a) Enforced disappearance of persons;<sup>66</sup>
- (b) Unlawful trafficking in human organs;<sup>67</sup>
- (c) Abduction;<sup>68</sup>
- (d) Rape;<sup>69</sup>
- (e) Failure to present or hand over children or persons with disabilities;<sup>70</sup>
- (f) Incitement to run away from home;<sup>71</sup>
- (g) Abduction of children or persons with disabilities in need of special protection;<sup>72</sup>
- (h) Failure to comply with the obligation to provide assistance and support;<sup>73</sup>
- (i) Violence against women;<sup>74</sup>
- (j) Refusal to provide a public service on discriminatory grounds; refusal to provide a service in the exercise of professional or business activities on discriminatory grounds and incitement to discrimination on the grounds of disability;<sup>75</sup>
- (k) Degrading treatment;<sup>76</sup>
- (l) Torture;<sup>77</sup>
- (m) Exploitation of begging;<sup>78</sup>
- (n) Subjecting a person to experimentation without consent;<sup>79</sup>
- (o) Abandonment of children, persons with disabilities, older persons or sick persons;<sup>80</sup>
- (p) Sexual exploitation of children or persons with disabilities;<sup>81</sup>
- (q) Public indecency;<sup>82</sup>
- (r) Sexual enticement;<sup>83</sup>
- (s) Ill-treatment of family members;<sup>84</sup>

<sup>65</sup> Arts. 32.7, 32.8 and 220 of the Criminal Code.

<sup>66</sup> Criminal Code, see footnote 22 above, arts. 140–141.

<sup>67</sup> Criminal Code, 2019, arts. 164–165.

<sup>68</sup> Criminal Code, see footnote 41 above, arts. 239 and 240.

<sup>69</sup> Criminal Code, see footnote 22 above, arts. 249 and 255.

<sup>70</sup> *Ibid.*, art. 284.

<sup>71</sup> *Ibid.*, art. 285.

<sup>72</sup> *Ibid.*, art. 286.

<sup>73</sup> *Ibid.*, art. 288.

<sup>74</sup> *Ibid.*, art. 209.

<sup>75</sup> *Ibid.*, arts. 211, 212, 213 and 295.

<sup>76</sup> *Ibid.*, art. 214.

<sup>77</sup> *Ibid.*, art. 216.

<sup>78</sup> *Ibid.*, art. 222.

<sup>79</sup> *Ibid.*, art. 224.

<sup>80</sup> *Ibid.*, art. 228.

<sup>81</sup> *Ibid.*, art. 259.

<sup>82</sup> *Ibid.*, art. 264.

<sup>83</sup> *Ibid.*, art. 265.

<sup>84</sup> *Ibid.*, art. 289.

(u) Drug trafficking;<sup>85</sup> and

(v) Offences relating to children or persons with disabilities who have been abandoned or are in a situation of social risk.<sup>86</sup>

99. With regard to the dropping of charges by victims as grounds for extinguishing criminal liability, the Criminal Code provides that the competent court may reject requests to drop charges if the victim or the aggrieved party has a disability.<sup>87</sup>

100. With regard to investigations initiated and prosecutions brought against persons with disabilities between 2018 and February 2022, the Public Prosecution Service received 277 complaints against them, of which 138 concerned women, 137 concerned men and 2 concerned persons of unknown sex.

101. The offences committed against persons with disabilities include offences against sexual freedom, failure to comply with the duties of family members and ill-treatment. The table below shows the complaints recorded by the Public Prosecution Service between 2018 and February 2022.

<i>Category of offence</i>	<i>Offence</i>	<i>2018</i>	<i>2019</i>	<i>2020</i>	<i>2021</i>	<i>2022</i>	<i>Total</i>
Offences against human life	Homicide	1	-	2	1	-	4
Offences against sexual freedom and sexual inviolability	Rape	3	3	-	6	2	14
	Special cases of rape	3	10	7	1	-	21
	Acts of lechery	1	4	2	2	-	9
Failure to fulfil family rights and duties	Failure to comply with the duty to provide assistance and support	-	-	-	6	-	6
	Denial of assistance to family members	3	1	5	-	-	9
Offences against dignity and honour	Abandonment of defenceless persons	2	1	1	1	-	5
Violence against women	Domestic violence	1	-	2	3	-	6
	Intra-family violence	1	1	5	-	-	7
Offences against family relationships	Ill-treatment of family members	-	-	2	8	4	14
Protection of children against abuse	Emotional or physical child abuse	-	3	3	-	-	6
Offences against dignity and honour	Abandonment of children, persons with disabilities, older persons or sick persons	-	-	1	2	1	4

102. The Office of the Special Prosecutor for the Protection of Children has prosecuted two cases of abuse against persons with disabilities, one involving aggravated acts of lechery committed against a female minor and the other involving the aggravated rape of a male minor.

103. The Office of the Special Prosecutor for Ordinary Offences and the local prosecutor's office of Talanga have brought prosecutions in three cases involving women (one minor and two adults). The cases relate to the offences of exploitation for the purposes of begging, special cases of rape and other forms of aggravated sexual assault.

104. The Unit to Combat Trafficking in Persons, Commercial Sexual Exploitation and People Smuggling has brought prosecutions involving two adult women in connection with

<sup>85</sup> Ibid., art. 312.

<sup>86</sup> Ibid., art. 261.

<sup>87</sup> Criminal Code, art. 108.

the offences of trafficking in persons for the purposes of commercial sexual exploitation and trafficking in persons for the purposes of forced sexual exploitation.

105. With regard to admissions to the Santa Rosita and Mario Mendoza hospitals, 174 people (118 men and 56 women) are currently inpatients in the Santa Rosita Psychiatric Hospital. A total of 42 people (41 men and 1 woman), representing 29 per cent of the total, were admitted by court order.

106. A total of 44 people (24 men and 20 women) are currently inpatients in the Mario Mendoza Psychiatric Hospital. Of these, 17 persons (39 per cent of the total) were admitted by court order.

107. With regard to the measures taken by the Office of the Ombudsman for Persons with Disabilities to protect persons with disabilities, the Office of the National Commissioner for Human Rights has worked in coordination with three civil society organizations to implement two projects financed by the European Union and CBM with a view to empowering women and girls with disabilities and training networks of women human rights defenders. As a result of this initiative, training and seed capital for micro-businesses were provided to persons with disabilities in 32 municipalities in 13 departments.<sup>88</sup>

108. With regard to the recommendation contained in paragraph 46 of the previous concluding observations, no information is available on a deinstitutionalization plan.

(i) *Freedom from torture or cruel, inhuman or degrading treatment or punishment (art. 15, recommendations 38 and 40)*

109. With regard to the recommendation contained in paragraph 38 of the previous concluding observations, in order to deinstitutionalize children and adolescents with disabilities, the Directorate for Children, Adolescents and Families assigns a team to conduct social investigations with a view to locating the children's biological and extended family members. If no relatives are found, an administrative and legal process is initiated to declare the children available for adoption so that they may find stability by being adopted or provided with another form of care in accordance with their best interests.

110. The new Criminal Code<sup>89</sup> adopted in 2020 is more in line with international standards on the indictability and prosecution of other criminal behaviours or offences constituting acts of torture than the limits established in article 209-A on the offence of torture, which had been added to the previous Criminal Code in 2011 through Decree No. 22-2011.

111. Torture is punishable by terms of imprisonment of 6 to 10 years and general disqualification from office for 15 to 20 years.<sup>90</sup> These penalties are increased by one third when the victim belongs to a vulnerable group. 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.

112. With regard to the recommendation contained in paragraph 40, the National Committee for the Prevention of Torture and Cruel, Inhuman or Degrading Treatment or Punishment monitors conditions of deprivation of liberty in detention centres, custody and internment centres and police stations, and also issues relevant recommendations to the various authorities. It has 17 local committees for the prevention of torture around the country.

113. During the reporting period, the budget approved for the National Committee for the Prevention of Torture and Cruel, Inhuman or Degrading Treatment or Punishment was increased from L 9 million in 2017 (pursuant to Legislative Decree No. 171-2016, Official Gazette No. 34,223) to L 12,379,403 in 2021 (pursuant to Legislative Decree No. 182-2020, Official Gazette No. 35,468), and the Committee's commissioners were appointed (Miguel Arturo Sánchez Aguilera, who is a lawyer, was appointed by the legislature, while María

<sup>88</sup> Annual report, 2021, Office of the National Commissioner for Human Rights.

<sup>89</sup> Criminal Code, see footnote 21 above.

<sup>90</sup> Ibid., art. 216.

Jessica Abufefe, who is also a lawyer, was appointed to the position of pro tempore secretary<sup>91</sup> by the executive branch).

114. To strengthen the capacities of the local committees around the country,<sup>92</sup> the National Committee for the Prevention of Torture and Cruel, Inhuman or Degrading Treatment or Punishment, with the support of the Office of the United Nations High Commissioner for Human Rights, held several training sessions in 2021 on subjects such as the functions and powers of the national torture prevention mechanisms, international instruments, the implementation of safeguards in the first few hours of detention and different treatment for vulnerable groups.

115. The Office of the National Commissioner for Human Rights also receives complaints of torture and other cruel, inhuman or degrading treatment. Between 2017 and July 2021, it recorded 428 complaints, 120 of which related to torture and 308 to cruel, inhuman or degrading treatment.

116. With regard to training, the Human Rights Protection Unit attached to the National Prison Institute began operating in 2015 and is mainly responsible for training technical, administrative and security staff on human rights issues relating to the treatment of persons deprived of their liberty who have a disability and the prevention of discrimination against them. It also carries out routine on-site inspections of prisons and detention centre annexes nationwide to monitor the treatment and living conditions of persons deprived of their liberty.

117. Training sessions on the principles governing the use of force, the prevention of torture, and human rights have been conducted for law enforcement and military officials. The National Prison Institute, in coordination with the Ministry of Human Rights, the Office of the National Commissioner for Human Rights, the National Committee for the Prevention of Torture and Cruel, Inhuman or Degrading Treatment or Punishment, the International Committee of the Red Cross and civil society organizations, trains its staff in the areas of human rights, the rights of persons deprived of their liberty, the prohibition of torture and cruel, inhuman or degrading treatment, and the use of force. In 2019, the National Committee for the Prevention of Torture and Cruel, Inhuman or Degrading Treatment or Punishment trained 40 public officials of the National Institute for Juvenile Offenders on torture prevention, the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol) and the human rights of children and adolescents deprived of their liberty.

(j) *Freedom of expression and opinion, and access to information (art. 21 and recommendation 48)*

118. With regard to the recommendation in paragraph 48 of the previous concluding observations, the State recognizes Honduran Sign Language as an official means of communication in the national territory for deaf persons, persons with hearing impairments and deafblind persons who voluntarily decide to use it as a linguistic medium to enable them to understand others and to be understood.<sup>93</sup>

119. Promoting learning of Honduran Sign Language is a challenge at present because of an insufficient budget and a lack of human resources. However, the Ministry of Education transfers financial resources on a yearly basis to various institutions that support persons with disabilities, including civil society organizations involved in the teaching of Honduran Sign Language. They are listed below.

<i>Name of civil society organization</i>	<i>Amount</i>
Parents' Association of the Centre for Special Research and Rehabilitation	L 3 682 649.00
Honduran Support Group for Deaf Persons	L 450 511.00

<sup>91</sup> Third periodic report submitted by Honduras to the Human Rights Committee, 2021.

<sup>92</sup> Targeted at the local committees of Comayagua, Márcala, La Esperanza, La Paz, Copán, Ocotepeque, La Ceiba, Puerto Lempira and Roatán.

<sup>93</sup> The Honduran Sign Language Act of 2014, art. 4.

<i>Name of civil society organization</i>	<i>Amount</i>
Honduran Association for Deaf Persons	L 382 935.00
Industry and Crafts Centre for Blind Persons	L 5 500 000.00
Special Training Centre	L 4 533 618.00
Pilar Salinas School for Blind Persons	L 9 614 665.00
Honduran Foundation for the Assistance and Education of Children with Special Needs	L 3 000 000.00
Juana Leclerc Educational Psychology Institute	L 8 860 000.00
San Pedro Special Education Institute	L 385 200.00
Cerebral Palsy Rehabilitation Programme	L 5 000 000.00

120. In addition to the degree course in Honduran Sign Language, the Programme of Services for Special-needs Students of the National Autonomous University of Honduras offers free courses to the university community and the general public. However, budgeting is still an issue. The courses are aimed at people who wish to learn to communicate in Honduran Sign Language without becoming interpreters.

121. With respect to the recognition of the Braille system as an official reading and writing code, the legal framework is still that set out in the Act on Equity and Comprehensive Development for Persons with Disabilities.

(k) *Respect for home and the family (art. 23 and recommendation 50)*

122. Regarding the recommendation contained in paragraph 50 of the previous concluding observations, the Special Adoption Act and its implementing regulations, which establish the requirements and procedures for national and international adoption, have been in force since March 2019. They make no distinction as to disability. All adoption applicants must undergo, on an equal footing, procedures to determine their suitability, in accordance with chapters III, IV, V and VI of the implementing regulations of the Act.

123. The Directorate for Children, Adolescents and Families reports that, as of 8 April 2022, the Honduran authority for international adoption had not received any applications from persons with disabilities.

(l) *Education (art. 24 and recommendation 52)*

124. As regards the recommendation contained in paragraph 52 of the previous concluding observations, the Government adopted the Strategic Education Plan 2018–2030<sup>94</sup> to offer citizens accessibility, inclusion and equality at all levels of education and to invest in knowledge.

125. The Plan is based on the principles of equity and inclusion, ensuring equal access to education for all without any discrimination whatsoever and catering to special educational needs and cultural, linguistic, social and individual diversity as a central element of development. The country's commitment to implementing the 17 goals of the National Agenda for the Sustainable Development Goals is fundamental, and the Agenda's targets in the field of education have been incorporated into the Plan's strategic framework.<sup>95</sup>

126. The Plan established a set of educational targets for Sustainable Development Goal 4, which calls for the elimination of gender disparities in education, equal access for the vulnerable, including persons with disabilities, and the building and upgrading of education facilities that meet the needs of children and other persons with disabilities.<sup>96</sup>

127. The strategic goal of the Public Policy on Inclusive Education is to ensure universal accessibility through the adaptation and optimization of the necessary infrastructure and the

<sup>94</sup> Strategic Education Plan 2018–2030, adopted on 9 April 2019.

<sup>95</sup> Honduras, see footnote 37 above, p. 56.

<sup>96</sup> Honduras, see footnote 37 above, pp. 41 and 42.

provision of reasonable accommodations in the national education system.<sup>97</sup> The Policy was approved to safeguard the right to education for all persons with disabilities throughout their lives, based on the principles of quality, equity, relevance and efficiency, and to eliminate barriers to the realization of that right.

128. The Ministry of Education has designated 2022 the year of inclusive education, under the slogan “*Educación para aprender, inclusión para convivir; inclúyeme es mi derecho*” (Education for learning and inclusion for coexistence; include me, it’s my right), which was launched at the start of the school year in order to promote, recall and raise public awareness of the rights of persons with disabilities and their individual educational needs. It has a calendar to promote inclusion nationwide, with days to raise awareness of certain conditions, disorders and illnesses and of the educational needs of students.

129. Furthermore, in order to raise awareness of the rights of persons with disabilities, an inclusion week was held from 25 to 29 April 2022 in which schools across all departments participated through various activities.

130. The Ministry of Education provides teachers with the following documents to improve the education of persons with disabilities:

- (a) Regulations on curricular adjustments (agreement 2525-SE-2010);
- (b) A handbook on learning difficulties; and
- (c) A handbook on special educational needs.

131. The Ministry of Education also provides teachers with the following support:

- (a) Play-based strategies for students with learning difficulties;
- (b) Materials printed in Braille;
- (c) Tactile teaching aids for persons with visual impairments;
- (d) Canes, frames and styluses;
- (e) Basic level I Honduran Sign Language training for teachers; and
- (f) Teaching support through the learning centres of the Education Services in Support of Diversity.

132. The budget for creating support mechanisms for teachers in order to provide quality education for persons with disabilities is assigned by the Ministry of Education through transfers to non-profit organizations, as described below.

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*Budget assigned to civil society organizations in the 2022 fiscal year through the Ministry of Education*

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<i>Organization</i>	<i>Approved</i>
Pilar Salinas School for Blind Persons	L 11 247 369.00
Honduran Foundation for the Assistance and Education of Children with Special Needs	L 3 000 000.00
Cerebral Palsy Rehabilitation Programme	L 5 000 000.00
Industry and Crafts Centre for Blind Persons	L 6 500 000.00
Juana Leclerc Educational Psychology Institute, Tegucigalpa	L 8 860 000.00
San Pedro Special Education Institute, San Pedro Sula	L 385 200.00
Parents’ Association of the Centre for Special Research and Rehabilitation	L 3 682 649.00
Special Training Centre	L 4 533 618.00
<b>Total</b>	<b>L 43 208 836.00</b>

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*Source:* Ministry of Finance.

<sup>97</sup> Footnote 52, para. 69.

133. The table below gives statistics on children with disabilities enrolled under the new inclusive basic education model, disaggregated by sex and disability, in 2019 and 2020.

*Children with disabilities enrolled in inclusive basic education*

Type of disability	2018			2019			2020			2021		
	M	F	AT	M	F	AT	M	F	AT	M	F	AT
Hearing	860	820	1 680	1 074	1 071	2 145	498	498	996	1 395	1 167	2 562
Visual	2 992	3 135	6 127	3 558	3 886	7 444	1 968	2 023	3 991	4 395	4 164	8 559
Intellectual	2 917	2 215	5 132	2 964	3 596	6 560	1 320	1 023	2 343	3 753	2 739	6 492
Motor	1 396	1 085	2 481	1 899	2 020	3 919	808	733	1 541	2 058	1 752	3 810
Multiple	1 048	785	1 833	1 557	1 752	3 309	439	385	824	1 707	1 107	2 814
Speech disorders	2 172	1 309	3 481	2 586	1 592	4 178	979	628	1 607	2 583	1 521	4 104
Learning difficulties	10 873	8 283	19 156	10 554	8 096	18 650	5 371	4 039	9 410	15 576	12 339	27 915
Cerebral palsy	119	110	229	189	196	385	91	80	171	150	120	270
Other	648	395	1 043	946	724	1 670	503	227	730	897	489	1 386
<b>Total</b>	<b>23 025</b>	<b>18 137</b>	<b>41 162</b>	<b>25 327</b>	<b>22 933</b>	<b>48 260</b>	<b>11 977</b>	<b>9 636</b>	<b>21 613</b>	<b>32 514</b>	<b>25 398</b>	<b>57 912</b>

M – Male.

F – Female.

AT – Annual Total.

*Source:* Data provided by the Directorate General for Education Modalities, Ministry of Education.

134. In line with the Public Policy on Inclusive Education, the Ministry of Education guarantees universal accessibility for children and adolescents with disabilities through the adaptation and optimization of infrastructure and the provision of reasonable accommodations in order to ensure the enrolment of such children in mainstream schools. Under the Policy, an accessibility assessment was carried out in 9,285 schools around the country. In 2020, 15,495 students with disabilities were enrolled; of these, 7,864 had learning difficulties, 3,322 had visual impairments, 2,605 had hearing and speech impairments and 1,704 had physical disabilities. Mainstream schools were included.<sup>98</sup>

135. Furthermore, eight agreements were concluded and a budget was allocated to institutions that support children and adolescents with disabilities, and teachers from 22 schools were trained to deal with such children.

136. With regard to the recommendation to reinstate the course on Honduran Sign Language interpretation, the National Autonomous University of Honduras has been redesigning the course since 2017. It has been an active process led by a multidisciplinary team comprising teaching staff from the Department of Literature of the Faculty of Humanities and Arts, the Academic Directorate for Technology Training and the Programme of Services for Special-needs Students.

137. A subcommittee on curriculum design prepared an assessment, sponsored by a Danish cooperation agency through the Honduran Association for Deaf Persons. It highlights the need to reinstate the course and outlines the course curriculum.

138. A study plan was then prepared in line with the guidance of the Directorate of Higher Education, the directives of the Higher Education Council and the institution's curriculum policies.

139. The assessment sets out the various components of the draft curriculum and strategies for its implementation. The graduate profile reflects identified training needs and was developed according to the competency model. It contains three training components: general, basic scientific and specific professional practice. Training could be given on-site and remotely.

<sup>98</sup> Ibid., para. 69.

140. The subcommittee on curriculum design is currently preparing a feasibility plan which will set out the resources necessary to offer the new course. Furthermore, a cooperation agreement between the National Autonomous University of Honduras and the Honduran Association for Deaf Persons is being established.

141. With respect to ensuring inclusive higher education, the National Autonomous University of Honduras has prepared a series of documents with suggested curricular adjustments for each disability. It is left to the teaching staff to decide on the adjustments to be made to facilitate the inclusion of students with disabilities in their classrooms.

142. Through the Programme of Services for Special-needs Students, teachers who have students with disabilities in their classes receive training so that they are aware of the type of adjustments that can be made to the virtual campus platform to ensure that classes are accessible for those students.

143. Through the Programme, visits are carried out to classrooms of students who request assistance in negotiating agreements with teachers on methods of assessment and academic support during class. When deaf persons attend class, students and teachers are assisted by an interpreter to facilitate communication. Teachers are offered a free course in Honduran Sign Language, should they so wish.

144. In terms of adapted materials for students with disabilities at the National Autonomous University of Honduras:

(a) An average of 350 to 370 materials are digitized and converted to audio format each academic term. This varies according to the number of classes in which students with visual impairments are enrolled. Some students with attention deficit also require conversion of materials into audio format.

(b) Materials that cannot be digitized owing to the quality of the copy provided by teachers or students are voice recorded directly.

145. The following accommodations have been made at the University to provide inclusive education to all persons with disabilities:

(a) Candidates with disabilities are identified and given admissions tests that are adapted according to their disability;

(b) Records are created for all candidates with disabilities who sit an admissions test, at which they are required to present a medical certificate certifying their disability;

(c) The rooms where the admissions tests are held are physically adapted to the requirements of each candidate with disabilities;

(d) Once they have passed their academic aptitude tests, all students are given support in creating their record with the Directorate for Admissions, Attendance and Advancement; and

(e) Pre-enrolment, priority enrolment and academic advice are available to all students on the Programme of Services for Special-needs Students.

146. Between 2017 and 2021, 4,664 students enrolled on the special education course and 149 graduated, according to data from the Francisco Morazán National Pedagogical University.

(m) *Health (art. 25 and recommendation 54)*

147. Regarding the recommendation contained in paragraph 54 of the previous concluding observations, the Policy on Sexual and Reproductive Health, defined as the general state of people's physical, mental and social well-being in all aspects related to the reproductive system and its functions and processes, covers the capacity to enjoy a satisfying, risk-free sex life. It incorporates the ethical framework of human rights and, in turn, sexual and reproductive rights as fundamental rights of all people, without exclusion.

148. The Policy covers accessibility of health-care facilities, which is defined as health-care goods and services that are accessible for all, without discrimination of any kind. It comprises four interrelated dimensions: non-discrimination; physical, geographical and



cultural accessibility; financial accessibility (or affordability); and access to information. Each of these components requires different actions and strategies, depending on geographical dispersion, the various age groups and the specific needs of different population groups.

149. The implementation of the Policy on Sexual and Reproductive Health is mandatory in all health-care facilities. However, the Policy does not establish differentiated care for persons with disabilities, persons living in rural areas or persons of African descent.

150. The National Health Policy, which applies nationwide and must be observed by all natural and legal persons involved in the health sector, ensures and promotes access to health-care services for persons with disabilities without discrimination of any kind.

151. Pursuant to its constitutional mandate and as the lead agency responsible for guaranteeing general health-care services, the Ministry of Health formulated and finalized the National Health Plan 2021.

152. As regards the allocation of resources to ensure that mainstream health services are accessible to persons with disabilities in the national territory, especially in rural areas and in Afro-Honduran and Indigenous communities, the Ministry of Social Development is organizing the budget so as to ensure a significant allocation to meet the demands of the disability sector.

153. In terms of social programmes, the now defunct Ministry of Social Development and Inclusion had a budget of L 11,103,588,452 between 2019 and 2021, of which 443,082,808 was allocated to care for persons with disabilities, representing 4 per cent of the Ministry's total budget.

154. The Ministry of Health has programmes for first- and second-level care services allowing early detection and actions to reduce the occurrence of disabilities, with the aim of identifying, correcting and eliminating behaviours that pose a reproductive risk that may disrupt the normal progress of a future pregnancy. The following measures are in place:

(a) Care prior to conception and during pregnancy, childbirth and the post-partum and neonatal periods;

(b) Care prior to conception to identify, correct, eliminate or reduce high-risk reproductive factors or behaviours and/or treat illnesses that may disrupt the normal progress of a future pregnancy, with the aim of:

(i) Identifying factors, habits, behaviours and pathologies that pose a high reproductive risk to the woman and the newborn, and providing the appropriate level of care; and

(ii) Promoting actions to improve the health of the mother and the newborn.

(c) During prenatal care women receive supplements of micronutrients, especially elemental iron and folic acid, an oral health evaluation, the appropriate vaccines under the national vaccination schedule, nutritional guidance and preparation for breastfeeding;

(d) Qualified staff in second-level health-care facilities provide neonatal screening to detect congenital cardiopathy and syphilis;

(e) Staff assist all newborns with congenital malformations in order to classify and provide the appropriate treatment for the condition, based on the relevant protocol; and

(f) Similarly, all newborns perinatally exposed to toxoplasmosis, rubella, syphilis, malaria, Chagas disease, hepatitis B, HIV, dengue, chikungunya and the Zika virus, among others, are identified with the relevant diagnostic evaluation and treated in line with the protocol in order to provide the appropriate care and prevent complications.

155. Regarding training on human rights and dealing with persons with disabilities, the Ministry of Human Rights trained 131 staff members of the University Teaching Hospital, 111 of the Honduran Social Security Institute and 28 of the Hospital Mario Mendoza between April and May 2022.

(n) *Habilitation and rehabilitation (art. 26 and recommendation 56)*

156. With respect to the recommendation in paragraph 56 of the previous concluding observations, the Ministry of Health provides rehabilitation services run by specialized professionals such as physiatrists, nurses, physical therapy technicians, occupational therapists, speech therapists, specialists in orthotics and prosthetics, rehabilitation assistants, community rehabilitation workers, psychologists and social workers across large parts of the national territory.

157. The Ministry currently operates the following rehabilitation centres:

- (a) The Honduran Social Security Institute
- (b) San Felipe General Hospital
- (c) Escuela Hospital
- (d) The Cardiopulmonary Institute, and
- (e) The National Autonomous University of Honduras

158. The National Autonomous University of Honduras offers a postgraduate programme in physical medicine and rehabilitation designed to respond to the real needs of prevention and management of problems related to the functioning, disability and health of the Honduran population. The programme ensures the quality of training, research and social engagement with a multidisciplinary approach. Fifty students with a health-care background enrolled in the graduate programme; 46 graduated initially, and the final 4 graduated in 2021.

159. In order to guarantee access to community rehabilitation services and programmes for persons with disabilities with a view to supporting their social and community inclusion, the Disability Directorate works with civil society organizations and organizations dedicated to the promotion and protection of the rights of persons with disabilities, providing them with budgetary support to help improve health care and rehabilitation. These organizations include:

- (a) The Honduran Association for Persons with Spinal Cord Injuries;
- (b) The “Arca de Esperanzas” Association for the Comprehensive Development of Children and Adults with Brain Injuries;
- (c) The Honduran Foundation for the Rehabilitation and Integration of Invalids;
- (d) The Parents’ Association of the Special Training Centre;
- (e) The National Board for the Rehabilitation of Invalids;
- (f) Dr. Marcial Ponce Ochoa Foundation and Comprehensive Rehabilitation Centre of Comayagua;
- (g) Entregar Paceño Rehabilitation Centre;
- (h) The Comprehensive Care and Rehabilitation Centre;
- (i) Intibucá Comprehensive Rehabilitation Centre; and
- (j) Gabriela Alvarado Municipal Rehabilitation Centre of Danlí.

160. To assist members of the Miskito community suffering from decompression syndrome resulting from dive fishing, the Decompression Syndrome Clinic was established at the Puerto Lempira Hospital in 2015. As of 2021, the Clinic had handled 320 cases and provided 1,282 sessions in hyperbaric oxygen chambers.

161. One of the measures implemented by the Disability Directorate is the distribution of assistive devices, such as wheelchairs, crutches, support canes, walking frames, anti-bedsore mattresses and prostheses, for which the following procedure applies:

- (a) The Disability Directorate receives the application and determines the device required based on the criteria of a multidisciplinary technical team;
- (b) The distribution of the devices is planned and organized according to the data stored in the database for the identification, characterization and geo-referencing of persons with disabilities; and,

(c) The delivery of the assistive devices is carried out accordingly.

162. Between 2018 and 2021, a total of 11,034 persons with disabilities benefited from the delivery of assistive devices, at a cost of L. 39,400,139.

163. In order to meet the needs of migrant workers who return with some form of disability, the following projects are implemented once they are back in their communities:

(a) Physical and psychological health care for returned migrants with disabilities through the National Committee for the Support of Returned Migrants with Disabilities; 30 migrants throughout the country have benefited from health care and 9 have benefited from entrepreneurship support.

(b) The project to improve the quality of life of returned migrants with disabilities provided assistance to 26 individuals, of whom 16 received immediate health assistance for different injuries or disabilities and 5 underwent surgical procedures in 2018.

164. From 2017 to 14 November 2021, a total of 315,414 returning migrants were registered with the Centres for Migrant Returnees; 40,125 were adults (5,168 women and 34,957 men) and 6,215 were children and adolescents (2,223 girls and 3,992 boys). Internally, all returned migrants fill out a form with their details, which are used to design interventions in their communities and ensure their inclusion in the State's social services.

165. Returned migrants are given priority attention for the receipt of assistive devices. To this end, the various entities of the Ministry of Foreign Affairs and International Cooperation cooperate to ensure that returned migrants with disabilities have immediate access to assistive devices.

166. In order to provide training to returned migrants who acquired a disability in the course of their migration, the Amigos del Migrante (Friends of Migrants) project, in coordination with the National Institute for Vocational Training and the National Committee for the Support of Returned Migrants with Disabilities, ran a workshop in which 26 migrants participated, with a view to obtaining the basic knowledge required to start their own business. The topics covered include the following:<sup>99</sup>

- (a) Business motivation
- (b) Business plan
- (c) Marketing plan
- (d) Cost management
- (e) Self-esteem.

167. To reduce the vulnerability of persons with disabilities, especially those at the intersection of multiple situations of vulnerability, such as women with disabilities and migrants with disabilities, work is coordinated with the Gender Unit of the new Ministry of Social Development to strengthen women's role at the institutional level.

168. When it comes to filing complaints for violations of the rights of workers with disabilities, the Office of the National Commissioner for Human Rights, through its 19 offices nationwide, handles complaints of violations of the rights of migrant workers, intervening directly if they work in government institutions. If they work in private companies, they are provided with the necessary advice and supported throughout the process with the Ministry of Labour and Social Security.

169. Complaints or reports can be made verbally or in writing, either by email or via the National Commissioner's web page, and can be filed by the victim, a family member or others who know about the human rights violation.

170. The State recognizes that there are challenges in terms of establishing effective social and labour reintegration programmes for returned migrants with disabilities.

<sup>99</sup> Available at: <https://ahiba.hn/amigos-del-migrante/>.

(o) *Work and employment (art. 27 and recommendation 58)*

171. With regard to the recommendation contained in paragraph 58 of the concluding observations, the Ministry of Labour and Social Security coordinates actions to create employment and opportunities, under the different programmes and projects implemented by various ministries and decentralized institutions.<sup>100</sup>

172. The Ministry's main tasks are to promote employment opportunities for the whole population, to ensure decent employment by inspecting working conditions, to enforce the labour regulations, to foster tripartite dialogue and to take all steps necessary to stimulate the economy to create decent jobs.

173. With regard to reducing unemployment, the Employment and Opportunities Office was established in 2017 to strengthen programmes and methodologies for the creation of jobs and opportunities. The Employment, Opportunities and Income Task Force, established by Decree No. PCM-008-2018, has been engaged in this effort since 2018.

174. In 2018, the Ministry promoted 98,978 jobs and income opportunities through:

- (a) The Life is Better with a Job (Con Chamba Vivís Mejor) Programme
- (b) The National Hourly Employment Programme
- (c) Referrals by the National Employment Service of Honduras.<sup>101</sup>

175. The National Employment Service facilitates employment by putting candidates directly in contact with companies in need of talent, filling vacancies through a modern, flexible system that matches supply and demand. It also promotes training to improve job skills.

176. The Service's achievements include:

(a) Contributing to the planning and fulfilment of objectives as a member of the inter-institutional committees established by the Ministry of Labour and Social Security and the National Institute of Migration, including a committee on the reintegration of returning migrants and a committee on the employment of persons with disabilities.

(b) Developing a protocol for the project "Strengthening Advocacy and the Exercise of Rights by Persons with Disabilities in Public Policies" (PADF-006-17-H);

(c) Designing and coordinating a procedure to check companies' compliance with the quota for hiring persons with disabilities, in a joint effort with the Directorate General of Employment and the Directorate General of Labour Inspection;

(d) Carrying out 2,189 actions on working methods for the employment of persons with disabilities and women;

(e) Conducting, through the Directorate General of Labour Inspection, 21,693 inspections of the working conditions of 364,632 workers throughout the country.

177. Experts from the Ministry's Inclusion Unit carry out activities focused on the rights of persons with disabilities, within the framework of an annual operating plan. These activities, which seek the inclusion of persons with disabilities in the world of work, including through suggestions for reasonable accommodation, are described below:

(a) Promotion of employment of persons with disabilities and women with a focus on corporate social responsibility and equity;

(b) Adoption of a gender equity approach in vacancies of the National Employment Service;

(c) Job analysis for persons with disabilities;

(d) A perception survey on discrimination in access to and continuation in employment;

<sup>100</sup> Ministry of Labour and Social Security, *Informe de Logros* 2018.

<sup>101</sup> *Ibid.*

(e) Registration of persons with disabilities in the Empléate Plus employment platform;

(f) Follow-up to interviews, advice in relation to complaints, and employment of persons with disabilities.

178. The Ministry of Labour and Social Security, in coordination with the Ministry of Social Development, created job opportunities for 3,300 young people with disabilities and their family members, while 133 high-achieving students with disabilities were awarded university scholarships through the 20/20 Programme. The Ministry of Social Development published a document entitled “Identificación y caracterización de personas con discapacidad en Francisco Morazán: Sistematización de ‘Honduras para Todos’” (Identification and characterization of persons with disabilities in Francisco Morazán: Systematization of the Honduras for All programme).

179. The intersectoral committee on the employability and social protection of rural youth, coordinated by the Ministry of Social Development, is drafting its internal regulations with the participation of the Food and Agriculture Organization of the United Nations, the National Institute for Youth, Cooperativa Chorotega, the Ministry of Labour and Social Security and the Ministry of Women’s Affairs.

180. The inter-institutional committee on labour inclusion organized and led a “creativity and entrepreneurial innovation” workshop at which 25 persons with disabilities were trained in setting up a microenterprise.

181. The Disability Directorate has taken steps to provide persons with disabilities with access to employment and entrepreneurship opportunities. For this purpose, it organized entrepreneurship fairs in La Ceiba, Comayagua and Tegucigalpa to market products made by persons with disabilities and their families.

182. Also at the initiative of the Disability Directorate, a cooperative for persons with disabilities and their family members was formed, with 30 founding members.

183. Regarding efforts to improve the employability of persons with disabilities, in June 2022, the Ministry of Social Development launched a virtual employment exchange. Its aims are to create equal opportunities for persons with disabilities, to ensure respect for their human and labour rights, to respond to the needs of historically excluded and marginalized groups and to ensure that members of those groups have a decent life. The tool will allow persons with disabilities to pursue job opportunities in the public and private sectors throughout the country.<sup>102</sup>

184. Persons with disabilities can access the virtual employment exchange, submit personal details and upload their *curricula vitae* on the website <http://app.sedesol.gob.hn/SEDESOL/FichaBolsaEmpleo.aspx>.

185. In the sphere of non-formal technical education, the National Institute for Vocational Training creates equal opportunities for all members of society in accordance with their disabilities or difficulties, providing them with personalized support and guidance in technical subject areas, including on the proper use of available tools, in order to meet their learning needs.

186. Instructors of different technical subjects have been trained to deal with participants with different disabilities and thus deliver practical or classroom-based training as effectively as possible. At the end of their training, the participants, whatever their individual strengths and weaknesses, are registered in a job bank. There are also foundations that enrol young people and place them in jobs.

187. Between 2018 and 8 April 2022, the National Institute for Vocational Training provided technical training for 489 persons with disabilities, 221 of whom were men and 268 women.

<sup>102</sup> Ministry of Social Development, “SEDESOL lanza Bolsa Virtual de Empleo para personas con discapacidad”, online.

188. In August 2019, the Institute and the Labour Inclusion Commission, composed of various disability organizations and coordinated by the National Union of Blind Hondurans, drew up a technical cooperation agreement to carry out joint activities to improve the lives of persons with disabilities, including the exchange of experiences, vocational technical training and the assessment and certification of competencies, in accordance with the required quality standards.

189. The Institute and the Fundación Teletón (Telethon Foundation) signed a technical cooperation agreement to improve the living standards of Hondurans with disabilities by developing the competencies and skills that will help them to find employment. This partnership provides a dignified and appropriate framework for persons with disabilities to have access to the training programmes offered by the Institute.

(p) *Adequate standard of living and social protection (art. 28 and recommendation 60)*

190. With regard to the recommendation contained in paragraph 60 of the concluding observations, to enable persons with disabilities to attain a decent standard of living, the Ministry of Social Development supports vulnerable groups through programmes such as the Inclusion and Social Well-being Programme for Persons with Disabilities. Beneficiaries of this programme receive cash transfers and assistive devices according to the type of disability they have.

191. In 2021, 7,903 persons with disabilities received cash transfers totalling L 47,099,698.82, distributed through 50 civil society organizations. This sum was composed of L 35,994,098.82 from the Treasury and public investment funds and L 11,105,600 in investment spending for the Honduras for All programme financed from the Solidarity and Social Protection Fund for the Reduction of Poverty.<sup>103</sup>

192. In response to the COVID-19 emergency, the Ministry of Social Development has invested L 39.4 million in providing food aid and hygiene supplies to facilities that care for persons with disabilities and older persons. To date, 100,000 food rations have been delivered to these groups and a further 32,000 are scheduled to be delivered. In addition, 57,262 food rations have been delivered to 31 care homes for older persons and 17 centres for persons with disabilities nationwide.

193. On 23 June 2022, President Xiomara Castro presented a social protection plan to international financial organizations and the general public. Under that plan, whose aim is to reduce poverty, the Ministry of Social Development, the Solidarity Network and the National Solidarity Programme are tasked with building a new social protection system.

(q) *Participation in political and public life (art. 29 and recommendation 62)*

194. The Government has taken the necessary measures to ensure that no one is deprived of the right to vote or to participate in political and public life on the basis of a disability or restrictions on their legal capacity.

195. Regulations on the electoral registration of persons with disabilities and voting in their place of residence; on the staffing, powers and functioning of polling stations; and on the voting mechanism for voters with disabilities were adopted for the 2017 general election.

196. The Supreme Electoral Court, fulfilling its mandate to ensure electoral inclusion, published basic guidelines for the effective involvement of persons with disabilities in electoral processes, thus providing appropriate guidance for electoral and political actors on this topic.

197. The guidance, which was developed with a human rights perspective, seeks to effect a gradual but constant change in the way that persons with disabilities are viewed and treated by electoral and political actors, so that their rights – especially their electoral rights – are respected and upheld.

<sup>103</sup> Ministry of Social Development, *Informe de Logros 2021*.

198. To ensure the full accessibility of voting procedures, facilities and materials, the Supreme Electoral Court, sitting in plenary, decided to draw up a work plan with the overall goal of promoting the equal participation of vulnerable persons.

199. This helped to create the conditions for them to participate in electoral processes and to effectively exercise their political and electoral rights.<sup>104</sup>

200. For this purpose, the Court established a clear procedure to identify vulnerable persons by establishing strategic contacts with representative organizations that have worked with State institutions and international organizations, allowing it to carry out planning in cooperation with governmental and civil society organizations engaged in issues relevant to its work.

201. In order to achieve the proposed objectives of the electoral inclusion project,<sup>105</sup> the following activities were carried out:

(a) The design and launch of an inclusive and accessible web page, which was used to disseminate, record and collect information;

(b) The recording of data on persons with disabilities who came to vote and on the assistance rendered by polling station staff to those who could not get to a polling station owing to their disability;

(c) Voting by persons with disabilities in their place of residence, with technical support from the National Electoral Council of Ecuador. This activity was carried out on election day in the Central District, the corresponding regulations having been adopted. Out of a target of 25 people, 17 participated and 15 cast a vote;

(d) Administration of a registration desk and a priority service desk for persons with disabilities;

(e) Assisted voting, by means of a network of assistants and persons trusted by voters with disabilities, in 15 departments;

(f) Improvement of polling station accessibility, including the construction of 15 ramps;

(g) Development and launch of an awareness and motivation campaign, with two aims:

(i) To highlight the importance of participation and inclusion regardless of status, so that persons with disabilities may exercise their rights on equal terms with the rest of society, taking into account the challenges they face in doing so;

(ii) To encourage citizens, regardless of their status, to participate and to exercise their democratic and electoral rights.

202. Ensuring the accessibility of its procedures, the National Electoral Council prepares and delivers training programmes for members of the public in order to promote the effective, equitable and equal participation of women, young people, older persons, Indigenous Peoples and Afro-Hondurans.<sup>106</sup>

203. To assist and support persons with disabilities during the electoral process, 285 people were trained as assistants, while 76 specialized observers from the disability sector guaranteed the transparency of the process.

### **Situation of women and girls with disabilities (art. 6 and recommendations 16 and 44)**

204. Regarding the recommendation contained in paragraph 16 of the concluding observations, to include women with disabilities in the plans and strategies of the National

<sup>104</sup> Supreme Electoral Court, *Informe de Actividades* 2017.

<sup>105</sup> *Ibid.*

<sup>106</sup> Regulations of the National Institute of Political and Electoral Training, see footnote 14 above.

Disability Programme, it should be noted that the second of the three strategic lines of the current Administration's governance plan is entitled "Gender: Nothing about us without us". The Government seeks to ensure the comprehensive development of women and girls and their access to opportunities, free from violence, through the implementation of gender-sensitive public policies and practices.

205. The Disability Directorate administers programmes and projects that include women and are intended to improve their lives.

206. In the context of efforts to include women and promote their effective participation, the first Rural Women's School for Equality and Empowerment was established. The School is a national standard-bearer for the training of women in culturally sensitive and environmentally conscious leadership and decision-making.

207. Regarding the review of policies on disability to include a gender-based approach, the National Institute for Women was elevated to the rank of ministry by Executive Decree No. 05-2022, which established the Ministry of Women's Affairs.

208. With respect to consultation with women and girls with disabilities, representatives of State bodies from all areas of government, including ministries and municipal and departmental authorities, civil society organizations, cooperation agencies and organized women's groups were invited to participate in the implementation of the Second Plan for Gender Equality and Equity.

209. In addition, 14 round-table discussions were held with representatives of women, including Indigenous and Afro-Honduran women, adolescent and young women, older women, trade unionists, cooperative members, businesswomen, politicians, women deprived of their liberty, women living with HIV/AIDS, women with disabilities, academics, feminists and the Inter-Agency Group on Gender.

210. The following policies, plans and programmes include a gender perspective:

- (a) The National Policy on Sexual and Reproductive Health;
- (b) The National Strategy for the Prevention of Teenage Pregnancy, which aims to reduce the adolescent pregnancy rate in 20 health regions through training and prevention;
- (c) The Adolescent Health Plan 2019–2024, developed with the participation of civil society organizations;
- (d) The Teenage Pregnancy Prevention Programme, established under the Multisectoral Plan for the Prevention of Teenage Pregnancy;
- (e) The Thousands of Hands (Miles de Manos) Programme, through which the Ministry of Education has trained children, adolescents, young persons and teachers on sexual and reproductive health, teenage pregnancy prevention and the use of the comprehensive sex education guides;
- (f) The Women's City Programme, under which six centres across the country comprehensively address issues such as violence against women, sexual and gender-based violence, sexual and reproductive health and the education and economic empowerment of women and girls;
- (g) The management and care models of the National Institute for Juvenile Offenders, with different programmes that incorporate gender and restorative justice approaches in educational detention centres;
- (h) A hotline for child and adolescent victims of domestic violence and rights violations, set up by the Inter-Agency Commission for the Prevention of Commercial Sexual Exploitation and Trafficking of Children and Adolescents and the Ministry of Security;
- (i) Special measures, taken during the COVID-19 emergency, to raise awareness of, prevent, and respond to violence against women and to ensure gender equality, including regulations adopted in 2020 as a result of the increase in domestic and intra-family violence during the lockdown.



211. To combat violence against women and gender-based violence, the Ministry of Women's Affairs worked with women's organizations on a draft comprehensive act on violence against women, which is currently under review. The Gender Equity Committee of the National Congress, the judiciary and the Ministry of Human Rights are participating in the drafting and review of the bill, and their representatives met on 12 May 2022 to follow up on the process of its adoption. Another bill that was submitted to the National Congress is the shelters bill, which has already been passed by the relevant congressional committee.

212. On 24 March 2022, the Government and the United Nations system in Honduras made a joint commitment to prevent and address violence against women and girls in the country by establishing mechanisms to eradicate such violence and to promote gender equality.

213. To ensure respect for the sexual and reproductive rights of women and girls with disabilities, the National Policy on Sexual and Reproductive Health of 2016 provides general guidelines on health, sexual and reproductive health and gender equity in its protocols for comprehensive health care for women, girls and adolescents, including the protocol for comprehensive care for adolescents.

214. Regarding the recommendation contained in paragraph 44 of the concluding observations, the family planning protocol of 2015 states that all women must give their consent in order to undergo surgical sterilization (voluntary surgical contraception).

215. Regarding forced abortions performed on girls and women with disabilities, articles 65 and 67 of the Constitution prohibit abortion. Article 196 of the new Criminal Code stipulates that anyone who intentionally causes an abortion will be liable to:

- (a) 3 to 6 years' imprisonment, if the woman consents to have an abortion;
- (b) 6 to 8 years' imprisonment if the abortion is performed without the consent of the pregnant woman and without the use of violence or intimidation;
- (c) 8 to 10 years' imprisonment if violence, intimidation or deceit are used.

216. In addition to these penalties, health professionals who, by abusing their profession, perform or help to perform an abortion are liable to a fine of 500 to 1,000 days.

217. In respect of ensuring that the free and informed consent of all persons with disabilities is sought for any medical procedures or treatment, persons with intellectual impairments must undergo an evaluation by two qualified specialists and the procedure must be authorized by a family member.

### **Children with disabilities (art. 7 and recommendation 18)**

218. With regard to the recommendation contained in paragraph 18 of the concluding observations, the Code on Children and Adolescents (article. 180-B) establishes the principle of non-discrimination. This means that the rights and guarantees recognized in the Code must be applied without any discrimination for reasons of sexual orientation, ethnic or social origin, economic status, religion or for any other similar reasons, whether relating to the children themselves or to their parents, relatives or other persons responsible for their care. The Comprehensive System for Upholding the Rights of Children and Adolescents adheres to the same principle, since it works to promote the decent conditions necessary for all children to exercise equal rights, every day. The central dynamic of the System is to create social and institutional conditions so that all children and adolescents have access to public goods and services without any kind of discrimination and thus are able to effectively realize their rights.

219. Designed to protect children and adolescents with disabilities, to better guarantee their rights and equal opportunities for family, community and social inclusion, and to provide sufficient resources for effective implementation, the System is fundamentally structured as a set of public and private bodies, entities, mechanisms and authorities coordinated at the national, departmental and municipal levels.

220. The System provides for intersectoral policies, programmes and actions for the promotion and protection of rights, the prevention of violations and the reparation of harm. It has a set budget and operates on the basis of the best interests of the child.

221. Regarding measures for detecting the ill-treatment of children with disabilities both within the family and in educational and health settings and institutions, the procedure for placing a child in a protection centre depends on the risk of a violation of his or her rights. In other words, a child who is being subjected to ill-treatment, an offence or a violation of his or her integrity by a family member will be taken into care if an alternative arrangement within the family is not possible. In such cases, the Directorate for Children, Adolescents and Families must adopt an immediate protection measure and separate the child from his or her family, placing him or her in a specialized centre on a temporary basis, while the most suitable alternatives for the child are sought.

222. As the guarantor of the quality of care of children and adolescents under protective measures, the Directorate has a handbook for the monitoring of alternative residential care centres which contains guidelines for the inclusive care of children and adolescents. Through this monitoring, the Directorate verifies the quality of the care that centres provide to the children in its care. Any complaints of violations of children's physical or emotional integrity are referred to the Office of the National Commissioner for Human Rights and the Public Prosecution Service.

223. Between 2018 and February 2022, the Public Prosecution Service received 49 complaints of harm done to children with disabilities; it brought prosecutions in four cases. The State does not run residential protection centres for children and adolescents, but works with outsourced services, namely civil society organizations specializing in the care of children with various conditions, including children with disabilities. Agreements have been signed with organizations for the care of children with disabilities, emergency care in temporary protection centres, the long-term care of children and the provision of care by foster families. The outsourcing model has benefited many children and adolescents whose rights have been infringed, while simultaneously affording financial and technical support for the alternative residential care centres, since these agreements provide for non-governmental organizations (NGOs) – and especially staff who work directly with children and adolescents – to receive technical assistance.

224. There are currently 5,695 children and adolescents registered in alternative residential care centres. A register is kept on situations of rights violations, including neglect, lack of a legal representative, failure to meet basic needs and other situations described under article 139 of the Code on Children and Adolescents.

225. The Directorate for Children, Adolescents and Families provides training programmes for officials and front-line staff to improve the quality of the care delivered to all children under protection measures. In 2021, 291 technical assistance activities were carried out.

226. Technical assistance may be requested by governmental institutions, NGOs, schools, communities, municipalities and other interested parties, through coordination or on the institution's own initiative. Technical assistance activities require training to establish a common language on children's issues with the participating organization or authority. Through the Directorate's programme of public policies, and within the framework of the Comprehensive System for Upholding the Rights of Children and Adolescents, the Directorate's six regional offices provide training and technical assistance and organize educational fairs, forums, festivals and other activities in the municipalities under their jurisdiction.

227. The System's objectives include promoting children's rights in municipal (local), departmental and national structures; strengthening prevention of the different types of rights violations, including sexual abuse; and eradicating child labour, child trafficking and neglect. The System fosters the inclusion of children with disabilities in their educational, family and community settings.

228. Municipal authorities are encouraged to develop inclusive infrastructure and to identify funding for projects for persons with disabilities and their families. During the reporting period, the Directorate for Children, Adolescents and Families, in coordination with civil society organizations and external cooperation agencies, provided training for approximately 100,000 children and adults.

229. In order to listen to children and adolescents with disabilities on matters which concern them, taking into account their age and maturity, the Comprehensive System for Upholding the Rights of Children and Adolescents includes specific mechanisms for the participation of children's organizations, thus respecting the principle of participation. Children and adolescents are consulted through forums, open discussions or other forms of consultation or dialogue that may be deemed necessary.

230. At a forum on "Advances and Challenges in the Implementation of the National Policy on Prevention of Violence against Children and Young People", the COIPRODEN children's rights network, the Ministry of Human Rights, the National Prevention, Rehabilitation and Social Reintegration Programme, the National Institute for Youth and the Office of the Undersecretary for Prevention and Human Rights of the Ministry of Security signed the "Bicentennial Commitment to a Culture of Peace through Prevention", which renewed hope of reducing the risk factors faced by children and young people in relation to all types of violence.

231. Furthermore, article 28 of the Code on Children and Adolescents establishes that, taking into account their maturity and capacity to form their own judgment, children shall enjoy the right to express their opinions and to have their views considered in a context of respect and tolerance.

232. The Public Prosecution Service states that, in responding to violations of children's rights that fall within its competence, its specialized comprehensive support units take into account children's views, which having a bearing on the conduct of criminal investigations, the provision of protection measures and the arrest of perpetrators.

### Specific obligations

(a) *Statistics and data collection (art. 31 and recommendations 66 and 68)*

233. In relation to the recommendation contained in paragraph 66 of the concluding observations, the lead institution responsible for the collection, analysis and dissemination of comparable disaggregated data on persons with disabilities is the National Institute of Statistics. The Institute's mandate includes the production, appropriate use and systematic dissemination of reliable and timely statistics, and the design, compilation, processing, analysis, dissemination and publication of official statistical information obtained through censuses, sample surveys and administrative records.

234. To that end, the Institute conducts a national demographic and health survey and a continuous multipurpose household survey. The most recent national demographic and health survey/multiple indicator cluster survey,<sup>107</sup> conducted in 2019, included a module on child functioning (disability), designed to provide an estimate of the number or proportion of children with disabilities as reported by their mothers or primary caregivers; a module on functioning in adults aged 18 to 49; and a module on discrimination on the grounds of disability. Some relevant findings are described below:

- (a) Table EQ 1.4. Child functioning (children aged 2 to 17 years):
  - (i) Nationally, 14 per cent of children had at least one functional difficulty;
  - (ii) The highest percentages of children with functional difficulties occurred among children whose mothers had functional difficulties (27 per cent); children from the Departments of Yoro (20 per cent), Islas de la Bahía (19 per cent) and Copán (18 per cent); and children of mothers with no education (18 per cent);
  - (iii) The lowest percentages of children with functional difficulties were found among children of mothers with higher education (9 per cent) and children from the Department of Valle (9 per cent);
- (b) Table EQ 1.3. Use of assistive devices (children aged 2 to 17 years):

<sup>107</sup> Available at: Informe-ENDESA-MICS-2019.pdf (ine.gob.hn).

- (i) Four per cent of children wore glasses; 0.4 per cent used a hearing aid; and 1 per cent used a walking aid or received assistance walking;
- (ii) Five per cent of children had functional difficulty seeing even when wearing glasses; 2 per cent had difficulties hearing even when wearing a hearing aid; and 12 per cent had difficulty walking even when using a walking aid or receiving assistance;
- (c) Table SR.8.1W: Functioning in adults aged 18 to 49:
  - (i) Nine per cent of women and 6 per cent of men had at least one functional difficulty (vision, hearing, walking, communication, memory or self-care);
  - (ii) The percentage of men and women who experienced at least one functional difficulty increased with age. The figure increased from 7 per cent of 18 and 19 year olds to 20 per cent of 45 to 49 year olds;
  - (iii) The Miskito ethnicity had the highest percentage of men with at least one functional difficulty (16 per cent). Among women, the ethnicity with the highest percentage was the Maya Chortí (12 per cent).
- (d) Table EQ.3.1W. Discrimination and harassment (women):
  - (i) 0.9 per cent of women aged 15 to 49 had felt discriminated against or harassed on the basis of disability in the previous 12 months;
  - (ii) One per cent of men aged 15 to 49 had felt discriminated against or harassed on the basis of disability in the previous 12 months.

235. Regarding the development of a system of human rights indicators, the National Agenda for the Sustainable Development Goals has been implemented by linking the Goals to the long- and medium-term objectives and priorities established in the main instruments of the national planning system.

236. As a result of this linkage process, the Government has determined that a high percentage of Sustainable Development Goal indicators were already included in planning instruments. However, the different goals, targets and indicators of the National Agenda still have to be integrated into the new Plan for the Nation that will be formulated for the period 2022–2034, as well as future governance plans and institutional and territorial planning. Based on the above, it is expected that the country will have a single long-term planning instrument to advance towards sustainable national development.

237. Regarding the links between article 31 of the Convention and target 17.18 of the Sustainable Development Goals, the Government is setting up a poverty observatory that will collect qualitative and quantitative information and thus ensure access to disaggregated data. One of the main challenges facing the Government is that of conducting the first national census of persons with disabilities. This will allow for the more precise targeting of benefits and, above all, the design of public policies, programmes and projects based on the reality of persons with disabilities.

238. As for the recommendation contained in paragraph 68 of the concluding observations, to ensure that the rights of persons with disabilities are mainstreamed in cooperation and development projects, especially those related to the National Agenda for the Sustainable Development Goals, the Disability Directorate is responsible for the inter-institutional coordination of the various programmes of the Ministry of Social Development – such as Solidarity Meals, Health Solidarity and Better Life. It also participates in working groups with external entities and civil society organizations – including World Vision, Cuso International and the Food and Agriculture Organization – and in the committee on employability; and it addresses the issues of education and decent work in order to improve the living standards of persons with disabilities.

(b) *National human rights mechanism (recommendation 70)*

239. Regarding the recommendation contained in paragraph 70 of the concluding observations, on steps to ensure that the mechanism to promote, protect and monitor the implementation of the Convention complies with the Paris Principles, the State party informed the Committee in its initial report that the Office of the National Commissioner for

Human Rights is the national human rights institution established under the Constitution. The Office is compliant with the Paris Principles and is therefore the appropriate mechanism for overseeing implementation of the Convention.

240. In December 2019, the Office of the National Commissioner for Human Rights received international accreditation from the Global Alliance of National Human Rights Institutions and was upgraded to A status.

241. Between 2016 and 2021, the Office's annual budget gradually increased from L 73,255,474<sup>108</sup> to L 83,469,126,<sup>109</sup> an increase of 13.94 per cent.

242. The National Office for the Defence of Persons with Disabilities, attached to the Office of the National Commissioner for Human Rights, is responsible for ensuring that persons with disabilities can fully enjoy their human rights. It facilitates conditions for the exercise and enforcement of those rights and promotes social change to ensure respect for the inherent dignity and equal social opportunities of persons with disabilities, as well as respect for difference, full inclusion and non-discrimination.

243. The National Office for the Defence of Persons with Disabilities held consultations with key representatives of civil society organizations, resulting in a citizens' proposal for the development of a mechanism to oversee implementation of the Convention. However, the Office of the National Commissioner for Human Rights does not have sufficient resources to guarantee its independence or its ability to freely determine its priorities and activities.

244. In the 2022 budget of the Office of the National Commissioner for Human Rights, the financial resources allocated to the offices for the defence of persons with disabilities and the defence of older persons amounted to L 44,021, including L 25,377 for travel expenses, L 7,143 for food and beverages and L 11,501 for paper and cardboard products. This budget was set aside for the execution of the annual operating plan of both offices. In terms of human resources, one person is in charge of the two offices. Consequently, the Office of the National Commissioner for Human Rights does not yet have enough resources for the mechanism to promote, protect and monitor implementation of the Convention.

(c) *Final recommendations (71, 72 and 74)*

245. In accordance with paragraph 71 of the concluding observations, in May 2018 Honduras submitted a report on the follow-up given to the recommendations contained in paragraphs 6 and 70 of the concluding observations. The report was prepared by the Ministry of Human Rights in coordination with the Honduran System for the Monitoring of Recommendations.

246. Regarding the requests contained in paragraphs 72 and 74 of the concluding observations, the Committee's recommendations were published in the Honduran System for the Monitoring of Recommendations and on the website of the Ministry of Human Rights. The Honduran System for the Monitoring of Recommendations is composed of executive, legislative and judicial institutions and decentralized State agencies, all of which were apprised of the content of the concluding observations and tasked with following up and reporting on them.

247. Moreover, in 2018 and 2019, with technical assistance from OHCHR and the support of the United States Agency for International Development, the Ministry of Human Rights provided training for the 35 institutional focal points for the Honduran System for the Monitoring of Recommendations. The training took the form of a specialized course on human rights for civil servants, consisting of 10 modules taught by experts. Module VII related specifically to the Convention.

248. The Government recognizes that the dissemination of recommendations should be broad, inclusive and accessible, which continues to pose a challenge.

<sup>108</sup> Legislative Decree No. 168-2015, *La Gaceta* No. 33,912.

<sup>109</sup> Legislative Decree No. 182-2020, *La Gaceta* No. 35,468.