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**JOINT STAKEHOLDER SUBMISSION BY**

**FEMINIST ORGANIZATIONS IN HONDURAS FOR THE**

**UNIVERSAL PERIODIC REVIEW**

**(UPR)**

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**Presented by:**

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Centro de Estudios de la Mujer Honduras CEMH

Foro de Mujeres por la Vida

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Each of the five organizations submitting this report works in defense of women's human rights in Honduras.



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## I. Introduction

Despite recommendations made during the first cycle of the Universal Periodic Review (UPR) in 2011 to Honduras to prevent, eliminate and punish violence against women, the alarming increase across different types of violence, femicide/feminicide and impunity in such cases, suggests that the recommendations are far from being implemented. Rather, State measures and policies have been largely ineffective in addressing the alarming reality facing Honduran women.

## II. Context

1. From 2010 to 2012 (its most recent report), the UNODC ranked Honduras the country with the highest homicide rate in the world. According to the Violence Observatory at the National Autonomous University of Honduras, in 2013, a person was killed every 78 minutes in Honduras. From 2005 to 2013, the rate of violent deaths of women increased by 263.4%.<sup>1</sup>

2. This violence is the result of multiple factors, such as high levels of economic inequality,<sup>2</sup> inequality,<sup>3</sup> poverty<sup>4</sup>, corruption<sup>5</sup>, militarization<sup>6</sup>, and the growing increase of organized crime and drug trafficking. Each of these has significant negative impacts on the human rights of the population, especially women, adolescents and girls.

## III. State Security Policies

3. Government strategies for combatting organized crime have leaned toward repressive measures and the war on drugs; the increase in militarism, weaponization and private security groups in the country has not achieved its anticipated results. Instead, these measures have made women's lives less secure, both at home and in public, by increasing the number of armed men circulating throughout the country.

4. The steady increase in funding for security, justice and defense (from 5.9% of the national budget in 2004 to 12.3% in 2014)<sup>7</sup> has not curtailed the level of violence in the country. This suggests that increased spending on police and military has rather led to increased violence. Despite having invested 1.1 billion lempiras<sup>8</sup> of the security tax which was introduced in 2013, violence against women increases each year.

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<sup>1</sup> Observatorio de Violencia, Mortalidad y otros. Edition 32, February 2014. National Autonomous University of Honduras Institute for Democracy, Peace and Security

<sup>2</sup> According to the 2011 Honduras Human Development Report, the country is ranked as having the third largest gap in economic and social inequality (across the continent), following Haiti (ranked first) and Colombia (ranked second).

<sup>3</sup> According to the 2010 Latin America and Caribbean Regional Human Development Report, Honduras is one of the 15 most unequal countries in the world in terms of human development. The report ranks Honduras 106 of 169, above only Nicaragua (115) and Guatemala (116) in Central America.

<sup>4</sup> According to household incomes, 65.9% of the population is living in poverty. Among them, 42.7% are living in extreme poverty. Análisis de la pobreza en Honduras. Caracterización y análisis de determinantes. 2013-2014. FOSDEH.

<sup>5</sup> According to the 2011 Transparency International Corruption Perceptions Index (CPI), Honduras has a rating of 2.6 (zero being the worst). Honduras fares even worse within the Western Hemisphere, ranking 26<sup>th</sup> out of the 32 countries evaluated, placing it among the most corrupt. <http://www.transparency.org/cpi2011/results/>

<sup>6</sup> According to the Instituto Internacional de Estudios para la Paz de Estocolmo (SIPRI), the military budget in Honduras has significantly and progressively increased between 2000 and 2011, from 0.7% to 1.1% of GDP. <http://www.hondurastierralibre.com/2013/01/honduras-gasto-militar-de-honduras-se.html>

<sup>7</sup> Calculations by the Centro de Derechos de Mujeres based on the national budget of the Republic of Honduras.

<sup>8</sup> <http://www.elheraldo.hn/csp/mediapool/sites/ElHeraldo/Pais/story.csp?cid=702916&sid=299&fid=214>

5. The dominant framework for combating organized crime is national security, which prioritizes militarization and repression measures over comprehensive democratic human rights-based strategies that focus on prevention, like the Central American Security Strategy (ESCA)<sup>9</sup>.

6. More than one million firearms are circulating throughout the country, of which only 282 thousand are registered<sup>10</sup>. The law regulating the possession of weapons allows each citizen to possess up to five commercial firearms; this, combined with the high number of illegal arms circulating in the country, creates a culture of killing, which is also fueled by high rates of impunity. As a point of reference, the number of homicides by firearm in the country is almost four times greater than the number of firearms seized.<sup>11</sup>

The contamination and infiltration of security institutions, especially the police, as well as judges and prosecutors, aggravate security concerns, with high levels of impunity, internal corruption, patronage and bureaucracy.

7. The current government has implemented institutional reforms that have reversed progress previously made in guaranteeing rights and the security of women as well as in preventing violence. The government has eliminated the dedicated police telephone line for reporting violence against women; has undermined the Special Prosecutor for Women's Affairs; and has transferred the Women's Crimes against Life Unit to the Office of the Prosecutor for Crimes against Life, reducing the number of assigned prosecutors from five to three and expanding their scope of work to include other non-related cases<sup>12</sup>. The Ministry of Security established an Observatory on Violence parallel to that of the UNAH, retracting its support from the latter and thus eliminating public oversight of data on violence in general and violence against women in the country. In addition, the National Institute of Women was downgraded from State secretariat to a secondary steering group within the State apparatus. Funds for combatting violence against women have also been cut. The budget of the Special Prosecutor for Women's Affairs comprises 2% of the total budget of the Office of the Public Prosecutor, while other prosecutors receive 7% of total funds. Only 1% of the total Supreme Court budget is allocated to the Judicial Courts Specializing in Domestic Violence.<sup>13</sup>

#### **IV. Violence Against Women**

8. 27% of all women in Honduras report having suffered physical violence at some point in their lives<sup>14</sup>. While this number is alarming, violence against women takes on many other forms, of which the Office of the Public Prosecutor recognizes 25, ranging from injuries, domestic violence, intra-family violence and sexual violence to femicide.

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<sup>9</sup> Kennedy, Mirta, coordinator, Seguridad Regional y Femicidio en Centroamérica, regional report, CEFEMINA/CEM-H/CEMUJER, SICA/FLACSO/UE, May 2014, Ed. Red Feminista Centroamericana contra la Violencia hacia las Mujeres. Tegucigalpa.

<sup>10</sup> Declaraciones del portavoz de la Dirección Nacional de Investigación Criminal. Última Hora. April 2014

<sup>11</sup> Foro de Mujeres. Por la Vida. Observatorio de Violencia y Seguridad de las Mujeres: Informe la VCM Un problema de Seguridad Humana. 2013

<sup>12</sup> Interview with the Public Prosecutor for Women's Homicide and Femicide Unit, attached to the Special Prosecutor for Crimes against Life, attorney Ingrid Figueroa, and attorney Grissel Amaya, of the Office of the Special Prosecutor for Women's Affairs, information obtained by social audit conducted by the Centro de Estudios de la Mujer, CEM-H

<sup>13</sup> Information provided by the Supreme Court of Justice Transparency Unit and the Office of the Public Prosecutor, through a social audit conducted by the Centro de Estudios de la Mujer, CEM-H

<sup>14</sup> National Institute of Statistics. National Demographic and Health Survey 2011-2012

## Domestic Violence

9. Domestic violence is the most commonly reported crime in the country. Between 2009 and 2012, 82,547 cases of domestic violence were reported in the country's Civil Courts and Courts of the Peace, averaging 20,637 per year. Of these, less than one-third resulted in a final judgment, with 92% of assault complaints coming from women and 8% from men. The failure to follow up on reported cases and to implement effective protection measures for women, coupled with a lack of community-level prevention programmes, contributes to the rising rates of femicide<sup>15</sup>.

## Intra-family Violence

10. Intra-family violence is the second most commonly reported crime in the country, representing more than half of allegations, with women making up the majority of victims (wives, daughters, mothers). Across all age groups, perpetrators are largely domestic partners or ex-partners, from one-third of those under the age of 20 to 74% of those over 45.

## Sexual Violence

11. Rape<sup>16</sup> is the third most commonly reported crime in the country, and is the most commonly reported form of sexual violence against women (61.6% of reports). There were 2,851 reports of sexual violence in 2013<sup>17</sup>, which suggests that on average a complaint is filed every 3 hours in Honduras. It is estimated that the prevalence of sexual violence rose from 4.6 in 2008 to 8.6 in 2010<sup>18</sup>. 94.5% of cases resulted in impunity<sup>19</sup>.

## Femicide/Femicide

12. Between 2005 and 2013, there has been a rising trend in violent deaths of women: from 175 to 683. In 2013, an average of one woman was killed per hour<sup>20</sup>. The characteristics of violent deaths of women in Honduras can be described as follows: **a)** Women in urban areas: in 2012, 3 of every 5 violent deaths of women took place in urban areas and in 2013, 40% of the total women killed were concentrated in two cities<sup>21</sup>: San Pedro Sula and the Central District; **b)** Young Women: representing annual percentages ranging from 43 to 48 percent, mostly between 20 and 24 years of age; **c)** Firearms were used in over 70% of violent deaths of women; **d)** Crime scene: in 40.4% of the violent deaths of women in 2012, the crime scene was unknown, which suggests that the victims – women, girls and adolescents – were abducted, retained against their will, likely abused sexually and tortured, then killed and left in a public space; **e)** Impunity: the average rate of impunity in the last 6 years has been 93.5%.

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<sup>15</sup> IBIDEM 11

<sup>16</sup> Decree 144-83, Honduran Penal Code, article 140.

<sup>17</sup> Calculations by the Centro de Derechos de Mujeres based on complaints filed at the national level. Observatorio Estadístico del Ministerio Público

<sup>18</sup> Sistema Regional de Indicadores Estandarizados de Convivencia y Seguridad Ciudadana.

<sup>19</sup> Misoginia armada en un contexto de violencia cotidiana. Análisis violencia contra las mujeres hondureñas 2008-2012. Centro de Derechos de Mujeres. February 2014.

<sup>20</sup> Observatorio de violencias, IUDPAS

<sup>21</sup> Violencia contra las mujeres en 2013: Lo que dice la prensa nacional. Observatorio de Derechos Humanos de Mujeres, Centro de Derechos de Mujeres. March 2014

## **Violence against Girls**

13. In addition to being exposed to violent homicides<sup>22</sup>, and a high concentration of sexual abuse within their age range<sup>23</sup>, girls are also exposed to the worst types of child labour. They start working at a younger age; earn less; work in sectors characterized by long work days; their work is clandestine or irregular (increasing vulnerability to exploitation or abuse); they perform work that negatively affects their health, safety and well-being; and they either do not receive an education or suffer from the triple burden of domestic chores, school work and paid labour<sup>24</sup>.

## **Displacement Caused by Violence**

14. Poverty, violence and exclusion lead thousands of girls and boys into a forced exodus of illegal migration (usually to the United States), over the course of which many suffer a series of human rights violations<sup>25</sup>. In June of this year, 3,897 minors returned to Honduras, but it is estimated that the number of girls and boys that leave the country in these circumstances each year surpasses 12,000.

15. The State lacks domestic violence shelters for women who have been victimized and is incapable of guaranteeing their physical safety. The inexistence of legislative and social protection places women in an extremely vulnerable position throughout the cycle of forced displacement facing victims at risk of further violence. According to the Centro de Atención al Migrante Retornado (CAMR), over 2,400 Honduran women have been deported so far this year, most of them for causes related to violence and organized crime. The cycle of forced displacement of victims at risk is marked by a lack of effective national or international protection mechanisms.

## **Disappearances of Women**

16. In only 6 years, the number of women reported missing rose from 91 in 2008 to 347 in 2013, which represents a 281% increase in the number of missing women, girls and adolescents nationally. The number should also include an additional 155 missing person reports related to the unjust deprivation of freedom, abduction and trafficking of persons<sup>26</sup>. In an analysis of a sample of news articles related to the disappearance of women and girls, 82% were between the ages of 8 and 20 years and 18% were women aged 40 to 70 years.<sup>27</sup>

## **Trafficking of Women, Adolescents, and Girls**

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<sup>22</sup> 129 girls, adolescents and youth under the age of 20 have been killed in the country. Source: Observatorio de Violencia, Mortalidad y otros. Edition 32, February 2014. National Autonomous University of Honduras Institute for Democracy, Peace and Security.

<sup>23</sup> Girls under 15 years of age represent 58% of sexual assault victims medically and legally evaluated in 2013.

<sup>24</sup> Casa Alianza report "El trabajo Infantil en Honduras, October 2011

<sup>25</sup> CONADEH press release. Advierten sobre peligros que corren miles de niños hondureños en busca del "sueño americano". June 2014

<sup>26</sup> Data from the Office of the Public Prosecutor, published in the report La desaparición y trata de mujeres en Honduras. Special report of the Observatorio de Violencia y seguridad de las mujeres. Foro de Mujeres por la Vida/Convergencia por los Derechos Humanos.

<sup>27</sup> La desaparición y trata de mujeres en Honduras. Special report of the Observatorio de Violencia y seguridad de las mujeres. Foro de Mujeres por la Vida/Convergencia por los Derechos Humanos

17. Other underreported forms of violence against women include the trafficking and smuggling of persons. While the Office of the Public Prosecutor filed 27 human trafficking and smuggling reports in 2013, reports by transnational counterparts suggest a higher number of victims. According to research findings<sup>28</sup>, the profile of trafficking victims in Central America is mostly underage girls and in over half of the cases, trafficking is for purposes of sexual exploitation.

18. Although the government of Honduras did report some advances in the creation of legislation and institutions to deal with the issue following the first cycle of the UPR in 2012, according to the 2013 US Department of State Trafficking in Persons Report, Honduras is ranked as Tier 2 on the Watch List due to the fact that the government did not increase its overall efforts to address trafficking of persons<sup>29</sup>. According to the report, the government did not demonstrate progress in the investigation or prosecution of forced labour or forced prostitution, relying on civil society organizations to provide the vast majority of shelter and services to victims.

## V. Women's Health

19. Despite having ratified international treaties that commit the Honduran government to guaranteeing the highest attainable standard of health, the ratification of CEDAW's Optional Protocol has been pending for 12 years and there is no evidence to suggest that Honduras will ratify it.

20. During the period under review for this UPR, 18% of the national budget was allocated to health, while 55% was allocated to defense<sup>30</sup>, in a country that is supposedly not at war. If this is considered together with the corruption within the main healthcare institutions, which is public information, then it is clear that the consequences impact the Honduran population and women in particular, given that prenatal, childbirth and postpartum care represent 46% of services provided by the Ministry of Health<sup>31</sup>.

21. The number of adolescent pregnancies has increased substantially since the previous review cycle<sup>32</sup> leading Honduras to have the second highest rate of adolescent pregnancies in the region. Although there is a National Strategy for the Prevention of Pregnancy in Adolescents, it is not widely known and implementation is reduced to prevention of second pregnancy in adolescents. For the last 15 years, the country has failed to provide sexual education in all public education facilities across the country<sup>33</sup>. It is thus no surprise that there has been a significant increase in early pregnancy, which according to studies quadruples the risk of maternal mortality<sup>34</sup>.

22. Honduras has failed to meet its Millennium Development Goal, having maintained a Maternal Mortality Ratio of 108 deaths per 100,000 live births, which is significantly higher than its commitment to reduce maternal mortality to 46 deaths per 100,000 live births<sup>35</sup>. Important

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<sup>28</sup> Global Report on Trafficking in Persons 2012. UNODC

<sup>29</sup> Trafficking in Persons Report 2013. US Department of State, cited in La desaparición y trata de mujeres en Honduras. Special report of the Observatorio de Violencia y seguridad de las mujeres. Foro de Mujeres por la Vida/Convergencia por los Derechos Humanos

<sup>30</sup> [http://www.sefin.gob.hn/wp-content/uploads/2014/presupuesto2014/estadisticas/r\\_fpr\\_cmp\\_ins.pdf](http://www.sefin.gob.hn/wp-content/uploads/2014/presupuesto2014/estadisticas/r_fpr_cmp_ins.pdf)

<sup>31</sup> Ministry of Health. Statistical Yearbook 2011.

<sup>32</sup> Hospital records indicate that in 2010, nearly 29,000 adolescents were discharged from hospital after childbirth. In 2012, this number increased to more than 50,000. See <http://www.elheraldo.hn/csp/mediapool/sites/ElHeraldo/Pais/story.csp?cid=573626&sid=299&fid=214>; <http://www.latribuna.hn/2014/08/13/honduras-segundo-lugar-en-embarazos-adolescentes-en-al/>

<sup>33</sup> Article 14 of the Special Law regarding HIV, adopted in 1999, mandates sexual education as part of the country's public school curriculum. In <http://www.poderjudicial.gob.hn/CEDIJ/Leyes/Documents/LEY%20ESPECIAL%20SOBRE%20VIH-SIDA.pdf>

<sup>34</sup> Ministry of Health. Investigación sobre muerte materna y de mujeres en edad reproductiva. Honduras, 1997.

<sup>35</sup> UNDP. Millennium Development Goals. Honduras 2010. In [http://www.hn.undp.org/content/dam/honduras/docs/publicaciones/Informe\\_ODM\\_2010\\_Completo.pdf](http://www.hn.undp.org/content/dam/honduras/docs/publicaciones/Informe_ODM_2010_Completo.pdf)

measures such as sexual education, access to comprehensive sexual and reproductive health services, universal access to contraceptives, including emergency contraceptives and access to abortion, and access to abortion in cases of rape, have not been considered by authorities as proven measures to reduce maternal mortality. Honduras remains among the 5 countries in the region where abortion is totally criminalized, even though, following childbirth, abortion has been the second leading cause of hospital discharge for the past 40 years<sup>36</sup>.

23. Although family planning standards do exist, their implementation is either scarce or infringes on human rights. An example is the emergency contraception ban, which was introduced by a de facto ministerial agreement in 2009. While there is a pending bill that would legalize it, the National Congress continues to resist repeal of the ban and approval of its use. Likewise, the Executive Branch, which could also repeal the agreement, refuses to do so.

24. The rights of women living with HIV to access information are constantly violated, as is the right to informed consent in 58% of cases. They are also denied their right to confidentiality of diagnosis (26%); to health services (50%) and to non-discrimination (54%) and are pressured into sterilization for living with HIV (11% of cases)<sup>37</sup>.

Girls, adolescents, people whose sexual orientation or gender identity are non-heteronormative, and all women under 18 years of age who solicit an HIV test must have the authorization of an adult. Although personnel have been trained, they do not offer family planning services to adolescents: they ask them if they have a partner; they tell them that they are too young, and that they cannot give them contraceptives. Lesbian and trans\* people are often discriminated against and health providers have neither the capacity nor do they offer hormone therapy to trans\* persons despite ongoing demand<sup>38</sup>.

25. In rural areas where the majority of indigenous people live, the discrimination, lack of access to services and denial of women's rights to health are even worse. For example, healthcare professionals attended 94% of births in urban areas while the percentage decreases to 73% in rural areas<sup>39</sup>. Indigenous women and afro-Hondurans are often among the populations with fewer resources and greater barriers to access. National indicators reveal that women with limited resources who live in poverty and extreme poverty have the highest rate of unmet need for family planning, 11% and 23% respectively<sup>40</sup>. Current standards also fail to consider the sexual and reproductive healthcare needs of lesbian, trans\* and intersex persons, which is clearly discriminatory and a denial of universal access to sexual and reproductive health.

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<sup>36</sup> Ministry of Health. Statistical Yearbook 2011 and all annual bulletins on hospital care of the Honduran Ministry of Health.

<sup>37</sup> Balance. Estudio técnico jurídico de las violaciones a los derechos reproductivos de mujeres con VIH en cuatro países de Mesoamérica, 2013.

<sup>38</sup> CLADEM Honduras. Proceso Cairo+20 y más allá - seguimiento del Plan de Acción de Cairo. 2013. In [http://www.cladem.org/pdf/CLADEM\\_BalanceCairo+20.pdf](http://www.cladem.org/pdf/CLADEM_BalanceCairo+20.pdf)

<sup>39</sup> INE. National Demographic and Health Survey 2011-2012. In <http://www.ine.gob.hn/index.php/censos-y-encuestas/encuestas-todos-las-encuestas-de-honduras/encuesta-endesa>

<sup>40</sup> David Alexander Figueroa Toruño, Summarized account of family planning in Honduras, in DEMOGRAPHIC TRANSFORMATIONS AND INEQUALITIES IN LATIN AMERICA 325, 327(Suzana Cavenaghi, 1st ed. 2009). In [http://www.alapop.org/docs/publicaciones/investigaciones/DemogTransformations\\_Partell-](http://www.alapop.org/docs/publicaciones/investigaciones/DemogTransformations_Partell-)

## VI. Labour Rights

28. Workplace discrimination against women, especially in the maquilas (manufacturing operations in free trade zones), starts before employment even begins. During their job interview, women are asked about or requested to take a pregnancy test or their family life is looked into<sup>41</sup>.

29. Flexibilization of the labour force<sup>42</sup> reduces and denies labour rights, directly impacting women who effectively cannot access maternity protection without stable employment.<sup>43</sup>

30. In the maquilas that produce textiles, thread and vehicle body harnesses, workers earn, by executive decree, between 28% and 51% less than the urban minimum wage. They moreover suffer multiple and constant forms of abuse, resulting in serious health problems that range from urinary tract infections to abortions<sup>44</sup>.

31. Honduras has not ratified Convention 189 on decent work for domestic workers, limiting their access to equal rights as workers<sup>45</sup>.

## VII. Impunity and Barriers to Accessing Justice

33. Although Femicide was recognized as a punishable crime in 2013, so far this category has not been put to use, hindering progress in the investigation and punishment of such crimes. According to the prosecutor responsible for the Femicide Unit of the Office of the Prosecutor for Crimes against Life, since March 2013, 5 legal summons have been issued for the offence of Femicide. This is due to the fact that investigation of femicide is complex, leading most cases to stall in the investigation phase. According to estimates by the Women's Human Rights Observatory of the CDM, one of every two violent deaths of women is a femicide, exhibiting conditions established in the Penal Code.

34. National legislation does not yet consider various forms of violence that women experience, such as patrimonial violence, institutional violence, sexual violence in marriage, child marriage, sexual harassment and stalking<sup>46</sup>.

35. The obstacle to women's access to justice is not considered to be a lack of legislation, but rather inadequate enforcement by judicial officers.

36. Research findings and the experience of women human rights defender organizations in litigating cases of violence against women reveal significant problems and challenges with the enforcement of Honduran legislation: a) lack of judicial officers to enforce national and

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<sup>41</sup> Globalización neoliberal, modelo de precariedad laboral. Caso de las mujeres trabajadoras en Honduras. Centro de Derechos de Mujeres, CDM. December 2011.

<sup>42</sup> Hourly Employment Law (decree number 354-2013) and Hourly Employment Programme (decree number 230-2010)

<sup>43</sup> Empleo por horas y los derechos humanos laborales. Sindicato de Trabajadores de Industria de la Bebida y Similares (STIBYS)

<sup>44</sup> Globalización neoliberal, modelo de precariedad laboral. Caso de las mujeres trabajadoras en Honduras. Centro de Derechos de Mujeres, CDM. December 2011

<sup>45</sup> Domestic worker salaries are among the lowest (61% report wages between 100-1000. 18% between 1100-2000. And, finally, 7% report earning between 2100-3000. Las empleadas del hogar (Trabajadoras domesticas). Una breve consulta, 2010. Equipo de Monitoreo Independiente de Honduras EMIH. Unpublished.

<sup>46</sup> López, Ivannia, coordinator, Violence Against Women Prevention and Care programme. Centro de Derechos de Mujeres (CDM) Tegucigalpa.



international legislation; b) predominance of discriminatory sociocultural practices when investigating allegations, which affects the ability of the justice system to fulfill its mandate of processing and punishing cases of violence against women; c) structural problems within the justice system that affect the prosecution of cases of violence against women, such as the lack of police stations, courts and forensic units in the interior of the country, where higher rates of violence exist; d) inadequate coordination between the institutions responsible for providing services to women; e) lack of protection and judicial safeguards to protect the dignity and safety of women and witnesses during the judicial process; f) absence of judicial standards for removing judicial officers from administrative, work, legal or civil responsibilities when found to be acting negligently in cases of violence against women; g) lack of autonomy of prosecutors or lack of judicial independence of judges when delivering justice; h) the naturalization of violence against women by judicial officers; i) corruption of institutions within the justice system; j) tedious and complicated judicial procedures; k) substitution of civil police investigation officers with military police investigation officers at times when capacity to investigate is limited.

### **VIII. Women Human Rights Defenders**

37. In recent years, but even more so since the coup d'état<sup>47</sup>, a process of aggressive and violent land concessions to transnational corporations has been taking place, in violation of ILO Convention 169, which was ratified by the State of Honduras<sup>48</sup>. The privatization of community resources is such a violent experience for communities that women are taking an active role in defense of their land. This process has entailed risks to women's lives and dignity, including: militarization, forced evictions, community conflicts, persecution, threats, arbitrary detention, and the assassination of men and women community leaders. Even when women are not direct victims, traditional gender relations lead them to be indirectly victimized by violence against their partners, whose absence results in a doubling or tripling of their workload as they are left with sole responsibility for the family.

38. In 2012, Honduras ranked second in the Mesoamerican region in the number of attacks against women human rights defenders, with 119 documented attacks. Of these, 95 of the victims defended rights related to land and natural resources<sup>49</sup>.

39. 62% of attacks are perpetrated by State actors, which makes the Honduran State the primary aggressor against WHRDs, followed by private corporations<sup>50</sup>.

40. Being a Woman Human Rights Defender means risking your life. The recent assassination of WHRD Margarita Murillo<sup>51</sup>, who was gunned down by masked men while harvesting the land for which she fought for over 40 years, is another example in which the State failed in its responsibility to protect her by way of precautionary measures.

### **We recommend that the State of Honduras is urged to:**

1. Make structural changes within the security and justice system; shift the current political focus from security to one that prioritizes rights and adopt the necessary measures to ensure that cases

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<sup>47</sup> Adoption of Decree 233-2010, which repealed ministerial decrees 001-96 and 158-2009 that prohibit hydropower and mining in protected areas.

<sup>48</sup> General law on water and Mining law.

<sup>49</sup> Mesoamerican Women Human Rights Defenders Initiative. Diagnóstico sobre violencia contra defensoras de derechos humanos en Mesoamérica. 2012

<sup>50</sup> Violencia contra defensoras de derechos humanos en Mesoamérica, Diagnóstico 2012, IMD

<sup>51</sup> <http://www.laprensa.hn/sucesos/policiales/742643-96/margarita-murillo-libr%C3%B3s-de-lucha-en-el-campesinado>

of violence against women are investigated with due diligence, that those responsible are punished and that victims receive reparations. Adequate human resources must be secured for the investigation of cases of women violently murdered in order to identify the specificities of the crimes against them. To reduce impunity, the Femicide Unit must return to the Office of the Prosecutor for Women's Affairs.

2. Proceed without delay in revoking the ban on emergency contraceptives and approving the bill currently under consideration by Congress.

3. Guarantee budget allocation and effective accountability mechanisms to monitor working conditions and human rights.

4. Open childcare centres, as established in article 59 of the Equal Opportunity Law for Women.

5. Eliminate the Hourly Employment Law and the "Chamba ahora" programme.

6. Ratify ILO Convention 189 and recommendations 200 and 201.

7. Take urgent measures to create legislation and oversight mechanisms on the possession of firearms, paramilitary groups, and private security companies.

8. Comply with the State obligation to guarantee all people's access to justice, especially women. Effective vetting and intervention within the Office of the Public Prosecutor and the police force will need to take place for this to be possible, as well as with key actors within the security and justice system.

9. Bolster security initiatives that are appropriate for communities, take a gender and human security perspective and are based on an unconditional human rights framework for Honduran citizens. Repeal current security policies that provoke high levels of re-militarization and incidence of violence against women and the general public.

10. Ensure that the Armed Forces fulfill their purpose which is strictly limited to the defense of national sovereignty, as per the Constitution. The elimination of the Military Police is imperative.

11. Fulfill obligations to make substantial progress with the unification of statistical records on violence against women, guaranteeing immediate public access, especially in cases of femicide/feminicide, disappearances of women, and trafficking, as stipulated in the Convention on the Prevention, Punishment, and Eradication of Violence against Women, the recommendations of special rapporteurs and international jurisprudence in cases of violence against women.

12. Put in place mechanisms for monitoring and controlling the actions of public officials at all levels. Such mechanisms will create an enabling environment for implementing provisions for the prevention, punishment and elimination of violence against women.

13. Urge the State to honor the promise it made to women's organizations and feminists to create a High Level Commission against Femicide.

14. Revise existing regulations and national legislation that restrict access to sexual and reproductive health services, to meet international commitments, especially related to the right to life and above all the right to reproductive choice, including abortion. Reform should aim not only for a change in the legal framework, but also in the implementation of health protocols to ensure that health services are accessible, available, adequate and high quality. It is crucial that as a minimum the total ban on abortion is revised to include an exception that guarantees access to

abortion in circumstances in which the life and health of the woman is at risk and in cases of rape. This should be part of a national plan, with indicators and outcomes, as well as allocated resources, that demonstrate substantial advances during the next UPR cycle in guaranteeing Honduran women their right to health.

15. Create investigation and assistance protocols in cases of femicide and disappearances of women.