



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS  
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Excellency,

I have been following the third cycle of the Universal Periodic Review (UPR) of the Republic of Honduras and welcome the constructive engagement of your Government during the 36<sup>th</sup> session of the UPR Working Group in November 2020.

As the final outcome report on the review of Honduras has been recently adopted by the Human Rights Council at its 46<sup>th</sup> session, I would like to take this opportunity to follow up on a number of areas raised in the two reports that my Office had prepared for the review of Honduras – the Compilation of United Nations information and the Summary of Stakeholders' submissions – which I consider in need of particular attention over the next four and a half years, until the next cycle of the UPR. In identifying those areas, I have considered the statements and/or recommendations made by 85 delegations and the presentation made and responses provided by the delegation of Honduras. I have also considered the actions taken by the Government of Honduras to implement the 140 recommendations supported during the second cycle of the UPR. The aforementioned areas cover a range of issues, which appear in the annex to this letter.

I welcome that Honduras regards the implementation of the Law on the Protection of Human Rights Defenders, Journalists, Social Communicators and Justice Officials as a priority and will carry out the first evaluation of the related national protection system with the technical assistance of my Office in the country. I also take duly note of the commitment expressed by Honduras to continue its efforts to combat all forms of violence against women, particularly femicide, through the inter-institutional commission to monitor investigations of violent deaths of women and cases of femicide, and to expand the coverage of the “Ciudad Mujer” initiative through the inauguration of the sixth “Centro Ciudad Mujer” in the city of Choluteca and of the “Ciudad Mujer Móvil” for the departments of Cortés and Yoro.

I encourage Honduras to continue implementing the National Human Rights Action Plan for 2013–2022 effectively in order to achieve concrete results in the areas highlighted in the annex to this letter and to facilitate preparations for the fourth cycle of the UPR. My advice to all Member States is to implement national action plans in close consultation and cooperation with all stakeholders, in particular the national human rights institution and all civil society organizations and, where necessary, with the support of international organizations, including my Office and other United Nations entities, under the leadership of the United Nations Resident Coordinator.

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His Excellency  
Mr. Lisandro ROSALES BANEGAS  
Minister for Foreign Affairs and International Cooperation  
Republic of Honduras



I also encourage Honduras to make further efforts to strengthen the Special Response Group on Human Rights for comprehensive reporting and follow-up in relation to recommendations received from all international and regional human rights mechanisms and to treaty obligations, while linking these to the Sustainable Development Goals. To this end, I strongly recommend the use of the OHCHR practical guide on this topic, which is available at: [http://www.ohchr.org/Documents/Publications/HR\\_PUB\\_16\\_1\\_NMRF\\_PracticalGuide.pdf](http://www.ohchr.org/Documents/Publications/HR_PUB_16_1_NMRF_PracticalGuide.pdf).

Please note that I am sharing my advice with all Member States as they go through the third cycle of the UPR with a view to assisting them with the implementation of the recommendations, following the review. One important measure that can positively contribute to follow-up action is voluntary mid-term reporting. Therefore, I strongly encourage all Member States to submit a voluntary mid-term report two years after the adoption of the UPR outcome report. In this regard, I welcome the practice of Honduras of submitting mid-term reports and encourage the Government to continue with this practice on follow-up to the third cycle of the review, by 2023.

As stated by the Secretary-General in his 2017 report on the work of the Organization (A/72/1, paragraph 98): *“The Human Rights Council’s universal periodic review process is now entering a new cycle, with every Member State scheduled for a third round of scrutiny. We will work to strengthen the relevance, precision and impact of the Council’s recommendations, including by providing better support to Member States in implementation, stronger collaboration with United Nations country teams and the establishment of national mechanisms for human rights reporting and follow-up to link the universal periodic review to the implementation of the Sustainable Development Goals.”*

I look forward to discussing with you ways in which my Office may assist Honduras in relation to the areas identified in this letter and its annex.

Please, accept, Excellency, the assurances of my highest consideration.

Michelle Bachelet  
High Commissioner for Human Rights

cc: Her Excellency  
Ms. María Antonia RIVERA  
Vice-President of the Republic of Honduras and Secretary of State for Economic  
Development  
Republic of Honduras

Ms. Alice SHACKELFORD  
United Nations Resident Coordinator  
Republic of Honduras



## Annex

### **Scope of international obligations and cooperation with international human rights mechanisms and bodies**

- Ratifying the international instruments of which Honduras is not yet a party, including the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, the Optional Protocol to the Convention on the Rights of the Child on a communications procedure, the Domestic Workers Convention, 2011 (no. 189) of the International Labour Organization, the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement), and the Inter-American Convention against Racism, Racial Discrimination and Related Forms of Intolerance.

### **National human rights framework**

- Further strengthening the legislative and institutional framework for the protection and promotion of human rights, including by fully harmonising the new Criminal Code with international human rights standards; and strengthening the office of the National Commissioner for Human Rights (CONADEH), in line with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles).

### **Implementation of international human rights obligations, taking into account applicable international humanitarian law**

#### **A. Cross-cutting issues**

##### *Equality and non-discrimination*

- Strengthening the legislative, policy and institutional framework to combat all forms of discrimination, including by adopting a comprehensive anti-discrimination legislation, and fully implementing the Public Policy against Racism and Racial Discrimination for the Comprehensive Development of Indigenous and Afro-Honduran Peoples 2016–2022.
- Adopting further measures towards eliminating discrimination based on sexual orientation and gender identity, and ensuring the investigation and punishment of acts of violence against lesbian, gay, bisexual, transgender and intersex persons.

##### *Development, the environment, and business and human rights*

- Strengthening legislative, policy and institutional measures to protect and fulfil the right to a healthy environment, including by establishing a clear regulatory framework on the participation of all stakeholders with regard to the implementation of large-scale development projects.
- Continuing efforts to implement the UN Guiding Principles on Business and Human Rights, including by developing a national action plan on business and human rights and ensuring the participation of civil society in the process.

##### *Human rights and counter-terrorism*

- Bringing anti-terrorism legislation fully in line with international human rights standards, including with regard to provisions contained in the new Criminal Code such as that concerning the offence of association for the purpose of engaging in terrorism.

## **B. Civil and political rights**

### *Right to life, liberty and security of person*

- Continuing to strengthen the national police in order to enable it to take over law enforcement functions from the armed forces and adopting comprehensive legislation and protocols regulating the use of force by law enforcement actors in accordance with international standards. Strengthening prevention measures, by providing systematic training to law enforcement agents on the use of force and human rights.
- Ensuring prompt, impartial and effective investigations into all allegations of excessive use of force, ill-treatment and other abuses by law enforcement agents in the context of social protests, holding accountable those responsible for such acts.
- Adopting legislation regulating private security companies.
- Intensifying efforts to improve conditions of detention in line with international human rights standards, including by reducing overcrowding and violence in prisons and the use of pre-trial detention and progressively ending the use of armed forces in managing prisons.

### *Administration of justice, including impunity, and the rule of law*

- Strengthening the independence of the judiciary in accordance with international standards, by establishing clear rules and objective criteria with regard to the judicial career and reviewing the procedures for selecting and appointing Supreme Court Judges, the Attorney General and his or her Deputy.
- Adopting legislative and institutional measures to fight corruption and impunity, in particular by reviewing relevant legislation, and ensuring prompt, impartial and effective investigation of crimes against human rights defenders.
- Fully implementing the recommendations of the Truth and Reconciliation Commission relating to violations that had taken place during the 2009 coup.
- Increasing access to justice for groups in situation of vulnerability.

### *Fundamental freedoms*

- Strengthening the legislative framework on access to public information, including by ensuring the application of the Access to Public Information Act to all State institutions.
- Guaranteeing full and effective protection for the rights of freedom of expression and peaceful assembly, including by fully harmonising relevant national legislation with international human rights standards.
- Ensuring the protection of human rights defenders, journalists, other media professionals and justice officials, including by strengthening the national protection mechanism and providing it with adequate technical and financial resources.

### *Prohibition of all forms of slavery*

- Enhancing measures to combat human trafficking, in particular trafficking for purposes of sexual exploitation, and to ensure that perpetrators are prosecuted and adequately punished, and victims are effectively protected and assisted.



## **C. Economic, social and cultural rights**

### *Right to work and to just and favourable conditions of work*

- Adopting further measures to close the gender pay gap and ensuring equal opportunities for women and men in the labour market. Stepping up measures to ensure adequate working conditions for women, in particular for those employed in the maquila sector and in domestic work.

### *Right to an adequate standard of living*

- Continuing efforts to implement the Sustainable Development Goals and to reduce poverty and extreme poverty, including by adopting a national action plan for poverty reduction as well as measures to address inequality.

### *Right to health*

- Strengthening efforts aimed at guaranteeing universal access to quality health services, with emphasis on vulnerable groups, including by allocating adequate funds to the national health-care system.
- Continuing efforts to reduce adolescent pregnancy and adopting further measures to ensure access to high-quality sexual and reproductive health services, including by revising the current legislation on abortion in accordance with international human rights standards and lifting the ban on emergency contraceptives.

### *Right to education*

- Strengthening efforts to expand education coverage, including by allocating adequate funds to the education system, and ensuring access to quality education for all children, in particular indigenous children and children of African-descent.
- Adopting measures to ensure the inclusion of children with disabilities in the education system.

## **D. Rights of specific persons or groups**

### *Women*

- Continuing efforts to promote and protect the human rights of women and combating discrimination against them, including by strengthening the National Institute for Women.
- Stepping up measures to prevent and combat violence against women and femicides, by ensuring that all such acts are properly investigated, prosecuted and punished; strengthening assistance and protection mechanisms for victims; and adopting and implementing comprehensive legislation on violence against women.
- Continuing to implement the “Ciudad Mujer” initiative and ensuring its availability across the country.



### *Children*

- Continuing efforts to protect and promote the rights of children, by ensuring the implementation of the comprehensive system to guarantee the rights of children and adolescents.
- Stepping up efforts to prevent the recruitment of children by maras and criminal groups and protect them from violence. Providing adequate resources to the programme for members of maras on prevention, rehabilitation and social reinsertion.

### *Persons with disabilities*

- Ensuring that the national legal framework is fully in line with the Convention on the Rights of Persons with Disabilities, with a view to recognising persons with disabilities as full holders of all human rights and promoting their integration into society.

### *Minorities and indigenous peoples*

- Promoting the rights of indigenous and Afro-Honduran peoples, including by adopting comprehensive legislation guaranteeing their rights in line with international human rights standards, in particular regarding their free, prior and informed consent regarding development projects.
- Strengthening the Office of the Special Prosecutor for Ethnic and Cultural Heritage and the Directorate of Indigenous and Afro-Honduran Peoples.

### *Migrants*

- Enhancing measures to protect the human rights of migrants, including by bringing national legislation into line with international human rights standards, adopting a comprehensive human rights based public policy on migration, and implementing a reintegration plan for Honduran migrants.
- Strengthening efforts, in cooperation with other States in the region, to protect the rights of Honduran migrants, including by protecting them from being deprived of their liberty in detention centres in transit and destination countries, and ensuring that searches for disappeared migrants are conducted and those responsible are brought to justice.