

Feminist Organizations Report

Status of violence against women in Honduras

Submitted to the Special Rapporteur on violence against women,
its causes and consequences, in her visit to Honduras

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Report of feminist organizations to the Special Rapporteur on violence against women, its causes and consequences

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I. Context

Honduras has been rated by the United Nations Office on Drugs and Crime (UNODC) as the country with the highest homicide rate in the world from 2010 until 2012, when the most recent report was issued.¹ From 2005 to 2013, the number of violent deaths of women rose by 263.4%.²

This violence is the result of multiple factors, including high levels of economic inequity³ and inequality,⁴ poverty,⁵ corruption,⁶ militarization,⁷ and an ever increasing presence of organized crime and drug trafficking, all of which has a strong negative impact on the human rights of the population, and on the lives of women in particular.

The IV State of the Region Report on Sustainable Development in Central America⁸ confirms that Honduras is fast becoming a type of *State that is hostile to democracy*, one that is characterized by its own acts against democratic legality —deliberate Executive actions to co-opt the Judicial Branch by equipping it with small institutional structures and precarious networks in key areas of work. By and large, the Executive directly controls the budget and the administration of the majority of public institutions. In this context of institutional fragility, the State's decision-making process is penetrated by corporate networks, which end up granting more power to business and industrial sectors. Governability is threatened by violence that results in murders, mainly those of young people, both men and women. With regards to human rights, the country has received poor evaluation scores in almost all governability indicators, such as social inclusion, social participation, peacemaking or coexistence, competitiveness, and respect for human rights, among others.

According to estimates of the Observatory on Violence of the National Autonomous University of Honduras (UNAH), a person was killed every 78 minutes in 2013. In the course of the year, a million firearms were in circulation in the country, of which scarcely 282 thousand were duly registered.⁹ The Weapons Possession Law authorizes each citizen to have in his or her power up to

¹ Homicide rate in Honduras by year: 2010: 81.8, 2011: 91.4, 2012: 90.4. Data from the Global Study on Homicide 2012. United Nations Office on Drugs and Crime (UNODC)

² University Institute in Democracy, Peace and Security (IUDPAS) – Observatory on Violence, UNAH. School of Social Sciences, Special Edition No. 9, Tegucigalpa, January, 2013.

³ According to the 2011 Human Development Report for Honduras, the country ranks third among Latin American and Caribbean countries with the highest level of economic and social inequality, only below Haiti, in first place, and Colombia.

⁴ Honduras is one of the 15 most unequal countries in the world in human development, according to the 2010 Regional Human Development Report for Latin America and the Caribbean, which ranks Honduras 106 out of 169 countries, only above Nicaragua (115) and Guatemala (116) in Central America.

⁵ According to statistics on household income, 65.9% of all homes are in a poverty situation, and of these, 23.2% are poor and 42.7% extremely poor. 'Poverty Analysis in Honduras. Determinants Analysis and Characterization, 2013-2014.' FOSDEH.

⁶ [El Informe de Transparencia Internacional sobre el Índice de Percepción de la Corrupción \(IPC\) 2011](#), Honduras has a rating of 2.6 on a scale where 0 is the lowest score. In the context of the Western Hemisphere, Honduras comes out even worse. Out of 32 countries reviewed, it ranks 26th, which is to say, it is one of the most corrupt.

⁷ According to a report of the International Peace Research Institute in Stockholm, there has been a significant steady increase in military spending in Honduras between 2000 and 2011, rising from 0.7% to 1.1% of the GDP. [Informe del Instituto Internacional de Estudios para la Paz de Estocolmo \(SIPRI\)](#)

⁸ Costa Rica State of the Region Report on Sustainable Human Development. 2010. State of the Nation-Region Program. Costa Rica
⁹ Statement of spokesperson for the National Directorate of Criminal Investigation. [Ultima Hora. Abril 2014.](#)

five commercial firearms; this provision, in conjunction with the high number of illegal arms circulating in the country, foments a death culture fueled by high levels of impunity.

II. Violence against women

Different forms of violence are systematically affecting women, especially young women, in both public and private spaces. Rates are increasingly higher, as is impunity.

In Honduras, 27% of all women report that they have suffered physical violence at one time or another in their lives. And although this figure alone is alarming, violence against women has many other manifestations. The Public Prosecutor's Office recognizes 25 crimes against women, including injury, domestic violence, sexual violence, and homicide. In 2012, the Statistical Observatory of the Public Prosecutor's Office reported more than 16 thousand accusations involving violence against women. The highest number of complaints, 74.6%, pertained to Domestic Violence and Intra-family Violence, followed by sex crimes, which accounted for almost 20% of the total.

a. Femicides/Feminicides

From 2005 to 2013, the number of violent deaths of women rose by 263.4%,¹⁰ which implied 636 women murdered in 2013, or one every 13.8 hours. This is reflected in the dramatic rise in the rate of violent deaths of Honduran women from 2.7 in 2005 to 14.6 in 2013,¹¹ which is even greater than the total homicide rates in countries now officially engaged in a war or armed conflict.¹²

The cases of women killed in Honduras are characterized by the following aspects:

- Most of the women live in urban areas. In 2012, 3 out of 5 violent deaths of women occurred in urban areas, and in 2013, 40% of all murders of women were concentrated in two cities:¹³ San Pedro Sula and the Central District.
- Young women make up 43 to 49 percent of all women killed annually, with the 20-24 year age range being the most highly affected.
- Firearms are utilized in more than 70% of all homicides of women.
- Men are the main suspects: In 70% of the cases one or more men have been identified as suspects, and in 1.6%, women; the sex of the remaining suspects is unknown.
- Disappearances are common. In 40.4% of the homicides of women that occurred in 2012, the place of the commission of the crime is unknown, which implied that the victims — women, girls and adolescents— were abducted from wherever they happened to be, retained against their will, probably subjected to sexual abuse and torture, and then killed and abandoned in public places.
- Impunity reigns. The average rate of impunity in the last 6 years is 93.5%, which has left at least 2,500 women without any justice whatsoever during this time period.

Even though the crime of Femicide was approved for inclusion in the Honduran Penal Code in 2013, it has not been utilized, and this has impeded progress in the prevention, investigation and sanction of such crimes. According to Ingrid Rivera¹⁴ —the Prosecutor responsible for the Femicide

10 University Institute in Democracy, Peace and Security, IUDPAS – Observatory on Violence, UNAH. School of Social Sciences, Special Edition No. 9, Tegucigalpa, January, 2013.

11 Observatory on Violence, Mortality, and other circumstances. Edition No. 32, February 2014. UNAH – University Institute in Democracy, Peace and Security, IUDPAS.

12 Palestine (4.1), Syria (2.3) and Iraq (2.0) UNODC data, 2012.

13 Violence against women in 2013: What the national press says. Observatory on Women's Human Rights, Center for Women's Rights. March 2014.

14 Forum: "Femicide: A debate in the Feminist Movement of Honduras". Center for Women's Rights. March 2014.

Unit in the Division of Crimes against Life of the Public Prosecutor's Office—, as of March 2013, judicial requirements had been established in only 5 cases presented for the crime of Femicide.¹⁵ This is mainly due to the fact that the investigation of femicides is complex, and the majority of the cases are stalled in the investigative stage. According to some estimates,¹⁶ one out of two violent deaths of women is a femicide in that it exhibits one or more of the circumstances established in the Penal Code.

b. Disappearances

In only 6 years, complaints lodged for the disappearance of women has jumped from 91 in 2008 to 347 in 2013, which indicates a 281% hike in the cases of women, girls and adolescents reported as disappeared at the national level. To this figure, it is necessary to add 155 more complaints filed for crimes that imply disappearances, such as the unjust deprivation of liberty, kidnapping and human trafficking.

In addition to this escalation, and in some cases related to it, clandestine cemeteries are constantly being discovered in the country with multiple victims who have possibly been reported as disappeared, and many others who have not even been reported at all to the authorities.

c. Sexual violence

During 2013, a total of 2,851 accusations of sexual violence were presented,¹⁷ which implied that a sexual violence complaint was filed every 3 hours in Honduras. These figures, although consistent with those reported since 2010, represent only a fraction of the problem, since estimates reveal that the prevalence of sexual violence rose from 4.6 in 2008 to 8.6 in 2010.¹⁸ The right of women survivors of sexual violence to access to justice is practically non-existent, given the fact that in 94.5% of all cases, impunity persists.¹⁹

d. Transnational violence

Other underreported manifestations of violence against women include those associated with the trafficking in persons. Although the Public Prosecutor's Office has registered 27 complaints for this crime that were filed by women during 2013, the transnational scope of this form of organized crime indicates a higher number of victims. Research shows²⁰ that the profile of the victims of human trafficking in Central America is mainly one of underage girls and women of different ages; in more than half the cases, trafficking has to do with sexual exploitation.

e. Violence against girls

In addition to being exposed to a context of homicidal violence²¹ and to a concentration of sexual abuse against their age group,²² young girls are also engaged in the worst kinds of child labor. They

15 One (1) in Roatán, three (3) in Tegucigalpa and one (1) in La Esperanza, Intibucá.

16 Violence against women in 2013: What the national press says. Observatory on Women's Human Rights, Center for Women's Rights. March 2014.

17 Calculations of the Center for Women's Rights based on complaints lodged nationally. Statistical Observatory of the Public Prosecutor's Office.

18 Regional system of Standardized Indicators of Citizen Coexistence and Security.

19 Armed misogyny in a context of everyday violence. Analysis of violence against Honduran women., 2008-2012. Center for Women's Rights. February 2014.

20 Global Report on Trafficking in Persons 2012. UNODC

21 129 girls, adolescents and youth under the age of 20 were killed in the country. Source: Observatory on Violence, Mortality and other circumstances. Edición No. 32, Febrero 2014. Universidad Nacional Autónoma de Honduras (UNAH) – Instituto Universitario de Democracia, Paz y Seguridad.

“begin to work at early ages; are badly paid for the work they do; are locked into sectors characterized by long workdays; work clandestinely or outside a regulatory framework (which increases their vulnerability to situations of exploitation or abuse); work in jobs that are highly dangerous to their health, safety and well-being; and continue to be excluded from education or suffer the triple burden of household work, school, and paid jobs.”²³

Poverty, violence and exclusion lead to a forced exodus that obliges thousands of girls and boys to migrate illegally (usually to the United States), suffering a whole series of human rights violations on the way.²⁴ During the first six months of this year, a total of 3,807 underage children have been returned to Honduras, but it is estimated that the number of girls and boys leaving the country every year in these conditions is more than 12,000.

f. Displacement due to violence

The State lacks centers of attention for women victims of violence and is incapable of assuring their well-being. Such legislative and social neglect places women in a position of extreme vulnerability and risk at different points of the cycle of forced displacement: “[They] are forced to leave home, travel to other parts of the country in search of relatives, are forcibly displaced to other more remote areas, and often end up crossing the international border.”²⁵

According to the Center of Assistance for Returning Migrants (CAMR), more than 2400 Honduran women have been deported so far this year, the large majority for reasons having to do with violence and organized crime. The cycle of forced displacement of victims at risk is marked by a lack of effective protective mechanisms both nationally and internationally; consequently, these victims don’t directly request international protection as refugees for fear of being identified by organized crime or related sectors.²⁶

g. Workers’ rights

Discrimination against women in the workplace, specifically in the *maquila* industry, begins before they are hired, upon being subjected to requirements for pregnancy tests and investigations of their family life.²⁷

The adoption of flexible working conditions²⁸ diminishes and eliminates the human rights of workers and directly affects women; without job stability, women workers cannot effectively benefit from the protection of maternity rights,²⁹ such as maternity leave, the right to breastfeed, and economic recognition by the Honduran Social Security Institute.

In *maquila* industries that produce textiles, agro exports, thread and vehicle body harnesses, women workers earn, by executive decree, from 28% to 51% less than the urban minimum wage. In addition, they suffer constant multiple assaults that result in serious health problems, ranging

²² Girls under the age of 15 represent 58% of all sex crimes victims that were granted a medical-legal review in 2013.

²³ Casa Alianza Report, "Child Labor in Honduras," October 2011.

²⁴ Statement by the National Human Rights Commission of Honduras (CONADEH). [Advierten sobre peligros que corren miles de niños hondureños en busca del "sueño americano"](#), June 2014

²⁵ ["Desplazamiento Forzado y Necesidades de Protección, generados por nuevas formas de Violencia y Criminalidad en Centroamérica"](#) International Center for the Human Rights of Migrants (CIDEHUM). May 2012

²⁶ ["Desplazamiento Forzado y Necesidades de Protección, generados por nuevas formas de Violencia y Criminalidad en Centroamérica"](#) International Center for the Human Rights of Migrants (CIDEHUM). May 2012

²⁷ Neoliberal globalization, job insecurity model. Case of women workers in Honduras. Center for Women’s Rights (CDM). December 2011.

²⁸ Hourly Wage Law (Decree No 354-2013) and Hourly Wage Program (Decree No 230-2010)

²⁹ Hourly wages and worker rights. Beverage Workers Union (STIBYS)

from urinary infections to abortions.³⁰ On top of all this, they are subjected to long workdays in the agro export sector, where they are directly exposed to pesticides and chemicals without appropriate protective gear.³¹

h. Violence from state institutions

Women's organizations have voiced serious concerns about security policies and strategies implemented by the government of Honduras, especially those aimed at militarizing the police and investing resources in weapons to strengthen the armed forces and police, thereby leaving fundamental education and health rights unprotected and abandoning actions for the prevention, sanctioning and eradication of violence against women.

A clear militaristic orientation exists in security policies and actions fostered by the State. The steps taken by the Juan Orlando Hernández government as follow-up to measures formerly initiated in the National Congress, include the creation of the Intelligence Troops and Special Security Response Groups (TIGRES); the establishment of the National Anti-Extortion Force (FNA); the creation of the Military Police of Public Order (PMOP), with Constitutional status granted during the first few days of 2014³² despite the observations of members of the Commission on Public Security Reform (CRSP) concerning the unconstitutionality of this measure.³³ To assure economic support for these initiatives, the Population Security Act was first passed; better known as the *Security Index*, it generates resources through a series of taxes on the population that have been in effect since May of 2012.³⁴

There are high levels of corruption as well as the involvement of police and military forces in crimes and human rights violations. The Police have been responsible for 149 violent deaths in the country in the last 23 months. A study of police criminality in Honduras points out that at least 71 of the 149 murders were committed by members of the Preventive Police. In the other cases, the authors of the crimes are police working in Criminal Investigation and Special Investigation Services. On the average, they killed 6 people a month, according to a report published by the Observatory on Violence.

Militarization and the arms race in Honduras have a direct impact on the lives of women, and firearms continue to be the main instrument used to end women's lives. From January to December of 2013, this instrument was used in 334 violent deaths of women (75.1%). In the Central American region, 77% of all homicides are committed by firearms, a figure that is highest in the case of Guatemala (84), followed by Honduras (82), slightly lower in El Salvador (73) and lowest of all in Nicaragua (51).³⁵ This is the main mechanism for committing femicides in the region.³⁶

30 Neoliberal globalization, job insecurity model. Case of women workers in Honduras. Center for Women's Rights (CDM). December 2011.

31 Independent Monitoring Team in Honduras. Notebooks on Job Insecurity. Editorial Guaymurás. 2011

32E On Monday night, Congress granted the Military Police of Public Order (PMOP) constitutional status, to protect this new elite State security force. Furthermore [a decree](#) was issued giving the Military Police the power to intervene in the country's customs offices and combat tax evasion.

33 "CRSP warns against granting constitutional status to the military police," *Diario La Tribuna*, November 13, 2013.

34 Women for Life Forum. Observatory on Violence and Security. 2013 Report.

35 UNODC, Transnational organized crime in Central America and the Caribbean: An assessment of the threats, September 2012, p.59

36 Regional Network for Women's Security. Violence against women as a citizen security problem. The case of Guatemala, el Salvador, Honduras and Nicaragua.

i. Impunity and obstacles to access to justice

The problem of access to justice for women does not lie in the regulations themselves, but in their inadequate application by justice operators. Nevertheless, federal criminal codes do not yet contemplate a number of the types of violence that women experience: patrimonial violence, institutional violence, sexual violence within marriage, marriage to underage girls, sexual abuse, sexual harassment and persecution. Furthermore, there is a failure to acknowledge international legislation, a lack of gender perspective, and an absence of diligent investigation in these cases by public officials of criminal justice institutions.

In view of this assessment, the Honduran feminist movement believes that this is an opportune moment to create a comprehensive law that will truly be successful in combating violence against women. What is necessary is a law that can penalize domestic violence; sanction justice operators that do not act with all due diligence in these cases; guarantee an adequate budget for institutions charged with imparting justice; strengthen the competence of officials; offer refuge to women; impose civil, penal and administrative sanctions on aggressors; and adjust penalties.

Major rollbacks exist with regards to institutional policies and practices for the protection of the human rights of women. This situation is clearly seen in the disappearance of the ministries of Justice and Human Rights and of the National Women's Institute (INAM); in keeping with the government's structural reforms, such entities have become offices within the major ministries.³⁷ Likewise, the Femicide Investigation Unit, formerly included in the Special Prosecutor's Office for Women's Affairs, has been transferred to the Prosecutor's Office for Crimes against Life.

j. Situation of the Municipal Offices for Women

For more than 10 years, discussions have been held on the need to institutionalize the Municipal Offices for Women (OMM), including them in the legal framework that governs the country's municipalities. Rural women, however, have been faced with major setbacks, such as the 2010 reforms of the Municipal Government Law, passed after the coup d'état. In these reforms, ART59-E converts the OMM into offices required to attend to a wide variety of problems, ignoring the specific problems of women and pigeonholing issues such as violence against women in a reduced family-based category, in which only the reproductive role of women and the mother-child relationship are considered.

Although it is true that many town or city governments have created OMMs in response to women's demands and the political will of the Mayors, the majority of the corresponding officials are not included on the municipal payroll and some only receive a token sum of L 2,000.00 (\$95) a month for their work. Many of them have been constantly removed from their positions for responding to women's needs, especially those related to domestic violence, and are not taken into account in municipal planning.

37 Women for Life Forum. Observatory on Violence and Women's Security. Report I. Violence against Women as a Human Security Problem.

k. Sexual and reproductive rights

The use, advertising, sale and marketing of emergency contraceptives have been prohibited since October of 2009³⁸; as a direct result, at least 8,165 women and girls who report having been victims of sexual violence between 2010 and 2013³⁹, were subjected to a potential undesired pregnancy, thereby violating their right to life, health and autonomy, as well as their right to make decisions regarding maternity. The prohibition and lack of access to the only method capable of preventing a pregnancy after an unprotected or non consensual sexual relation, is in itself a form of institutional violence against sexually active women in general and victims of sexual violence in particular. Since its prohibition, as a direct consequence of the coup d'état of June, 2009, the State of Honduras has received numerous recommendations to repeal the ban now in force, which have come through mechanisms responsible for the vigilance and compliance of international human rights commitments.^{40 41 42}

A bill has been introduced in the National Congress⁴³ of Honduras that favors the legalization of the Emergency Contraceptive Pill (ECP) and its respective incorporation into the protocols of attention by the Ministry of Public Health. Nevertheless, the bill has been fiercely opposed by religious and anti-rights groups, which have disseminated public disinformation regarding the way in which this contraceptive functions and have also lobbied members of Congress, thereby delaying the legislative discussion and vote on the legalization of the ECP.

l. Violence against women human rights defenders

As of the coup d'état, attacks against defenders in Honduras have intensified. Women defenders of territorial struggles, as well as those engaged in the defense of common property and the struggle against concessions, have faced heightened levels of aggression, including persecution, surveillance, criminalization, judicial processes, attempts on their lives, murder, arbitrary detention, disparagement, etc. Despite this situation, women defenders continue to struggle to transform the reality of a society hard hit in everyday life by an aggressor State that is a major human rights violator. Both men and women human rights defenders are the targets of a persecution campaign clearly exposed in the threat by the offices of the Interior and Population of the Secretary of State to cancel the legal status of more than 5000 NGOs of women, feminist and human rights organizations that have openly stated their repudiation of the coup d'état and all resulting government policies.

³⁸ By ministerial agreement No. 2744-2009, of the Honduras Ministry of Health.

³⁹ Observatory of Women's Human Rights, Center for Women's Rights (CDM), with data from the Statistical Observatory of the Public Prosecutor's Office.

⁴⁰ [Recomendación 25, Observaciones finales del Comité para la Eliminación de la Discriminación contra la Mujer, Honduras. 2007.](#)

⁴¹ [Recomendaciones 81.1, 82.21. Informe del Grupo de Trabajo sobre el Exámen Periódico Universal, Honduras 2011.](#)

⁴² [Audiencia Temática: Derechos reproductivos y contracepción de emergencia en las Américas, octubre 2013.](#)

⁴³ A Preliminary draft law. March 26, 2014.

III. Conclusions

- The security measures and militarization implemented by the government stem from a repressive concept of security. Militarism and arms purchases are fostered, yet the State fails to assume its obligation to prevent, sanction and eradicate violence against women.
- The lack of political will, the prevalence of corruption, and the collapse of a justice system as the result of an economic, social and cultural collapse, have become decisive factors in increased violence against women at the same time that a culture of impunity is fostered.
- Access to justice for women in general and for women human rights defenders in particular is blocked by gender discrimination that is a clear sign of disrespect for the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).
- The lack of confidence in security institutions and a sure lack of protection translate into a low rate of complaints lodged. And when complaints are filed, especially for femicide and disappearances, the victim's family members abandon the process due to all the difficulties they encounter.
- Despite the rise in the disappearances of girls and women, there is no registry of these cases, nor is any action taken with diligence and celerity as urged by international organisms. Due to discrimination and sexist prejudices, an absence of preventive measures exists, even though facts show that these forms of aggression tend to be the prelude to femicides.
- Honduras has made progress in the creation and approval of a Public Policy and National Plan for Human Rights,⁴⁴ which contemplates sexual and reproductive rights as one of its strategic avenues. Progress in compliance has been minimal, however, as shown by the illegality of emergency contraception.

⁴⁴ [Decreto ejecutivo de aprobación Política Pública y Plan Nacional de Derechos Humanos.](#)

IV. Recommendations from the movement to the Rapporteur

- Issue a public statement by the Special Rapporteur on Violence Against Women urging the State of Honduras to ratify the Optional Protocol of the Convention for the Elimination of all forms of Discrimination against Women (CEDAW) and to establish the legal measures necessary to make it effective.
- Issue a public statement by the Rapporteur demanding that the State legalize Emergency Contraception.
- Issue a public statement by the Rapporteur urging the State of Honduras to ratify Convention 189 for domestic workers.
- Exhort the State, through recommendations, to regulate the possession and sale of firearms and ammunition in Honduras.
- Urge the State to adopt effective measures for the protection of the life and physical integrity of human rights defenders threatened and attacked by diverse actors.
- Exhort the State to comply with its obligation to guarantee access to justice to all people, and specifically to women. To achieve this, it is necessary to implement effective processes of purging and intervention in the Public Prosecutor's Office and the Police, as well as in key institutions in the systems of security and justice.
- Urge the State to include in the reforms of the Law of Municipalities, the necessary resources and affirmative actions designed to guarantee the institutionalization of the Women's Municipal Offices (OMM): joint representation of women on boards of trustees, water commissions, transparency commissions, deputy mayors and the obligation to have at least one council position open to women each year.
- Exhort the State to initiate adequate security measures in the communities from a perspective of gender, human security and inclusion in an unconditional framework of the human rights of the citizenry, repealing current security policies that provoke high levels of re-militarization and an increase in violence against women and the population in general.
- Urge the State to comply with its obligations to make substantial progress in the unification of statistical registries on violence against women, guaranteeing immediate public access to such information, especially in all cases of femicide/ femicide and disappearances of women, and to use all means established in the Convention to prevent, sanction and eradicate violence against women, implementing recommendations of special rapporteurs and international jurisprudence in cases of violence against women.
- Exhort the State to guarantee vigilance and control mechanisms on the actions of public officials at all levels with the goal of assuring compliance with measures aimed at preventing, sanctioning and eradicating violence against women; to this end it is suggested that the recommendations of international organisms be implemented.
- Exhort the State to honor the commitment adopted by women's and feminist organizations to create a High Commission against Femicides.