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**UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
1855 Gateway Blvd., Suite 850
Concord, CA 94520**

In the Matter of)
)
Crystel Lima)
)
In Removal Proceedings)
)
_____)

File No. A. 245-647-045

Immigration Judge: Nava, Marlem

Next Hearing Date: June 26, 2029 at 8:30 AM

RESPONDENT'S COUNTRY CONDITIONS - HONDURAS

Exhibit list

Exhibits:

Pages:

Exhibit 1

Excerpts from Country Conditions Reports

1-15

Exhibit 2

CC1: 2024 Country Reports on Human Rights
Practices: Honduras - U.S. Department of State

16-30

Exhibit 3

CC2: 2025 Trafficking in Persons Report: Honduras –
U.S. Department of State

31-37

Exhibit 4

CC3: World Report 2025: Honduras – Human Rights
Watch

38-42

Exhibit 5

CC4: Honduras: Freedom in the World 2025 Country
Report – Freedom House

43-53

Exhibit 6

CC5: Human Rights in Honduras – Amnesty
International

54-56

Exhibit 7

CC6: IACHR Report: Situation of Human Rights in
Honduras – Organization of American States

57-59

Exhibit 8

CC7: Impact of Organized Crime on Women and Girls
- InterAmerican Commission on Human Rights

60-109

Exhibit 9

CC8: Country Policy and Information Note: Gangs, Honduras – United Kingdom Home Office 110-185

Exhibit 10

CC9: Women’s Bodies as a Battlefield: Gender-Based Violence in Honduras – The Security Distillery 186-192

Exhibit 11

CC10: Visit to Honduras: Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, Morris Tidball-Binz - United Nations, General Assembly 193-211

Exhibit 12

CC11: BTI 2024 Honduras Country Report – Bertelsmann Stiftung 212-228

Exhibit 13

CC12: Gender-Based Violence Country Profile: Honduras - The World Bank 229-246

Exhibit 14

CC13: Femicides in Honduras - Catalyst Planet 247-248

Exhibit 15

CC14: At least 4,050 women were victims of femicide in Latin America and the Caribbean In 2022: ECLAC - UN News 249-251

Exhibit 16

CC15: The Successes and Failures of Honduras in Democratic Governance, Rule of Law, Economic Freedom, and Human Rights – U.S. Department of State 252-255

Exhibit 1

**EXCERPTS FROM HONDURAS'
COUNTRY CONDITIONS REPORTS**

CC 1

**2024 COUNTRY REPORTS ON HUMAN RIGHTS
PRACTICES: HONDURAS - U.S. DEPARTMENT OF
STATE**

Significant human rights issues included credible reports of: arbitrary or unlawful killings; disappearances; torture or cruel, inhuman, or degrading treatment or punishment; arbitrary arrest or detention; and serious restrictions on freedom of expression and media freedom, including threats against media members by criminal elements.

The government took credible steps to identify and punish officials who committed human rights abuses, but inadequate prosecutorial resources, a weak judicial system, political interference, and corruption were major obstacles to obtaining convictions.

Criminal groups, including local and transnational gangs and narcotics traffickers, were significant perpetrators of violent crimes and committed acts of homicide, torture, kidnapping, extortion, human trafficking, intimidation, and other threats and violence directed against human rights defenders, judicial authorities, lawyers, business community members, journalists, bloggers, women, union members, and other vulnerable populations. The government investigated and prosecuted some of these crimes, but impunity was widespread.

There were numerous reports the government or its agents committed arbitrary or unlawful killings during the year. The quasi-governmental, semiautonomous National Human Rights Ombudsman (CONADEH) reported various security forces committed six arbitrary or unlawful killings during the year. The

Public Ministry reported three cases, involving at least five members of the Honduran National Police.

CC 2

2025 TRAFFICKING IN PERSONS REPORT: HONDURAS – U.S. DEPARTMENT OF STATE

The Government of Honduras does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. [...] Authorities identified fewer victims and the government did not report providing services to all identified victims. Police and prosecution units remained understaffed and lacked sufficient resources to effectively investigate and prosecute trafficking crimes. Victim services outside urban areas remained inadequate and authorities made insufficient efforts to identify labor trafficking victims.

Human traffickers exploit domestic and foreign victims in Honduras, and traffickers exploit victims from Honduras abroad. Traffickers exploit Honduran women and children in sex trafficking within the country and in other countries such as Belize, El Salvador, Guatemala, Mexico, Spain, and the United States. **Traffickers particularly target Hondurans based on their sexual orientation or identity, migrants – including those seeking to illegally immigrate to the United States –** Indigenous and Afro-descendant Hondurans, IDPs, persons with disabilities, children in child labor, children whose parents have migrated, and individuals living in areas controlled by organized criminal groups. Traffickers exploit victims within their own homes or communities, including their own family members or friends.

CC 3

WORLD REPORT 2025: HONDURAS – HUMAN RIGHTS WATCH

The administration of President Xiomara Castro has made little progress in fighting corruption and restoring democratic institutions. Honduras continues to struggle with widespread corruption, a compromised judiciary, high levels of violence, and attacks against environmental defenders.

According to government data, in 2023, 64 percent of the population lived below the poverty line (down from 73.6 percent in 2021), and 41.5 percent lived in extreme poverty (down from 53.7 percent in 2021). Honduras maintains one of the highest levels of income inequality in Latin America with a Gini index of 0.52 in 2023.

Honduras has been for years among one of the most violent countries in the world, with police reporting 3,035 murders in 2023, a homicide rate of 31 per 100,000 people.

According to the latest data from the Economic Commission for Latin America and the Caribbean (ECLAC), Honduras has the highest rate of femicides in Latin America and the Caribbean, with approximately 7 femicides per 100,000 women.

CC 4

HONDURAS: FREEDOM IN THE WORLD 2025 COUNTRY REPORT – FREEDOM HOUSE

The lack of due process is a serious issue in Honduras. The judiciary and law enforcement agencies are often compromised and underfunded. As such, they are corrupt, targets of influence peddling and undue influence, and often engage in criminal activities.

In late 2022, President Castro announced a “war against extortion” and passed a state of emergency suspending constitutionally protected rights, which remained in place as of December 2024. In its July report on human rights in Honduras, the OHCHR warned that the state of emergency represented a threat to due process and said that unlawful arrests had been associated with it. The OHCHR also noted allegations that authorities planted evidence and searched homes without a warrant under the state of emergency.

In its July 2024 report on human rights in Honduras, the OHCHR said seven potential enforced disappearances, five extrajudicial killings, and several cases of torture or other mistreatment were connected to the state of emergency.

The homicide rate has declined in recent years, but violent crime and gang violence remain serious problems and have prompted large-scale internal displacement and migration. Ongoing violence and impunity have reduced personal autonomy and freedom of movement. Those living in gang-controlled territories face extortion, and dangerous conditions limit free movement and options for education and employment.

CC 5

HUMAN RIGHTS IN HONDURAS – AMNESTY INTERNATIONAL

Despite the concerns of human rights organizations, the government extended the state of emergency aimed at combating insecurity and organized crime, and announced disproportionate new counterterrorism measures. By October the Ombudsperson (CONADEH) had received more than 700 complaints against the police and security forces since the start of the state of emergency in December 2022.

Overcrowding and the militarization of prisons continued. UN experts reported that conditions in many prisons amounted to cruel, inhuman and degrading treatment.

Honduras was the most lethal country in the world for defenders of land and environment, according to Global Witness. They faced stigmatization, intimidation, arbitrary detention and criminalization, most of which went unpunished.

Climate change impacts, exacerbated by high levels of inequality, contributed to forced migration from Honduras.

CC 6

IACHR REPORT: SITUATION OF HUMAN RIGHTS IN HONDURAS – ORGANIZATION OF AMERICAN STATES

This report addresses conditions in the country based on an on-site visit conducted over the period April 24–28, 2023. The

report identifies the prevalence of a series of structural problems, including poverty, inequality, social, territorial, agrarian, and environmental disputes, and violence, which all combine and cross-sectionally affect human rights.

While the homicide rate has gone down, **Honduras remains the most violent country in Central America and the country with the second-highest homicide rate in the Americas.** This reduction in the homicide rate has focused on urban areas. It is yet to reach remote and rural areas where other factors are at play, like disputes over access to land, territory, and natural resources and the State's insufficient capacity to effectively control those areas. **Violence in Honduras is made worse by the significant presence of criminal organizations, particularly maras and other gangs.**

CC 7

IMPACT OF ORGANIZED CRIME ON WOMEN, GIRLS AND ADOLESCENTS IN NORTHERN CENTRAL AMERICAN COUNTRIES - INTER-AMERICAN COMMISSION ON HUMAN RIGHTS REPORT

In territories and areas dominated by gangs and criminal bands, daily life in communities is controlled by these groups through various forms of social violence. Violence is one of the main strategies employed by these groups, not simply to impose territorial domination but to legitimize male power, establish a hierarchy, and oversee the entry of members, command their respect, and exert control over them . In this regard, while violence as a control mechanism is committed against both women and men, gender violence in particular is one way of exerting control over women and girls, who are subjected to forms of violence that specifically target them.

In addition, the IACHR notes that **gender violence against women and girls is a way for criminal groups to control entire communities, using women's bodies as an opportunity for violent domination to send the rest of the community a message about power, control, and submission, and as a display of power among peers in the criminal group. Thus, violence against women is a key tool in the behavior of many criminal groups and the perpetuation of their illicit activities**

that heightens the risk and vulnerability of women and girls in areas where these groups operate. The Commission notes in particular that women in these contexts are subject to various forms of gender violence, including sexual violence; forced marriages or unions; gender-based killings; disappearances; torture; slaverylike conditions, including criminal exploitation; forced labor; sexual servitude; and human trafficking.

The Commission observes with great concern the high figures for disappearances of women, particularly girls and young women, in Central America's Northern Triangle, noting that many of these disappearances may be linked to individuals involved in organized crime, especially in areas under its control.

Notwithstanding, the Commission notes that the numerous challenges in reporting, investigating, and solving cases of missing women and girls in these countries include the persistent absence of a gender perspective in search and investigation procedures and the lack of information, provisions, or methodologies to link this form of violence against women with the activities of criminal groups. It further notes that, given the threats and intimidation to which women and girl victims of violence and their families are subject, these crimes are generally not reported to the authorities. In addition to perpetuating their risk and heightening the impunity surrounding these crimes, this results in a lack of understanding of the phenomenon and its scope and impedes the adoption of appropriate measures to combat it.

Many women abandon their home, undertaking dangerous journeys to save themselves or the lives of their families when they have been victims of violence, witnesses to acts of violence, victims of extortion, threatened (including with death), or fear that their sons and daughters will fall victim to the rampant social violence in the country.

COUNTRY POLICY AND INFORMATION NOTE: GANGS, HONDURAS – UNITED KINGDOM HOME OFFICE

The main criminal gangs operating in Honduras are Mara Salvatrucha 13 (MS-13) and Barrio 18 (Pandilla 18 or 18th Street gang). They generally operate and exercise control within the 3 main cities of Tegucigalpa and its surrounding area, San Pedro Sula, and La Ceiba.

Gang members are usually youths/young men under 26 years old from poor backgrounds with little formal education or previous employment. Women are also recruited into gangs. Children as young as six can be forcibly recruited into gangs.

Gangs' main activities and sources of revenue are extortion and drugs smuggling, and exercising control of territory through violence, often influencing entire neighbourhoods. Gangs may also impose invisible borders, curfews and dress codes within areas under their control. Gangs routinely use violence and intimidation in their criminal activities and maintaining control of territory.

A person fearing persecution from MS-13 or Barrio 18 is not likely to fall within the Refugee Convention on the grounds of political opinion. However, **women, former gang members, and lesbian, gay, bisexual, trans or intersex (LGBTI) persons are likely to demonstrate a nexus to the RC as members of a particular social group.**

A person is likely to face persecution or serious harm if they live in an area controlled by MS-13 or Barrio 18 and

- **are considered to be a threat to the gang and/or**
- **have not complied with a gang's rules or demands and/or**
- **belong to a particularly vulnerable group, such as being female or a LGBTI person.**

The state is likely to be willing but not able to provide protection.

Street gangs' territorial control extends to all people within their area, and particularly women and girls. The territorial control that organised crime groups exert over border areas

means that women and girls who live there are also vulnerable to human trafficking and forced prostitution as well as sexual abuse by the groups' members.

CC 9

WOMEN'S BODIES AS A BATTLEFIELD: GENDER-BASED VIOLENCE IN HONDURAS – THE SECURITY DISTILLERY

Honduras has been named on several occasions the worst place in the world to be a woman. Women and young girls experience a wide range of violence in both private and public spaces that perpetuate their vulnerability and victimisation in a state that is unwilling and unable to protect them, driving many of them to flee the country.

Gangs use barbaric violence against women to enforce their control over the population and the territory under their domain, as well as the illicit markets in which they operate. Violence serves a communicative aim in the maras' strategy of terror, sending a message to the general population, the state, and even their own members. Violence against women living in gang-controlled areas, particularly rape and sexual assault, is also used as a tool for control and punishment of the women themselves and their family members; **escaping the violence is virtually impossible.**

A common feature of gang culture is the phenomenon of Jianas, a term used to designate young girls and women who have been forced into brutally violent relationships with gang members in conditions that amount to modern-day slavery.

CC 10

VISIT TO HONDURAS: REPORT OF THE SPECIAL RAPPOREUR ON EXTRAJUDICIAL, SUMMARY OR ARBITRARY EXECUTIONS, MORRIS TIDBALL-BINZ - UNITED NATIONS, GENERAL ASSEMBLY

Honduras has the highest rate of gender-based killings of women and girls (femicides) in Latin America. The Office of the National Commissioner for Human Rights estimates that more

than 8,100 women lost their lives in violent circumstances in 2002 and 2023 combined and that 400 were murdered in 2023. Faced with these concerning figures, the State took certain positive steps, including **amending the Criminal Code in 2013 to introduce the offence of femicide, which is defined, in article 208, as the murder of a woman perpetrated by a man “in a context of unequal power relations between men and women for reasons of gender”**.

A number of public institutions with a remit to investigate and prevent femicide have been created, including the Office of the Special Prosecutor for the Protection of Women within the Public Prosecution Service and the Unit for the Investigation of Violent Deaths of Women and Femicide, created by decree in 2016. By the same decree issued in 2016, the State also created the Inter-agency Commission for Monitoring the Investigation of Violent Deaths of Women and Femicides, responsible for inter-institutional coordination, analysis, formulating recommendations for the Government, ensuring the implementation of security policies and recommending campaigns to eradicate violence against women. In 2022, the President of Honduras announced that the National Women’s Institute would become a Ministry.

However, these positive legislative and institutional advances are undermined by other developments, such as the entry into force, in June 2020, of the new Criminal Code, which reduced the minimum sentence for femicide to 15 years. The reduction in sentences is compounded by a low prosecution and conviction rate in femicide cases, as well as procedural flaws in investigations. During his visit, the Special Rapporteur noted with concern the persistently high rate of femicide and the impunity that prevails. He also noted that the number of investigations and prosecutions in femicide cases remains unsatisfactory owing to a combination of budget, human resource and technical constraints, limited coverage of rural areas and poor inter-institutional coordination.

The Special Rapporteur followed with concern the high-profile case of Keyla Patricia Martínez Rodríguez, who was detained by security forces on 6 February 2021 for allegedly violating the curfew imposed during the COVID-19 pandemic and placed in custody in Police Departmental Unit No. 10 in La Esperanza (Intibucá), where she died the same day. Witnesses stated that she

had been assaulted while in custody while the police claimed that she had committed suicide – a claim that was dismissed by the Office of the Special Prosecutor for Offences against Life within the Public Prosecution Service after the autopsy identified signs of manual strangulation consistent with homicide. A police officer was subsequently charged but, despite irrefutable evidence of femicide, the officer was convicted of involuntary manslaughter and, in February 2024, was granted early release after paying a fine of less than \$400. The outcome of this case attests to the degree of sexist bias and tolerance of gender-based crime that still prevails within the criminal justice system despite the authorities' efforts to prevent it. In October 2023, the Inter-agency Commission for Monitoring the Investigation of Violent Deaths of Women and Femicides urged the judiciary to correct the sentence but, to date, there had been no review.

CC 11

**BTI 2024 HONDURAS COUNTRY REPORT –
BERTELSMANN STIFTUNG**

The MS-13 and the 18th Street gangs have between 35,000 and 40,000 members, according to estimates by Insight Crime and the Association for a More Just Society (AJS), the Honduran Chapter of Transparency International.

Violence does not equally impact all groups in society. Poor people are far more likely to be victims of violence, including violence committed by the state itself. According to Human Rights Watch, environmental activists and journalists critical of the government are especially targeted, making Honduras one of the most dangerous countries in the world for members of these groups.

Honduras continues to be one of the most dangerous countries on earth for environmental activists. The same goes for defenders of LGBTQ+ rights and critical journalists. Due to the limited reach and capacity of the state, as well as widespread corruption, promises of improvement have not yet led to an environment where anyone, regardless of the group to which they belong, can peacefully protest without fear of intimidation, violence, and reprisals.

Honduras's public administration suffers from serious inefficiencies and corruption. The state is strongly “corporatist” and based on a network of personal relationships that reach from the highest to lowest echelons of the state. This sustains corruption and does nothing to improve efficiency. More than half of all Hondurans claim to have witnessed corruption in their interactions with public officials between 2019 and 2021. In the population's perception, access to basic public services is either not available or depends on committing acts of corruption.

In terms of law enforcement and access to justice, Honduras's security and judicial institutions are centralized, and access to these institutions in rural areas is compromised by criminal structures and the private security industry. According to the World Bank, 95.7% of Hondurans have access to a basic water source, 83.8% can access basic sanitation and 93.2% have access to electricity. **Women and other vulnerable communities are most affected by the lack of access to basic services, justice and security.**

The separation of powers is formally established in the Honduran constitution. In practice, enforcing this separation has always been challenging and, after the military coup in 2009, increased substantially. Successive governments actively promoted the cessation of this separation as a matter of policy. **Both the Supreme Court and the Supreme Electoral Tribunal were effectively under the control of the government and no longer functioned as independent institutions.**

Perhaps one of the most lasting legacies of the post-coup era in Honduras is the total breakdown of judicial independence. Courts essentially became instruments to protect the ruling National Party and its political leaders, including the presidents. In packing the Supreme Court and the Electoral Tribunal with loyalists, former President Hernández succeeded in overturning the ban on presidential re-election and confirming his disputed win in the 2017 presidential election.

For years, there has been a concerted effort on the part of the political class in both the executive and the legislature to destroy what little remained of judicial independence and, with it, the prosecution of office abuse.

The performance of democratic institutions in Honduras continues to raise serious concern. Since the 2009 coup, there has been a deliberate attempt to destroy mechanisms of oversight and control.

CC 12

GENDER-BASED VIOLENCE COUNTRY PROFILE: HONDURAS - THE WORLD BANK

Honduras has one of the highest rates of violent deaths of women in the world, by 2021, there were reported 318 violent deaths of women. **Violence against women is widespread and systematic in Honduras, affecting women and girls in numerous ways, including high levels of gun violence, domestic violence, femicide, and sexual violence.**

Within the country there are high levels of gun violence, domestic violence, femicide, and sexual violence. Individual GBV victimization is largely normalized and disregarded, notwithstanding a collective recognition of the pervasiveness of GBV in all its forms; according to the Social Institutions and Gender Index, the percentage of ever partnered women and girls aged 15-49 years subjected to physical and/ or sexual violence by a current or former intimate partner was of 17% by 2022.

It should also be noted that as of 2019, national criminal regulations still do not recognize various types of violence experienced by women: patrimonial violence, institutional violence, sexual violation within marriage, child marriage, and sexual harassment.

Honduras has made some strides on the legislative and policy fronts to protect women against violence, including [...] **Nonetheless, in 2016, the Committee against Torture determined that “in reality, little has changed on the ground for victims of gender-based violence,”** despite the establishment of several laws and mechanisms to protect women and girls. As is the case with other countries in the region, in Honduras, **there are significant inconsistencies between legislation and public policy since there is no clear link between the two**

instruments, including discrepancies between national plans on violence against women and existing domestic violence legislation. Ultimately, the legal system and policies in place are not protecting women from GBV or providing victims with the necessary support and services. Moreover, the legal system and policies fail to hold perpetrators accountable, and the Special Rapporteur noted a “climate of widespread and systematic crime, corruption and impunity.

Overall, however, institutional responses to GBV remain inadequate. This includes key sectors such as judiciary, public prosecution, police, health services, municipal services, and community responses. As noted by one study, there is a “lack of coordination and cohesion among service providers and justice operators, and an alarming lack of funding.

Most women do not go to the police for help given the widespread impunity for sexual violence and femicide and the fear of retribution when their perpetrators are gang leaders or well-connected politically. Even when women do turn to local law enforcement, they receive limited to no support. In general, domestic and sexual violence cases are handled with “systematic indifference of the police.” Many argue that systemic failures are related to Honduras’ entrenched machismo and patriarchal culture while gang members and others also threaten, abduct, assault, and rape Honduran women. **The UN Special Rapporteur on Violence against Women recently reported that Honduras has a 95% impunity rate for sexual violence and femicide crimes.**

CC 13

FEMICIDES IN HONDURAS – CATALYST PLANET

Honduras has one of the highest rates of femicides in the world, with more than 4,000 women killed between 2013 and 2025.

Honduras is a nation where femicide is highly prevalent, with a rate of about six per 100,000 women killed as a result, making it one of the highest rates of femicides in the world. [...] Honduras also has high rates of gender-based violence. Each year, there are 16,000 reports of domestic violence and

3,200 reports of sexual crimes. Significantly, many cases of domestic violence and femicide do not result in trial or punishment.

Gang violence is a primary cause of these femicides. There are many gangs operating in Honduras, including Mara Salvatrucha 13 (MS-13) and Barrio 18 (Pandilla 18 or 18th Street gang). Up to around 40,000 individuals in the country are involved or associated with gangs. The killing of wives and daughters of rival gang members is done as a form of intimidation and an assertion of dominance. Additionally, the women are often raped and sexually harassed before they are killed.

CC 14

AT LEAST 4,050 WOMEN WERE VICTIMS OF FEMICIDE IN LATIN AMERICA AND THE CARIBBEAN IN 2022: ECLAC - UN NEWS

In 2022, at least 4,050 women were victims of femicide (also known as feminicide) in 26 countries and territories of Latin America and the Caribbean, according to the latest data that official agencies reported to the Gender Equality Observatory for Latin America and the Caribbean (GEO) of the Economic Commission for Latin America and the Caribbean (ECLAC). **This is equivalent to one gender-related killing of a woman every two hours in the region.**

Of the 19 countries and territories in Latin America that reported the number of femicides or gender-related killings of women in 2022, **the highest rates were seen in Honduras (6.0 per 100,000 women),** the Dominican Republic (2.9) and El Salvador and Uruguay (1.6).

Femicide is simply the most extreme expression of inequality, discrimination and the multiple forms of violence against women and girls, ECLAC reiterates. For example, according to specialized national surveys from 10 countries in the region, **between 42% and 79% of women (around 2 out of every 3) have been victims of gender violence in different areas of their lives.** In addition, on average, **1 in 3 women has been or currently is a victim of physical and/or sexual violence**

perpetrated by someone who was, or is, their partner, which entails the risk of lethal violence, according to the World Health Organization (WHO). This corresponds to 88 million women over 15 years of age in Latin America and the Caribbean. At the same time, early and forced child marriages and unions are a harmful practice and a manifestation of gender violence that persists and is widespread in the region, affecting 1 in 5 girls.

In seven countries that reported to ECLAC, at least 400 children, adolescents and other dependents lost their mother or caregiver due to femicide in 2022.

CC 15

**THE SUCCESSES AND FAILURES OF HONDURAS IN
DEMOCRATIC GOVERNANCE, RULE OF LAW,
ECONOMIC FREEDOM, AND HUMAN RIGHTS – U.S.
DEPARTMENT OF STATE**

The country faces formidable challenges in democratic governance, including weak institutions, endemic corruption, impunity, citizen insecurity, and shrinking space for civil society.

Rule of law is one of the country's greatest areas of concern. The World Bank rated Honduras in the 15th percentile among countries worldwide for rule of law in 2023, a slight drop since the 2022 report.

Exhibit 2

Honduras 2024 Human Rights Report

Executive Summary

There were no significant changes in the human rights situation in Honduras during the year.

Significant human rights issues included credible reports of: arbitrary or unlawful killings; disappearances; torture or cruel, inhuman, or degrading treatment or punishment; arbitrary arrest or detention; and serious restrictions on freedom of expression and media freedom, including threats against media members by criminal elements.

The government took credible steps to identify and punish officials who committed human rights abuses, but inadequate prosecutorial resources, a weak judicial system, political interference, and corruption were major obstacles to obtaining convictions.

Criminal groups, including local and transnational gangs and narcotics traffickers, were significant perpetrators of violent crimes and committed acts of homicide, torture, kidnapping, extortion, human trafficking, intimidation, and other threats and violence directed against human rights defenders, judicial authorities, lawyers, business community members, journalists, bloggers, women, union members, and other vulnerable populations. The government investigated and prosecuted some of these

crimes, but impunity was widespread.

Section 1. Life

a. Extrajudicial Killings

There were numerous reports the government or its agents committed arbitrary or unlawful killings during the year. The quasi-governmental, semiautonomous National Human Rights Ombudsman (CONADEH) reported various security forces committed six arbitrary or unlawful killings during the year. The Public Ministry reported three cases, involving at least five members of the Honduran National Police. No further information was publicly available regarding these incidents.

CONADEH reported two killings of human rights activists by unknown assailants as of October: Luis Alonso Teruel Vega, a reporter covering environmental actions, including deforestation, and Juan López, a well-known and respected environmental defender. Three arrests were made in the López case, and the investigation into additional conspirators continued as of November.

b. Coercion in Population Control

There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

Section 2. Liberty

a. Freedom of the Press

The law provided for freedom of expression, including for members of the press and other media, with some restrictions, and the government generally respected this right. Although many press outlets were politically aligned, the press and prevailing democratic norms combined to promote freedom of expression, including for media members. Some media owners noted they were excluded from official events and blocked from receiving government advertising revenue as retribution for perceived antigovernment reporting.

Senior government representatives criticized civil society and members of the international community for comments perceived as critical of the government. Civil society groups reported these statements had a chilling effect on freedom of expression. CONADEH reported two cases of restrictions on the right of expression by security forces and another case related to threats or harassment against journalists and social communicators by government officials. The Special Prosecutor's Office for the Protection of Human Rights Defenders, Journalists, Social Communicators, and Justice Officials reported two cases of threats against journalists.

Physical Attacks, Imprisonment, and Pressure

Journalists and other members of civil society reported they self-censored due to fear of criticism, harassment, and retribution by the government and its supporters. Others reported direct acts of intimidation or threats of violence from government officials or supporters for being critical of the government. Civil society organizations criticized the government's failure to investigate threats and incidents of violence adequately. CONADEH reported two cases of violent attacks and two cases of violence and slander on journalists and social communicators.

Social communicator Magaly Zelaya Ferman was assaulted by security forces while reporting on a road blockade during a protest in September.

Censorship by Governments, Military, Intelligence, or Police Forces, Criminal Groups, or Armed Extremist or Rebel Groups

Media members and nongovernmental organizations (NGOs) stated the press self-censored due to fear of retaliation from criminal groups or drug trafficking organizations, or criticism by government officials. Media also engaged in self-censorship to avoid losing lucrative advertising contracts with the government.

On March 13, the minister of security criticized a prominent NGO for its continued reporting on the state of the country and the impact of the

government's policy decisions, and announced the government had opened an investigation into the NGO and the validity of its status as an NGO.

Some journalists and other members of civil society reported threats from members of criminal groups. It was unclear how many of these threats were related to the victims' professions or activism. Several anonymous social media sites criticized journalists (as well as activists and civil society organizations) who were critical of the government or of opposition party policies.

b. Worker Rights

Freedom of Association and Collective Bargaining

The law granted workers the right to form and join unions of their choice, bargain collectively, and strike. It prohibited employer retribution against employees for engaging in trade union activities. The law placed restrictions on these rights, such as requiring that a recognized trade union represent at least 30 workers, prohibiting foreign nationals from holding union offices, and requiring that union officials work in the same substantive area of the business as the workers they represented. The law prohibited members of the armed forces and police, as well as certain other public employees, from forming labor unions. The Ministry of Labor and Social Security also required that union leaders be employed under permanent contracts, limiting the ability of seasonal agricultural workers to exercise their right to

freedom of association.

The law required an employer to begin collective bargaining once workers established a union, and it specified that if more than one union existed at a company, the employer had to negotiate with the largest.

The law placed numerous limits on the right to strike. It allowed only local unions to call strikes, prohibited labor federations and confederations from calling strikes, and required that a two-thirds majority of both union and nonunion employees at an enterprise approve a strike. The law prohibited workers from legally striking until direct negotiations and government-accompanied mediation and conciliation had failed. The Ministry of Labor had the power to declare a work stoppage illegal and grant employers the ability to discipline employees consistent with their internal regulations, including by firing strikers. In addition, the law limited strikes in sectors the government designated as essential services but did not necessarily meet the criteria for essential services. The law required workers in public health care, social security, staple food production, and public utilities (municipal sanitation, water, electricity, and telecommunications) to provide basic services during a strike. The law also required that public-sector workers involved in the refining, transportation, and distribution of petroleum products submit their grievances to the Ministry of Labor. The law permitted strikes by workers in export-processing zones and free zones for companies that provided services to industrial parks, but it required that

strikes not impede the operations of other factories in such parks.

The government did not effectively enforce the law regarding labor rights. No information was available on whether penalties for violations of freedom of association, collective bargaining, and the right to strike were commensurate with those for analogous violations such as civil rights violations. Penalties were rarely applied against violators. Employers frequently refused to comply with Ministry of Labor orders that required them to reinstate workers who had been dismissed for participating in union activities. The Ministry of Labor could order a company to reinstate workers, but the ministry lacked the personnel and transportation resources to verify compliance. By law, the ministry could fine companies that violated the right to freedom of association. The law permitted fines, and the penalty was commensurate with those for other laws involving denials of civil rights, such as discrimination. Penalties were sometimes applied against violators, but the failure of the government to collect fines facilitated continued violations.

Workers had difficulty exercising the right to form and join unions and to engage in collective bargaining. Various NGOs reported multiple cases of workers being dismissed for being union leaders and members. Solidarity Center reported several dozen union leaders fled the country for safety concerns due to fear. Public-sector trade unionists raised concerns regarding government interference in trade union activities, including its

ignoring or suspending collective agreements and its dismissals of union members and leaders. Solidarity Center reported police agents threatened three union leaders from different organizations.

Some employers either refused to engage in collective bargaining or made it very difficult to do so. Some companies also delayed appointing or failed to appoint representatives for required Ministry of Labor-led mediation, a practice that prolonged the mediation process and impeded the right to strike. Unions also raised concerns that employers used temporary contracts to prevent unionization and to avoid providing full benefits.

The government investigated violence and threats of violence against union leaders. Impunity for such crimes was high. In June, police used a water cannon against workers protesting suspension of work contracts by Delta Corporation. Minor injuries were reported.

Forced or Compulsory Labor

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Acceptable Work Conditions

Wage and Hour Laws

The law provided for a minimum wage for most sectors. There were 45 categories of monthly minimum wage, based on the industry and the size of

a company's workforce; minimum wages were above the poverty income level. The minimum wage law did not cover domestic workers, most of whom were women.

The law prescribed a maximum eight-hour shift per day for most workers, a 44-hour workweek, and at least one 24-hour rest period for every six days of work. It also provided for paid national holidays and annual leave. The law required overtime pay, banned excessive compulsory overtime, limited overtime to four hours a day for a maximum workday of 12 hours, and prohibited the practice of requiring workers to complete work quotas before leaving their place of employment.

In some industries, including agriculture, domestic service, and security, employers did not respect maternity rights or pay minimum wage, overtime, or vacation. In these sectors, employers frequently paid workers for the standard 44-hour workweek irrespective of any additional hours they worked. In the security and domestic service sectors, workers were frequently forced to work more than 60 hours per week but were paid only for 44 hours. Employers frequently penalized agricultural workers for taking legally authorized days off. Employers paid the minimum wage inconsistently in other sectors. Civil society continued to raise problems with minimum wage violations, highlighting agricultural companies in the south as frequent violators.

Occupational Safety and Health

Occupational safety and health (OSH) standards were appropriate for the main industries in the country, and OSH experts proactively identified unsafe conditions, in addition to responding to workers' OSH complaints. By law, workers could remove themselves from situations that endangered their health or safety without jeopardizing continued employment. Under the inspection law, the Ministry of Labor had the authority to temporarily shut down workplaces where there was an imminent danger of fatalities. Enforcement of OSH standards was particularly weak in the construction, garment assembly, and agricultural sectors, as well as in the informal economy.

Wage, Hour, and OSH Enforcement

The Ministry of Labor was responsible for enforcing wage, hour, and OSH laws, but it did so inconsistently and ineffectively. Penalties for violations of OSH law were commensurate with penalties for similar crimes such as negligence but rarely applied against violators and rarely collected.

The law permitted fines for wage and hour violations; these were commensurate with the penalties for similar crimes, such as fraud. The government sometimes applied penalties against violators, but failure to collect fines facilitated wage and hour violations. The Ministry of Labor had an insufficient number of inspectors to enforce the wage, hour, and OSH

laws effectively. Inspectors had the authority to make unannounced inspections and initiate sanctions.

While all formal workers were entitled to social security, there were reports both public- and private-sector employers failed to pay into the social security system. The Ministry of Labor could levy a fine against companies that failed to pay social security obligations, but the amount was not sufficient to deter violations.

According to a 2024 World Bank survey, 58 percent of workers were in the informal economy. The government did not enforce the labor laws in this sector since these workers were not protected by the labor code.

c. Disappearance and Abduction

Disappearance

There were seven official reports of enforced disappearances by or on behalf of government authorities, according to CONADEH.

Prolonged Detention without Charges

The law prohibited arbitrary arrest and detention and provided for the right of any person to challenge the lawfulness of their arrest or detention in court. The government generally observed these requirements, but there were reports of arbitrary arrest and detention due to the state of exception.

Lengthy pretrial detention was a serious problem due to judicial inefficiency, insufficient resources, and other problems that delayed proceedings in the criminal justice system. The Ministry of Human Rights reported 8,945 individuals were in the prison population awaiting processing. For crimes with minimum sentences of six years' imprisonment, the law authorized pretrial detention of up to two years. The prosecution could request an additional six-month extension, but many detainees remained in pretrial detention much longer, including for more time than the maximum period of incarceration prescribed for their alleged crime. The law did not authorize pretrial detention for crimes with a maximum sentence of five years or less.

The law mandated that authorities release detainees whose cases had not yet come to trial and whose time in pretrial detention already had exceeded the maximum prison sentence for their alleged crime. Nonetheless, many prisoners remained in custody after completing their full sentences, and sometimes even after an acquittal, because officials failed to process their releases expeditiously. CONADEH reported 236 cases regarding access to justice and due process of law by security forces, and nine cases of violations of due process.

d. Violations in Religious Freedom

See the Department of State's annual *International Religious Freedom*

Report at <https://www.state.gov/religiousfreedomreport/>.

e. Trafficking in Persons

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Section 3. Security of the Person

a. Torture and Cruel, Inhuman, or Degrading Treatment or Punishment

Although the law prohibited such practices, there were credible reports of abuses by members of the security forces.

The Public Ministry reported 26 cases of alleged torture by security forces, while CONADEH reported 37 cases. CONADEH also reported two cases of rape by security forces, as well as four cases of sexual violence. The Public Ministry reported a total of 123 cases of cruel or inhuman treatment by security forces, and CONADEH reported 76 cases via the Ministry of Human Rights.

The Ministry of Human Rights reported 21 prisoners died while in custody, five of whom died because of violence. The causes of six other deaths were under investigation. CONADEH reported 14 cases of alleged torture and 21 cases of cruel and inhuman treatment of detainees and prisoners by security

forces within penitentiary institutions, and another case of rape or sexual abuse of a person while in detention.

Corruption, a lack of investigative resources, and judicial delays led to widespread impunity, including for members of security forces, although justice institutions prosecuted and sentenced security forces for human rights violations.

b. Protection of Children

Child Labor

See the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings/>.

Child Marriage

The minimum legal age of marriage was 18. The government did not enforce the law effectively. International NGOs reported 34 percent of girls and 12 percent of boys were married before age 18, with the practice more prevalent in rural areas. Most unions were informal rather than a formal marriage.

c. Protection to Refugees

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing

protection and assistance to refugees, returning refugees, or asylum seekers, and other persons of concern.

Provision of First Asylum

The law provided for the granting of asylum or refugee status, and the government had a system for providing protection to refugees. Its operations to receive and process asylum applications relied on support from UNHCR. UNHCR's support focused on providing training to officers of the National Institute for Migration, supporting decisions and application of international refugee determination standards on submitted claims, and improving reception conditions for asylum seekers.

d. Acts of Antisemitism and Antisemitic Incitement

The Jewish community numbered approximately 150 members. There were no reports of antisemitic incidents.

Exhibit 3

United States Department of State

 state.gov/reports/2025-trafficking-in-persons-report/honduras



HONDURAS (Tier 2)

The Government of Honduras does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared with the previous reporting period; therefore, Honduras remained on Tier 2. These efforts included prosecuting more suspects – including more alleged labor traffickers – convicting more traffickers, identifying a victim of forced criminality, and ordering convicted traffickers to pay restitution to victims. The government implemented three new localized action protocols for local committees on victim identification and assistance in their respective municipalities and consulted with survivors to analyze and make recommendations on improving the trafficking law. However, the government did not meet the minimum standards in several key areas. Authorities identified fewer victims and the government did not report providing services to all identified victims. Police and prosecution units remained understaffed and lacked sufficient resources to effectively investigate and prosecute trafficking crimes. Victim services outside urban areas remained inadequate and authorities made insufficient efforts to identify labor trafficking victims.

PRIORITIZED RECOMMENDATIONS:

- Increase and institutionalize anti-trafficking training for police, prosecutors, judges, and the Inter-institutional Commission to Combat Commercial Sexual Exploitation and Trafficking in Persons' (CICESCT) Immediate Response Team

(IRT), with a focus on applying trauma-informed, victim-centered procedures and investigating and prosecuting forced labor.

- Ensure authorities order all convicted traffickers to pay compensation to victims, as required by Honduran law.
- Increase training for front-line officials on implementing SOPs for victim identification and referral, including screening for indicators of trafficking among migrants.
- To prevent forced labor among Cuban workers in Honduras, hire any Cuban workers directly and utilize hiring practices in line with domestic and international law, and provide adequate protection to Cuban victims of human trafficking.
- Investigate and prosecute traffickers, including complicit officials and perpetrators of forced labor crimes, and seek adequate penalties for convicted traffickers, which should involve significant prison terms.
- Increase the availability of and resources for protection services – including short-term and long-term shelters – for all trafficking victims.
- Expand access to services for male victims and victims outside major cities.
- Ensure the definition of human trafficking within the law includes force, fraud, and coercion as essential elements.
- Expand prevention measures, including raising awareness of fraudulent recruitment for employment in Honduras and abroad and punishing employers or employment agencies for illegal practices that facilitate trafficking, such as fraudulent offers of employment or illegal fees for migration or job placement.

PROSECUTION

The government slightly increased prosecution efforts.

Amendments to Article 219 of the Honduran penal code, which took effect in November 2021, criminalized sex and labor trafficking and prescribed penalties of 10 to 15 years' imprisonment. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other grave crimes, such as rape. However, the 2021 amendments included a definition of trafficking that established the use of force, fraud, or coercion as aggravating factors rather than essential elements of the crime.

The government reported investigating 42 trafficking cases, including 34 for sex trafficking and eight for forced labor; this was compared to investigating 84 cases (81 for sex trafficking and three for forced labor) in 2023. Authorities initiated

prosecutions of 69 suspects (51 for sex trafficking and 18 for labor trafficking), an increase from 2023, when authorities initiated prosecutions of 48 suspects (42 for sex trafficking and related crimes and six for labor trafficking). The government did not report continuing prosecutions initiated in prior years. Courts convicted 30 traffickers, including 28 for sex trafficking and two for forced labor, an increase from 21 traffickers convicted in 2023 (including 18 for sex trafficking and three for unspecified forms of trafficking). Some of the cases reported by the government may have included crimes that did not constitute trafficking as defined by international law. The government did not report sentencing information for convicted traffickers. The government did not report any prosecutions or convictions of officials for alleged complicity in trafficking crimes. However, corruption and official complicity in trafficking crimes remained concerns. The government did not report updates to a previously initiated investigation of one police officer for alleged complicity in trafficking crimes.

The government maintained a specialized prosecution unit responsible for investigating and prosecuting trafficking, commercial sexual exploitation, and alien smuggling crimes. This unit included prosecutors and investigative police officers and had offices in Tegucigalpa and San Pedro Sula. However, experts observed police and prosecution units remained understaffed and lacked sufficient resources to effectively investigate and prosecute trafficking crimes, particularly outside major urban areas. Experts observed that judges lacked specialized knowledge of human trafficking crimes, impeding successful prosecution and conviction of traffickers, and judges frequently re-traumatized victims.

PROTECTION

The government maintained mixed protection efforts.

The government identified 49 victims, including 42 exploited in sex trafficking, five exploited in labor trafficking, one exploited in unspecified trafficking, and one exploited for the purpose of forced criminality. This was a decrease compared to identifying 95 victims in 2023, including 78 exploited in sex trafficking and 17 exploited in labor trafficking. Sex trafficking victims included 32 girls, eight women, and one boy; labor trafficking victims included four girls, and one man; one woman was identified as a victim of unspecified trafficking; and one boy was exploited for forced criminality. Identified victims included four Honduran sex trafficking victims exploited abroad, including two in Guatemala, one in Mexico, and one in Spain.

First responders referred trafficking victims to CICESCT's IRT and protection centers, which were funded by the government and managed by NGOs, for immediate support. The IRT employed a multidisciplinary team that provided immediate care to victims and coordinated with relevant government institutions and NGOs to provide victims with comprehensive services including mental health counseling, legal services, medical care, lodging, food, family reintegration, and immigration assistance. The government did not report providing services to victims identified in 2024 compared to providing services to all 95 victims identified in 2023.

CICESCT did not report the number of victims it referred to shelters. The government could refer child victims to shelters operated by its child protection agency, the Secretariat for Children, Adolescents, and Families. These shelters served children in need of protection but did not provide specialized services for trafficking victims. Some shelters allowed children to leave and attend public schools following an evaluation of their individual needs. CICESCT could also refer some victims to NGO shelters, including a shelter that served children vulnerable to trafficking and child victims of crime and a temporary shelter that served women victims of crimes, including trafficking. None of the shelters that assisted trafficking victims accepted men. While the government did not operate specialized shelters, CICESCT allocated funds in support of at least two NGO specialized shelters. The government provided supplies including food, medications, educational material, and toiletries, and covered travel expenses and medical examinations for victims. The government offered few services for victims in rural areas, and the quality of care for victims outside urban areas was inadequate.

The government implemented a victim assistance manual with SOPs for the proactive identification of victims among members of at-risk groups and interagency coordination procedures for referring victims to services. In partnership with foreign governments, the specialized prosecution unit developed a new manual for investigating human trafficking cases; however, the manual was not approved or disseminated by the end of the reporting period. The government continued funding CICESCT offices with permanent staff in the departments of Atlántida, Colón, Cortés, and Islas de la Bahía, and an office based in the Garifuna community of Corozol providing access to services for members of this at-risk community. CICESCT used an action protocol for the IRT and developed three new localized action protocols for local committees on victim identification and assistance in their respective municipalities. The protocols were

implemented in 19 of CICESCT's 24 local committees. Local experts reported the government made insufficient efforts to identify labor trafficking victims. The government did not screen Cuban regime-affiliated professionals working in Honduras for trafficking indicators, despite concerns the Cuban regime may have forced many of them to work. The government followed a regional protocol to facilitate the repatriation of Honduran victims identified in Guatemala, Mexico, and Spain, and provided them with specialized services. The government allocated 40 million lempiras (\$1.58 million) to CICESCT in 2024. The government did not make operational the Fund for the Care of Victims of Human Trafficking and Related Activities, which it approved in November 2023 with plans to allocate up to two million lempiras (\$79,000) to provide direct support to victims through the fund.

The government provided victim-witness assistance services, including long-term reintegration support, to some victims participating in investigations or prosecutions. Authorities permitted victims to provide testimony through written statements or pre-recorded interviews in one of its four secure Gesell chambers. The government implemented measures to ensure victim-witnesses' and their families' personal data remained confidential. IRT members accompanied victims throughout their participation in the criminal justice process and referred some victims to legal aid services for additional assistance. Provisions in Honduran law directed courts to order convicted traffickers to pay victims compensation; the government reported judges ordered an unspecified number of convicted traffickers to pay restitutions to victims during the year, and authorities reported difficulties enforcing payments of restitutions to victims. NGOs reported Gesell chambers were unavailable outside large cities and officials in rural areas often used harsh questioning that re-traumatized some victims, especially children. Honduran law prohibited the prosecution of victims for unlawful acts committed as a direct result of being trafficked. The government reported officials screened for trafficking indicators when detaining illegal migrants or other individuals vulnerable to trafficking. However, the government lacked formal procedures for identifying victims among children apprehended for gang-related criminal activity and NGOs reported authorities did not properly identify some children forced to engage in illegal activities by criminal groups; as a result, authorities did not take effective measures to prevent the inappropriate penalization of potential victims solely for unlawful acts committed as a direct result of being trafficked. Honduran law allowed foreign victims to receive temporary or permanent residency status, including authorization to work.

PREVENTION

The government slightly increased prevention efforts.

CICESCT partnered with a foreign government, international organizations, and NGOs to develop a survivor-led advisory council to inform policies on human trafficking. CICESCT held three roundtables with survivors to analyze and propose amendments to the trafficking law. The government allocated 2.56 million lempiras (\$101,130) for CICESCT-led prevention efforts. The CICESCT board of directors met monthly and provided support to 24 local interinstitutional committees across each of Honduras' 18 departments. The government reported implementing its Strategic Action Plan against Commercial Sexual Exploitation and Trafficking in Persons 2023-2030, but it did not make this plan public. CICESCT conducted information events and monthly trainings and fora on trafficking prevention for the tourism sector and law enforcement officials, healthcare personnel, teachers, students, and transportation employees. CICESCT implemented informational campaigns and workshops, organized media appearances, and led direct engagements with populations vulnerable to trafficking.

CICESCT maintained a public website and social media accounts to share information on human trafficking with the public and encourage reporting of suspected trafficking crimes. CICESCT opened an additional trafficking-specific hotline to increase capacity and continued operating a second trafficking-specific hotline. The hotlines could receive phone calls and messages. CICESCT forwarded all reports to the Office of the Public Prosecutor for the identification of potential victims and investigation of potential cases. The anti-trafficking prosecution unit and CICESCT managed email accounts for trafficking complaints.

In February 2024, the government signed a bilateral agreement with the Cuban regime for the hiring of 120 Cuban regime-affiliated medical workers despite ongoing concerns by international experts that the Cuban regime compels many of them to work. Honduran regulations prohibited charging recruitment fees to workers. The Secretariat of Labor and Social Security monitored compliance with labor laws and policies that could decrease workers' vulnerability to trafficking, including those regulating private employment agencies, recruitment and contracting of Honduran workers abroad, and employment of at-risk groups, such as domestic workers and seafarers. However, the government did not report efforts to hold employers or employment agencies accountable for unlawful practices that facilitated trafficking in 2024. CICESCT and the Honduran Tourism

Institute continued to coordinate with their regional counterparts to conduct an awareness raising campaign aimed at the prevention of extraterritorial commercial child sexual exploitation and abuse by foreign tourists in Honduras. The government did not report efforts to reduce the demand for commercial sex acts.

TRAFFICKING PROFILE:

Trafficking affects all communities. This section summarizes government and civil society reporting on the nature and scope of trafficking over the past five years. Human traffickers exploit domestic and foreign victims in Honduras, and traffickers exploit victims from Honduras abroad. Traffickers exploit Honduran women and children in sex trafficking within the country and in other countries such as Belize, El Salvador, Guatemala, Mexico, Spain, and the United States. Traffickers particularly target Hondurans based on their sexual orientation or identity, migrants – including those seeking to illegally immigrate to the United States – Indigenous and Afro-descendant Hondurans, IDPs, persons with disabilities, children in child labor, children whose parents have migrated, and individuals living in areas controlled by organized criminal groups. Traffickers exploit victims within their own homes or communities, including their own family members or friends. Traffickers exploit Honduran adults and children within the country in forced labor in street vending, forced begging, domestic service, drug trafficking, and the informal sector. Traffickers also exploit Honduran victims in forced labor in other countries, particularly Guatemala, Mexico, and the United States. Children are at risk of debt bondage, slavery, and forced labor in the agricultural, construction, manufacturing, mining, and hospitality industries. Children experiencing homelessness are at risk of sex and labor trafficking. Criminal organizations, including gangs, exploit girls in sex trafficking, force children into street begging, and coerce and threaten children and young adults to transport weapons, produce and sell drugs, commit extortion, or serve as lookouts; these acts occur primarily in urban areas. Criminals increasingly use social network platforms to recruit victims, often through fake advertisements and false promises of employment or deceptive romantic relationships, and continue to target populations vulnerable to trafficking. The Cuban regime may have forced Cuban regime-affiliated workers, including at least 120 medical professionals and 123 teachers, to work in Honduras. Men from Canada and the United States exploit Honduran children in extraterritorial commercial child sexual exploitation and abuse. Illegal aliens from Africa, Asia, the Caribbean, Central America, the Middle East, and South America who transit Honduras en route to the United States are vulnerable to trafficking.

Exhibit 4

World Report 2025: Honduras | Human Rights Watch

[hrw.org/world-report/2025/country-chapters/honduras](https://www.hrw.org/world-report/2025/country-chapters/honduras)

December 8, 2024

Honduras

Events of 2024

Civil society organizations demand justice for the murders of environmentalists Berta Cáceres, killed in March 2016 in La Esperanza, department of Intibuca, and Juan López, killed in September 2024 in the municipality of Tocoa, department of Colón.

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The administration of President Xiomara Castro has made little progress in fighting corruption and restoring democratic institutions. Honduras continues to struggle with widespread corruption, a compromised judiciary, high levels of violence, and attacks against environmental defenders.

Judicial Independence and Corruption

In [September](#), President Castro presented to the United Nations Secretary-General António Guterres a second draft agreement to create an International Commission against Corruption and Impunity in Honduras (CICIH). The revised proposal would ensure CICIH's independence and autonomy, allow it to independently prosecute cases, investigate high-profile cases, propose legislative changes, and train personnel to fight corruption. However, progress on establishing the CICIH remains slow.

As of September, [UN experts](#) have [visited](#) Honduras four times to provide technical assistance and assess the legal system and anti-corruption capabilities. They identified [several laws](#) that hinder investigations into corruption. Congress abrogated some of such laws, but a law prohibiting sanctions against legislators for actions taken "in the exercise of their duties" remained in place at time of writing.

In [September](#), Carlos Zelaya, Castro's brother-in-law and a congressional leader, resigned after admitting to [meeting](#) with drug traffickers in 2013. Zelaya's son, who was minister of defense, also resigned.

A few days before Zelaya's resignation, Castro annulled an extradition treaty with the United States, which had allowed for the extradition of Honduran nationals accused of drug trafficking, including former President Juan Orlando Hernández, who was sentenced to 45 years in prison by a US federal court [in March](#).

Human Rights Defenders

Attacks on human rights defenders intensified in 2023. The UN Office of the High Commissioner for Human Rights (OHCHR) in Honduras [reported](#) that 453 human rights defenders and journalists were harassed, threatened, or intimidated in 2023 and 15 were killed.

According to OHCHR, at least four human rights defenders were killed between January and September, including [Juan López](#), an environmental defender, who was murdered in September, in the municipality of Tocoa, Colón department. [Three activists](#) working for the same environmental organization as [López](#) were killed in 2023.

The mechanism [Honduras](#) created in 2015 to protect journalists, human rights defenders, and justice officials has serious flaws: It lacks financial autonomy, qualified staff experienced in human rights issues, and trust from defenders.

Land Rights

Land rights and natural resource disputes remain a pressing issue in Honduras, with Indigenous peoples, Afro-Honduran communities, and peasants disproportionately affected by violence, illegal land seizures, and forced displacement.

In [September](#), Honduras' Supreme Court declared unconstitutional the laws permitting the creation of so-called Areas of Employment and Economic Development (ZEDEs), geographic areas in which private companies were granted broad governance powers, including to establish their own courts. Human Rights Watch [criticized](#) ZEDEs and called for their repeal. The court ruled that the ZEDE framework violated human rights.

[Honduras Próspera Group Inc.](#), a company which owns a ZEDE in Honduras, brought a case against Honduras before the International Centre for Settlement of Investment Disputes (ICSID) for the repeal of the legal framework for special

economic zones. Próspera filed for damages of US\$10.7 billion, approximately 30 percent of Honduras' [2023](#) GDP. [In February](#), Honduras denounced the ICSID Convention.

Economic, Social and Cultural Rights

According to government data, in 2023, 64 percent of the population lived below the poverty line (down from 73.6 percent in 2021), and 41.5 percent lived in extreme poverty (down from 53.7 percent in 2021). Honduras maintains one of the highest levels of income inequality in Latin America with a Gini index of 0.52 in 2023.

Illiteracy is a significant problem in Honduras. Over 31 percent of people aged 60 and older and over 13 percent of people over 15 years old could not read or write in 2023. Only 56 percent of children between 12 and 14, and 28 percent between 15 and 17, were attending school. School attendance rates are significantly lower in rural areas.

[In July](#), Honduras co-sponsored a UN Human Rights Council [resolution](#) establishing a working group that would draft a new optional protocol to the Convention on the Rights of the Child on the rights to early childhood education, free pre-primary and secondary education.

Public Security

Honduras has been for years among one of the most violent countries in the world, with police [reporting](#) 3,035 murders in 2023, a homicide rate of 31 per 100,000 people. Between [January and September](#), preliminary police data indicated 1,854 murders, a 26 percent drop compared to the same period in 2023.

[According to the latest data](#) from the Economic Commission for Latin America and the Caribbean (ECLAC), Honduras has the highest rate of femicides in Latin America and the Caribbean, with approximately 7 femicides per 100,000 women.

A state of emergency, adopted in December 2022 to fight extortion and related crimes, was [extended](#) 15 times and remains in place. It suspends the rights to freedom of association and peaceful assembly and to be informed of the reason for arrest, among others. [OHCHR](#) and the [UN Human Rights Committee](#) expressed concern about the extended use of the emergency without a comprehensive, rights-based security policy, saying it resulted in abuses.

Structural problems in the penitentiary system persist, including overcrowding and inadequate infrastructure. [As of September](#), prisons held over 19,000 detainees, 21 percent more than their capacity. Almost half of the people were in pretrial detention, [official statistics show](#). [In June](#), Castro announced the creation of a new “megaprison” for 20,000 people.

Migration, Asylum, and Internal Displacement

[As of 2023](#), there were 216,000 Honduran asylum seekers abroad, mostly in the United States and Mexico, with 84,000 others recognized as refugees.

Gang violence and other factors, including climate change, caused the internal displacement of about 247,000 people between 2019 and 2024, government [data shows](#).

Access to Abortion and Emergency Contraception

Abortion in Honduras is banned in all circumstances, including when the life of a woman, girl or pregnant person is in danger. People who have abortions, and those who provide them, face up to six years in prison.

In December 2022, President Castro approved a protocol to guide health centers in caring for survivors of sexual violence, including access to emergency contraception. The president signed an executive order in March 2023 lifting the ban on the use and sale of emergency contraception, but the Strategic Group on Emergency Contraception (Grupo Estratégico PAE), a reproductive rights group, reported that emergency contraception remains unavailable in the public health system, access is not free, and the protocol for survivors has yet to be implemented.

[In April](#), the Center for Reproductive Rights and Centro de Derechos de la Mujer, two women’s rights organizations, brought a case before the UN Human Rights Committee on behalf of Fausia, an Indigenous Honduran woman who became pregnant after being raped in retaliation for her human rights work. Under Honduras’ total ban on abortion and, at the time, emergency contraception, she was forced to proceed with her pregnancy and faced threats while seeking medical assistance.

Sexual Orientation and Gender Identity

Lesbian, gay, bisexual, and transgender (LGBT) people in Honduras continue to suffer high levels of violence and discrimination in all areas of life, forcing some to flee. Honduras has failed to comply with key measures ordered by the Inter-American Court of Human Rights in 2021, including to create a legal gender recognition procedure for transgender people. Honduras does not allow same-sex marriage and lacks comprehensive anti-LGBT discrimination legislation.

[Browse countries](#)

Exhibit 5

Honduras: Freedom in the World 2025 Country Report

 freedomhouse.org/country/honduras/freedom-world/2025

[Freedom in the World 2025](#)

A country or territory's Freedom in the World status depends on its aggregate Political Rights score, on a scale of 0–40, and its aggregate Civil Liberties score, on a scale of 0–60. [See the methodology.](#)

Overview

Institutional weakness, corruption, violence, and impunity undermine the overall stability of Honduras. Journalists, political activists, and women are often the victims of violence, and perpetrators are rarely brought to justice. Honduras holds regular elections; while the 2017 presidential poll prompted concerns over irregularities, the 2021 elections—which ushered in Honduras' first female president—were more transparent, though they were marred by unprecedented violence.

Key Developments in 2024

- In February, the ruling Liberty and Refoundation Party (Libre) and the two main opposition parties, the National Party (PN) and the Liberal Party (PL), agreed to split posts in several governmental bodies. Attorney General Johel Zelaya Álvarez, who was controversially appointed on an interim basis in 2023, remained in his post as part of the agreement.
- In June, a US judge sentenced former President Juan Orlando Hernández to 45 years' imprisonment. A federal jury had found Hernández guilty of importing cocaine to the United States and other charges in March.
- In August, the government announced it would end the extradition treaty between Honduras and the United States after Laura Dogu, the US ambassador to Honduras, criticized a meeting between the Honduran and Venezuelan defense ministers.
- In early September, *InSight Crime* released video of a 2013 meeting between Carlos Zelaya Rosales, President Xiomara Castro Sarmiento's brother-in-law, and drug traffickers as they discussed financial contributions to Libre. Carlos Zelaya disclosed the meeting and resigned his post as secretary of the

National Congress in late August, ahead of the video's release. Defense Minister José Manuel Zelaya Rosales, Carlos's son, also resigned.

Political Rights

A Electoral Process

Was the current head of government or other chief national authority elected through free and fair elections?

The president is the chief of state and head of government and is elected by popular vote to four-year terms. Only a plurality is necessary to win the office; there is no runoff.

Following severe irregularities in the 2017 presidential election, the National Congress created two new electoral bodies in 2019, the Electoral Court of Justice (TJE) and the National Electoral Council (CNE).

In November 2021—and in the first presidential contest administered by the TJE and CNE—Xiomara Castro Sarmiento of the left-wing Libre was elected with 51.1 percent of the vote, ending 12 years of PN executive control. Castro, the country's first female president, was elected amid high voter turnout and was inaugurated in January 2022.

Were the current national legislative representatives elected through free and fair elections?

Members of the 128-seat unicameral National Congress are elected for four-year terms using proportional representation by department. All seats are renewed in each election.

In the November 2021 polls, Libre won 50 seats, the PN won 44, the PL won 22, and the Savior Party of Honduras (PSH) won 10. The Christian Democratic Party (PDCH) and the Anticorruption Party (PAC) each won 1. The legislative and municipal contests were competitive but were also marred by severe political violence; at least 68 candidates were murdered in the run-up to the elections.

Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies?

The Supreme Electoral Tribunal (TSE) came under heavy criticism for its administration of the 2017 presidential poll, which prompted protests and allegations of TSE incompetence and pro-PN bias. In 2019, the National Congress created the TJE and the CNE to replace it. The 2021 elections benefited from an electoral law passed that year, which incorporated several reforms to improve public trust and encourage stability and transparency in the electoral process.

B Political Pluralism and Participation

Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings?

Political parties are free to operate. While power has mostly been concentrated in the hands of the PL and the PN since democratization in the early 1980s, party politics in Honduras shifted in the 2010s. In 2013, Libre and the PAC participated in elections for the first time. Six parties won National Congress seats in 2021.

Is there a realistic opportunity for the opposition to increase its support or gain power through elections?

In 2021, the PN was ousted from the presidency for the first time in 12 years by President Castro. The PN also lost its congressional majority. Although opposition parties were affected by acts of political violence and electoral irregularities

favoring the PN, they remained competitive.

Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means?

Elites have traditionally exerted significant influence over political parties, limiting people's political choices. The military remains politically powerful. Gangs, many with ties to drug trafficking, also sway decisions at the national and subnational levels.

Political violence is widespread and includes harassment, threats, and intimidation directed at candidates, politicians, and voters, especially women. Members of Libre-affiliated *colectivos* have physically attacked opposition members in legislative debates and rallies.

Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities?

Adult citizens have the right to vote. Ethnic minorities, the LGBT+ population, and women, however, remain politically underrepresented, though political parties must abide by a 40 percent gender quota for their slates of congressional candidates. Some 27.3 percent of the National Congress's seats are held by women, the highest figure Honduras has seen in the 21st century.

C Functioning of Government

Do the freely elected head of government and national legislative representatives determine the policies of the government?

Under measures adopted since 2014, power has been consolidated in the executive branch. The military, which has traditionally maintained substantial autonomy from civilian oversight, has played an increasing role in both internal security and programs unrelated to security.

The state of emergency introduced in 2022 was sometimes implemented without legislative oversight. In a report released in July 2024 and covering events in 2023, the Office of the UN High Commissioner for Human Rights (OHCHR) noted three

occasions where emergency-related decrees did not receive legislative ratification.

Concerns persist over the political influence that President Castro's husband, former President José Manuel Zelaya Rosales, and other members of the Zelaya family wield. In a 2023 report, the National Anticorruption Council (CNA), a nongovernmental organization (NGO), noted that relatives of President Castro had received posts within the cabinet, National Congress, and Supreme Court.

The government moved to limit legislators' ability to determine policy in 2023, as the National Congress was deadlocked over the appointment of a new attorney general and deputy attorney general. That November, a Libre-dominated committee appointed Johel Zelaya Álvarez and Mario Morazán Aguilera to those posts on an interim basis, a move that opposition parties denounced. In February 2024, Libre, the PN, and the PL reached an agreement allowing Attorney General Zelaya to remain at his post, while the PL's Marcio Cabañas Cadillo succeeded Morazán as deputy attorney general. The three parties also split appointments for several other governmental bodies.

Are safeguards against official corruption strong and effective?

President Castro's immediate predecessor, Juan Orlando Hernández, was directly implicated in corruption in 2019 when US prosecutors identified him and former President Porfirio Lobo as coconspirators in a drug-smuggling operation run by Hernández's brother. Hernández was arrested by police in Honduras in 2022 and was extradited to face drug trafficking and arms charges in the United States. Hernández was convicted in March and received a 45-year prison sentence in June.

In August 2024, the government said that it would end its extradition treaty with the United States after Laura Dogu, the US ambassador to Honduras, criticized a meeting between the Honduran and Venezuelan defense ministers. The government announced its decision days before Carlos Zelaya Rosales admitted to meeting with drug traffickers in 2013.

In 2022, the Castro administration and the United Nations agreed to a memorandum of understanding on creating the UN-backed International Commission Against Corruption and Impunity in Honduras (CICIH), but negotiations remained ongoing at the end of 2024. The administration shared an updated draft agreement on the CICIH in September.

In January 2024, the *Contracorriente* news site reported that inauthentic accounts on social media targeted the CNA and its chief, Gabriela Castellanos, whenever it issued reports examining official corruption under Hernández and Castro. The news outlet also reported that figures close to the Castro administration had shared some of the content.

Does the government operate with openness and transparency?

Government operations are generally opaque. Journalists and interest groups have difficulty obtaining information from the government. The Castro administration adopted some measures to foster transparency. The 2014 Hernández-era secrecy law, which was perceived as a vehicle for official corruption, was repealed in 2022. Also in 2022, legislators passed a law to improve transparency in the nomination of Supreme Court justices, although it was criticized for favoring the interests of political parties.

Legislators additionally repealed a law that created Areas of Employment and Economic Development (ZEDEs), which were meant to attract investment but prompted fears that they would facilitate corrupt activities, in 2022. In September 2024, the Supreme Court ruled that the ZEDEs were unconstitutional.

In March 2024, *Contracorriente* reported that legislators were receiving grants to fund social projects. While a Libre legislator told the outlet that the subsidies were disclosed through a public transparency portal, *Contracorriente* reported the opposite was true.

Politicians have maintained undisclosed ties to drug traffickers. In September 2024, the *InSight Crime* outlet reported on a secretly recorded video in which drug traffickers had offered financial support to Libre in 2013. Carlos Zelaya Rosales, President Castro's brother-in-law and secretary of the National Congress when the footage was released, had attended that meeting. In the video, traffickers also discussed their support for former President Zelaya. Secretary Zelaya resigned his post in late August—saying he “fell into a trap” by attending the meeting—ahead of the video's release. José Manuel, Carlos's son then—defense minister, also resigned.

Civil Liberties

D Freedom of Expression and Belief

Are there free and independent media?

Authorities systematically violate the constitution's press freedom guarantees. Reporters and outlets covering sensitive topics or who are perceived as critical of the authorities risk assaults, threats, blocked transmissions, and harassment. Journalists have access to a protection mechanism that also supports human rights defenders and justice officials, but that mechanism is ineffective. Journalists increasingly self-censor despite the existence of that mechanism.

The National Commissioner for Human Rights in Honduras (CONADEH) recorded 97 violent deaths of media workers between 2001 and 2023 and reported that most of those cases had gone unresolved. In January 2024, journalist Luis Alonso

Teruel of Pecaligüe TV was shot and killed in the town of Atima. Pecaligüe TV's owner asserted that Alonso's death was linked to a story on deforestation he had produced.

Are individuals free to practice and express their religious faith or nonbelief in public and private?

Religious freedom is generally respected in Honduras.

Is there academic freedom, and is the educational system free from extensive political indoctrination?

Criminal groups undermine academic freedom, as they control all or parts of schools in some areas and subject staff to extortion schemes. Authorities sometimes move to suppress student demonstrations by arresting participants and dispersing the events, and violent clashes between police and student protesters sometimes occur.

Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution?

Under the 2011 Special Law on Interception of Private Communications, the government can intercept online and telephone messages. Violence, threats, and intimidation by state and nonstate actors curtail open and free private discussion among the general population.

E Associational and Organizational Rights

Is there freedom of assembly? 2 4

Freedom of assembly is constitutionally protected. In late 2022, the Castro administration enacted a state of emergency in response to gang-related violence. The state of emergency, which was still in effect in 2024, restricted the right to assemble in some areas.

Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work?

Under the 2011 Special Law on Interception of Private Communications, the government can intercept online and telephone messages. Violence, threats, and intimidation by state and nonstate actors curtail open and free private discussion among the general population and the press. NGOs and their staff, especially in the human rights and environmental fields, often face significant threats, including harassment, surveillance, and smear campaigns aimed at undermining their work.

In September 2024, Juan López, an environmental activist and Libre councilor, was murdered. The OHCHR called his murder “part of a series of attacks, intimidation, and criminalisation” against the Municipal Committee for the Defense of Common and Public Goods, the NGO to which he belonged.

Is there freedom for trade unions and similar professional or labor organizations? 2 4

Labor unions are well organized and can strike. In the past, labor actions have resulted in clashes with security forces. The change in government temporarily decreased tensions with unions since many have ties with Libre.

F Rule of Law

Is there an independent judiciary?

Political and business elites exert excessive influence over the judiciary, including the Supreme Court. Judicial appointments are made with little transparency, judges have been removed from their posts for political motivations, and several lawyers have been killed in recent years.

While legislators limited prosecutorial access to financial information in cases of corruption in 2021, the National Congress has since legislated to increase prosecutorial powers in line with a 2022 memorandum of understanding on the creation of the CICIH. Legislators annulled three laws that had limited prosecutors' access to documents and restricted their ability to pursue cases involving financial impropriety in 2023.

A law establishing new guidelines for the Nominating Board for the Supreme Court (JNCS) and limiting its discretionary power was passed in 2022. In 2023, the JNCS produced a list of candidates based on merit. Legislators selected a 15-member bench from the JNCS list that February but selected them on a partisan basis; six came from Libre, five from the PN, and four from the PL.

Does due process prevail in civil and criminal matters?

The lack of due process is a serious issue in Honduras. The judiciary and law enforcement agencies are often compromised and underfunded. As such, they are corrupt, targets of influence peddling and undue influence, and often engage in criminal activities.

In late 2022, President Castro announced a "war against extortion" and passed a state of emergency suspending constitutionally protected rights, which remained in place as of December 2024. In its July report on human rights in Honduras, the OHCHR warned that the state of emergency represented a threat to due process and said that unlawful arrests had been associated with it. The OHCHR also noted allegations that authorities planted evidence and searched homes without a warrant under the state of emergency.

Is there protection from the illegitimate use of physical force and freedom from war and insurgencies?

The homicide rate has declined in recent years, but violent crime and gang violence remain serious problems and have prompted large-scale internal displacement and migration. In response to widespread violence, the Hernández administration empowered the Military Police of Public Order (PMOP) and other security forces to combat security threats, and that policy has continued under President Castro.

In its July 2024 report on human rights in Honduras, the OHCHR said seven potential enforced disappearances, five extrajudicial killings, and several cases of torture or other mistreatment were connected to the state of emergency.

Do laws, policies, and practices guarantee equal treatment of various segments of the population?

Lands inhabited by Indigenous and Afro-Honduran people are particularly vulnerable to expropriation for development projects without adequate prior consultation. Communities that contest such projects are unable to assert their rights effectively. Violence and discrimination against LGBT+ people and Indigenous and Garifuna populations persist at high levels.

G Personal Autonomy and Individual Rights

Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education?

Ongoing violence and impunity have reduced personal autonomy and freedom of movement. Those living in gang-controlled territories face extortion, and dangerous conditions limit free movement and options for education and employment. The 2022 state of emergency has curtailed constitutional rights,

Exhibit 6

Human rights in Honduras Amnesty International

 [amnesty.org/en/location/americas/central-america-and-the-caribbean/honduras/report-honduras](https://www.amnesty.org/en/location/americas/central-america-and-the-caribbean/honduras/report-honduras)

Honduras 2024

The militarization of public security continued. Conditions in prisons remained concerning. Human rights violations persisted during the state of emergency and human rights defenders lacked protection. The impacts of climate change exacerbated the precarious situation of thousands. Abortion and same-sex marriage remained prohibited.

Background

The creation of an international commission against impunity and corruption was still pending.

Excessive and unnecessary use of force

The government took steps to acknowledge state responsibility for the persecution and repression of social movements and protests in the 1980s and between 2009 and 2021, but obstacles to justice persisted.

Despite the concerns of human rights organizations, the government extended the state of emergency aimed at combating insecurity and organized crime, and announced disproportionate new counterterrorism measures. By October the Ombudsperson (CONADEH) had received more than 700 complaints against the police and security forces since the start of the state of emergency in December 2022.

Detainees' rights

Overcrowding and the militarization of prisons continued. UN experts reported that conditions in many prisons amounted to cruel, inhuman and degrading treatment. The government announced the construction of a "mega prison".

Human rights defenders

Honduras was the most lethal country in the world for defenders of land and environment, according to Global Witness. They faced stigmatization, intimidation, arbitrary detention and criminalization, most of which went unpunished. Attacks

mainly occurred in the context of disputes relating to mining projects, land-tenure insecurity, and violations of the rights of Indigenous Peoples and Afro-descendants, including Garifuna human rights defenders.

Local organizations raised concerns over the weakness and ineffectiveness of the national protection mechanism for human rights defenders. In September, Juan López of the Municipal Committee for the Defence of Common and Public Goods of Tocoa was shot dead.

In November, the Supreme Court of Justice confirmed sentences against eight men responsible for the murder of Indigenous defender Berta Cáceres in 2016.

By the end of the year, the state had not signed the Escazú Agreement.

Indigenous Peoples' rights

In October, land recovery for the Garifuna community of Punta Piedra began, as part of the implementation of the ruling by the Inter-American Court of Human Rights.

Right to a healthy environment

Communities in the Gulf of Fonseca reported negative impacts on their livelihoods caused by rising sea levels, coastal erosion and environmental pollution. Prolonged drought in the Central American Dry Corridor in western Honduras affected access to water and food security. Climate change impacts, exacerbated by high levels of inequality, contributed to forced migration from Honduras.

Sexual and reproductive rights

Abortion remained prohibited in all circumstances and access to the emergency contraception pill was hampered due to limited availability at public health facilities. The UN Human Rights Committee received a complaint against Honduras about an Indigenous woman and human rights defender who was denied an abortion after she was raped.

Gender-based violence

Congress passed a Safe Houses Law for women victims of gender-based violence, but the Integral Law against Violence against Women Bill was still pending at the end of the year.

LGBTI people's rights

Same-sex marriage remained prohibited. There was no progress towards a procedure for the recognition of gender identity, which had been ruled by the Inter-American Court of Human Rights.

1. ["Honduras: Water defender killed", 20 September](#) ↪

Exhibit 7

IACHR Releases Report on the Situation of Human Rights in Honduras

 [oas.org/en/iachr/jsForm](https://www.oas.org/en/iachr/jsForm)

Inter-American Commission on Human Rights (IACHR)

May 15, 2024

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Washington, D.C. – The Inter-American Commission on Human Rights (IACHR) is releasing the report [Situation of Human Rights in Honduras](#). This report addresses conditions in the country based on an on-site visit conducted over the period April 24–28, 2023, and follows up on the Commission’s latest country report on Honduras, published in 2019.

In recent years, Honduras has suffered several political and institutional crises that have deepened the complex human rights situation the current government found when it took office. The Commission acknowledges the government of President Xiomara Castro’s commitment to making human rights one of the main pillars of its administration.

The report identifies the prevalence of a series of structural problems, including poverty, inequality, social, territorial, agrarian, and environmental disputes, and violence, which all combine and cross-sectionally affect human rights. The IACHR further notes the differentiated impact of this setting on specific groups which have for decades been prevented from fully and effectively exercising their human rights. This situation must be addressed.

The IACHR has been informed of several measures taken by the State to tackle these conflicts and wishes to stress that the effectiveness of any measures will depend on their support at the highest level and on the development of comprehensive policies to foster the required structural changes.

While the homicide rate has gone down, Honduras remains the most violent country in Central America and the country with the second-highest homicide rate in the Americas. This reduction in the homicide rate has focused on urban areas. It is yet to reach remote and rural areas where other factors are at play, like disputes over access to land, territory, and natural resources and the State’s insufficient capacity to effectively control those areas.

Violence in Honduras is made worse by the significant presence of criminal organizations, particularly maras and other gangs. The Commission is concerned that Honduras has adopted, in response to this violence, a state of emergency that is being extended over time and that continues to engage the armed forces in law enforcement tasks, contrary to the State's initial commitment to demilitarizing its territory.

Violence has had serious consequences in the community fabric and has triggered other human rights violations, like forced displacement. Further, it continues to have a differentiated impact on certain groups. This report focuses on the situation of groups and individuals of particular concern, including women; children and adolescents; lesbian, gay, bisexual, trans, and intersex (LGBTI) persons; individuals who are deprived of liberty; indigenous and Afro-descendant peoples and Garifuna communities; individuals in human mobility contexts; older persons; and persons with disabilities.

The report further focuses on the risks faced by human rights defenders, particularly those who are active in defense of the environment and of land and territorial rights, as well as by journalists and social communication experts. In this context, the national protection mechanism faces various challenges that negatively affect its consistency and its ability to provide effective responses. The human rights situation of individuals who are deprived of liberty continues to be a matter of particular concern.

In Honduras, high levels of impunity persist, alongside a widespread mistrust in the institutions in charge of investigating crimes and prosecuting their perpetrators and masterminds. The IACHR encourages the State to continue to remove hurdles that prevent effective access to justice—including deficiencies in the material, human, and technical resources allocated to the public prosecutor's office—and to persist in its efforts to fight corruption.

Honduras completed the recruitment process to appoint new members of its Supreme Court of Justice. However, the process to appoint the new leadership at the Office of the Attorney General caused controversy. The State is yet to enact a new law concerning the Judicial Council and careers in the judiciary, to reflect the applicable international standards.

Honduras stands before a chance to restore trust in its State institutions. To seize that chance, the country must prioritize efforts to strengthen its institutions, provide them with the resources they need, ensure the ability to manage public

affairs and execute various policies and budgets at the highest possible levels, and respect and guarantee the independence of the different branches of government, to enable timely justice and other well-coordinated efforts for the ultimate benefit of the Honduran people.

The report holds a series of recommendations, and the Inter-American Commission stresses its commitment to continuing to support the State so it may comply with those recommendations.

A principal, autonomous body of the Organization of American States (OAS), the IACHR derives its mandate from the OAS Charter and the American Convention on Human Rights. The Inter-American Commission has a mandate to promote respect for and to defend human rights in the region and acts as a consultative body to the OAS in this area. The Commission is composed of seven independent members who are elected in an individual capacity by the OAS General Assembly and who do not represent their countries of origin or residence.

No. 101/24

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Exhibit 8

Northern Central America

Impact of Organized Crime on Women and Girls





OEA/Ser.L/V/II.
Doc. 9/23
February 17, 2023
Original: español

Inter-American Commission on Human Rights

Northern Central America

Impact of Organized Crime on Women and Girls

2023

Approved by the Inter-American Commission on Human Rights on
February 17, 2023

OAS Cataloging-in-Publication Data

Inter-American Commission on Human Rights. Northern Central America: Impact of Organized Crime on Women and Girls: Approved by the Inter-American Commission on Human Rights on February 17, 2023. p. ; cm. (OAS. Official records; OEA/Ser.L)

ISBN **978-0-8270-7802-4**

1. Human rights--Central America. 2. Organized Crime--Central America. 3. Women's rights--Central America. 4. Children's rights--Central America. I. Title. II. Series.

OEA/Ser.L/V/II.doc.9/23

Chapter 4

Violence against women and girls linked with the presence and activities of criminal groups

Violence against women and girls linked with the presence and activities of criminal groups

87. In territories and areas dominated by gangs and criminal bands, daily life in communities is controlled by these groups through various forms of social violence. Violence is one of the main strategies employed by these groups, not simply to impose territorial domination but to legitimize male power, establish a hierarchy, and oversee the entry of members, command their respect, and exert control over them²⁵⁶. In this regard, while violence as a control mechanism is committed against both women and men, gender violence in particular is one way of exerting control over women and girls, who are subjected to forms of violence that specifically target them²⁵⁷.
88. In addition, the IACHR notes that gender violence against women and girls is a way for criminal groups to control entire communities, using women's bodies as an opportunity for violent domination to send the rest of the community a message about power, control, and submission, and as a display of power among peers in the criminal group²⁵⁸. Thus, violence against women is a key tool in the behavior of many criminal groups and the perpetuation of their illicit activities²⁵⁹ that heightens the risk and vulnerability of women and girls in areas where these groups operate. The Commission notes in particular that women in these contexts are subject to various forms of gender violence, including sexual violence; forced marriages or unions; gender-based killings; disappearances; torture; slaverylike conditions, including criminal exploitation; forced labor; sexual servitude; and human trafficking.

²⁵⁶ Interpeace. *Violent Women and Violence Against Women. Gender Relations in the Maras and Other Street Gangs of Central America's Northern Triangle Region*. April 2012

²⁵⁷ Internal Displacement Monitoring Centre (IDMC); Cristosal; Refugee Law Initiative - School of Advanced Study University of London. *A Web of Violence: Crime, corruption and displacement in Honduras*. Thematic study. March 2019, pg. 25

²⁵⁸ CDM. *Las hijas de la muerte. Investigación sobre femicidios en contextos de crimen organizado en Honduras*. October 2020. IACHR archive; Internal Displacement Monitoring Centre (IDMC); Cristosal; Refugee Law Initiative - School of Advanced Study University of London. *A Web of Violence: Crime, corruption and displacement in Honduras*. Thematic study. March 2019, pg. 26; CNN. *Pandillas usan cuerpos de mujeres para "venganza y control" en El Salvador*. June 15, 2018; Sampó, Carolina. *El rol de las mujeres en las maras: una aproximación a la violencia que sufren e infringen*. *Si Somos Americanos*, Vol. 16, No. 2. 2016, pp. 127-142; Interpeace. *Violent Women and Violence Against Women. Gender Relations in the Maras and other street gangs of Central America's Northern Triangle Region*. April 2012.

²⁵⁹ IACHR. *Violence and Discrimination against Women and Girls*. OEA/Ser.LV/II. Doc. 233. November 14, 2019, paras. 191-193.

A. Sexual violence as a way of joining the group

89. The available information reveals that joining a gang is generally a lengthy process in which both men and women must carry out the group's orders²⁶⁰. Here, it is noted that while not all women and girls are forced to join pandillas or maras, in every case, joining entails violence²⁶¹. Within this context, three ways of joining a gang stand out: the first, commit a murder, as instructed by the group or its leader; the second, submit to a beating by the other members of the group; and third, have sex with several members or every member of the group²⁶². The last way, sexual violence, is largely reserved for women and girls²⁶³.
90. According to accounts obtained by civil society organizations and people researching this topic, how women join the group determines their role, respect, and security in the gang²⁶⁴. Those who submit to the same initiation test as men, such as a beating, will receive the same respect as men in the gang structure, since they are considered courageous and strong – attributes considered positive and associated with virility and masculinity. In contrast, women who join by submitting to sexual violence are considered weaker members of the criminal organization and therefore run a greater risk of losing the group's protection and being constantly revictimized²⁶⁵.
91. The Commission also observes that while some women can choose how to join the group, not all can do so, and in many cases, end up as rape victims²⁶⁶. In this regard, the existing accounts reveal that women are not in a position to consent to the sex acts they are

²⁶⁰ Interpeace. *Violent Women and Violence Against Women. Gender Relations in the Maras and Other Street Gangs of Central America's Northern Triangle Region*. April 2012.

²⁶¹ El PACCTO. *Maras y Mujeres en Centroamérica: Problemas y Soluciones en Derecho*. August 2020.

²⁶² International Crisis Group. *Mafia of the Poor: Gang Violence and Extortion in Central America*. Report No. 62 – Latin America & Caribbean, April 6, 2017; Interpeace. *Violent Women and Violence Against Women. Gender Relations in the Maras and Other Street Gangs of Central America's Northern Triangle Region*. April 2012.

²⁶³ Sampó, Carolina. *El rol de las mujeres en las maras: una aproximación a la violencia que sufren e infringen*. Si Somos Americanos, Vol. 16, No. 2. 2016, pp. 127-142; Interpeace. *Violent Women and Violence Against Women. Gender Relations in the Maras and Other Street Gangs of Central America's Northern Triangle Region*. April 2012.

²⁶⁴ Interpeace. *Violent Women and Violence Against Women. Gender Relations in the Maras and Other Street Gangs of Central America's Northern Triangle Region*. April 2012.

²⁶⁵ Tager Rosado, Ana Glenda and Argueta, Otto. *Relaciones, roles de género y violencia en las pandillas en El Salvador, Guatemala y Honduras*. 2019; Interpeace. *Violent Women and Violence Against Women. Gender Relations in the Maras and Other Street Gangs of Central America's Northern Triangle Region*. April 2012.

²⁶⁶ Pacific Standard. *The Girl Gangs of El Salvador*. September 15, 2018.

subjected to or to the individuals with whom they will have sex²⁶⁷. This practice, moreover, is characterized by acts of violence designed to subdue and humiliate the women²⁶⁸. In this method of joining the group, sexual violence is a way to impose male dominance over women in a context of threats and intimidation.

92. In this regard, the Commission recalls that the Inter-American Court has recognized rape as a form of sexual violence²⁶⁹ and a traumatic experience with severe consequences for women. Rape causes significant physical and psychological damage, leaving the victim physically and emotionally humiliated – a situation hard to overcome with the passage of time, unlike other traumatic experiences. From this it follows that rape inherently causes the victim extreme suffering. In this regard, the Inter-American Court has stated that women rape victims experience severe psychological and social harm²⁷⁰. It has also noted that, as in the case of torture, rape generally has other objectives, including intimidating, degrading, humiliating, punishing, or controlling the person who experiences it²⁷¹. Furthermore, sexual abuse is a type of crime that victims tend not to report because of the stigma attached to it²⁷² and is a paradigmatic form of violence against women, the consequences of which even transcend the personhood of the victim²⁷³.

B. Forced unions

93. While some women voluntarily agree to romantic relationships with gang members, in many cases the gang members harass and bully women, even girls, into becoming their

²⁶⁷ Tager Rosado, Ana Glenda and Argueta, Otto. Relaciones, roles de género y violencia en las pandillas en El Salvador, Guatemala y Honduras. 2019.

²⁶⁸ Sampó, Carolina. El rol de las mujeres en las maras: una aproximación a la violencia que sufren e infringen. Si Somos Americanos, Vol. 16, No 2. 2016, pp. 127-142; Interpeace. Violent Women and Violence Against Women. Gender Relations in the Maras and Other Street Gangs of Central America's Northern Triangle Region. April 2012.

²⁶⁹ IACtHR. Case of J v. Peru. Preliminary objection, merits, reparations and costs. Judgment of November 27, 2013. Series C No. 275, para. 359.

²⁷⁰ IACtHR. Case of Espinoza González v. Peru. Preliminary objections, merits, reparations and costs. Judgment of November 20, 2014. Series C No. 289, para. 193.

²⁷¹ IACtHR. Case of Fernández Ortega et al. v. Mexico. Preliminary Objections, Merits, Reparations, and Costs Judgment of August 30, 2010. Series C No. 215, para. 127.

²⁷² IACtHR. Case of Espinoza González v. Peru. Preliminary objections, merits, reparations and costs. Judgment of November 20, 2014. Series C 289, para. 150.

²⁷³ IACtHR. Case of Fernández Ortega et al. v. Mexico. Preliminary Objections, Merits, Reparations, and Costs Judgment of August 30, 2010. Series C No. 215, para. 119; IACtHR. Case of Rosendo Cantú et al. v. Mexico. Preliminary Objections, Merits, Reparations and Costs. Judgment of August 31, 2010. Series C No. 216, para. 109.

sexual partners²⁷⁴. Here, the Commission observes with concern that in both cases, women and girls are at serious risk of becoming victims of multiple forms of gender violence.

94. In the gang world, women are considered the property of their sexual partners and, by extension, the gang, putting them in a situation of extreme control, submission, and the particular risk of different forms of gender violence, not only by their partner but by all the other members of the group²⁷⁵. Furthermore, based on the stereotype of women's supposed weakness and unreliability, the men of the group tend to consider them disloyal to both their partners and the group²⁷⁶, causing the rules governing loyalty and obedience in gang culture, while applicable to all members, to include mechanisms for controlling and surveilling women, even when their partners are in jail, as well as periods of home confinement, "fidelity tests," forced pregnancies, sexual violence, and violent killings²⁷⁷. Furthermore, according to the information obtained, as the partners of gang members, women and girls live with the threat that should their partner be killed, they might be as well²⁷⁸.
95. The IACHR is also aware that these women have no choice and cannot make decisions that go against the wishes of their male partners. Under the group's code, this would mean challenging male authority, which for women, is punishable by sexual violence and generally death²⁷⁹. The Commission observes, in particular, that women and girls have no escape from these violent relationships. Thus, many of them are forced to live with their

²⁷⁴ EISalvador.com. [El infierno que viven las niñas esclavas sexuales de la pandilla MS en El Salvador](#). June 26, 2018.

²⁷⁵ Spotlight Initiative – Regional Programme for Latin America – UNDP. [La violencia contra las mujeres y niñas en contextos de crimen organizado](#). Centroamérica, Colombia, México y República Dominicana. 2021, pg. 36; Tager Rosado, Ana Glenda and Argueta, Otto. [Relaciones, roles de género y violencia en las pandillas en El Salvador, Guatemala y Honduras](#). 2019.

²⁷⁶ BBC Mundo. ["Piensan que somos más débiles, pero matar, matamos igual": el peligroso doble papel de las mujeres en las pandillas de Centroamérica](#). December 12, 2017; Boerman, Thomas and Knapp, Jennifer. [Gang Culture and Violence against Women in El Salvador, Honduras and Guatemala](#). Immigration Briefings, 17-03. March 2017.

²⁷⁷ American Institutes for Research & Florida International University. [A Study of Gang Disengagement in Guatemala](#). 2020, pg. 44; Boerman, Thomas and Knapp, Jennifer. [Gang Culture and Violence against Women in El Salvador, Honduras and Guatemala](#). Immigration Briefings, 17-03. March 2017; Interpeace. [Violent Women and Violence Against Women. Gender Relations in the Maras and Other Street Gangs of Central America's Northern Triangle Region](#). April 2012.

²⁷⁸ Interpeace. [Violent Women and Violence Against Women. Gender Relations in the Maras and Other Street Gangs of Central America's Northern Triangle Region](#). April 2012; El país. [Ellas ven oyen y callan](#). August 26, 2015.

²⁷⁹ Boerman, Thomas and Knapp, Jennifer. [Gang Culture and Violence against Women in El Salvador, Honduras and Guatemala](#). Immigration Briefings, 17-03. March 2017; RT. [Escapar de la violencia hacia más violencia: cómo es la vida de las mujeres en las maras](#). December 7, 2015.

assailants, exposed to constant abuse by them or the other members of the gang, and even to being killed²⁸⁰.

96. Especially troubling is the situation of young and adolescent girls, who are forced to become sexually involved with gang members from around the age of 12 onward.²⁸¹ In her visit to El Salvador, the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, stated that gangs were responsible for forced disappearances, forced recruitment of children, and the subjugation of women, which included “forcing young women and girls to become gang members’ sexual partners”²⁸². Thus, in gang-controlled neighborhoods, girls receive clear messages that both they and their bodies “belong” to the gang and its members, who control and commit violence against them with impunity, making them unable to refuse due to death threats against them and their families²⁸³. Furthermore, the control exerted over their bodies extends to their reproductive processes, such as pregnancy and forced abortion²⁸⁴.
97. The Inter-American Court has held that the complete autonomy of the individual to choose with whom he or she wishes to enter into a permanent marital relationship, whether it be a natural one (*de facto* union) or a formal one (marriage), derives directly from the principle of human dignity²⁸⁵. In this same vein, authorities of the universal system for the protection of human rights have held that a marriage or *de facto* union is understood as forced when it is lacking the full and valid consent of at least one of the parties, or one of them is unable to end the union due, among other things, to coercion or intense social or family pressure²⁸⁶; “in its most extreme form (...) forced marriage can involve threatening behavior, abduction,

²⁸⁰ Interpeace. [Violent Women and Violence Against Women. Gender Relations in the Maras and Other Street Gangs of Central America's Northern Triangle Region](#). April 2012.

²⁸¹ Committee on the Rights of the Child. [Concluding observations on the combined fifth and sixth periodic reports of El Salvador](#). CRC/C/SLV/CO5-6, November 29, 2018, para. 27.

²⁸² UN: Human Rights Council. [Report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, on her mission to El Salvador](#). HRC/33/46/Add.1. August 3, 2016.

²⁸³ The Atlantic. [El Salvador's Gangs Are Targeting Young Girls](#). March 4, 2018.

²⁸⁴ IACHR. [Violence and Discrimination against Women and Girls](#). OEA/Ser.L/V/II. Doc. 233. November 14, 2019, para. 195.

²⁸⁵ IACtHR. [Gender Identity, and Equality and Non-discrimination of Same-Sex Couples \(Interpretation and Scope of Articles 1\(1\), 3,7, 11\(2\), 13, 18 and 24 in relation to Article 1 of the American Convention on Human Rights](#). Advisory Opinion OC24/17 of November 24, 2017, para. 225.

²⁸⁶ UN: Human Rights Council. [Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment](#). AHRC/31/57. January 5, 2016, para. 63; UN: General Assembly. [Report of the Secretary-General. In-depth study on all forms of violence against women](#) A/61/122/Add. 1. July 6, 2006, para. 122.

imprisonment, physical violence, rape, and in some cases, murder²⁸⁷.” Thus, forced marriage has been understood as a little-documented form of violence against women²⁸⁸.

98. It is likewise understood that there is a lack of “full and valid” consent when one of the contracting parties is not mature enough to make an informed decision about their partner²⁸⁹. In this regard, the IACHR has maintained that de facto child marriages or unions²⁹⁰ are an expression of forced marriage, since one of the partners is not mature enough to select their partner on the basis of full free and informed consent and there is a clearly unequal power relationship between spouses²⁹¹. Furthermore, this practice, which is considered to be grounded in discrimination by reason of sex, gender, and age, constitutes a violation of the human rights of girls and has a significant impact on their lives by reducing their opportunities for personal, educational, and professional development, and on their ability to make important decisions about their lives, including their economic independence. It reproduces cycles of poverty and women’s exclusion and puts them at greater risk of gender-based exploitation, abuse, and violence, especially sexual violence, and in some cases homicide²⁹². This is exacerbated by the child and adolescent pregnancy that usually results from forced de facto marriages or unions. UNICEF has declared that when children and adolescents are victims of this practice, it is a form of sexual abuse and exploitation²⁹³.

C. Gender-based killings of women and girls (femicides/feminicides)

99. While accurate information on the link between violent deaths of women and the criminal groups operating in El Salvador, Honduras and Guatemala is not always available, the

²⁸⁷ UN: General Assembly. Report of the Secretary-General. [In-depth study on all forms of violence against women](#). A/61/122/Add. 1. July 6, 2006, para. 122.

²⁸⁸ UN: General Assembly. Report of the Secretary-General. [In-depth study on all forms of violence against women](#). A/61/122/Add. 1. July 6, 2006, paras. 111 and 122.

²⁸⁹ UNICEF. [Hojas informativas sobre la protección de la infancia: Matrimonio infantil](#). 2006, pg. 18.

²⁹⁰ De facto early or premature unions have been regarded as an informal form of child marriage in that they follow informal patterns of family ties. See: Girls Not Brides. [The global partnership to end child marriage: Matrimonio Infantil en América Latina y el Caribe](#). 2017.

²⁹¹ IACHR. [Violence and Discrimination against Women and Girls](#). OEA/Ser.LV/II. Doc. 233, November 14, 2019, para. 215. Similarly: CEDAW Committee and Committee on the Rights of the Child. [Joint general recommendation No. 32 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child on harmful practices](#). CEDAW/C/GC31/CRCC/GC/18. November 14, 2014, para. 20.

²⁹² IACHR. [Violence and Discrimination against Women and Girls](#). OEA/Ser.LV/II. Doc. 233. November 14, 2019, paras. 216 and 222; Similarly: UN: General Assembly. Report of the Secretary-General. [In-depth study on all forms of violence against women A/61/122/Add. 1](#). July 6, 2006, para. 122.

²⁹³ UNICEF. [Hojas informativas sobre la protección de la infancia: Matrimonio infantil](#). 2006, pg. 18.

information obtained suggests that numerous cases of femicides/feminicides are connected in various ways with the dynamics of these criminal groups²⁹⁴. In this regard, the past decade has witnessed an increase in particularly vicious killings of women that may be connected with the growing activities of organized crime networks in the illegal businesses of drug and arms trafficking, trafficking in women and migrants, etc.²⁹⁵

100. The IACHR notes that the criteria for classifying women's killings as femicides/feminicides²⁹⁶ – garnered in different ways from the legislation/regulations of each country – are deficient in that additional information is required that is not collected for all violent death record systems – e.g., the misogynistic nature of the murder or the relationship between victim and perpetrator. Thus, classifying certain murders of women as femicides or feminicides is a challenge²⁹⁷. The challenge is even greater in the case of violent killings of women connected with organized crime²⁹⁸. Here, the IACHR has observed that many of these cases are not duly investigated in terms of determining the identity of the perpetrators and the motive for the crime, though many appear to be associated with organized crime²⁹⁹. Similarly, UNDP notes that:

Up to now, the collateral issue of organized crime has not been explored; many of these femicides are invisible, as they are viewed as homicides. There are no detailed studies on the motive for femicide. There is a need to review homicide data and

²⁹⁴ Fundación de Estudios para la Aplicación del Derecho – FESPAD. [La Desaparición de Personas y el Contexto de la Violencia Actual en El Salvador: Una Aproximación Inicial](#). April 2021, pg. 55. Information obtained during the virtual consultation with experts held June 16-17, 2021 during the preparation of this report. IACHR archive. See: Ministry of Justice and Public Security. [Informe Anual: Hechos de Violencia contra las Mujeres 2018](#). 2019, pg. 17; Revista Factum. [Así viven y mueren las mujeres pandilleras en El Salvador](#). March 11, 2016.

²⁹⁵ CDM. [Las hijas de la muerte. Investigación sobre femicidios en contextos de crimen organizado en Honduras](#). October 2020. IACHR archive.; La Prensa Gráfica. [Un cadáver dentro de una bolsa, un feminicidio y un asesinato por arma de fuego reportados durante este miércoles](#). December 22, 2021; Voice of America. [UNHCR identifica la violencia de género como un motor de la migración desde el Triángulo Norte](#), December 6, 2021; Tager Rosado, Ana Glenda and Argueta, Otto. [Relaciones, roles de género y violencia en las pandillas en El Salvador, Guatemala y Honduras](#). 2019.

²⁹⁶ The MESECVI Committee of Experts has defined femicide/feminicide as “the violent killing of women because of gender, whether it occurs within the family, domestic unit, or any interpersonal relationship, within the community, by any individual, or when committed or tolerated by the State or its agents, either by act or omission.” See: MESECVI. [Inter-American Model Law on the Prevention, Punishment and Eradication of the Gender-related Killing of Women and Girls \(Femicide/Feminicide\)](#), 2018.

²⁹⁷ IACHR. [Violence and Discrimination against Women and Girls](#). OEA/Ser.L/V/II. Doc. 233. November 14, 2019, para. 154 onward; InfoSegura, [América Latina enfrenta el reto de medición del femicidio](#). March 28, 2019.

²⁹⁸ Spotlight Initiative – Regional Programme for Latin America – UNDP. [La violencia contra las mujeres y niñas en contextos de crimen organizado. Centroamérica, Colombia, México y República Dominicana](#). 2021, pg. 36; CDM. [Las hijas de la muerte. Investigación sobre femicidios en contextos de crimen organizado en Honduras](#). October 2020. IACHR archive.

²⁹⁹ IACHR. [Violence, Children and Organized Crime](#). OEA/Ser.L/V/II.Doc. 40/15. November 11, 2015, para. 242.

distinguish between homicide and femicide related to organized crime. There are no studies of this type. Clear criteria are lacking³⁰⁰.

101. Furthermore, according to the information obtained, half the killings of women in Central America's Northern Triangle are recorded as "motive unknown," a figure as high as 85% in El Salvador³⁰¹. These cases are deaths with insufficient information about the context, circumstances, or motives for the killings and in which there is a deliberate attempt to leave behind no clues or trace of them, a characteristic of some femicides connected with organized crime³⁰². Furthermore, in women's killings with a "known motive," which includes gangs/criminals, robbery, drugs/territorial disputes/extortion, and police shootings, some of them may be connected with organized crime, though it is impossible to know what percentage has been classified as femicide/feminicide and whether the investigations link them directly with organized crime³⁰³.
102. In the case of Honduras, civil society studies note the absence of adequate information and the difficulty of relating women's killings to individuals involved in organized crime and gangs³⁰⁴. For example, according to data from the Violence Observatory of *Instituto Universitario en Democracia, Paz y Seguridad* (IUDPAS), in 2019 it was reported that 9.1% of femicides were gangrelated and 11.7% were the result of narcotrafficking. However, if the deaths linked with contract killings are added, the percentage soars to 56.5%³⁰⁵. Moreover, according to information received for the preparation of this report, at least one third of all femicides characterized as such by IUDPAS occurred in the context of organized crime – a percentage that may even be higher if the 24% of femicides classified as "undetermined," many of which may be related to these contexts, are included³⁰⁶. It has also been noted

³⁰⁰ Spotlight Initiative – Regional Programme for Latin America – UNDP. [La violencia contra las mujeres y niñas en contextos de crimen organizado. Centroamérica, Colombia, México y República Dominicana..](#) 2021, pg. 31.

³⁰¹ Spotlight Initiative – Regional Programme for Latin America – UNDP. [La violencia contra las mujeres y niñas en contextos de crimen organizado. Centroamérica, Colombia, México y República Dominicana..](#) 2021, pg. 30.

³⁰² Information obtained during the virtual consultation with experts, held June 16-17, 2021 during the preparation of this report. IACHR archive; CDM. [Las hijas de la muerte. Investigación sobre femicidios en contextos de crimen organizado en Honduras. October 2020.](#) IACHR archive.

³⁰³ Spotlight Initiative – Regional Programme for Latin America – UNDP. [La violencia contra las mujeres y niñas en contextos de crimen organizado. Centroamérica, Colombia, México y República Dominicana.](#) 2021, pg. 30

³⁰⁴ Tager Rosado, Ana Glenda and Argueta, Otto. [Relaciones, roles de género y violencia en las pandillas en El Salvador, Guatemala y Honduras.](#) 2019, pg. 31.

³⁰⁵ Observatorio Nacional de la Violencia. [Resultados del análisis enero-diciembre 2019.](#) October 5, 2021.

³⁰⁶ Information obtained during the virtual consultation with experts, held June 16-17, 2021 during the preparation of this report. IACHR archive; CDM. [Las hijas de la muerte. Investigación sobre femicidios en contextos de crimen organizado en Honduras. October 2020.](#) IACHR archive.

that personnel involved in the administration of justice have differing opinions on the percentage of femicides connected with organized crime, since, on the one hand, staff from prosecutor's offices believe that the figure is lower than IUDPAS statistics indicate, while staff from the Medical Examiner's office believe that the percentage is even higher, perhaps as high as 80% of all femicides³⁰⁷. At the same time, the information provided by the State indicates that the majority of women's murders up to the third quarter of 2021 and 2022 were attributable to criminality due to social conflict rather than organized crime, narcoactivity, and gangs³⁰⁸.

103. In many cases, the killings show signs of being committed with extreme cruelty and are attributable to perpetrators who do not always have intimate, family, or close ties with the victim. According to the information obtained, women's murders linked with the activities of organized crime differ from others in that they are more violent than other femicides and far more violent than the killings of men, inflicting great pain with the explicit intention of sending a message or warning to a rival group³⁰⁹. Women's dismembered bodies are usually stuffed into bags or wrapped in sheets, with evidence of torture, multiple fractures, or written messages. Furthermore, while the killings are not always preceded by rape, in most cases, the bodies are found semi-nude and often dismembered, burned, or with mutilation of their breasts or genitalia³¹⁰. As a prosecutor in El Salvador stated in an interview with UNDP:

In the gang world, men and women who violate an established rule in organized crime or gangs are not killed in the same way. A person whose job is extortion or collecting protection money from the population and keeps it, whether a man or a woman, will probably be punished with death. But how different will it be? The man will be killed directly; the woman, in contrast, will be sexually assaulted and her body put on display with her genitals exposed so that all society can see it, because that is the highest

³⁰⁷ CDM. Las hijas de la muerte. Investigación sobre femicidios en contextos de crimen organizado en Honduras. October 2020. IACHR archive.

³⁰⁸ Procuraduría General de la República. Observaciones fácticas y comentarios del Estado de Honduras al proyecto de informe de la CIDH sobre el impacto del crimen organizado en las mujeres, niñas y adolescentes en los países del Norte de Centroamérica, November 14, 2022, paras. 6 and 13. IACHR archive. Citing UNDP. [Boletín Análisis sobre la situación de la violencia y seguridad ciudadana al 3er trimestre \(enero-septiembre 2022\)](#), October 2022

³⁰⁹ USAID, UNDP, InfoSegura. [La Cara Escondida de la Inseguridad: Violencia contra mujeres de Centroamérica y República Dominicana](#). 2020, pg. 245.

³¹⁰ Information obtained during the virtual consultation with experts, held June 16-17, 2021 during the preparation of this report. IACHR archive; CDM. Las hijas de la muerte. Investigación sobre femicidios en contextos de crimen organizado en Honduras. October 2020. IACHR Archive; BBC Mundo. ["Piensan que somos más débiles, pero matar, matamos igual": el peligroso doble papel de las mujeres en las pandillas de Centroamérica](#). December 12, 2017.

*expression of the objectification of the body and contempt for women's bodies. It reaffirms male dominion over all that is feminine*³¹¹

104. Furthermore, the Commission notes that with the steady increase in women's and girls' involvement in criminal groups, their risk of becoming femicide victims also increases. For example, because they rank lowest in the narco-trafficking division of labor, they are much more vulnerable to this form of violence because they are "easily replaceable" – something that occurs less with men. Moreover, many women engage in activities that put them at greater risk – such as drug dealing, transport, and storage and overseeing and monitoring territories – since when the group considers it necessary, they can kill them to avoid being betrayed³¹². Extortion is another activity that puts women at greater risk, since they can be killed when they are unable to collect the protection money, when they steal or keep part of it, or when they have information about the group's activities. The same holds true for women involved in activities linked with the administration of the group's property or money laundering or who serve as "frontmen"³¹³.
105. The Inter-American and universal human rights systems have recognized that violent, gender-based killings of women are the most extreme and irreversible manifestation of violence against them and that they are not an isolated problem but part of a continuum of violence symptomatic of a pattern of structural discrimination against women.³¹⁴ In this regard, they coincide in recognizing that gender is the underlying cause and principal element of these killings. In this regard, the MESECVI Committee of Experts has stated that femicide/femicide, which it defines as "the violent killing of women because of gender" is rooted in the structural inequality existing between men and women and is an extreme act of hatred that "has consolidated the male hegemonic vision over women as an

³¹¹ Spotlight Initiative – Regional Programme for Latin America – UNDP. *La violencia contra las mujeres y niñas en contextos de crimen organizado. Centroamérica, Colombia, México y República Dominicana.* 2021, pg. 37.

³¹² See: Reséndiz Rivera, Nelly Erandy. *Mujeres, pandillas y violencia en Guatemala.* Cuadernos Intercambio sobre Centroamérica y el Caribe. 2017, 14(1), 50-75.

³¹³ Information obtained during the virtual consultation with experts, held June 16-17, 2021 during the preparation of this report. IACHR archive; CDM. *Las hijas de la muerte. Investigación sobre femicidios en contextos de crimen organizado en Honduras.* October 2020. IACHR archive; InSight Crime. *Women and Organized Crime in Latin America: Beyond Victims and Victimiziers.* April 13, 2020.

³¹⁴ IACHR. *Violence and Discrimination against Women and Girls.* OEA/Ser.LV/II. Doc. 233. November 14, 2019, para. 154 onward; MESECVI. *Inter-American Model Law on the Prevention, Punishment and Eradication of the Gender-related Killing of Women and Girls (Femicide/Femicide)*, 2018, pg. 11; CEDAW Committee. *General recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19 (1992).* CEDAW/C/GC/35. July 26, 2017, paras. 14-20; Human Rights Council. *Report of the Special Rapporteur on extrajudicial, summary, or arbitrary executions on a gender-sensitive approach to arbitrary killings.* A/HRC/35/23, paras. 14 and 15 onward; Human Rights Council. *Report of the Special Rapporteur on violence against women, its causes and consequences, Rashida Manjoo.* A/HRC/20/16. May 23, 2012, paras. 15 onward.

object of transgression and weakness; it is a configuration of the dominating system of patriarchal power”³¹⁵.

106. Furthermore, despite the international duty of the States concerning enhanced due diligence, the IACHR has noted that the murders of women are also characterized by impunity in a context of limited access to justice for the victims, stereotyped patterns, and social permissiveness³¹⁶. In this regard, the Commission recalls that, pursuant to the obligations derived from the Convention of Belém do Pará, when a women or girl is killed in a general context of gender violence, the States have a duty to officially investigate the potential discriminatory implications of the act, whether committed in a public or private setting³¹⁷. Thus, as authorities of the universal system assert, when women are killed because of gender, “the political, societal, and economic context in which it takes place [should be taken into account], including the responses of men to women’s empowerment; the political, legal, and societal reaction to such killings; the principle of the continuum of violence; and patterns of structural discrimination and inequality that continue to form part of the reality of women’s lives”³¹⁸.

D. Disappearances and torture

107. The Commission notes that gang exercise of territorial control extends to everyone who lives, crosses into, and does business in these areas, especially women and girls³¹⁹. As stated earlier, in these contexts, women are not only forced to have sex or enter into unions with gang members but often are individually targeted and abducted while going about their daily business or out in public and are generally taken to *casas locas*³²⁰. According to the available information, some disappearances are temporary, while others are permanent. In

³¹⁵MESECVI. [Inter-American Model Law on the Prevention, Punishment and Eradication of the Gender-related Killing of Women and Girls \(Femicide/Feminicide\)](#), 2018, pp. 11-13.

³¹⁶ IACtHR. [Case of González et al. \("Cotton Field"\) v. Mexico. Preliminary Objection, Merits, Reparations, and Costs. Judgment of November 16, 2009](#). Series C No. 205. Judgment of November 16, 2009. Series C No. 205, paras. 399-401; IACHR. [Violence and Discrimination against Women and Girls](#). OEA/Ser.LV/II. Doc. 233. November 14, 2019, para. 154; IACHR. Press Release No. 062/17. [IACHR Condemns Killings of Women and Urges States to Intensify Prevention Efforts](#). May 16, 2017.

³¹⁷ IACtHR. [Case of Veliz Franco et al. v. Guatemala](#). Preliminary objections, merits, reparations and costs. Judgment of May 19, 2014. Series C No. 277, para. 187; IACtHR. [Case of Barbosa de Souza et al. v. Brazil](#). Preliminary objections, merits, reparations and costs. Judgment of September 7, 2021. Series C No. 435, para. 130.

³¹⁸ Human Rights Council. [Report of the Special Rapporteur on violence against women, its causes and consequences, Rashida Manjoo](#). AHRC/20/16. May 23, 2012, para. 18.

³¹⁹ Internal Displacement Monitoring Centre (iDMC); Cristosal; Refugee Law Initiative - School of Advanced Study University of London. [A Web of Violence: Crime, corruption and displacement in Honduras](#). Thematic study. March 2019, pg. 26.

³²⁰ Boerman, Thomas and Knapp. Jennifer. [Gang Culture and Violence against Women in El Salvador, Honduras and Guatemala](#). Immigration Briefings, 17-03. March 2017.

most cases, the women and girls are subjected to different forms of gender violence, including torture, sexual violence, and murder.

Acts of torture

108. The information gathered indicates that gang abductions of women and girls, especially in Honduras and El Salvador, primarily take two forms. The first is temporary confinement, during which they are assaulted and abused, subjected to numerous forms of sexual violence, and released after several hours or days, having suffered serious physical and psychological harm. The second is confinement that ends in the victims' murder and the disappearance of their bodies. The reasons for disposing of their remains in clandestine graves are to prevent their bodies from being located by the authorities, perpetuate their dehumanization, inspire fear in the community, and intensify their families' pain³²¹.
109. Furthermore, the IACHR points out that the circumstances and motives for gang abductions of women and girls and their disappearance are gender-related, since in many of these cases, sexual violence, extreme cruelty, and viciousness predominate³²². These disappearances are used to punish women who have refused to collaborate with the group, have rebuffed the attentions of a gang member, have had relationships with rival gang members, or as punishment for individuals or families who stop paying protection money or refuse to give in to extortion. For example, in a case in Honduras:

[...] [G]ang members threatened to kill a woman after her family could no longer afford to pay protection money for the family business. Several gang members with guns, including a local crime leader, abducted the woman off the street, threw her into a truck, and took her to the leader's house, where he beat and raped her. She was abducted a total of 15 times in two months, and during each abduction was raped multiple times by the same man, who told her if she fought back the process would be bloodier for her. One perpetrator held an iron to his victim's leg during an abduction and rape, leaving a severe burn and deep scar³²³.

110. In light of this, the IACHR recalls that Article 5 of the ACHR generally enshrines the right to personal integrity, physical, mental, and moral. Article 5.2 specifically prohibits subjecting a

³²¹ Fundación de Estudios para la Aplicación del Derecho – FESPAD. [La Desaparición de Personas y el Contexto de la Violencia Actual en El Salvador: Una Aproximación Inicial](#). April 2021, pg. 61.

³²² Fundación de Estudios para la Aplicación del Derecho – FESPAD. [La Desaparición de Personas y el Contexto de la Violencia Actual en El Salvador: Una Aproximación Inicial](#). April 2021, pg. 60.; The Atlantic. [El Salvador's Gangs Are Targeting Young Girls](#). March 4, 2018.

³²³ The Advocates for Human Rights, IANSA, CLADEM. [Honduras. Universal Periodic Review – 22nd Session – Honduras. Violence Against Women](#). 2015, para. 14.

person to torture or cruel, inhuman, or degrading punishment – a prohibition that today is enshrined in international law (*jus cogens*)³²⁴. In this regard, the Inter-American Court of Human Rights (IACtHR) has held that an act of torture can be perpetrated through acts of physical violence and acts that cause the victim to suffer physical, psychological, or moral anguish³²⁵. Thus, starting with the recognition that rape is an extremely traumatic experience that causes significant physical and psychological harm³²⁶, it has held that it and other forms of sexual violence against women can constitute cruel, inhuman, or degrading treatment, and even acts of torture, if they satisfy the elements of its definition³²⁷. Authorities of the European³²⁸ and universal³²⁹ human rights systems have made similar pronouncements.

111. Moreover, the IACtHR has recognized that the concept of torture is not limited solely to its commission by public authorities and that the responsibility of the State attaches not only by the direct action of its agents but by the instigation, consent, acquiescence, and failure

³²⁴ IACtHR. [Case of Maritza Urrutia v. Guatemala. Merits, Reparations and Costs](#). Judgment of November 27, 2003. Series C No. 103, para. 92; IACtHR. [Case of Espinoza González v. Peru. Preliminary objections, merits, reparations and costs.](#) Judgment of November 20, 2014. Series C No. 289, para. 141.

³²⁵ IACtHR. [Case of Cantoral Benavides v. Peru. Merits](#). Judgment of August 18, 2000. Series C No. 69, para. 100, 102; IACtHR. [Case of Rosendo Cantú et al. v. Mexico. Preliminary objections, Merits, Reparations and Costs.](#) Judgment of August 31, 2010. Series C No. 216, para. 114.

³²⁶ See Chapter 4. Section A of this report: *Sexual violence as a way of joining the group*.

³²⁷ In light of Article 5.2 of the American Convention and in line with the jurisprudence of the Inter-American Court, an act of torture exists when the mistreatment: i) is intentional; ii) causes severe physical and mental anguish, and iii) is committed for any reason or purpose. IACtHR. [Case of the Miguel Castro-Castro Prison v. Peru](#). Judgment of November 25, 2006. Series C No. 160, para. 312; [Case of López Soto et al. v. Venezuela](#). Judgment of September 26, 2018. Series C No. 362, para. 184.; [Case of Bedoya Lima et al. v. Colombia. Merits, reparations and costs.](#) Judgment of August 26, 2021. Series C No. 431, para. 101.

³²⁸ European Court of Human Rights. [Case of Aydin v. Turkey, No. 23178/94](#). [Translator could not find an equivalent link in English.] Judgment of September 25, 1997, para. 86. Furthermore, the European Court has ruled on the positive obligations deriving from Article 3 of the European Convention (Prohibition of torture) in cases of rape and sexual abuse. See, *inter alia*: European Court of Human Rights. [M.G.C. v. Rumania, No. 36934/08](#). [Translator could not find an equivalent link in English.] Judgment of May 24, 2016, para. 52; European Court of Human Rights. [M.C. Vs. Bulgaria, No. 39272/98](#). [Translator could not find an equivalent link in English.] Judgment of December 4, 2003, para. 153.

³²⁹ Committee for the Elimination of Discrimination against Women. [General recommendation No. 35 \(2017\) on gender-based violence against women, updating general recommendation No. 19 \(1992\)](#) CEDAW/C/GC/35. July 26, 2017, para. 16: “[I]gender-based violence against women may amount to torture or cruel, inhuman, or degrading treatment in certain circumstances, including in cases of rape, domestic violence or harmful practices”; Human Rights Council. [Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment](#). A/HRC/31/57. January 5, 2016, paras. 31 and 51; Human Rights Council. [Report of the Special Rapporteur on torture, and other cruel, inhuman or degrading treatment or punishment, Manfred Nowak](#). A/HRC/7/3. January 15, 2008, paras. 28 – 31; Committee against Torture. [General comment No. 2 \(2007\) on the implementation of article 2 by States parties](#) CAT/C/GC/2. January 24, 2008, para. 18; Human Rights Committee. [General comment No 28: Article 3 \(The equality of rights between men and women\)](#) HRI/GEN/1/Rev.7. 2000, paras. 11 and 20.

to act when it could prevent such acts and did not do so.³³⁰ It has therefore held that, based on the new normative framework of the Convention of Belém do Pará, which should permeate the evolutive interpretation of conduct and acts of violence against women that may be categorized as torture, “acts of violence by private individuals cannot be excluded when they are committed with the State’s tolerance or acquiescence because it has deliberately failed to prevent them”³³¹. It has also added that violence against women also encompasses the private sphere; therefore, “it is necessary to recognize that intentional acts perpetrated by a private individual that cause a woman severe physical, sexual, or psychological suffering may constitute acts of torture and deserve a punishment adapted to their severity to achieve the goal of their eradication”³³².

Disappearances of women and children

112. The Commission observes with great concern the high figures for disappearances of women, particularly girls and young women, in Central America’s Northern Triangle³³³, noting that many of these disappearances may be linked to individuals involved in organized crime, especially in areas under its control. In Guatemala, for example, many women’s disappearances have been linked to the growth of narcotrafficking in certain parts of the country, as well as to gangs and personal vendettas among their members.

³³⁰ IACtHR. [Case of López Soto et al. v. Venezuela. Merits, reparations and costs.](#) Judgment of September 26, 2018. Series C 362, paras. 192, 195, and 196. In this regard and with respect to the evolutive approach, the Court has recognized that historically, the framework of protection against torture and mistreatment has developed in response to acts and practices verified mainly during the interrogatory in connection with an inquiry or trial for the commission of an offense, as well as in response to confinement as an instrument of punishment or intimidation. However, the international community has gradually recognized that torture and other inhuman treatment can also take place in other situations involving custody, dominance, or control, in which the victim is defenseless. IACtHR. [Case of I.V. v. Bolivia. Preliminary objections, merits, reparations and costs.](#) Serie 329. Judgment of November 30, 2016, para. 263, citing UN. Report of the Special Rapporteur on violence against women, its causes and consequences; Radhika Coomaraswamy. Policies and practices that impact women’s reproductive rights and contribute to, cause or constitute violence against women. E/CN.4/1999/68/Add.4. January 21, 1999, para. 44; Report of the Special Rapporteur on torture and other cruel, inhuman, or degrading treatment or punishment., Juan E. Mendez, A/HRC/22/53. February 1, 2013, para. 15; Committee against Torture. General comment No. 2 on the implementation of article 2 by States parties. CAT/C/GC/2. January 24, 2008, para. 15.

³³¹ IACtHR. [Case of López Soto et al. v. Venezuela, Merits, reparations and costs.](#) Judgment of September 26, 2018. Series C No. 362, para. 197.

³³² IACtHR. [Case of López Soto et al. v. Venezuela, Merits, reparations and costs.](#) Judgment of September 26, 2018. Series C No. 362, para. 194. Similarly, referring to Article 1 of the United Nations Convention against Torture, the Special Rapporteur on torture, noted that violence against women outside direct State control “has frequently been used to exclude women from the scope of protection of CAT. However, [...] the language used in [that article] concerning consent and acquiescence by a public official clearly extends State obligations into the private sphere and should be interpreted to include State failure to protect persons within its jurisdiction from torture and ill-treatment committed by private individuals”. [Report of the Special Rapporteur on torture, and other cruel, inhuman or degrading treatment or punishment, Manfred Nowak, A/HRC/7/3](#), January 15, 2008, para. 31.

³³³ See Chapter 2 of this report: *Persistent violence against women and girls in the context of organized crime.* [Chapter title in the footnote changed to match the title at the start of the chapter]

Furthermore, comparing the figures on disappearances in areas where criminal groups are present, investigative reporting has revealed that the areas with more reports of disappearances per square meter coincide with the presence of gangs³³⁴. In El Salvador, disappearances are perpetrated to exact vengeance or punishment, as in the case of women whose intimate partners are responsible for their disappearance. Such disappearances are linked with femicide, the use of bodies to mark territories, reprisals for refusing to take part in criminal activities or join a gang, personal or family revenge, or because the victim crossed into an area controlled by a rival gang³³⁵.

113. At the same time, the Commission takes note of the steps taken by El Salvador, Honduras, and Guatemala to address the disappearance of women and girls. Significant among them are the introduction of alerts to search for children and adolescents in the three countries³³⁶, as well as the search for women in Guatemala³³⁷. In addition, Honduras has created the Missing Persons Immediate Search Unit under the Police Investigation Office (DPI)³³⁸. El Salvador has implemented the Institutional Strengthening Project for missing persons cases associated with organized crime to reduce impunity in El Salvador 2017-2019, under the Attorney General's Office (FGR)³³⁹; created and implemented the Urgent Action Protocol (PAU) and the Missing Persons Search Strategy, developed by the

³³⁴ Agencia Ocote. [Por qué Desaparecen Más de Siete Mujeres al Día en Guatemala](#). September 7, 2020.

³³⁵ La Brújula. [¿Dónde están? un grito interminable en El Salvador](#). May 11, 2021.; El Salvador. "Las adolescentes suelen ser desaparecidas por miembros de pandillas o por agresores sexuales", advierte defensora de derechos humanos. November 6, 2021.

³³⁶ **El Salvador** has introduced the "Ángel Desaparecido" [Missing Angel] Alert (AAD) under the Attorney General's Office (FGR) to immediately search for, locate, and rescue child and adolescent victims of abduction, human trafficking, and other crimes that deprive them of their liberty. See: El Salvador. [Alerta Ángel Desaparecido](#), 2021. **Guatemala** has the "Alba Keneth" system for locating children and adolescents, which has its own operations unit under the National Ombudsman's (PGN) Office for Children and Adolescents. The alert involves coordination with the International Criminal Police Organization (INTERPOL), which, in turn, activates an immediate 30-day search protocol beyond Guatemala's borders. See: Procuración General de la Nación, Guatemala. [Procuraduría de la Niñez y Adolescencia – Alerta Alba-Keneth](#). 2021. **Honduras** has the Early Amber Alert for locating children and adolescents. This system is comprised of 12 institutions, among them the Office for Children, Adolescents, and Families (DINAF), the Secretariat of Security, the National Telecommunications Commission (CONATEL), and the Public Ministry's Children's Prosecutor's Office. See: Tribunal Superior de Cuentas, Honduras. [Decreto No. 119-2015 - Ley de Alerta Temprana "AMBER", para localizar y proteger a niños, niñas y adolescentes desaparecidos o secuestrados](#). Adopted December 30, 2016; Honduras. [Alerta Amber Honduras](#). 2021; and, La Prensa. [Habilitan Alerta Temprana Amber para buscar a menores desaparecidos en Honduras](#). February 5, 2021.

³³⁷ Guatemala has the Isabel Claudina Alert, in which 10 State institutions participate. See: Congreso de la República de Guatemala. [Decreto No. 9-2016. Ley de Búsqueda Inmediata de Mujeres Desaparecidas](#). Published March 1, 2016.

³³⁸ International Committee of the Red Cross (ICRC). [Honduras: the missing](#). April 22, 2020.

³³⁹ IACHR. Press Release No. 335/19. [IACHR presents its preliminary observations following its *in loco* visit to El Salvador](#). December 27, 2019.

FGR in coordination with other State agencies³⁴⁰; produced specific instructions for police action in missing persons cases³⁴¹; amended the Criminal Code to recognize disappearances attributable to private parties as a crime³⁴²; created a special missing persons unit in the FGR that coordinates activation of the PAU to search for and locate missing persons and criminally investigate and prosecute cases³⁴³; and created the PNC's Missing Persons Portal, which enables the public to fill out an online form with relevant information and file a missing person's report³⁴⁴.

114. Notwithstanding, the Commission notes that the numerous challenges in reporting, investigating, and solving cases of missing women and girls in these countries include the persistent absence of a gender perspective in search and investigation procedures and the lack of information, provisions, or methodologies to link this form of violence against women with the activities of criminal groups. It further notes that, given the threats and intimidation to which women and girl victims of violence and their families are subject, these crimes are generally not reported to the authorities³⁴⁵. In addition to perpetuating their risk and heightening the impunity surrounding these crimes³⁴⁶, this results in a lack of understanding of the phenomenon and its scope and impedes the adoption of appropriate measures to combat it³⁴⁷.
115. The Commission finds that when women's disappearances are committed for reasons that are gender-based, they constitute a form of violence against women under the terms of the

³⁴⁰ In this regard, see: FGR. [Fiscal General presentó Instructivo para la Búsqueda de Personas Desaparecidas](#). August 12, 2019; InfoSegura, Guatemala, Honduras y El Salvador, [intercambian experiencias en Registro de Personas Desaparecidas](#). [Page not found] February 6, 2019.

³⁴¹ IACHR. Press Release No. 335/19. [IACHR presents its preliminary observations following its *in loco* visit to El Salvador](#). December 27, 2019.

³⁴² Fundación de Estudios para la Aplicación del Derecho. [Comunicado: Desaparición de Personas en El Salvador](#). April 7, 2021.

³⁴³ IACHR. Press Release No. 335/19 [IACHR presents its preliminary observations following its *in loco* visit to El Salvador](#). December 27, 2019. See also: Fiscalía General de la República - El Salvador. [Fiscal General presentó Instructivo para la Búsqueda de Personas Desaparecidas](#), August 12, 2019.

³⁴⁴ In this regard, see: PNC, El Salvador. [PNC lanza portal de aviso sobre personas desaparecidas](#). September 25, 2019; PNC, El Salvador. [Portal de Personas Desaparecidas](#). 2021.

³⁴⁵ Revista Factum. [Así viven y mueren las mujeres pandilleras en El Salvador](#). March 11, 2016, pg. 12.

³⁴⁶ See Chapter 5, Section B of this report, [Access to justice and due diligence](#).

³⁴⁷ Information obtained during the virtual consultation with experts, held June 16-17, 2021 during the preparation of this report. IACHR archive; Agencia Ocote. [Por qué Desaparecen Más de Siete Mujeres al Día en Guatemala](#). September 7, 2020.

Convention of Belém Do Pará³⁴⁸. It also notes their close connection with other forms of violence prohibited by the Convention, since they create an enabling environment for the commission of additional acts of gender violence, such as sexual violence and femicide/femicide³⁴⁹. The Inter-American Court has therefore held that, in general contexts of violence against women, an obligation of strict due diligence arises when reports of missing women are filed to immediately conduct thorough search operations in the first hours and days to discover their whereabouts³⁵⁰. This obligation is reinforced when the disappearance of girls is involved, considering the greater risk to them due to their gender and age³⁵¹. Furthermore, in light of the obligation of strict due diligence, search and investigation procedures should include a gender perspective and be conducted by competent, impartial authorities trained in the matter³⁵².

E. Slavery-like practices

116. In contexts dominated by organized crime, women and girls are forced through threats, coercion, and multiple forms of violence to engage in activities that may constitute slavery-like practices. This includes tasks related to its illicit activities³⁵³, as well as activities characteristic of traditional gender roles, such as managing the household and caregiving. Furthermore, situations have been reported in which women and girls are forced to become the sexual partners of members of criminal groups and submit to other practices analogous to sexual slavery³⁵⁴. In this regard, the Commission recalls that the right not to

³⁴⁸ MESECVI Committee of Experts. [General Recommendation No. 2: Missing Women and Girls in the Hemisphere](#), 2018, pg. 13. [Translator could not find identical link and substituted this link to the same content]. The Working Group on Enforced or Involuntary Disappearances (WGEID) made a similar pronouncement: [General comment on women affected by enforced disappearances adopted by the Working Group on Enforced or Involuntary Disappearances](#), A/HRC/WGEID/982, 2013, para. 3

³⁴⁹ IACtHR. [Case of López Soto et al. v. Venezuela, Merits, reparations and costs](#). Judgment of September 26, 2018. Series C No. 362, para. 145; IACHR. [Violence and Discrimination against Women and Girls](#). OEA/Ser.LV/II. Doc. 233. November 14, 2019, para. 163; MESECVI Committee of Experts. [General Recommendation No. 2: Missing Women and Girls in the Hemisphere](#), 2018, pg. 13.

³⁵⁰ IACtHR. [Case of González et al. \("Cotton Field"\) v. Mexico. Preliminary Objection, Merits, Reparations, and Costs. Judgment of November 16, 2009](#). Series C No. 205, paras. 283 and 293; IACtHR. [Case of Velásquez Paiz et al. v. Guatemala](#). Judgment of November 19, 2015. Serie C. No. 307, para. 122.

³⁵¹ IACtHR. [Case of Veliz Franco et al. v. Guatemala](#). Judgment of May 19, 2014. Series C No. 277, para. 134; IACHR. [Violence and Discrimination against Women and Girls](#). OEA/Ser.LV/II. Doc. 233. November 14, 2019, para. 212.

³⁵² IACtHR. [Case of González et al. \("Cotton Field"\) v. Mexico. Preliminary Objection, Merits, Reparations, and Costs. Judgment of November 16, 2009](#). Series C No. 205, para. 455; IACtHR. [Case of Espinoza Gonzáles v. Peru. Preliminary objections, merits, reparations and costs](#). Judgment of November 20, 2014. Series C No. 289, para. 242.

³⁵³ IACHR. [Internal Displacement in the Northern Triangle of Central America. Public Policy Guidelines](#) OEA/Ser.LV/II. Doc 101. July 27, 2018, para. 34.

³⁵⁴ OHCHR. ["Protect the victims, particularly women and children" – UN expert on contemporary slavery urges El Salvador](#). April 29, 2016; IDMC. [A Web of Violence: Crime, corruption and displacement in Honduras](#). March 2019, pg. 26.

be subject to slavery, servitude, forced labor, or the slave trade and traffic in women enshrined in Article 6 of the ACHR is an essential provision of the American Convention and one of the core non-derogable rights³⁵⁵.

Forced labor and criminal exploitation

117. The Commission has learned about the situation of women who, under threats, are forced to care for children who are not theirs. According to public information, in communities in El Salvador, various women have been compelled to raise the sons and daughters of gang members as their own, while the gang members, their partners, or the parents of these children are in prison or outside the country³⁵⁶. The U.S. Department of State has also reported this situation in El Salvador³⁵⁷. According to its information, this phenomenon is found in at least three Salvadoran communities controlled by the *Barrio 18* gang. While at least 12 such cases have been found in one of these communities³⁵⁸, the IACHR indicates that the real extent of the phenomenon is still unknown.
118. According to accounts gleaned from the press, children are handed over to women in the community, who are forced to become their caregivers and even take on the role of mother through threats and intimidation without receiving any additional resources or financial compensation. These women are in no position to refuse and are not given any additional information about the children under their care. Once they begin caring for a child, they are hounded, harassed, and under constant surveillance³⁵⁹. For example, one of the women in this situation stated that:

[...] Around 2:00p.m., the phone rang. A man's voice told me they were putting the boy in my care and that whatever happened to him would be my fault. Did I understand? And they knew my family, so it wasn't very easy to get out of something that could be held against me [...] I didn't need to present him as child of theirs. We have simply learned what's what. Because just hearing how they speak is terrifying. Terrifying. [...]

³⁵⁵ IACtHR. *Case of the Hacienda Brasil Verde Workers v. Brazil*. Preliminary objections, merits, reparations and costs. Judgment of October 20, 2016. Series C No. 318, paras. 243 and 249; IACHR. Press Release No. 110/17. *In the World Day against Trafficking in Persons, the IACHR call on States to Adopt a Human Rights Approach in Response to the Diverse Forms of Human Trafficking* [Title is exactly as it appears in the Press Release, complete with mistakes in English.] July 31, 2017.

³⁵⁶ Revista Factum. *Las niñeras del Barrio 18*. December 6, 2017.

³⁵⁷ Boerman, Thomas y Golob, Adam. *Gangs and Modern-Day Slavery in El Salvador, Honduras and Guatemala: A Non-Traditional Model of Human Trafficking*. Journal of Human Trafficking. 1March 6, 2020, pp. 175-176.

³⁵⁸ Revista Factum. *Las niñeras del Barrio 18*. December 6, 2017.

³⁵⁹ Revista Factum. *Las niñeras del Barrio 18*. December 6, 2017.

They told me that if anything happened to the boy, they would know it. “They.” “We.” He said that they already knew where they could hurt me. In other words, they were talking about the gang. They told me that I already knew what they were. This was the only such call. But as time passed, they would call me, and all I could hear on the other end was heavy breathing. They just stayed like that. I thought they wanted to hear the boy, but what they wanted was for me to hear that breathing, as if to warn me that the animal was near³⁶⁰.

119. Fearing reprisals against themselves or their families, these women do not report this situation to the authorities charged with protecting the rights of children and adolescents. Moreover, the accounts reveal that the children involved have no identification papers, and there is no formal adoption, making it hard for such children to gain access to basic services (i.e. health and education) and at the same time preventing the women who care for them from making decisions on their behalf. Here, the Commission recalls the duty of special protection, which, in contexts of insecurity and violence, implies the duty to adopt adequate and appropriate special measures to protect the rights of children and adolescents in this situation³⁶¹.
120. Furthermore, the Commission observes that in territories controlled by organized crime, women and girls are forced to participate in the illicit activities of these groups, including robberies, the collection of protection money, the transport and sale of drugs, and the planning of kidnappings and murders. In addition, some activities are entrusted specifically to women, such as visiting jails; maintaining communication between incarcerated gang leaders and members in their neighborhood; or serving as sexual partners or “companions”³⁶².
121. In the case of women and girls who fail to engage in the forced activities or attempt to leave a gang, the threats or punishments include specific gender-based violence, including sexual violence and particularly grisly killings committed with misogynistic cruelty³⁶³. As the Special Rapporteur on contemporary forms of slavery, its causes and consequences has stated, once children and women are forcibly recruited into gangs, they are unable to leave and must remain in them and perform the tasks imposed on them. The Special Rapporteur

³⁶⁰ Revista Factum. [Las niñeras del Barrio 18](#). December 6, 2017.

³⁶¹ IACHR. [Violence, Children and Organized Crime](#). OEA/Ser.LV/II. Doc. 40/15. November 11, 2015, para. 269-277

³⁶² IACHR. [Violence and Discrimination against Women and Girls](#). OEA/Ser.LV/II. Doc. 233. November 14, 2019, para. 196; UNHCR. [Women on the Run. First-hand accounts of refugees fleeing El Salvador, Guatemala, Honduras and Mexico](#). October 2015.

³⁶³ IACHR. [Violence, Children, and Organized Crime](#). OEA/Ser.LV/II. Doc. 40/15. November 11, 2015, para. 8.

expressed alarm at the reports describing this situation, stating that this could constitute contemporary forms of slavery.³⁶⁴

122. Here, the Commission recalls, that as established by the Inter-American Court, the definition of forced or compulsory labor has two basic elements: the work or service is exacted under the menace of a penalty, and it is performed involuntarily³⁶⁵. The menace can consist of the real and actual presence of a threat, which can assume different forms and degrees, the most extreme of which are those that imply coercion, physical violence, isolation or confinement, or the threat to kill the victim or his next of kin.³⁶⁶ The involuntary nature of the work or service (i.e., unwillingness to perform it) consists of the absence of consent or free choice at the time the situation of forced labor begins or continues, which can occur for different reasons, such as illegal deprivation of liberty, deception, or psychological coercion³⁶⁷.
123. The Commission further notes that the activities forced on women, such as childcare, are influenced by the gender stereotypes and roles that society assigns to men and women, as well as the social normalization of what is expected of them³⁶⁸. In particular, it notes that caregiving is very demanding, limiting women's ability to advance toward economic, physical, and decision-making independence³⁶⁹ and reproducing the patterns of discrimination and exclusion to which they have historically been subject. In this regard, the Commission recalls that Article 6 of the Convention of Belém do Pará expressly states that the right of women live free of violence includes the right “to be valued and educated free of stereotyped patterns of behavior and social and cultural practices based on concepts of inferiority or subordination.” Furthermore, Article 8(b) of that same Convention obligates the

³⁶⁴ UN, Human Rights Council. [Report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, on her mission to El Salvador](#). A/HRC/33/46/Add.1. August 3, 2016, para. 35, 36

³⁶⁵ IACtHR. [Case of the Ituango Massacres v. Colombia](#). Judgment of July 1, 2016, para. 155-160; IACtHR. [Case of the Hacienda Brasil Verde Workers v. Brazil](#). Preliminary objections, merits, reparations and costs. Judgment of October 20, 2016. Series C No. 318, paras. 291 and 92.

³⁶⁶ IACtHR. [Case of the Ituango Massacres v. Colombia](#). Judgment of July 1, 2016, para. 161.

³⁶⁷ IACtHR. [Case of the Ituango Massacres v. Colombia](#). Judgment of July 1, 2016, para. 164; IACtHR. [Case of the Hacienda Brasil Verde Workers v. Brazil](#). Preliminary objections, merits, reparations and costs. Judgment of October 20, 2016. Series C No. 318, para. 293.

³⁶⁸ IACHR. Report No. 04/01. Case 11.625. Merits. María Eugenia Morales de Sierra. Guatemala. 2001, para. 52; IACHR. Report No. 51/13. Case 12.551. Merits. Paloma Angélica Escobar Ledezma et al. Mexico. 2013, para.119. See also IACHR. Report on Poverty and Human Rights in the Americas. OEA/Ser.LV/II.164 Doc. 147. 2017, para. 186. IACHR. Access to Justice for Women Victims of Violence in the Americas. OEA/Ser.LV/II. Doc. 68. 2007, para. 151. IACHR. [Annex I. Standards and Recommendations. Violence and Discrimination against Women and Girls](#). OEA/Ser.LV/II. Doc. 233. November 14, 2019, para. 3.

³⁶⁹ UN Women. [El Trabajo de Cuidados: Una Cuestión de Derechos Humanos y Políticas Públicas](#). May 2018, pg. 220. [Page and English version not found]

States Party to gradually adopt specific measures, including programs “to modify social and cultural patterns of conduct of men and women” that underlie the different forms of violence against women.

Sexual slavery

124. The Special Rapporteur on contemporary forms of slavery, its causes and consequences noted that while in El Salvador, she had received multiple reports of slavery-like practices in the context of gang violence. These practices took various forms, including the sexual enslavement of women and girls³⁷⁰. According to the accounts she received, one of the most common forms of sexual and other forms of exploitation through extortion consists of forcing women and girls to provide sexual services to imprisoned gang members³⁷¹. As the Rapporteur states in her report:

Gang members reportedly threaten women and their families with violence or death in order to force them to repeatedly make conjugal visits to gang leaders and members in prisons. In many instances, they are also forced to smuggle telephones and weapons into the prisons. In some situations, women and girls are reportedly forced to comply with a regular schedule of conjugal visits compiled by gangs. Some young girls in school have been told they have been selected as a “gift” for a gang leader. As a result, one mother of young girls told [the Special Rapporteur] that she would not allow her daughters to attend secondary school for fear of them falling prey to gangs that target girls in schools...”³⁷²

125. Similarly, investigators who obtained statements from women victims cite the case of Lidia in El Salvador, about whom it is said:

After killing her brother, the Barrio 18 gang claimed Lidia as “property” in order to punish him in the grave and forced her to begin visiting one of the gang’s leaders in prison. For over three years she was forced to make conjugal visits under threat of death, during which Lidia endured extreme violence, including being forced to have humiliating, painful sex. She often left the prison bruised from the abuse and states that while the prison staff clearly recognized that she was injured, the authorities never said anything about it or intervened [...] After she fled the community to

³⁷⁰ UN, Human Rights Council. [Report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, on her mission to El Salvador. A/HRC/33/46/Add.1. August 3, 2016, para. 32.](#)

³⁷¹ UN, Human Rights Council. [Report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, on her mission to El Salvador. A/HRC/33/46/Add.1. August 3, 2016, para. 33.](#)

³⁷² UN, Human Rights Council. [Report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, on her mission to El Salvador. A/HRC/33/46/Add.1. August 3, 2016, para. 33.](#)

*escape, Barrio 18 members abducted a member of Lidia's family and tortured him to coerce her into returning*³⁷³.

126. Likewise, many women and girls report having been forced to become or are at risk of becoming the “girlfriends” of gang members, which involves numerous forms of violence, such as early unions, forced unions, physical and psychological violence, as well as sexual violence. Regarding the latter, the Commission points to numerous reports of women being subjected to forms of sexual slavery. Once recruited, they are forced under threat to submit to a range of sexual practices, being objects of sexual violence and rape, sometimes for prolonged periods and, on many occasions by several male gang members³⁷⁴.
127. According to the Special Rapporteur on contemporary forms of slavery, its causes and consequences, the forced recruitment of girls and young women into gang activities, and especially their forced prostitution through “conjugal visits” to gang members in prison, are extreme forms of sexual exploitation and human degradation that involve the exercise of powers similar to property rights over these individuals³⁷⁵.
128. In this regard, the Inter-American Court has held that the two basic elements that define a situation as slavery are the status or condition of a person, on the one hand, and the exercise of some of the powers attaching to the right of ownership, on the other – in other words, the enslaver exercises power or control over the enslaved person to the point of obliterating the personality of the victim³⁷⁶. This latter includes the restriction or control of an individual's autonomy; the loss or restriction of freedom of movement; the accruing of some gain to the perpetrator; the absence of the victim's consent or free will, or it is rendered impossible or irrelevant by the threat or use of force or other forms of coercion, the fear of violence, deception, or false promises; the use of physical force or psychological oppression; the victim's position of vulnerability; detention or captivity; and exploitation³⁷⁷. Moreover, it is important to consider the victims' perspective when interpreting their

³⁷³ Boerman, Thomas y Golob, Adam. [Gangs and Modern-Day Slavery in El Salvador, Honduras and Guatemala: A Non-Traditional Model of Human Trafficking](#). *Journal of Human Trafficking*. March 16, 2020.

³⁷⁴ The Guardian. ['It's a crime to be young and pretty': girls flee predatory Central America gangs](#). November 23, 2016.

³⁷⁵ OHCHR. [“Protect the victims, particularly women and children” – UN expert on slavery urges El Salvador](#). April 29, 2016.; The Guardian. ['It's a crime to be young and pretty': girls flee predatory Central America gangs](#). November 23, 2016.

³⁷⁶ IACtHR. [Case of the Hacienda Brasil Verde Workers v. Brazil](#). Preliminary Objections, Merits, Reparations and Costs. Judgment of October 20, 2016. Series C No. 318, para. 269; IACtHR. [Case of López Soto et al. v. Venezuela](#). Merits, Reparations, and Costs. Judgment of September 26, 2018. Series C No. 362, para. 174.

³⁷⁷ IACtHR. [Case of the Hacienda Brasil Verde Workers v. Brazil](#). Judgment of October 20, 2016. Series C No. 318, para. 272.

perception of the coercion to which they are subjected³⁷⁸, especially when the victims are women and girls³⁷⁹.

129. The Inter-American Court has held that sexual slavery is a particular form of slavery in which sexual violence³⁸⁰ plays a preponderant role in the exercise of the powers attaching to the right to ownership of a person. In such cases, factors related to limitations on the victim's sexual autonomy and activity can constitute indicators of the exercise of control. Furthermore, the Court has held that the element of slavery is determinant to differentiate such acts from other forms of sexual violence. The identification of such conduct as a form of slavery renders all obligations associated with the nature *jus cogens* of its prohibition applicable; that is, the absolute and non-derogable nature of the obligations³⁸¹. In addition, it should be emphasized that the Court has noted the need to underscore the “sexual” nature of this form of slavery to recognize this more specific characteristic that disproportionately affects women, because it exacerbates the historic and persistent subordination/ domination relationship between men and women, constituting a manifestation of discrimination against women³⁸².

³⁷⁸ Written version of the assessment presented by Daniela Kravetz during the public hearing before the Inter-American Court on February 6, 2018 (Merits file, Vol. I, folio 830), citing UN. Systematic rape, sexual slavery and slavery-like practices during armed conflict: *Final report submitted by Special Rapporteur Gay McDougall*, E/CN.4/Sub.2/1998/13, 2000, para. 29.

³⁷⁹ IACtHR. [Case of López Soto et al. v. Venezuela, Merits, reparations and costs](#). Merits, Reparations and Costs. Judgment of September 26, 2018. Series C No. 362, para. 175.

³⁸⁰ “Sexual violence” is understood as “any violence, physical or psychological, carried out through sexual means or by targeting sexuality”. It covers both physical and psychological attacks on a person's sexual characteristics, such as forcing a person to strip naked in public, mutilating a person's genitals, as well as situations intended to inflict severe humiliation on the victims, such as compelling two victims to perform sexual acts on one another or forcing others to watch acts of sexual violence to intimidate them. UN: Sub-Commission on the Prevention of Discrimination and Protection of Minorities [\[Sub-Commission indicated in the actual document\]](#). [Systemic rape, sexual slavery and slavery-like practices during armed conflict](#) Final report submitted by Ms. Gay J. McDougall, Special Rapporteur. E/CN.4/Sub.2/1998/13. June 22, 1998, paras. 21 and 22.

³⁸¹ IACtHR. [Case of López Soto et al. v. Venezuela, Merits, Reparations and Costs](#). Judgment of September 26, 2018. Series C No. 362, para. 176. The United Nations Special Rapporteur on contemporary forms of slavery has made similar statements. UN: Sub-Commission on the Prevention of Discrimination and Protection of Minorities [\[See comment immediately above\]](#). [Systemic rape, sexual slavery and slavery-like practices during armed conflict](#). Final report submitted by Ms. Gay J. McDougall, Special Rapporteur. E/CN.4/Sub.2/1998/13. June 22, 1998, paras. 8, 27, and 29.

³⁸² IACtHR. [Case of López Soto et al. v. Venezuela, Merits, Reparations and Costs](#). Judgment of September 26, 2018. Series C No. 362, para. 181.

F. Violence against women and girls in situations of human mobility

130. The Commission has observed that in the Northern Triangle of Central America, the roots of forced displacement³⁸³, both internal and international³⁸⁴ lie, *inter alia*, in the violence, insecurity, and systematic human rights violations committed by organized crime in these countries³⁸⁵. In this regard, the Commission announces that the causes, consequences, and impacts of forced displacement will be examined in depth in its report *Regional Protection of Persons in Contexts of Human Mobility in Central and North America: The situation of migrants, refugees, and returnees*. In this section, therefore, the Commission will focus on the intersection of gender components with the causes and consequences of human mobility linked with the activities of organized crime.

³⁸³ The Commission has recognized that human mobility is a multicausal phenomenon that is either voluntary or forced. In the first case, people migrate without any type of coercion; in the second, people are compelled to migrate because their lives, safety, or liberty is in jeopardy from different causes, such as armed conflict, widespread violence, natural disasters, etc. IACHR. [Human Rights of Migrants, Refugees, Stateless Persons, Victims of Human Trafficking and Internally Displaced Persons: Norms and Standards of the Inter-American System](#). OEA/Ser.LV/II. Doc 46/15. December 31, 2015. para. 3.

³⁸⁴ La IACHR has stated that human mobility includes both international and internal migration. International migration occurs when a person or group of persons crosses one of their country's internationally recognized borders with the intention of settling, either temporarily or permanently, in another country. IACHR. [Human Rights of Migrants, Refugees, Stateless Persons, Victims of Human Trafficking and Internally Displaced Persons: Norms and Standards of the Inter-American System](#) OEA/Ser.LV/II. Doc 46/15. December 31, 2015, para. 2.

³⁸⁵ IACHR. [Internal Displacement in the Northern Triangle of Central America. Public Policy Guidelines](#) OEA/Ser.LV/II. Doc.101/18. July 27, 2018, para. 29; IACHR. [Human Rights of Migrants, Refugees, Stateless Persons, Victims of Human Trafficking and Internally Displaced Persons: Norms and Standards of the Inter-American System](#) OEA/Ser.LV/II. Doc 46/15. December 31, 2015, para. 19, 45. With regard to **El Salvador**, the IACHR has learned that the Constitutional Chamber of the Supreme Court of Justice handed down amparo judgement 411/17 of July 13, 2018, which recognizes that the roots of forced displacement lie in the prevailing context of violence and insecurity in areas of the country controlled by gangs, and in the systematic human rights violations committed by organized crime. IACHR. Press Release No. 178/18. [IACHR and the UN's Special Rapporteur on the Human Rights of Internally Displaced Persons Welcome Decision Made by El Salvador's Constitutional Chamber on Internal Displacement Caused by Violence](#). August 10, 2018. With regard to **Honduras**, the IACHR has observed that internal displacement is due, among other things, to the levels of violence and the activities of criminal organizations. IACHR. Press Release No. 014/21. [Honduras: UN and IACHR Experts Urge Immediate Adoption of Law to Protect Internally Displaced People](#). January 27, 2021. Similarly, UNHCR has stated that in Honduras, those most responsible for forced displacement are organized crime groups. UNHCR. [¿Es el desplazamiento forzado otro ejemplo de la feminización de la violencia en Honduras? Investigación sobre violencia sexual y femicidios como causas del desplazamiento forzado](#). September 22, 2021, pg. 44. This is also confirmed in the report by the Interinstitutional Committee for the Protection of Persons Displaced by Violence, which concluded that the new types of territorial groups in the region, fueled by the illicit funds generated by drug trafficking and the diversification of criminal activities (extortion, kidnapping, etc.), have created complex situations of violence, one of whose consequences is forced displacement. Interinstitutional Committee for the Protection of Persons Displaced by Violence. [Caracterización del Desplazamiento Interno en Honduras](#). November 2015, pg. 22. With respect to **Guatemala**, the IACHR has noted that the causes of internal displacement include extortion, threats, the presence of organized crime, and drug-trafficking. IACHR. 2018 Annual Report. [Chapter V. Follow-up of Recommendations Issued by the IACHR in Its Country Thematic Reports. The Human Rights Situation in Guatemala](#). 2018, pg. 658. IACHR. [Situation of Human Rights in Guatemala](#). OEA/Ser.LV/II. Doc. 208/17. December 31, 2017, para. 209. Furthermore, the Office of the Human Rights Ombudsman (PDH), determined that between 2017 and 2018, there were 110 cases of individuals forcibly internally displaced due to violence. Office of the Human Rights Ombudsman. [Diagnóstico sobre desplazamiento forzado interno desde el análisis de expedientes de La Procuraduría de los Derechos Humanos, periodo 2017-2018](#). Undated.

131. The IACHR observes that a common feature of human mobility in the three countries examined in this report is that women are generally the majority of people in situations of forced displacement. In its report on internal mobility, the Government of El Salvador noted that, as in the entire population, the women in the families surveyed are also the majority (54%) of the population mobilized by violence³⁸⁶. In Guatemala, according to a report from the Human Rights Ombudsman (PDH), the majority of forcibly internally displaced persons between 2017 and 2018 (72%) were women³⁸⁷. Furthermore, according to a study characterizing internal displacement in Honduras, 55% of the members of displaced households are women³⁸⁸. In the case of the migrant population, the information gathered indicates that women account for 49.1% of Salvadoran migrants³⁸⁹, 50.03% of Honduran migrants³⁹⁰, and 50.72% of Guatemalan migrants³⁹¹.
132. The information obtained for the preparation of this report indicates that across the board, the high rates of gender violence against women and the context created by the presence and activities of criminal groups influences women's decision to uproot themselves and move to other areas of the country or to migrate to other countries³⁹². Added to this is the lack of protection from the relevant authorities when allegations of violence are reported³⁹³. Moreover, not only are women the largest displaced population group, but they have greater

³⁸⁶ Ministry of Justice and Public Security. Government of El Salvador. [Caracterización de la Movilidad Interna a Causa de la Violencia en El Salvador, Informe Final](#). March 2018.

³⁸⁷ Office of the Human Rights Ombudsman. [Contribución del Procurador de los Derechos de Guatemala sobre “el nexo entre los desplazamientos forzados y las formas contemporáneas de esclavitud” en ocasión del 48o período de sesiones del Human Rights Council de las Naciones Unidas](#). March 2021.

³⁸⁸ Inter-institutional Committee for the Protection of Persons Displaced by Violence. [Estudio de Caracterización del desplazamiento interno por violencia en Honduras 2004-2018](#), December 2019, pg. 31.

³⁸⁹ Ministry of Foreign Affairs of El Salvador. [Mujeres, niñez y migración: La experiencia de El Salvador](#). Reunión extraordinaria de la Mesa Directiva de la Conferencia Regional sobre Población y Desarrollo. November 7-9, 2017.

³⁹⁰ UN: Population Division. [International Migrant Stock 2020](#). 2020.

³⁹¹ UN: Population Division. [International Migrant Stock 2020](#). 2020.

³⁹² In this regard, UNHCR has determined that asylum-seekers from the Northern Triangle of Central America have certain “risk profiles,” including persons pursued by gangs, persons engaged in activities likely to be the targets of extortion, victims and witnesses of crimes committed by gangs or members of law enforcement, children and youth in areas where gangs operate, women and girls in areas where gangs operate, and LGBTI people. In this regard, UNHCR notes that some regional instruments, such as the Cartagena Declaration, clearly require that refugee status be granted to people fleeing generalized violence in their countries, as in the Northern Triangle countries of Central America. UNHCR. [Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from El Salvador](#). HCR/EG/SLV/16/01. March 2016. See also: Amnesty International. [Home Sweet Home? Honduras, Guatemala and El Salvador's Role in a Deepening Refugee Crisis](#). October 14, 2016, pg. 27.

³⁹³ IACHR. [Internal Displacement in the Northern Triangle of Central America. Public Policy Guidelines](#), OEA/Ser.LV/II. Doc. 101. July 27, 2018, para. 29; UNHCR. [UNHCR urges more effective action against gender-based violence in the north of Central America](#). December 6, 2021.

problems related to displacement³⁹⁴ and are at constant risk of falling victim to different forms of gender violence in the course of their migration³⁹⁵.

Causes of forced internal and international displacement of women and girls

133. In the particular case of Central America's Northern Triangle, many women and girls feel compelled to flee³⁹⁶ the violence and control exerted by gangs and criminal groups over them and their families. Many women abandon their home, undertaking dangerous journeys to save themselves or the lives of their families when they have been victims of violence³⁹⁷, witnesses to acts of violence³⁹⁸, victims of extortion, threatened (including with death), or fear that their sons and daughters will fall victim to the rampant social violence in the country³⁹⁹. According to the available information, those who face higher levels of persecution by criminal groups are young women, female heads of household, and trans women⁴⁰⁰.
134. Consistent with the above, the IACHR observes that many women decide to leave these countries to protect their children on seeing them threatened if they do not to join criminal

³⁹⁴ IACtHR. [Case of Yarce et al. v. Colombia. Preliminary Objection, Merits, Reparations and Costs](#). Judgment of November 22, 2016. Series C No. 325, para. 243.

³⁹⁵ The CEDAW Committee has recognized that internal and international displacement has specific gender dimensions and that the CEDAW Convention applies at every stage of the displacement cycle: during flight, in settlement, and upon return. CEDAW. [General recommendation No 38 \(2020\) on trafficking in women and girls in the context of global migration](#). November 20, 2020, para. 25.

³⁹⁶ See: IACHR. [Audiencia regional sobre protección de personas en movilidad humana en Centro y Norteamérica. La situación de personas migrantes, refugiadas y retornadas](#), 181st Period of Sessions of the IACHR, October 26, 2021

³⁹⁷ UN. [La Agencia de la ONU para los Refugiados solicita ayuda urgente para un millón de desplazados centroamericanos](#). May 15, 2021; The Intercept. [Despite U.S. Asylum Ban, Honduran Women Fleeing Violence Remain Undeterred](#). October 8, 2019; UNHCR. [Women on the Run. First-hand Accounts of Refugees Fleeing El Salvador, Guatemala, Honduras, and Mexico](#). October 2015.

³⁹⁸ Ministerio de Justicia y Seguridad Pública, Gobierno de El Salvador. [Caracterización de la Movilidad Interna a Causa de la Violencia en El Salvador, Informe Final](#). March 2018, pg. 23.

³⁹⁹ Inter-American Development Bank (IDB). [La migración desde una perspectiva de género: ideas operativas para su integración en proyectos de desarrollo](#). [\[Link goes to Mafia of the Poor article of the International Crisis Group\]](#). March 2021; Ministry of Foreign Affairs of El Salvador. [Mujeres, niñez y migración: La experiencia de El Salvador](#). Reunión extraordinaria de la Mesa Directiva de la Conferencia Regional sobre Población y Desarrollo. November 7-9, 2017; El Faro. [Mujeres que Migran](#). December 17, 2019; Willers, Susanne. [Migración y Violencia: Las Experiencias de Mujeres Migrantes Centroamericanas en Tránsito por México](#). *Sociológica (Mex.)* Vol. 31 No. 89. 2016.

⁴⁰⁰ Ministry of Foreign Affairs of El Salvador. [Mujeres, niñez y migración: La experiencia de El Salvador](#). Reunión extraordinaria de la Mesa Directiva de la Conferencia Regional sobre Población y Desarrollo. November 7-9, 2017; El Faro. [Mujeres que Migran](#). December 17, 2019.

groups or engage in illicit activities on their behalf⁴⁰¹. Furthermore, extortion, the main economic engine of criminal groups in the region, “is one of the leading causes of forced displacement in gang-controlled communities through the threat it poses to powerless civilians, especially women and children⁴⁰²”. In fact, in numerous accounts received by UNHCR, women in Honduras, Guatemala, and El Salvador say they are victims of extortion by criminal groups. Many of them say they have been compelled to move or migrate outside the country after being threatened or assaulted to pay “rent” or taxes on the income they receive from their economic activities or to pay it for relatives who have emigrated⁴⁰³.

135. Furthermore, the information received is consistent in indicating that, in addition to organized crime and gang activities, gender-based violence, including that perpetrated by criminal groups, is driver of the forced displacement of women and girls and the families that accompany them⁴⁰⁴. Here, the Commission notes that many leave their homes to flee the gender violence perpetrated by criminal groups, particularly that associated with abusive, violent, or forced relationships with gang members⁴⁰⁵. Accounts received by UNCHR confirm this situation⁴⁰⁶. For example:

⁴⁰¹ UNHCR. [Women on the Run. First-hand Accounts of Refugees Fleeing El Salvador, Guatemala, Honduras, and Mexico.](#) October 2015.

⁴⁰² International Crisis Group. [Mafia of the Poor: Gang Violence and Extortion in Central America](#), Report No. 62 – Latin America & Caribbean, April 6, 2017.

⁴⁰³ UNHCR. [Women on the Run. First-hand Accounts of Refugees Fleeing El Salvador, Guatemala, Honduras, and Mexico.](#) October 2015.

⁴⁰⁴ IACHR. [Internal Displacement in the Northern Triangle of Central America. Public Policy Guidelines.](#) OEA/Ser.LV/II. Doc.101. July 27, 2018, para. 33; IACHR. 2018 Annual Report. [Chapter V. Follow-up of Recommendations Issued by the IACHR in Its Country Thematic Reports. The Human Rights Situation in Guatemala.](#) 2018, pg. 658; IACHR. [Situation of Human Rights in Guatemala.](#) OEA/Ser.LV/II. Doc. 208/17. December 31, 2017, para. 209; IACHR. Press Release 17/18. [IACHR Has Concluded its visit to Honduras and Presents its Preliminary Observations.](#) August 3, 2018. In this regard the CEDAW Committee has recognized that violence against women and girls is one of the main forms of persecution that they endure and can therefore be a reason to grant them refugee status and asylum or residence permits for humanitarian reasons. CEDAW. [General recommendation No 38 \(2020\) on trafficking in women and girls in the context of global migration.](#) November 20, 2020, para. 25. See also: UNHCR. [UNHCR urges more effective action against gender-based violence in the north of Central America.](#) December 6, 2021; UNHCR. [¿Es el desplazamiento forzado otro ejemplo de la feminización de la violencia en Honduras? Investigación sobre violencia sexual y femicidios como causas del desplazamiento forzado.](#) September 22, 2021, pg. 47.; NBC News. [Sexual, Gender Violence Driving Central American Youths to Flee Their Countries.](#) May 4, 2017

⁴⁰⁵ International Crisis Group. [Mafia of the Poor: Gang Violence and Extortion in Central America.](#) Report N°62, April 6, 2017. In this regard, following her visit to El Salvador, the Special Rapporteur on the human rights of internally displaced persons stated, “Street gangs pose a constant threat to young women and girls, who are particularly vulnerable to threats, intimidation and violence. Sexual violence by gangs is commonplace, and high levels of femicide have been reported. The general risk to girls from the gangs leads many families to leave. For those who remain and become voluntarily or through coercion associated with gang activities, this can result in violence or prison for some.” See: Report of the Special Rapporteur on the human rights of displaced persons on her visit to El Salvador, [AHRC/38/39/Add.1](#), April 23, 2018, para. 27.

⁴⁰⁶ CIDEHUM and UNHCR. [Forced Displacement and Protection Needs produced by New Forms of Violence and Criminality in Central America.](#) May 2012.

“He said that no woman had ever turned him down and if I refused to be his “girlfriend”, he would kill me and my family. I didn’t want to leave home, but after that, we couldn’t stay; we left for Mexico in the middle of the night” – Account of Sara, a Salvadoran girl⁴⁰⁷.

“Gangs treat women much worse than men. They want us to become members but make us be gang members’ ‘girlfriends’ by threatening us, and it’s never just sex with one of them; it’s forced sex with all of them. Women are raped by them, tortured by them, and abused by them” – Account of Nelly, a Honduran girl.⁴⁰⁸

136. The reasons for displacement in the particular case of LGBTI women in El Salvador and Honduras, include the abuse, intimidation, and violence they experience because of their sexual orientation, gender expression, and/or gender identity⁴⁰⁹. In this regard, the IACHR has been informed that trans women, who are stigmatized and discriminated against in different areas of their daily lives due to patriarchal societal norms, are especially vulnerable to violence, persecution, and extortion at the hands of gangs⁴¹⁰.

⁴⁰⁷ The Guardian. [‘It’s a crime to be young and pretty: girls flee predatory Central America gangs](#). November 23, 2016.

⁴⁰⁸ UNHCR. [Women on the Run. First-hand Accounts of Refugees Fleeing El Salvador, Guatemala, Honduras, and Mexico](#). October 2015.

⁴⁰⁹ According to UNHCR, 88% of LGBTI asylum-seekers and refugees from the Northern Triangle interviewed for this study reported having experienced sexual and gender violence in their countries of origin. See: Amnesty International. [Sin Lugar que me Proteja: Solicitantes de Asilo en Mexico por Razón de su Orientación Sexual y/o Identidad de Género Provenientes de El Salvador, Guatemala y Honduras](#). October 2017, pg. 7.

⁴¹⁰ Equipo de Reflexión, Investigación, and Comunicación (ERIC); Casa Alianza Honduras; Red Lésbica Cattrachas; Asociación Pop Noj; Comunicando y Capacitando a Mujeres Trans con VIH en El Salvador (COMCAVIS); Instituto de Derechos Humanos de la Universidad Centroamericana José Simeón Cañas (IDHUCA); Asociación Salvadoreña por los Derechos Humanos (ASDEHU); el Centro por la Justicia y el Derecho Internacional (CEJIL), and Amnesty International. Request for a Thematic Hearing during the IACHR’s 164th Period of Sessions on: “The invisible crisis of migrants, refugees, or asylum-seekers returned to the Northern Triangle of Central America”. May 31, 2017. IACHR archive; Ministry of Foreign Affairs of El Salvador. [Mujeres, niñez y migración: La experiencia de El Salvador](#). Reunión extraordinaria de la Mesa Directiva de la Conferencia Regional sobre Población y Desarrollo. November 7-9, 2017;

137. The IACHR further notes that another reason for the displacement of women and girls in contexts dominated by organized crime is lack of protection from the relevant authorities⁴¹¹. On the one hand, it observes that most women do not report such violence or seek protection from government mechanisms for fear of reprisals by criminal groups and because they distrust the authorities, whom they often consider “corrupt, inept, or collaborating with the illegal groups⁴¹²”. On the other, the information obtained indicates that the few women who do report the violence against them have serious difficulty obtaining protection or assistance, leaving them no option but to abandon their home and move elsewhere in the country or across borders, largely toward the north⁴¹³.
138. In this regard, the available information indicates that the situation is more serious in the case of Indigenous⁴¹⁴ and LGBTI⁴¹⁵ women. Specifically, the Commission has been informed of the particular lack of protection for trans women, who are regularly harassed,

411 IACHR. *Internal Displacement in the Northern Triangle of Central America. Public Policy Guidelines*. OEA/Ser.LV/II. Doc.101. July 27, 2018, para. 29; UNHCR. *UNHCR urges more effective action against gender-based violence in the north of Central America*. December 6, 2021. Furthermore, accounts received by UNHCR indicate that 64% of the 160 women interviewed in El Salvador, Guatemala, Honduras, and Mexico who requested asylum described being “targets of direct threats and attacks by members of armed criminal groups as one of the primary reasons for their flight [...] the women consistently stated that police and other law enforcement authorities were not able to provide sufficient protection from the violence. More than two-thirds tried to find safety by fleeing elsewhere in their own country, but said this did not ultimately help. Sixty per cent of the women interviewed reported attacks, sexual assaults, rapes, or threats to the police or other authorities. All those women said that they received inadequate protection or no protection at all. Forty per cent of the women interviewed for this study did not report harm to the police; they viewed the process of reporting to the authorities as futile.” See: UNHCR. *Women on the Run. First-hand Accounts of Refugees Fleeing El Salvador, Guatemala, Honduras, and Mexico*. October 2015.

412 Cristosal. *Desplazamiento Forzado Interno en Guatemala*. May 2021; UNHCR. *Women on the Run. First-hand Accounts of Refugees Fleeing El Salvador, Guatemala, Honduras, and Mexico*. October 2015.

413 UNICEF. *Death threats and gang violence forcing more families to flee Northern Triangle – UNHCR and UNICEF survey*. December 17, 2020; Pulte Institute for Global Development, University of Notre Dame. *Addressing the Sex and Gender-Based Violence in Guatemala, Honduras and El Salvador Fueling the US Border Crisis: Impunity, and Violence Against Women and Girls*. April 2020, pg. 7; UNHCR, World Vision. *Niñez migrante, un viaje sin derechos*. July 2019; Internal Displacement Monitoring Centre (IDMC), Policy Research Institute. *Cause or Consequence? Reframing violence and displacement in Guatemala*. September 2018; KIND (Kids in Need of Defense), Latin America Working Group, Women’s Refugee Commission. *Sexual and Gender Based Violence (SGBV) & Migration Fact Sheet*. January 2017; UNHCR. *Women on the Run. First-hand Accounts of Refugees Fleeing El Salvador, Guatemala, Honduras, and Mexico*. October 2015. Coordinadora de Instituciones Privadas Por las Niñas, Niños, Adolescentes, Jóvenes y sus derechos (COIRPODEN), Coordinadora de Promoción de los Derechos de la Niñez (COPRODENI) Guatemala, Red de Infancia y Adolescencia de El Salvador (RIA). *Reports of violations of the human rights of migrant children and adolescents in Central America, Mexico, and the United States, request for a hearing during the IACHR’s 173rd Period of Sessions*. IACHR archive; *Red por los derechos de la Infancia en México, Seropis violations of the human rights of migrant children and adolescents in Central America, Mexico, and the United States, request for a hearing during the IACHR’s 173rd Period of Sessions*. IACHR archive.

414 Stephen, Lynn. *Violencia transfronteriza de género y mujeres indígenas refugiadas de Guatemala*. *Revista CIDOB d’ Afers Internacionals*, No. 117. 2017.

415 UNHCR. *Women on the Run. First-hand Accounts of Refugees Fleeing El Salvador, Guatemala, Honduras, and Mexico*. October 2015.

intimidated, and assaulted by police personnel and government authorities. Moreover, when they are crime victims, they encounter serious obstacles to accessing justice from law enforcement authorities, who discriminate against them and rarely investigate their cases, ultimately increasing their risk and lack of protection⁴¹⁶.

Risks and consequences of the forced internal and international displacement of women and girls

139. From the point of origin, through the journey, to the destination and return, the migration process entails numerous risks for all people in situations of human mobility⁴¹⁷, whether displaced in their own country or migrating to other countries⁴¹⁸. In this regard, the Commission has expressed its grave concern about the situation of migrant women, who because of their gender, are highly vulnerable to different forms of violence along the migration path⁴¹⁹.
140. According to the available information, women migrants have been victims of physical violence; sexual violence, including rape; disappearances; kidnapping; murder; or have been threatened with them. Furthermore, the information gathered indicates that migrant flows also fuel criminal human trafficking networks and in more than a few cases, someone

⁴¹⁶ Equipo de Reflexión, Investigación y Comunicación (ERIC); Casa Alianza Honduras; Red Lésbica Cattrachas; Asociación Pop Noj; Comunicando y Capacitando a Mujeres Trans con VIH en El Salvador (COMCAVIS); Instituto de Derechos Humanos de la Universidad Centroamericana José Simeón Cañas (IDHUCA); Asociación Salvadoreña por los Derechos Humanos (ASDEHU); el Centro por la Justicia y el Derecho Internacional (CEJIL), and Amnesty International. Request for a thematic hearing during the IACHR's 164th Period of Sessions: "The invisible crisis of migrants, refugees, or asylum-seekers returned to the Northern Triangle of Central America". May 31, 2017. IACHR archive.

⁴¹⁷ In this regard, the Commission has noted that migrants are often victims of various human rights violations, including kidnapping, sexual violence, robbery, disappearances, and human trafficking. IACHR. [Situation of Human Rights in Honduras](#). OEA/Ser.L/V/II. Doc. 146. August 27, 2019, para. 317; IACHR. [Women on the Run. First-hand Accounts of Refugees Fleeing El Salvador, Guatemala, Honduras, and Mexico](#). OEA/Ser.L/V/II. Doc. 208/17. December 31, 2017, para. 233.

⁴¹⁸ UNHCR. [Displacement in Central America](#). Undated.; International Organization for Migration (IOM). [Derechos humanos de personas migrantes - Manual Regional](#). February 28, 2019.

⁴¹⁹ IACHR. [Human Rights of Migrants, Refugees, Stateless Persons, Victims of Human Trafficking and Internally Displaced Persons: Norms and Standards of the Inter-American System](#) OEA/Ser.L/V/II. Doc.46/15. December 31, 2015, para. 32. Likewise, see: CEDAW Committee. [General recommendation No 38 \(2020\) on trafficking in women and girls in the context of global migration](#). November 20, 2020, para. 25. See also: International Organization for Migration (IOM). [Derechos humanos de personas migrantes - Manual Regional](#). February 28, 2019.

who begins their journey as a migrant ends up a trafficking victim⁴²⁰ – a situation to which women and girls are especially exposed⁴²¹.

141. The IACHR observes with great concern that the risk of falling victim to sexual violence is a constant in the displacement of women and girls. Numerous accounts by women who migrate north coincide in stating that it is usual to employ protective strategies, such as dressing like a man or using contraceptives before and during their journey, given the high probability of being sexually assaulted⁴²². Moreover, numerous reports containing their accounts indicate that they have been assaulted, forced into prostitution, or compelled to perform sex acts in exchange for protection, transportation, or shelter⁴²³. The following are examples of some accounts:

A guide for a group of migrants [from Honduras] separated an adolescent girl who was traveling alone and repeatedly raped her over the course of five days. Another man offered to help a woman who was crossing a river and then raped her in front of her 2-year-old son⁴²⁴.

A woman from Guatemala who was traveling with her daughter said that the coyote raped her every day of her 20-day journey. She said that the coyote offered her a reduced smuggling fee if she continued having sex with him. She agreed because she feared he would kill or rape them⁴²⁵.

⁴²⁰ Save the Children. [Violencia y trata de personas en Centroamérica: oportunidades de intervención regional](#). 2012.

⁴²¹ CEDAW. [General recommendation No 38 \(2020\) on trafficking in women and girls in the context of global migration](#). November 20, 2020, para. 25. In this regard, the Committee has held that trafficking in women and girls violates specific provisions of the Convention on the Status of Refugees and should therefore be recognized as a legitimate reason for invoking international protection in law and practice in specific cases.

⁴²² UNHCR. [Women on the Run. First-hand Accounts of Refugees Fleeing El Salvador, Guatemala, Honduras, and Mexico](#). October 2015.

⁴²³ Pulte Institute for Global Development, University of Notre Dame. [Addressing the Sex and Gender-Based Violence in Guatemala, Honduras and El Salvador Fueling the US Border Crisis: Impunity, and Violence Against Women and Girls](#). April 2020, pg. 4. Similarly, the CEDAW Committee has stated that migration and displacement heighten women's vulnerability to various forms of exploitation, especially at transit points, at the very least because of the greater need to use the services of human traffickers or other types of clandestine or criminal networks to travel internally or internationally to evade border checkpoints. CEDAW. [General recommendation No 38 \(2020\) on trafficking in women and girls in the context of global migration](#). November 20, 2020.

⁴²⁴ The Advocates for Human Rights, The International Action Network on Small Arms (IANSA), CLADEM Honduras, Joint Submission, Examen Periódico Universal, Honduras, 22nd Session, May 2021. para.19.

⁴²⁵ UNHCR. [Women on the Run. First-hand Accounts of Refugees Fleeing El Salvador, Guatemala, Honduras, and Mexico](#). October 2015, pg. 43

“In Guatemala, the police made everyone get off the bus and robbed one of the migrants. The rest of us voluntarily paid. Then five police officers took a good-looking girl off the bus. We were pretty sure they took her off to rape her”⁴²⁶.

142. The Commission further notes that, in addition to controlling access to borders from Honduras and El Salvador, organized crime groups and networks control many of the territories and routes traveled by people migrating north. According to the available information, many local gangs are affiliated with more powerful transnational criminal organizations, especially in Guatemala and the Mexico-Guatemala border. As a result, women and girls fleeing violence once again find themselves facing the risk and vulnerability they were attempting to escape – this time exacerbated by their displaced person status⁴²⁷, often finding themselves compelled to resort to these criminal groups to facilitate their journey⁴²⁸.
143. In addition to exposing women and girls to a greater risk of different forms of gender violence, forced displacement has profound economic and social repercussions for their lives, due to their gender and other vulnerability factors. In this regard, the heightened vulnerability of displaced persons is reinforced by their rural origins and, in general, heavily impacts women, who are often heads of household. In the particular case of girls, displacement caused by violence and threats from organized crime has serious mental health implications and adversely affects their life plans⁴²⁹. Here, it should be noted that leaving their home means changing schools and, in many cases, dropping out⁴³⁰. Furthermore, displacement entails extraordinary expenses and the loss of income for

⁴²⁶ UNHCR. [Women on the Run. First-hand Accounts of Refugees Fleeing El Salvador, Guatemala, Honduras, and Mexico.](#) October 2015, pg. 43.

⁴²⁷ International Displacement Monitoring Centre. [Cause or Consequence? Reframing violence and displacement in Guatemala.](#) September 2018, pg. 28; The Guardian. [It's a crime to be young and pretty: girls flee predatory Central America gangs.](#) November 23, 2016

⁴²⁸ Stephen, Lynn. [Fleeing rural violence: Mam women seeking gendered justice in Guatemala and the U.S.](#) The Journal of Peasant Studies. December 14, 2018; Coordinadora de Instituciones Privadas Pro las Niñas, Niños, Adolescentes, Jóvenes y sus Derechos (COIPRODEN), World Vision Honduras, Aldeas Infantiles SOS de Honduras, Coordinadora de Promoción de Derechos de Niñez (COPRODENI) Guatemala, Red de Infancia y Adolescencia de El Salvador (RIA). Annex to the request for a thematic hearing during the IACHR's 174th Period of Sessions, entitled “Thematic Report of Guatemala, Honduras, and El Salvador to the Inter-American Commission on Human Rights, IACHR”. October 9, 2019. IACHR archive.

⁴²⁹ The Guardian. [It's a crime to be young and pretty: girls flee predatory Central America gangs.](#) November 23, 2016.

⁴³⁰ According to the Ministry of Education, 66,000 girls changed schools or dropped out in El Salvador in 2014 and 2015. See also: The Guardian. [It's a crime to be young and pretty: girls flee predatory Central America gangs.](#) November 23, 2016.

households, requiring girls to work to support their family or spend their time doing household chores⁴³¹.

144. Furthermore, displacement is often accompanied by the breakdown of community and family ties, as well as the need to secure new livelihoods and means of protection. Added to this is the problem of lack of knowledge or skills to find other formal employment and sources of income, together with discrimination and exploitation in hiring⁴³², requiring women, especially displaced Indigenous or LGBTI women, to grapple with additional forms of discrimination⁴³³. This may put many girls and women in these situations at serious risk of entering into or continuing abusive relationships, not to mention becoming the victims of labor or sexual exploitation⁴³⁴. The IACHR notes in particular that the potential for abuse, especially in the case of single women or mothers lacking economic means or family contacts, is high and includes the risk of falling prey to human trafficking⁴³⁵.
145. In this regard, the Commission has learned that El Salvador and Honduras officially recognize internal forced displacement⁴³⁶ and have taken action to protect the rights of internally displaced persons. In El Salvador, the “Special Law for Comprehensive Support and Protection of People in Situations of Internal Forced Displacement⁴³⁷” led to the creation of the Internal Forced Displacement Unit, which provides particular support to women and girl victims of physical, sexual, and psychological violence⁴³⁸. Still absent,

⁴³¹ Save the Children. [In the Crossfire: The impact of mara and pandilla gang violence on education in the Northern Triangle of Central America](#). July 3, 2019, pg. 51.

⁴³² CEDAW. [General recommendation No 38 \(2020\) on trafficking in women and girls in the context of global migration](#). November 20, 2020, para. 26.

⁴³³ International Displacement monitoring Centre. [Cause or Consequence? Reframing violence and displacement in Guatemala](#). September 2018, pg. 24.

⁴³⁴ International Displacement monitoring Centre. [Cause or Consequence? Reframing violence and displacement in Guatemala](#). September 2018, pg. 24.

⁴³⁵ Human Rights Council. [Report of the Special Rapporteur on the human rights of internally displaced persons on her visit to El Salvador](#). AHRC/38/39/Add.1, April 23, 2018, para. 26

⁴³⁶ The State of Honduras has the Inter-institutional Commission for the Protection of Persons Displaced by Violence (CIPPDV), founded in 2013 to devise policies and measures to prevent displacement. In January 2020, the Salvadoran authorities passed the Special Law for the Comprehensive Support and Protection of People in Situations of Internal Forced Displacement, which gave rise to the National System for the Comprehensive Support and Protection of Internally Displaced Persons. However, that system has yet to get off the ground. These entities have national jurisdiction and as yet, there are no regional agencies that address this issue, See: Cristosal. [Desplazamiento Forzado Interno en Guatemala](#). May 2021.

⁴³⁷ El Salvador. [Ley especial para la atención y protección integral de personas en condición de desplazamiento forzado interno](#). January 23, 2020

⁴³⁸ Portal de Transparencia PGR. [Unidad de Desplazamiento Forzado Interno](#). 2021

however, is a framework for protection that includes safe temporary shelters, especially for internally displaced women and girls at risk of violence⁴³⁹.

146. In the case of Honduras, the IACHR notes the promulgation of the Executive Decree of the Interinstitutional Commission for the Protection of Persons Displaced by Violence⁴⁴⁰. In 2020, Secretariat of Human Rights created the Office for the Protection of Persons Internally Displaced by Violence to provide such people with humanitarian assistance and protection⁴⁴¹. The Commission notes that Guatemala, in contrast, has not officially recognized internal displacement, making it hard to introduce measures to support people internally displaced by violence⁴⁴².
147. In light of this, the Commission recalls that forced displacement is a continuing and multiple violation of human rights, resulting in the duty of the States to introduce policies, laws, and all necessary measures to ensure comprehensive protection for the people affected, employing a holistic human rights approach in keeping with international standards, including the Guiding Principles on Internal Displacement⁴⁴³. In the case of women and girls, this action must consider their specific needs based on their gender and other intersectional factors that expose them to greater vulnerability at all stages of the displacement cycle. Thus, in contexts dominated by organized crime, the measures adopted to protect forcibly displaced persons should take into account the influence of criminal groups in the causes of displacement and the specific risks they pose to protecting the rights of displaced women and girls.
148. In addition, the IACHR has expressed its concern about the heightened insecurity and serious risk of violations of the human rights of women, children, and adolescents as a result of restrictive immigration policies and the criminalization of migration, which has

⁴³⁹ Human Rights Council. [Report of the Special Rapporteur on the human rights of internally displaced persons on her visit to El Salvador, A/HRC/38/39/Add.1](#), April 23, 2018, para. 59.

⁴⁴⁰ Government of Honduras. Decreto Ejecutivo Número PCM-053-2013. [Crear the Commission Interinstitucional para la Protección de las Personas Desplazadas por la Violencia, la cual tendrá como objeto impulsar la formulación de políticas y la adopción de medidas para la prevención del desplazamiento forzado por la violencia, así como para la atención, protección y soluciones para las personas desplazadas y sus familiares \(2013\)](#). May 25, 2013.

⁴⁴¹ Gobierno de la República de Honduras - Secretaría de Derechos Humanos. [La SEDH brinda atención, asistencia humanitaria y protección a las personas desplazadas internamente](#). June 21, 2021.

⁴⁴² Cristosal. [Desplazamiento Forzado Interno en Guatemala](#). May 2021. Citing the Observatory of Internal Displacement. Vacíos de datos sobre el desplazamiento interno causado por violencia en El Salvador, Guatemala y Honduras, 2019. See also: Dirección de Investigación en Derechos Humanos – Guatemala. [Contribución del Procurador de los Derechos de Guatemala sobre “el nexo entre los desplazamientos forzados y las formas contemporáneas de esclavitud” en ocasión del 48o período de sesiones del Consejo de Derechos Humanos de las Naciones Unidas](#). March 2021.

⁴⁴³ IACHR. [Situation of human rights in El Salvador](#). OEA/Ser.LV/II. Doc. 278. October 14, 2021, paras. 267 and 268.

resulted in the proliferation of unsafe informal border crossing points⁴⁴⁴. Here, it notes that the gender-neutral provisions of the States' migration policies contribute to the exacerbation of risks and limitations on women's access to safe migration routes⁴⁴⁵. Therefore, pursuant to the obligations contained in the Convention of Belém Do Pará, the States must take special account of the heightened vulnerability of women to violence by reason of their status as migrant women⁴⁴⁶. Moreover, among people on the move, women and girls are in situations of particular vulnerability and require special protection due to their gender⁴⁴⁷. In this regard, the Commission reiterates that effective protection of the rights of migrant women and girls requires a comprehensive approach from a gender and migrants' rights perspective. Furthermore, in the case of migrant girls, priority must be given to the specific obligations that follow from their status as children⁴⁴⁸.

G. Human trafficking

149. As United Nations officials note, human trafficking is the third most profitable illegal activity in the world. It is a complex crime committed in multiple domestic and international scenarios by organized criminal groups with resources and transnational operating capabilities. It involves numerous actors, including families, local intermediaries, international crime networks, and immigration authorities, and is linked with various types of organized crime, such as

⁴⁴⁴ IACHR. [Press Release 27/20. IACHR Urges El Salvador, Guatemala, Honduras, and Mexico to Guarantee the Rights of Migrants and Refugees Traveling Through the Region](#). February 7, 2020.

⁴⁴⁵ CEDAW. [General recommendation No 38 \(2020\) on trafficking in women and girls in the context of global migration](#). November 20, 2020, para. 26. The IACHR has pointed out that the violence and discrimination endured by migrant women has historically not figured in the public agenda and judicial systems of the countries of the hemisphere. IACHR. [Human Rights of Migrants, Refugees, Stateless Persons, Victims of Human Trafficking and Internally Displaced Persons: Norms and Standards of the Inter-American System](#). OEA/Ser.LV/II. Doc.46/15. December 31, 2015, para. 32.

⁴⁴⁶ OEA. [Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women, known as the Convention of Belém do Pará](#). Articles 7, 8, and Chapter III on the duties of the States. In this same vein, the CEDAW Committee has stated that gender-based violence against women is influenced and often exacerbated in contexts of displacement and migration. CEDAW. [General recommendation No. 35 \(2017\) on gender based violence against women, updating general recommendation No. 19 \(1992\)](#). July 26, 2017.

⁴⁴⁷ IACHR. [Press Release No. 37/19. IACHR Urges Honduras and Guatemala to Guarantee the Rights of People in the Migrant and Refugee Caravan](#). February 19, 2019; IACHR. [IACHR expresses concern over the situation of the "Migrant Caravan" from Honduras and calls on the States of the Region to adopt measures for their protection](#). October 23, 2018.

⁴⁴⁸ IACHR. [Human Rights of Migrants, Refugees, Stateless Persons, Victims of Human Trafficking and Internally Displaced Persons: Norms and Standards of the Inter-American System](#). OEA/Ser.LV/II. Doc.46/15. December 31, 2015, para. 33. See also: United Nations General Assembly. [Resolution A/RES/54/166 on "Protection of migrants"](#). February 24, 2000.

narcotrafficking, illicit arms trafficking, and migrant trafficking⁴⁴⁹. In this scenario, the IACHR observes that most human trafficking victims are women and children⁴⁵⁰.

150. In the Central American countries, the poverty, exclusion, violence, and psychological and emotional vulnerability of victims is fertile ground for human trafficking as both a social phenomenon and a crime⁴⁵¹. Here, the IACHR notes that, according to the information gathered, the Central America and Caribbean region has the highest rates of identified human trafficking victims per 100,000 population of any region in the world. Some 79% of trafficking victims in this region are women and girls. These latter represent the majority of sexual exploitation victims identified⁴⁵².
151. Given its transnational nature, trafficking has similar characteristics in the countries of this region but particular expressions in each. According to the available information, from a regional standpoint, Central America is primarily a region for the recruitment of victims who follow the migration route toward northern destinations in the hemisphere, such as Mexico, the United States, and to a lesser degree, Canada, as well as Europe. However, Central America is also a locus for the recruitment, transit, and exploitation of trafficking victims among the countries of the region for various purposes. This means that all these countries have cases of domestic and international trafficking in which the crimes are committed chiefly for the purpose of commercial sexual exploitation, labor exploitation, and sexual tourism. In Guatemala, it manifests as irregular adoptions, and in Honduras, as organ and tissue harvesting⁴⁵³.
152. In this complex scenario marked by different actors, including agents of the State, operating outside the law and across Central American borders, the Commission has been advised of the difficulty obtaining accurate information about the real scope of the human trafficking phenomenon in the region⁴⁵⁴. If the problem of human trafficking is generally characterized by a lack of information and accurate statistics, obtaining detailed and

⁴⁴⁹UNODC. [Global Report on Trafficking in Persons 2020](#). January 2021; UNHCR. [Trafficking in persons](#). Undated; UN Women. [Ending violence against women: From words to Action. Study of the Secretary-General](#). 2006.

⁴⁵⁰ UN Women. [Ending violence against women: From words to Action. Study of the Secretary-General](#) 2006, pg. 51.

⁴⁵¹ Save the Children. [Violencia y trata de personas en Centroamérica: oportunidades de intervención regional](#). 2012.

⁴⁵² UNODC. [Global Report on Trafficking in Persons 2020](#). January 2021.

⁴⁵³ Save the Children. [Violencia y trata de personas en Centroamérica: oportunidades de intervención regional](#). 2012.

⁴⁵⁴ Information obtained during the virtual consultation with experts, held June 16-17, 2021 during the preparation of this report. IACHR archive; KIND. [Neither Security nor Justice: Sexual and Gender-based Violence and Gang Violence in El Salvador, Honduras, and Guatemala](#). May 2017.

truthful up-to-date information on the commission of this crime by criminal groups in these countries is an even greater challenge⁴⁵⁵.

153. In this regard, according to the available information in the Northern Triangle countries of Central America, gang activities include human trafficking, especially for the sexual and labor exploitation of women and girls⁴⁵⁶. Furthermore, as noted earlier, local gangs are connected with more powerful transnational criminal groups, such as cartels from other countries in the region or criminal groups trafficking in merchandise, drugs, arms, and migrants⁴⁵⁷.
154. In addition, the criminal gangs operating in these territories rely basically on coercion and force to maintain control over women and girls and compel them to provide services to the organization⁴⁵⁸. In Guatemala, for example, two girls were rescued by the National Civil Police when they were about to be transferred to El Boquerón jail to be raped by a prisoner⁴⁵⁹. Furthermore, women and girls are given the job of dealing drugs, transporting arms, participating in extortion, spying on rival gangs, and monitoring the points of entry to gang territory, looking for police and people outside the community. For example, in the Magdalena case in Honduras, identified by *Tribuna de Mujeres Gladys Lanza*⁴⁶⁰:

“a girl was a victim of forced recruitment by the Barrio 18 gang, which abducted her from her home, forced her to have sex with every member of the gang, and serve as a bandera 461. After her family rescued her, they decided to send her out of the country, due to the absence of protection and assistance by State authorities. Magdalena, who was pregnant after the multiple rapes, traversed the migration route, but was

⁴⁵⁵ UN Women. [Ending violence against women: From words to Action. Study of the Secretary-General](#). 2006, pg. 51.

⁴⁵⁶ IACHR. [Situation of human rights in El Salvador](#), OEA/Ser.LV/II. Doc. 278. October 14, 2021, para. 45.

⁴⁵⁷ Boerman, Thomas and Golob, Adam. [Gangs and Modern-Day Slavery in El Salvador, Honduras and Guatemala: A Non-Traditional Model of Human Trafficking](#). Journal of Human Trafficking. March 16, 2020.

⁴⁵⁸ Boerman, Thomas and Golob, Adam. [Gangs and Modern-Day Slavery in El Salvador, Honduras and Guatemala: A Non-Traditional Model of Human Trafficking](#). Journal of Human Trafficking. March 16, 2020; OHCHR. [Report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, Gulnara Shahinian](#). A/HRC/24/43. July 1, 2013.

⁴⁵⁹ Red Contra la Trata de Personas - Guatemala. [La Trata de Personas en Guatemala: Mirada desde la Sociedad Civil](#). 2020, paras. 13 onward.

⁴⁶⁰ Tribuna de Mujeres Gladys Lanza, Lawyers without Borders Canada, ECPAT Guatemala, Save the Children, Main points of the presentation in the thematic hearing on the human rights situation of human trafficking victims in the Northern Triangle of Central America, during the IACHR's 178th Period of Sessions. September 2020. IACHR archive.

⁴⁶¹ Term referring to people who watch and report to the gang on the movements and traffic of people on certain streets, a lookout.

assaulted again in Mexico by the coyote who was transporting her. This victim lost her baby and is currently being exploited in that country”⁴⁶².

155. It is common knowledge that girls are often abducted by these criminal groups from schools under their control and influence⁴⁶³. There are numerous cases of recruitment due to gang members “falling in love,” in which the girls are later exploited by the gang⁴⁶⁴. Moreover, girls who are unaccompanied or have been separated from their family or other support systems as a result of forced displacement are especially vulnerable to trafficking⁴⁶⁵. The Commission learned, for example, about the case of two Salvadoran girls aged 14 and 16 who were brought to Guatemala by a human trafficker who promised them work in a restaurant. When they arrived in Guatemala, they were taken to a high-security prison, where they were raped by imprisoned gang members in exchange for payment to the gang⁴⁶⁶.
156. The Commission recalls that human trafficking as a both concept and a crime has been redefined in the universal setting, clearly differentiating it from migrant trafficking. While the terms “human trafficking” and “migrant trafficking” have often been used interchangeably, they refer to different situations. The IACHR therefore points out that the main objective of human trafficking is the exploitation of people, and for this crime to be committed, it is not essential for people to cross borders⁴⁶⁷. In this framework, human trafficking consists of using people for the traffickers’ own benefit, such that the exploitation includes, at a minimum, exploitation of the prostitution of others or other

⁴⁶² Case in the files of Asociación Calidad de Vida.

⁴⁶³ KIND. [Neither Security nor Justice: Sexual and Gender-based Violence and Gang Violence in El Salvador, Honduras, and Guatemala](#). May 2017.

⁴⁶⁴ Comisión Interinstitucional contra la Explotación Sexual Comercial y Trata de Personas (CICESCT). [Informe anual - Denuncias, Investigaciones, Judicializaciones y Sanciones Penales](#). 2015, pg. 40.

⁴⁶⁵ CEDAW. [General recommendation No 38 \(2020\) on trafficking in women and girls in the context of global migration](#). November 20, 2020.

⁴⁶⁶ KIND. [Neither Security nor Justice: Sexual and Gender-based Violence and Gang Violence in El Salvador, Honduras, and Guatemala](#). May 2017, pp. 6-7

⁴⁶⁷ UNHCR. [Trafficking in persons](#). Undated.

forms of sexual exploitation, forced labor or services, slavery or slavery-like practices, servitude, or the removal of organs⁴⁶⁸.

157. In this regard, the Commission observes that in recent years, the States of Central America's Northern Triangle have made efforts to investigate and prosecute traditional forms of human trafficking and taken steps to offer protection and services to victims of this crime, considering, moreover, the children's rights approach. In this regard, the IACHR has learned about the signing of a trilateral agreement by the vice presidents of El Salvador, Guatemala, and Honduras to strengthen international coordination to handle human trafficking cases⁴⁶⁹. It has also noted progress in the adoption of regulatory frameworks to address this crime⁴⁷⁰;

⁴⁶⁸ To determine the scope of human trafficking/trafficking in persons in the Inter-American System, the Commission considers it relevant to consider the definition provided in the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, also known as the "Palermo Protocol." The definition of trafficking in persons has three elements: 1) acts, 2) means used to commit the acts, and 3) motive. The Palermo Protocol defines trafficking in persons as "the recruitment, transportation, transfer, harboring, or receipt of persons [acts] by means of threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person [means] for the purpose of exploitation [motive]." This includes "the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs." See: [IACHR. Human Rights of Migrants and Other Persons in the Context of Human Mobility in Mexico](#). OEA/Ser.L/V/II. Doc. 48/13. December 30, 2013, para. 348, citing the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, which supplements the United Nations Convention against Transnational Organized Crime, Article 3.a.; [IACHR. Human Rights of Migrants, Refugees, Stateless Persons, Victims of Human Trafficking and Internally Displaced Persons: Norms and Standards of the Inter-American System](#). OEA/Ser.L/V/II. Doc 46/15. December 31, 2015, para. 220.

⁴⁶⁹ U.S. Department of State. [2021 Trafficking in Persons Report- Guatemala](#). June 2021.

⁴⁷⁰ For example, in El Salvador, the IACHR has information about a law being studied to regulate the trafficking in persons as a replacement for the special law enacted in 2014 to make progress in fighting this crime. It also has a law to fight organized crime and complex crime, creating special courts for these cases. See: Asamblea Legislativa, El Salvador. [A estudio una nueva Ley para regular la trata de personas](#). December 7, 2020; El Salvador. [Decreto No. 190 - Ley contra el crimen organizado y delitos de realización compleja](#). February 5, 2015. The Commission observes, however, that the law covers homicide, kidnapping, and extortion, ignoring other illicit activities of these groups. See: [IACHR. 2020 Annual Report. Chapter IV.A. Human Rights Development in the Region](#), para. 356; [IACHR. Public Hearing "Situación de los Derechos Humanos de las Víctimas de Trata de Personas en la Región"](#), 178th Period of Sessions. December 3, 2020.

national plans⁴⁷¹; the implementation of interinstitutional coordination mechanisms⁴⁷²; the development of special programs and models of care⁴⁷³; training sessions for judicial personnel, members of the security forces, immigration personnel, and municipal government leaders, both male and female⁴⁷⁴; as well as the implementation of prevention and victim assistance mechanisms⁴⁷⁵. In the case of Honduras, the IACHR has also learned

⁴⁷¹ In Honduras, see: Plan de Acción Nacional contra la Explotación Sexual Comercial y Trata de Personas 2016-2020, Plan Estratégico 2018-2027, and Plan Operativo 2018-2019 para combatir la trata de personas y el tráfico ilícito de personas migrantes. See: IACHR. [Situation of Human Rights in Honduras](#). OEA/Ser.LV/II. Doc. 146. August 27, 2019, para. 33.

⁴⁷² In **Guatemala**, the Institutional Coordination Office to Fight Labor Exploitation and Child Labor (CICELTI) was created in 2019 to establish mechanisms for the interinstitutional coordination of human trafficking cases in its modalities of labor exploitation and forced labor. It is comprised of the Ministry of Labor and Social Welfare (MINTRAB), the Office of the Attorney General (PGN) through the Ombudsman's Office for Children and Adolescents, the Public Ministry, and the Secretariat to Combat Sexual Violence, Exploitation, and Human Trafficking (SVET). See: Procurador de los Derechos Humanos. [Informe Anual Circunstanciado de Actividades y Situación de los Derechos Humanos 2020](#). 2021, pg. 200. As for **Honduras**, the Commission notes the existence of the Interinstitutional Commission to Fight Sexual and Commercial Exploitation and Human Trafficking (CICESCT), whose purpose is to combat human trafficking and provide assistance to victims. In this regard, see: CICESCT. [Comisión Interinstitucional contra la Explotación Sexual Comercial y Trata de Personas](#). 2021; La Gaceta, Honduras. [Decreto No. 059-2012](#), issued July 6, 2012. The Commission also notes the existence of other actors involved in this work, such as the Human Rights Commission, the Office of Children, Adolescents, and Family (DINAF) and entities of the Secretariat for Security, the Transnational Investigation Unit (UTIC) and the Special Crimes section of the Police Investigation Office (DPI). In this regard, see: OEA, CICESCT and Secretariat of Security of Honduras. [Catálogo de Instituciones con Servicios Disponibles para Víctimas de Trata de Personas en Honduras](#). December 4, 2019.

⁴⁷³ In Guatemala, the Comprehensive Support Model for Child and Adolescent Victims of Sexual Violence, Exploitation, and Human Trafficking was created in 2020 under the Secretariat of Social Welfare's (SBS) Special Program for Child and Adolescent Victims of Sexual Violence, Sexual Exploitation and Human Trafficking to establish pathways and procedures for sheltering, protecting, and providing specialized support for trafficking victims and to guarantee the restoration of their rights with a culturally appropriate gender approach. See: Procurador de los Derechos Humanos. [Informe Anual Circunstanciado de Actividades y Situación de los Derechos Humanos 2020](#). 2021, pg. 204.

⁴⁷⁴ In **Guatemala**, for example, in 2020, the Secretariat to Combat Sexual Violence, Exploitation, and Human Trafficking (SVET) organized trainings on this topic. See: U.S. Department of State. [2021 Trafficking in Persons Report- Guatemala](#). June 2021. In **Honduras**, training and awareness-raising activities were held for groups at high risk of trafficking and potential first responders through online platforms, as was CICESCT training on sexual exploitation, trafficking, and violence against women and girls for staff from the Secretariat for Human Rights (SEDH). See: U.S. Department of State. [2021 Trafficking in Persons Report- Honduras](#). June 2021. Secretariat for Human Rights, Honduras. [Personal técnico de la SEDH son capacitados en el tema explotación sexual, trata y violencia contra las mujeres y las niñas](#). January 19, 2021.

⁴⁷⁵ Guatemala has the Prevention of Human Trafficking Unit under the Office of Defenders and Specialized Units of the Ombudsman's Office (PDH), created and called the Ombudsman's Office for Human Trafficking Victims since 2013, whose purpose is to comprehensively tackle the scourge of human trafficking and shed light on how this type of crime operates. See: Procurador de los Derechos Humanos, Guatemala. [Defensoría de las Personas Víctimas de Trata](#). 2021.

about action taken to address the causes facilitating the recruitment of girls by organized crime groups⁴⁷⁶.

158. While these are positive developments, the Commission has been informed of deficiencies in addressing other exploitation modalities and purposes in human trafficking, resulting in women and girls who are not considered trafficking victims being denied the benefits of protection and rehabilitation measures and instead, facing criminal prosecution⁴⁷⁷. For example, it has learned of cases in Honduras and Guatemala, where children and adolescents recruited by criminal groups have been criminalized for illicit acts committed because of the exploitation to which they have been subject, instead of being recognized as victims requiring protection⁴⁷⁸. It has also learned of cases of women and girls in El Salvador who, having been subjected to sexual exploitation and forced labor, have been jailed for associating with criminal organizations⁴⁷⁹. In this regard, the Commission takes note of the 2021 amendments to Articles 153 and 154 of the Criminal Code to categorize the illegal use of persons in situations of vulnerability and introduce the possibility of permitting waivers and limited liability for persons who have been used to commit crimes⁴⁸⁰.

⁴⁷⁶ Significantly: strengthening of the Gang Resistance Education and Training Program (GREAT); ii) the creation of the “Honduras Joven”, “Por mi Barrio”, and “Mi Segunda Oportunidad” prevention programs, which offer seed capital to young people in conjunction with the Tegucigalpa Chamber of Commerce; and iii) the strengthening of 65 Youth Outreach Centers (CDAJ) in seven departments of the country to encourage the creative use of free time and provide job training and tutoring. See: IACHR. [Situation of Human Rights in Honduras OEA/Ser.L/V/II. Doc. 146. August 27, para. 57.](#)

⁴⁷⁷ Information provided to the IACHR by ECPAT during the consultation with experts, June 16, 2021; U.S. Department of State. [Trafficking in Persons Report, 20th edition.](#) June 2020, pg. 158; Boerman, T. y Knapp. J. [Gang Culture and Violence Against Women in El Salvador, Honduras, Guatemala.](#) March 2017, pp. 11-12.

⁴⁷⁸ Information obtained during the virtual consultation with experts, held June 16-17, 2021 during the preparation of this report. IACHR Archive; OBSERVA LA TRATA, Request for a thematic hearing on human trafficking in Latin American during the IACHR’s 165th Period of Sessions, August 3, 2017. IACHR Archive; Lawyers without Borders Canada, Tribuna de Mujeres Gladys Lanza (Honduras), Asociación para la Eliminación de la Explotación Sexual, Pornografía, Turismo y Tráfico Sexual de Niñas, Niños y Adolescentes en Guatemala (ECPAT/Guatemala), and Save the Children (El Salvador). Request for a thematic hearing on violations of the human rights of human trafficking victims in the Northern Triangle of Central America, September 23, 2020. IACHR archive; Save the Children. [Violencia y trata de personas en Centroamérica: oportunidades de intervención regional.](#) 2012.

⁴⁷⁹ Lawyers without Borders Canada, Tribuna de Mujeres Gladys Lanza (Honduras), Asociación para la Eliminación de la Explotación Sexual, Pornografía, Turismo y Tráfico Sexual de Niñas, Niños y Adolescentes en Guatemala (ECPAT/Guatemala), and Save the Children (El Salvador). Request for a thematic hearing on violations of the human rights of human trafficking victims in the Northern Triangle of Central America, September 23, 2020. IACHR archive. Likewise, following her visit to El Salvador, the Special Rapporteur on contemporary forms of slavery, its causes and consequences called on the State to avoid the criminalization of women and children who have been forced to become involved in criminal activities. OHCHR. [“Protejan a las víctimas, particularmente a mujeres y niños” – Experta de la ONU sobre esclavitud contemporánea pide a El Salvador,](#) April 29, 2016

⁴⁸⁰ Republic of El Salvador. Observaciones al Proyecto de Informe “El impacto del crimen organizado en las mujeres, niñas y adolescentes en los países del triángulo Norte de Centroamérica”, November 7, 2022, pg. 11. IACHR archive.

159. Here, the Commission notes that human trafficking is a complex phenomenon, characterized by lack of knowledge about its scope and impact and failure to adequately address it. There is little understanding of who its main victims are and its differentiated impacts on women and girls. Furthermore, the inability to identify the different types of trafficking victims and their misclassification and potential criminalization remain a challenge, especially for the judicial personnel who have first contact with potential victims⁴⁸¹. This can be verified by the percentage of victims identified, the majority of whom are victims of sexual exploitation⁴⁸². It is therefore essential to improve the ability to identify other exploitation modalities, such as forced labor, slavery, servitude, mendicancy, and forced recruitment into criminal activities⁴⁸³.
160. Furthermore, the available information shows that the statistics in this area are unreliable⁴⁸⁴. Specifically, high underreporting of cases is observed in the countries examined in this report, since very few come to the authorities' attention⁴⁸⁵. In this regard, the IACHR notes that "[T]rafficked women and girl victims rarely report their situation to the authorities and are often unwilling to cooperate with law enforcement officials if identified and rescued. Their reasons include: fear of reprisals from traffickers; lack of trust in the authorities; the belief that the authorities cannot, or will not help; rejection by their families; and lack of opportunities in their home countries⁴⁸⁶". Thus, while the number of trafficking cases and victims reported is

⁴⁸¹ U.S. Department of State. [Trafficking in Persons Report, 20th edition](#). June 2020, pp. 158; U.S. Department of State. [2020 Trafficking in Persons Report: El Salvador, 2020](#); U.S. Department of State. [2019 Trafficking in Persons Report: Honduras \(Tier 2\)](#). 2019.

⁴⁸² U.S. Department of State. [2020 Trafficking in Persons Report: El Salvador, 2020](#); CICESCT. [Informe de País en materia de prevención, atención a víctimas y combate de los delitos de explotación sexual comercial y trata de personas en Honduras](#). 2019, pg. 19; Secretariat to Combat Sexual Violence, Exploitation, and Human Trafficking. [Informe del Estado de Guatemala sobre trata de personas 2019](#). July 2020, pp. 83, 86, and 94.

⁴⁸³ U.S. Department of State. [Trafficking in Persons Report, 20th edition](#). June 2020, pg. 195 (El Salvador), 228 (Guatemala), 240 (Honduras).

⁴⁸⁴ OBSERVA LA TRATA, Request for a thematic hearing on human trafficking in Latin America during the IACHR's 165th Period of Sessions, August 3, 2017. IACHR archive; UN Women. [Ending violence against women: From words to Action. Study of the Secretary-General](#). 2006, pg. 84.

⁴⁸⁵ In **Guatemala**, despite the efforts of the State to identify and investigate human trafficking and provide victim support, there are still few convictions for this crime. For example, in 2019, 23 judgments were handed down, and as of mid-2020 only 5 were related to human trafficking. See: Secretariat to Combat Sexual Violence, Exploitation, and Human Trafficking, Guatemala. [Informe del Estado sobre la Trata de Personas](#). July 30, 2020. In **Honduras**, the government reported that it had investigated 145 cases of alleged human trafficking in 2018, in comparison with 121 cases in 2017 and at least 41 cases in 2016. See: 2020; U.S. Department of State. [2019 Trafficking in Persons Report: Honduras \(Tier 2\)](#). 2019. In **El Salvador**, 2019 witnessed the highest number of convictions, the Attorney General's Office hired 11 new prosecutors to work on human trafficking cases, and the government cooperated with other governments in joint investigations, one of which resulted in a conviction and prison sentence for the trafficker. See: U.S. Department of State. [El Salvador 2020 TIP Report](#). 2020

⁴⁸⁶ UN Women. [Ending violence against women: From words to Action. Study of the Secretary-General](#). 2006, pg. 84.

low, the number of cases prosecuted by the justice systems and the number of traffickers convicted is even lower⁴⁸⁷.

161. At the same time, the IACHR observes with great concern the close connection between human trafficking and corruption in the region⁴⁸⁸. This crime by its very nature requires the collaboration of certain sectors of the State – especially in border areas, at migration checkpoints, among the police, customs officials, etc.⁴⁸⁹ Thus, corruption is an instrument habitually employed by criminal bands⁴⁹⁰ and plays a key role in both ensuring that crime goes undetected and the high incidence of impunity⁴⁹¹; this, in turn, results in many

⁴⁸⁷ Save the Children. *Violencia y trata de personas en Centroamérica: oportunidades de intervención regional*. 2012.; UN Women. *Ending violence against women: From words to Action. Study of the Secretary-General*. 2006, pg. 84. In the case of Honduras, the Commission notes that a new Criminal Code went into effect in 2019 that, while including the definition of these crimes adopted in international law, significantly reduced the sentences for sexual exploitation and human trafficking. In this regard, see: El Sol De Honduras. *Honduras aprueba plan de trabajo 2018-2027 contra la Trata de Personas y Tráfico Ilícito de Migrantes*. 2018; CICESCT. *CICESCT presenta informe “Estado de Situación de la Trata de Personas en Honduras en el 2019”*. March 10, 2020; U.S. Department of State. *2021 Trafficking in Persons Report- Honduras*. June 2021.

⁴⁸⁸ Information obtained during the virtual consultation with experts, held June 16-17, 2021 during the preparation of this report. IACHR archive; OHCHR. Folleto Informativo No. 36. *Los derechos humanos y la trata de personas*. 2014; Lawyers without Borders Canada, Tribuna de Mujeres Gladys Lanza (Honduras), Asociación para la Eliminación de la Explotación Sexual, Pornografía, Turismo y Tráfico Sexual de Niñas, Niños y Adolescentes en Guatemala (ECPAT/Guatemala) and Save the Children (El Salvador), Request for a thematic hearing on violations of the human rights of human trafficking victims in the Northern Triangle of Central America, September 23, 2020. IACHR archive.

⁴⁸⁹ IACHR. *Corruption and Human Rights*. OEA/Ser.L/V/II. Doc. 236. December 6, 2019, para. 472.

⁴⁹⁰ Save the Children. *Violencia y trata de personas en Centroamérica Oportunidades de intervención regional*. 2013, pg. 161.

⁴⁹¹ OBSERVA LA TRATA, Request for a thematic hearing on human trafficking in Latin America during the IACHR’s 165th Period of Sessions, August 3, 2017. IACHR archive.

challenges for obtaining adequate redress⁴⁹². According to the information obtained, public servants receive payment in the form of money or sexual services forcibly provided by the victims as a consideration⁴⁹³. The situation is even more complicated when the human trafficking operation is run by the government apparatus.

162. To enable the crime to be committed, public servants create “rings of protection”⁴⁹⁴. The first such ring mainly involves police forces and municipal inspectors, who provide protection for the organizations that control the places where the exploitation occurs⁴⁹⁵. This includes lack of controls on nightclubs, permitting migrant women and children to enter and turning a blind eye to the falsified documentation of victims who have been deceived by human trafficking networks, among other things⁴⁹⁶. A second ring of protection may lie in the judiciary, including among politicians (for example, city mayors). Finally, a third ring may exist when corrupt officials control the criminal enterprise⁴⁹⁷.

⁴⁹² Compensation is a right deriving from the United Nations Convention against Transnational Organized Crime (Palermo Convention) and its protocols. In this regard, specifically in the context of human trafficking, States must ensure that “their domestic legal system contains measures that offer victims of trafficking in persons the possibility of obtaining compensation for damage suffered”. This means the adoption of domestic measures or mechanisms that ensure effective exercise of the right of human trafficking victims to compensation. As reported to the IACHR, even though the legal frameworks of the three countries examined in this report provide for compensation and for that reason, their human trafficking laws provide for the creation of a fund to comprehensively support and compensate victims, they have not been implemented. In **El Salvador**, none of the judgments handed down in 2019 granted decent compensation to the victims, while the support fund mentioned in the law is inoperative due to the failure to allocate funds from the State budget for this purpose. In **Honduras**, the 2019 country report published by the Interinstitutional Commission for Combatting Sexual Exploitation and Human Trafficking (CICESCT) lacks information on victim compensation, as there is no evidence of cases in which the victims have been adequately compensated. Moreover, lack of a budget prevents implementation of the fund. In **Guatemala**, studies of judgments handed down show that the majority of cases ending in a conviction do not provide for compensation, violating the victims’ right to it. Guatemala’s legal system lacks a procedure or legal action to force people convicted of the crime to pay compensation; therefore, its payment, and hence, effectiveness, depends not only on the financial means of the convicted person but on his willingness to pay. Lawyers without Borders Canada, Tribuna de Mujeres Gladys Lanza (Honduras), Asociación para la Eliminación de la Explotación Sexual, Pornografía, Turismo y Tráfico Sexual de Niñas, Niños y Adolescentes en Guatemala (ECPAT/Guatemala), and Save the Children (El Salvador), Request for a thematic hearing on violations of the human rights of human trafficking victims in the Northern Triangle of Central America, September 23, 2020. IACHR archive.

⁴⁹³ EUROSociAL- Cooperation Programme between Latin America and the European Union. [Corrupt Officials, an essential link in human trafficking](#). October 16, 2020.

⁴⁹⁴ El País. [Funcionarios corruptos, un eslabón imprescindible en la trata de personas](#). July 19, 2020.

⁴⁹⁵ EUROSociAL- Cooperation Programme between Latin America and the European Union. [Corrupt Officials, an essential link in human trafficking](#). October 16, 2020.

⁴⁹⁶ Information provided to the IACHR by ECPAT during the consultation with experts, June 16, 2021.; El País. [Funcionarios corruptos, un eslabón imprescindible en la trata de personas](#). July 19, 2020.

⁴⁹⁷ EUROSociAL- Cooperation Programme between Latin America and the European Union. [Corrupt Officials, an essential link in human trafficking](#). October 16, 2020.

163. As gleaned from the information available to the Commission, organized crime groups are closely allied with political power in Guatemala and Honduras. In Guatemala, government officials participate in human trafficking as “users”, covering it up or tolerating it, or as managers of the illicit enterprise⁴⁹⁸. Specifically, municipal officials and employees have been identified as “users” of the sexual services of girls, as have police officers and judicial officials, who receive sexual favors in exchange for not prosecuting or favorable rulings⁴⁹⁹. Added to this are groups of police who directly engage in the trafficking business as owners, serving as frontmen for brothels and passing off their earnings as legal by investing in minibuses and taxis⁵⁰⁰. In Honduras, security forces and military personnel have been the accomplices of criminal trafficking groups that exploit people for domestic work as well as sexual services⁵⁰¹. In addition, immigration authorities receive sexual favors from victims, who become “currency” to pay off the debts of traffickers⁵⁰².
164. In light of the above, the Commission points out that, in addition to its prohibition by the ACHR⁵⁰³, trafficking in women “in all its forms” is a form of violence against women under the terms of the Convention of Belém Do Pará. It is a human rights violation that deeply scars its victims and breaks social bonds in the communities where it occurs⁵⁰⁴. Human trafficking victims must therefore receive support and protection, which not only implies assistance during judicial proceedings, but psychological care and support during their social reintegration⁵⁰⁵ – this, with a gender and children’s rights perspective to meet the specific needs of women and girls.
165. Under their duty to act with due diligence in cases of violence against women and girls, the States have obligations related to prevention, protection, punishment, and redress for this form of violence. In prevention, the IACHR particularly notes the need to address the structural factors that promote human trafficking in the region, including the dynamics created

⁴⁹⁸ CICIG and UNICEF. [Human Trafficking for Sexual Exploitation Purposes in Guatemala](#). 2016, pp. 38, 92, and 94.

⁴⁹⁹ CICIG and UNICEF. [Human Trafficking for Sexual Exploitation Purposes in Guatemala](#). 2016,

⁵⁰⁰ CICIG and UNICEF. [Human Trafficking for Sexual Exploitation Purposes in Guatemala](#). 2016, 2016, pg. 92.

⁵⁰¹ Reporteros de investigación. [El tormento después de la trata de personas en Honduras](#). March 6, 2019.

⁵⁰² ACV and Trocaire. [Impacto socioeconómico en las Mujeres Víctimas de Trata de Personas después de ser reinsertadas a la vida social](#). 2018, pp. 14, 41, 42, and 45.

⁵⁰³ IACtHR. [Case of the Hacienda Brasil Verde Workers v. Brazil](#). Preliminary objections, merits, reparations and costs. Judgment of October 20, 2016. Series C No. 318, para. 281.

⁵⁰⁴ Save the Children. [Violencia y trata de personas en Centroamérica: oportunidades de intervención regional](#). 2012.

⁵⁰⁵ Lawyers without Borders Canada, Tribuna de Mujeres Gladys Lanza (Honduras), Asociación para la Eliminación de la Explotación Sexual, Pornografía, Turismo y Tráfico Sexual de Niñas, Niños y Adolescentes en Guatemala (ECPAT/Guatemala), and Save the Children (El Salvador), Request for a thematic hearing on violations of the human rights of human trafficking victims in the Northern Triangle of Central America. September 23, 2020. IACHR archive.

by the presence and activities of organized crime groups⁵⁰⁶, as well as social and economic factors. The Commission also recalls that the States have a duty to identify corruption and complicity linked with trafficking and to take steps to combat it – a duty that should be considered part of the more general obligation to prevent trafficking⁵⁰⁷. Concerning protection, the Commission has noted the need to introduce concrete measures to support women and girl victims of human trafficking, such as providing safe shelters⁵⁰⁸.

166. With regard to investigation, punishment, and redress, in addition to the obligation to conduct a domestic investigation into events occurring in their own territories, States are also subject to a duty to cooperate effectively with the relevant authorities of other interested States in the investigation of events that occurred outside their territories, particularly when one or more of the events in the chain leading to human trafficking have taken place in their territory or impacted one of their nationals⁵⁰⁹. They must also enable victims to participate freely, safely, and fully informed in judicial proceedings. To guarantee this, the States must offer victims a genuine opportunity to explore their legal options and, should they decide to participate, provide them with all the assistance, support, and protection they need to do so⁵¹⁰, considering all this from a gender perspective and intersectional and intercultural approach.

⁵⁰⁶ OBSERVA LA TRATA, Request for a thematic hearing on human trafficking in Latin America during the IACHR's 165th Period of Sessions, August 3, 2017. IACHR archive.

⁵⁰⁷ OHCHR [Fact Sheet No. 36: Human Rights and Human Trafficking](#), 2014, pg. 56.


⁵⁰⁸ IACHR. [Situation of human rights in El Salvador](#). OEA/Ser.LV/II. Doc. 278. October 14, 2021.

⁵⁰⁹ IACHR. [Human Rights of Migrants, Refugees, Stateless Persons, Victims of Human Trafficking and Internally Displaced Persons: Norms and Standards of the Inter-American System](#). OEA/Ser.LV/II. Doc.46/15. December 31, 2015, para. 167.

⁵¹⁰ Tribuna de Mujeres Gladys Lanza, Lawyers without Borders Canada, ECPAT Guatemala, Save the Children, Main points of the presentation during the thematic hearing on the human rights situation of human trafficking victims in the Northern Triangle of Central America, during the IACHR's 178th Period of Sessions. September 2020. IACHR archive.

Exhibit 9

Country policy and information note: gangs, Honduras, November 2023 (accessible)

 [gov.uk/government/publications/honduras-country-policy-and-information-notes/country-policy-and-information-note-gangs-honduras-november-2023-accessible](https://www.gov.uk/government/publications/honduras-country-policy-and-information-notes/country-policy-and-information-note-gangs-honduras-november-2023-accessible)

UK Visas and Immigration

November 29, 2023

Version 1.0, November 2023

Executive summary

The main criminal gangs operating in Honduras are Mara Salvatrucha 13 (MS-13) and Barrio 18 (Pandilla 18 or 18th Street gang). They generally operate and exercise control within the 3 main cities of Tegucigalpa and its surrounding area, San Pedro Sula, and La Ceiba.

Gang members are usually youths/young men under 26 years old from poor backgrounds with little formal education or previous employment. Women are also recruited into gangs. Children as young as six can be forcibly recruited into gangs.

Gangs' main activities and sources of revenue are extortion and drugs smuggling, and exercising control of territory through violence, often influencing entire neighbourhoods. Gangs may also impose invisible borders, curfews and dress codes within areas under their control. Gangs routinely use violence and intimidation in their criminal activities and maintaining control of territory.

A person fearing persecution from MS-13 or Barrio 18 is not likely to fall within the Refugee Convention on the grounds of political opinion. However, women, former gang members, and lesbian, gay, bisexual, trans or intersex (LGBTI) persons are likely to demonstrate a nexus to the RC as members of a particular social group.

A person is likely to face persecution or serious harm if they live in an area controlled by MS-13 or Barrio 18 and

- are considered to be a threat to the gang and/or
- have not complied with a gang's rules or demands and/or

- belong to a particularly vulnerable group, such as being female or a LGBTI person

The state is likely to be willing but not able to provide protection.

Internal relocation is likely to be viable depending on the facts of the case.

A refused claim is unlikely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.

Assessment

About the assessment

This section considers the evidence relevant to this note – that is information in the country information, refugee/human rights laws and policies, and applicable caselaw – and provides an assessment of whether, in general:

- a person faces a real risk of persecution/serious harm from a gang
- a person is able to obtain protection from the state (or quasi state bodies)
- a person is reasonably able to relocate within a country or territory
- a grant of asylum, humanitarian protection or other form of leave is likely, and
- if a claim is refused, it is likely or unlikely to be certifiable as 'clearly unfounded' under [section 94 of the Nationality, Immigration and Asylum Act 2002](#).

Decision makers must, however, still consider all claims on an individual basis, taking into account each case's specific facts.

This note primarily focusses on the activities of street gangs, or 'maras', primarily the 2 dominant groups: Mara Salvatrucha (MS-13 or Mara 13) and Barrio 18 (also Pandilla 18 (or 18th Street Gang)). However, there are a number of other international and domestic organised criminal groups operating in Honduras, primarily involved in drugs trafficking from South America into the USA and Canada.

1. Material facts, credibility and other checks/referrals

1.1 Credibility

1.1.1 For information on assessing credibility, see the instruction on [Assessing Credibility and Refugee Status](#).

1.1.2 Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the [Asylum Instruction on Visa Matches, Asylum Claims from UK Visa Applicants](#)).

1.1.3 In cases where there are doubts surrounding a person's claimed place of origin, decision makers should also consider language analysis testing, where available (see the [Asylum Instruction on Language Analysis](#)).

Official – sensitive: Not for disclosure – Start of section

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Official – sensitive: Not for disclosure – End of section

1.2 Exclusion

1.2.1 Decision makers must consider whether there are serious reasons for considering whether one (or more) of the exclusion clauses is applicable. Each case must be considered on its individual facts and merits.

1.2.2 If the person is excluded from the Refugee Convention, they will also be excluded from a grant of humanitarian protection (which has a wider range of exclusions than refugee status).

1.2.3 For guidance on exclusion and restricted leave, see the Asylum Instruction on [Exclusion under Articles 1F and 33\(2\) of the Refugee Convention](#), [Humanitarian Protection](#) and the instruction on [Restricted Leave](#).

Official – sensitive: Not for disclosure – Start of section

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Official – sensitive: Not for disclosure – End of section

2. Convention reason(s)

2.1.1 A person who fears one/both of the 2 dominant gangs, MS-13 and Barrio 18, or a smaller gang is not likely to be able to demonstrate a link to the Refugee Convention on grounds of political opinion.

2.1.2 However, a person who fears a gang may belong to a particular social group (PSG) under the Refugee Convention where they have

- an immutable characteristic/common background/belief or characteristic so fundamental that a person cannot be expected to renounce this and
- a distinct identity within Honduran society.

2.1.3 The following groups are likely to form a PSG:

- women/girls
- lesbian, gay, bisexual, trans and intersex (LGBTI) persons
- former gang members (see [Targets of gang violence](#))

2.1.4 In the country guidance case of [EMAP \(Gang violence, Convention Reason\)](#), heard on 27 April and 9 June 2022 and promulgated on 16 November 2022, the Upper Tribunal (UT) considered whether persons who fear a gang in El Salvador fall within the scope of the Refugee Convention on the grounds of political opinion and membership of a PSG.

2.1.5 The UT in [EMAP](#) held that the main gangs operating in El Salvador, MS-13 and Barrio 18, are 'political actors' and that:

'... (ii) Individuals who hold an opinion, thought or belief relating to the gangs, their policies or methods hold a political opinion about them.

'(iii) Whether such an individual faces persecution for reasons of that political opinion will always be a question of fact. In the context of El Salvador it is an enquiry that should be informed by the following:

- '(a) The major gangs of El Salvador must now be regarded as political actors;
- (b) Their criminal and political activities heavily overlap;

(c) The less immediately financial in nature the action, the more likely it is to be for reasons of the victim's perceived opposition to the gangs.' (Headnote, paragraphs (ii) and (iii))

2.1.6 The UT in [EMAP](#) provided further analysis of the applicability of political opinion in paragraphs 112 to 122 of the determination. It considered that there are a range of reasons why a gang (or gangs) target a person, not all of which will fall within the Refugee Convention.

2.1.7 The UT's findings in [EMAP](#) are specific to El Salvador but the situations in El Salvador and Honduras are similar and merit comparison. Both have high levels of organised crime dominated by the same gangs, MS-13 and Barrio 18, which have de facto control over parts of the country and have sought to influence the state (see).

2.1.8 However there are significant differences between the 2 countries:

- Honduras has a more diverse criminal landscape with a number of organised criminal groups - international drugs cartels as well as smaller local outfits - working and competing with MS-13 and Barrio 18. As a result, MS-13 and Barrio 18 are not as dominant as their counterparts in El Salvador (see [Risk](#)).
- MS-13 and Barrio 18 are reported to be absolutely and relatively smaller in Honduras (upto 40,000, 0.4% of the population) than in El Salvador (60,000 members, 1% of the total population). As a consequence, gangs in Honduras exert less control. While there are no detailed figures on the extent of MS-13's and Barrio 18's control / influence in Honduras by taking gang-linked crime as a proxy for control, less than 75% of municipalities had a homicide (more than 25% did not), while 85% extortion is concentrated in just 5% of municipalities. In comparison in El Salvador sources describe gangs having control or exerting influence in over 94% of the country (see [EMAP](#), [Risk](#), [Internal relocation](#) and [Gangs size and location](#))
- MS-13 and Barrio, and gangs generally including international drugs trafficking groups, have sought to influence the state. However, MS-13 and Barrio 18's influence on political affairs is not as extensive as in El Salvador (see [Risk](#) and [Gangs in politics](#)).

2.1.9 On the available evidence, the situations are sufficiently different to conclude that gangs are not 'political actors' and that the UT's findings in EMAP do not apply to a fear of gangs in Honduras. Therefore a person who fears a gang in

Honduras does not fall within scope of the Refugee Convention on grounds of political opinion. However, the UT's findings in [EMAP](#) with regard to women, LGBTI persons and former gang members forming PSGs are likely to apply to Honduras (see).

2.1.10 Establishing a Convention reason is not sufficient to be recognised as a refugee. The question is whether the person has a well-founded fear of persecution on account of an actual or imputed Refugee Convention reason.

2.1.11 For further guidance on the 5 Refugee Convention grounds see the Asylum Instruction, [Assessing Credibility and Refugee Status](#).

3. Risk

3.1.1 In general, a person living in an area controlled by MS-13 or Barrio 18 who is considered to be one or more of the following:

- a threat to the gang and/or
- has not complied with a gang's rules or demands and/or
- belongs to a particularly vulnerable group (for example a woman or LGBTI person)

is likely to face persecution or serious harm in that area.

3.1.2 Each case will need to be considered on its facts, with the onus on the person to demonstrate a risk of persecution or serious harm.

3.1.3 Honduras has a more diverse criminal landscape than the neighbouring 'Northern Triangle' countries of El Salvador and Guatemala. There are estimated to be 40+ organised criminal groups (OCGs) operating. However 2 gangs (or mara) dominate: MS-13 and Barrio 18 (see).

3.1.4 There is limited detailed information about the areas that MS13 and Barrio 18 control or exert influence over. Sources indicate these gangs are concentrated in the 3 main cities: the capital, Tegucigalpa and its surrounding area, the economic hub of San Pedro Sula, and La Ceiba. One source, the expert Maria Gomez, observed gangs were in predominantly in poor, marginalised urban neighbourhoods (colonias). International Crisis Group stated gangs are expanding into coastal areas and along the borders with El Salvador and Guatemala. Human

Rights Watch claimed that while gangs only controlled some areas they are able to extort people throughout the country – however they did not provide detailed evidence of this and other sources do not provide corroboration (see , and).

3.1.5 Gangs impose curfews, dress codes, and restrict entry to, and movement within, and access to public services in areas they control (see , and).

3.1.6 There are not reliable statistics of the number of gang members, with estimates ranging between 5,000 and 40,000 (0.05 to 0.4% of the total population). The Honduran National Police (HNP) estimate there are 25,000 active members of MS-13 and Barrio 18 but other sources provide lower figures (see and).

3.1.7 Gang members are usually males aged younger than 26 years old from poor backgrounds with little formal education or previous employment. Gangs recruit and use children to act as look-outs and to collect extortion money. Boys may be targeted from age 6 and girls from age 8. Girls may also be used for sexual exploitation, some being forced to become 'girlfriends' of gang members. Gangs sometimes also forcibly recruit members, including from within schools, where pupils are targeted by peers with gang associations. Sources noted that it is possible to leave a gang, usually to join a church or faith group. However this often requires the permission of the gang leader, while those entering the church are tracked to ensure their religious calling is genuine (see and).

3.1.8 Gangs' main source of revenue is drug smuggling (particularly MS-13) and extortion of individuals and businesses (particularly Barrio 18). Gangs are involved in other criminal activities including robbery, drug dealing, gun sales, carjacking, kidnapping, prostitution and human trafficking (see and)

3.1.9 Gangs harass, intimidate, use violence, including torture and murder, against persons who they consider to be a threat or who do not comply with their demands and to exert territorial control. Persons targeted include rival gang members and their families, business owners who resist extortion, passengers on public transport, and persons who have, or are perceived to have, collaborated with security forces, such as informants and witnesses. Other vulnerable groups include persons – and their friends and families – who refuse to join a gang, who have left or want to leave a gang or who are perceived to have betrayed a gang (see and)

3.1.10 Women are also involved with gangs but are unlikely to be seen as equal to male gang members. Gangs may sexually abuse women and girls, and those who refuse sexual involvement with gang members may face violent reprisals. Women and girls who are not linked to gangs but who live in areas controlled by them may be vulnerable to violence and intimidation, including sexual violence and forced prostitution (see , and)

3.1.11 Gangs are reported to coerce LGBTI persons to assist with criminal activities. LGBTI persons may also be subjected to violence, such as corrective rape, or forced to leave gang-controlled areas (see)

3.1.12 Gang activity and the use of intimidation and violence has displaced tens of thousands of Hondurans, both within and outside the country. The International Displacement Monitoring Centre (IDMC) in a report from 2019 suggested that returnees may be threatened by gangs because they are perceived to have resources. A couple of sources cited by the Austrian Centre for Country of Origin Asylum Research and Documentation observed some returnees have been killed by gangs after their return, with one expert stating she was aware of over 100 murders at some point following return since 2014. However, detail is absent about these cases, with some deaths occurring months or even a year after return (see and).

3.1.13 Over 500,000 people returned to Honduras in the period January 2015 and July 2023. Other sources consulted do not describe a clear causal link between return and violence from gangs. Taking the scale of returns compared to the small number of returns who may have faced problems because of their status as a returnee, and the relatively high levels of violent crime, the evidence does not indicate that returnees are targeted by and are generally at risk from gangs per se (see and).

3.1.14 Whether a person is at risk from a gang will depend on:

- their profile, actions and reason(s) for the gang's interest
- the area the person usually resides and will return to
- the gang's intent, size, reach and capability

3.1.15 For further guidance on assessing risk, see the Asylum Instruction on [Assessing Credibility and Refugee Status](#).

4. Protection

4.1.1 In general, the state is willing but owing to a lack of resources and competence, and high levels of corruption, is unlikely to be able to provide effective protection. Each case must be considered on its facts, taking into account the nature, capability and intent of the gang and profile of person.

4.1.2 Honduras has introduced various 'iron fist' policies, most recently the state of exception in December 2022, to combat gang activity (see).

4.1.3 The Honduras National Police (HNP), which has around 17,000 officers, is responsible for maintaining public order. It includes specialised teams such as an anti-gang unit and has a separate oversight body. The army can support police operations targeting arms and drug trafficking, including gang activities. There is a functioning judicial system with first instance and appeals courts established to consider civil and criminal cases. The current government has taken steps to strengthen the rule of law and judicial independence (see).

4.1.4 The government has had some success in dismantling drug-trafficking groups. Over 4,000 gang members were arrested between 2015 and 2019, and the government has claimed to have arrested thousands more since the introduction of the state of exception in December 2022. The US State Department acknowledged that the government has investigated and prosecuted some gang-related crimes (see).

4.1.5 However, sources consider the HNP to be under-staffed and under-equipped, with high levels of corruption. There are also reports that some police have been involved in criminal activity and collaborated with gangs. Some sources suggest that due to a lack of resources many crimes are not fully investigated, and when investigations do take place they are lengthy and inefficient leading to high levels of impunity. Some people are reluctant to file complaints for fear of reprisal or retaliation from gangs and lack of confidence in state institutions. However a reluctance to seek protection does not in itself mean protection is not available (see).

4.1.6 A witness protection scheme exists but is underfunded, understaffed and ineffective. If a conviction is secured then witness protection comes to an end, leaving the witness vulnerable to orders issued from prison (see)

4.1.7 The judiciary's effectiveness is hampered by being poorly resourced and subject to intimidation, political influence, and corruption. The USSD observed that criminal groups are able to exercise influence on the outcomes of court proceedings. As a result, there are reportedly high rates of impunity and barriers to accessing justice (see).

4.1.8 For further guidance on assessing state protection, see the Asylum Instruction on [Assessing Credibility and Refugee Status](#).

5. Internal relocation

5.1.1 In general, internal relocation is likely to be reasonable depending on the facts of the case. Decision makers must consider the profile of the person, their previous experiences, the reasons why the gang has an interest in them, and the size, capability and intent of the gang they claim to fear.

5.1.2 Honduras is about half the size of the UK. More than 60% of its over 10 million population live in urban areas, mostly in the main cities of Tegucigalpa and its surrounding area, San Pedro Sula, and La Ceiba. Gangs control some parts of the 3 main cities – usually the poor and marginalised neighbourhoods – plus several municipalities in rural areas. However, there are parts of the main cities and some rural areas where gangs do not have control, or exert influence. This is evident by using the distribution of homicides and extortion as proxies for gang control and influence: Infosegura reported that over 25% of municipalities had no reported homicides and that 85% of extortion took place only in 5% of municipalities (see and).

5.1.3 The IDMC report of 2019 stated that people who gangs believe are guilty of betrayal or emnity may be tracked by them. The source also noted the chances of finding safety in another area vary according to economic resources: safer neighbourhoods are generally more expensive and often gated (see).

5.1.4 Gangs monitor movement in and out of areas they control and reportedly check people moving from one gang-controlled area to another, with reports that residents must request and pay for a permit to travel between neighbourhoods. LGBTI persons, women, girls and youths, without support networks, may be particularly vulnerable to abuse and may find it difficult to support themselves in areas of relocation (see , , , and)

5.1.5 For more on internal relocation and factors to be taken into account, see the Asylum Instruction on [Assessing Credibility and Refugee Status](#).

6. Certification

6.1.1 Where a claim is refused, it is unlikely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.

6.1.2 For further guidance on certification, see [Certification of Protection and Human Rights claims under section 94 of the Nationality, Immigration and Asylum Act 2002 \(clearly unfounded claims\)](#).

Country information

About the country information

This contains publicly available or disclosable country of origin information (COI) which has been gathered, collated and analysed in line with the . It provides the evidence base for the assessment.

The structure and content of this section follow a which sets out the general and specific topics relevant to the scope of this note.

Decision makers must use relevant COI as the evidential basis for decisions.

Updated to 6 October 2023

7. Geographical context

7.1.1 Honduras is 112,492 sqkm, just under half the size of the United Kingdom (about the size of England). The population is estimated to be around 10 million , with 6 million in urban areas of whom 1.5 million live in the capital, Tegucigalpa, and 1 million in the second city, San Pedro Sula.

7.1.2 The US CIA World Factbook noted 'most residents live in the mountainous western half of the country... [the] urban population... is distributed between two large centers - the capital of Tegucigalpa and the city of San Pedro Sula; the Rio Ulua valley in the north is the only densely populated lowland area'.

7.1.3 Honduras is comprised of 18 departments (departmentos), which are subdivided into 298 municipios (municipalities) then aldeas (villages/hamlets) in rural areas and colonias (neighbourhoods) in cities . The UN map below describes the capital, main provincial cities/towns and departments:

7.1.4 The WorldPop website, operated by the School of Geography and Environmental Science, University of Southampton, Department of Geography and Geosciences, University of Louisville; Departement de Geographie, Universite de Namur) and Center for International Earth Science Information Network (CIESIN), Columbia University (2018), produced the map below described population density and distribution:

7.1.5 Population data by department and municipality based on the Honduras National Institute for Statistics (Instituto Nacional de Estadística Honduras; HNIS) is available on the website citypopulation.de.

7.1.6 Demographic as well as other socio-economic data is available on the [HNIS website](#) but Spanish only.

Updated to 6 October 2023

8. Economic and political context

8.1 Castro government – January 2022 onwards

8.1.1 The UN High Commissioner of Human Rights report on the human rights situation in Honduras in 2022 (UN OHCHR 2023), 28 February 2023, noted

‘The arrival of a new government on 2 January 2022, led by the country’s first female president, with political will in the area of human rights and the fight against corruption, sets a new stage for human rights work in Honduras. The administration assumed its functions in a context of pre-existing structural challenges underlying human rights violations: poverty and inequality, land conflicts, violence, insecurity, impunity, institutional weakness and patriarchal culture, among others. Such challenges require short, medium and long-term measures to be resolved.’

8.1.2 An International Crisis Group (ICG) report, ‘New Dawn or Old Habits? Resolving Honduras’ Security Dilemmas’, 10 July 2023, based on interviews with a range of interlocutors between September 2022 and June 2023 informed about the political and security situation, (ICG report 2023), noted

‘... left-leaning Xiomara Castro won the Honduran presidency by a large margin in November 2021. Her victory raised hopes for change in a country that, since a coup in 2009, has suffered soaring rates of violent crime and poverty, along with flare-ups of political unrest, all of which have helped drive an exodus of migrants and asylum seekers...

'Honduras remains one of the poorest and most unequal countries in the region. In 2020, as a result of the pandemic and Hurricanes Eta and Iota, the share of the population living under poverty (US\$6.85 per person per day at 2017 PPP) reached 57.7 percent, an increase from 49.5 percent in 2019. Since then, the recovery of the economy and the labor market, as well as the inflow of remittances, have contributed to reducing poverty. In 2022, the poverty level is estimated to have decreased to 52.4 percent, although this is still above pre-COVID levels. Extreme poverty (measured under the US\$2.15, 2017 PPP line) is estimated at 13.3 percent for the same year, and the Gini Index, which measures inequality, is at 47.5.'

8.3 Gangs and politics

8.3.1 The InSight Crime profile of February 2021, considering the situation before the current government came to power, noted:

'Honduras is one of the most important drug trafficking operation centers between South America and Mexico. With all of its branches of government and its armed forces plagued by corruption, Honduras has evolved into a transit nation in which criminal groups, protected by the political system, have developed the capacity to produce cocaine hydrochloride in local laboratories.

'Since the end of the last decade, political protection has allowed the traditional drug trafficking groups to flourish. Testimony provided by drug traffickers and Honduran politicians on trial in the United States have revealed the deep-seated connection between organized crime and the governing National Party [the National Party lost power following elections in November 2021].

'Control of illegal activities in Honduras lies in the hands of local criminal groups connected with the country's political and economic elite...'

8.3.2 The InSight Crime Honduras profile updated February 2021 stated:

'The former leader of the Cachiros Cartel, Devis Leonel Rivera Maradiaga, alleged in his testimony [that he operated](#) with the assistance or complicity of various [political](#) and [economic](#) elites. He even alleged bribing Tony Hernández [the brother of the former president, who was found guilty on cocaine and arms trafficking charges in a US court in October 2019]... [Further] Tony Hernández acted as a link between the government and various drug trafficking groups, like Los Valle, Los Cachiros and the Atlantic Cartel.'

8.3.3 The Honduras profile continued:

'The Atlantic Cartel was another important group at the beginning of the century. The group is presumed to have operated under the protection of military agents, police and judges. Its leader, Wilter Neptalí Blanco, was arrested in Costa Rica in November 2016. As of July 2017, he has agreed to collaborate with the US criminal justice system.

'On the other hand, several politicians on the local level – primarily associated with the National Party – have been linked to these structures, and it is presumed that they may have inherited the drug trade once the traditional kingpins were extradited. In El Paraíso, Copán, for example, former mayor Alexander Ardón controlled the drug trade from his municipality to Guatemala. In the remote region of La Mosquitia, a political clan formed by the Paisano Wood brothers operated a drug trafficking network in order to receive cocaine shipments and send them to the border with Guatemala. These types of examples of collusion between politicians and criminal actors, are repeated in various regions around the country, such as in Yoro, Lempira and Olancho.'

8.3.4 HRW's world report, covering events in 2021, noted: 'There have been repeated allegations of collusion between security forces and criminal organizations.'

8.3.5 Freedom House in its report covering events in 2022 observed 'Gangs, many with ties to drug trafficking, also sway decisions at the subnational level.'

8.3.6 The ICG report 2023 noted: 'Street gangs, such as MS-13 and the 18th Street gang, at times partner with or work for drug trafficking groups that have penetrated the highest echelons of state. U.S. prosecutors believe that former President Hernández maintained mutually beneficial relations with various drug traffickers, even while supposedly leading an unstinting assault against them.'

Updated to 6 October 2023

9. Organised criminal groups (OCGs), including gangs

9.1.1 The Global Organised Crime Index 2023, covering events in 2022, produced by the NGO, the Global Initiative Against Transnational Organized Crime (GIATC), released 26 September 2023, stated:

'Mafia-style groups operating in Honduras are involved in a range of criminal activities, such as drug trafficking, car theft, and extortion. The revenue generated from drug trafficking has contributed to the growth and sophistication of these groups. There are two main mafia groups in Honduras, both of which employ

extreme violence and extortion to control the [MS-13 and Barrio 18] they operate in. Despite a recent decrease in domestic homicide rates, Honduras remains one of the most violent countries globally. During the COVID-19 pandemic, mafia groups in Honduras refrained from extortion, which allowed them to enter the political sphere by funding allies' campaigns for municipal positions. Additionally, transportista groups, comprising family-based networks, assist mafia groups in criminal activities, such as transport logistics, cargo security, and money laundering.

'Bribery and corruption play a significant role in organized crime groups' operations, with deep political ties to local law enforcement and public officials facilitating their activities. Corrupt officials at different levels of government create opportunities for organized crime, and even construct infrastructure and transportation necessities for criminal entities. State security forces are involved in the arms and drug trafficking markets. In April 2022, a former president was extradited to the US for his involvement in drug and arms trafficking, as well as for using drug-related revenue for political campaign funding.

'Foreign criminal entities, particularly Colombian and Mexican drug trafficking networks, operate in Honduras through small emissary groups located in large cities and border regions. These groups engage in drug production activities such as poppy cultivation and laboratory cocaine processing within Honduras, and subcontract Honduran transportista groups to facilitate the illicit transport of drugs northbound to the US via Guatemala. Central American and Chinese criminal networks are involved in local illicit activities such as human smuggling.

'Private sector actors such as banks, insurance companies, and remittance companies play a considerable role in illicit activities, especially corruption, in Honduras, facilitating the flow of illicit revenue. Criminal entities often own or exploit the bank accounts of private sector businesses, such as hotels, to launder drug-related and other criminally sourced revenue. Additionally, business elites in Honduras have notable influence over the state judicial system, exacerbating corruption by manipulating legal processes to avoid the consequences of their actions.

'Honduras-based criminal networks collaborate with other criminal groups, including state-embedded actors and foreign counterparts, to facilitate various organized criminal markets, such as drug trafficking, human trafficking, and arms trafficking. These networks diversify their activities by targeting transportista groups and stealing drug shipments along smuggling routes.'

9.1.2 Dr J M Cruz and colleagues at the American Institutes for Research (AIR) & Florida International University (FIU) published a report on gang disengagement in Honduras in November 2020 (AIR/FIU) report 2020). The research is based on a survey with a sample of 1,021 respondents with a record of gang membership, and 38 in-depth interviews with former gang members and community members. Respondents were interviewed in prisons, juvenile detention centres, parole programmes, rehabilitation centres and at faith based organisations between October and December 2019.

9.1.3 The AIR/FIU report 2020 noted: 'MS-13 and Barrio 18 [also known as Pandilla 18 (or 18th Street Gang)] are the dominant street gangs in Honduras, with MS-13 as the largest one.' Similarly, InSight Crime, a US think tank specialising in crime in Latin America, in its 'Honduras profile' updated February 2021, stated '... the primary gangs present in Honduras are MS13 and Barrio 18...' The US State Department's Overseas Security Advisory Council Honduras security report of July 2023 (OSAC CSR 2023) stated: 'The MS-13 and Calle 18 gangs [Barrio 18] are the most active and powerful gangs present in Honduras.'

9.1.4 The AIR/FIU report 2020 also noted 'There are other, smaller gang groups ... such as Vatos Locos, Los Chirizos, and El Combo que no se deja.' While the Austrian Centre for Country of Origin and Asylum Research and Documentation (ACCORD) in a December 2022 report (ACCORD response 2022), citing various sources, stated:

'According to a 2020 report by the United Nations Development Programme on the situation of maras and pandillas in Honduras in the year 2019, there is much more gang diversity in Honduras than in the other two countries in the Northern Triangle, El Salvador and Guatemala... Pamela Ruiz notes that the Honduran National Anti-Extortion Force (Fuerza Nacional Anti-Extorsión) identified 48 different gangs/criminal bands guilty of extortion, but the number includes "independent actors" ... The following minor gangs are mentioned by several sources: Chirizos, El Combo que no se Deja, Los Benjamins... Los Tercereños, Vatos Locos, Olanchanos ... Sources further mentioned other small gangs such as Los Ponce and Parqueños, however, virtually no information could be found on them.'

9.1.5 The ICG report 2023 noted: 'Competition between [MS-13 and Barrio 18]... and other minor groups is fierce... Many of the smaller organisations are composed of just a handful of criminals, united by family ties, who alternately work for, ally with and fight the main outfits...'

Updated to 6 October 2023

10. Structure and organisation of Mara Salvatrucha 13 and Barrio 18

10.1.1 The AIR/FIU report 2020 stated:

'The two main Honduran gangs, MS-13 and Barrio 18, have a clearly defined structure and organization, with specific roles and norms which regulate the activities and behavior of their members. Although gangs in Honduras do not seem to have a national leadership who would be recognized by all the groups, they have regional structures which are controlled from prisons. They organize their neighborhood cliques in sectores (sectors), which are overseen by regional leaders inside and outside prison. The MS-13 gang seems to be the largest and most organized of the gangs... both MS-13 and Barrio 18 are composed of regionally fragmented structures which operate in an autonomous fashion. Neither MS-13 nor Barrio 18 acknowledges a single national leadership council or individual leader in Honduras.'

10.1.2 The AIR/FIU report 2020 also noted: 'The two main gangs in Honduras are composed of a collection of neighborhood groups, called cliques, with a close link to the territory in which they operate and orchestrate their criminal activities. These cliques are the basic gang unit and are made up of several members... [comprising of] regular members and collaborators or informants.'

10.1.3 According to AIR/FIU:

'Regular members make up the core and muscle of the gang. They are in charge of carrying out most of the criminal and revenue-generating activities, such as extortions and drug dealing. Depending on the gang organization, they take different titles: soldier, paisa, paisa firme, gatillero, or traqueto. Collaborators or informants are not considered official members of the gang; they have not undergone an initiation rite, and they function as aides to the regular members. Their activities include communications, transportation of drugs and weapons, and surveillance, flagging the presence of strangers and potential rivals in the territory. Collaborators take different titles, which also may reflect a hierarchy within the group of collaborators: bandera, mula, aspirante, puntero, and colaborador...

'Neighborhood cliques are grouped in sectores, which are the largest grouping level in the gang's organization. Sectores are composed of several cliques which form a regional cluster, which usually involves a city or a region. Thus, as organizations, gangs in Honduras operate regionally. Each region or sector has a

top leader, who usually is imprisoned and operates from any of the penitentiaries in the country. Those leaders are called Palabreros in the MS-13 organization and Toros in Barrio 18. They work in tandem with other leaders, who are outside prison, called Sargentos or Homies. These individuals oversee the activities of the cliques under their command on behalf of the imprisoned leader and themselves. One practice that both gangs observe and have in common is seniority. As explained by a former gang member who now leads rehabilitation programs in Honduras, "Seniority and loyalty to the gang is not only how [you] earn respect within the organization, but it is also how an individual can climb amongst the ranks of the organization.'

10.1.4 Further detail about structure, organisation and roles with MS-13 and Barrio 18 is available pages 23 to 25 of the [AIR/FIU report 2020](#) and pages 30 and 31 of the [ACCORD report 2022](#).

Updated to 6 October 2023

11. Gang size and distribution

11.1 Size

11.1.1 The ACCORD response of December 2022, citing various sources, stated:

'Regarding the numbers of gang members in Honduras the most current information that could be found is provided in an April 2016 report by InSight Crime and the ASJ. The authors also discuss that estimates vary widely and estimates of NGOs are considerably lower than official estimates by the Honduran police or the US Agency for International Development (USAID). While according to estimates by two NGOs the number of active gang members of both MS-13 and Barrio 18 together amounts to around 5,000 – 6,000, the UN Office on Drugs and Crime (UNODC) says Mara Salvatrucha has 5,000 and Barrio 18 has 7,000 members. The Honduran police contends that both gangs together have about 25,000 active... and according to a USAID report there are 36,000 active gang members in total ..., but this number is of 2006 and it includes members of other Honduran gangs as well. An article by InSight Crime, published in 2012, speaks of some 1,340 MS-13 members in San Pedro Sula and some 410 members in Tegucigalpa ...'

11.1.2 Human Rights Watch in their World report 2022 (HRW World report 2022) covering events in 2021 estimated that there were between 5,000 and 40,000 active gang members in Honduras although it is not clear where this information

originated. There were no up to date figures for gang members in the HRW World report 2023.

11.2 Location

11.2.1 There is limited accurate and detailed information in the sources consulted about the areas controlled by the 2 main gangs (see).

11.2.2 The most recent detailed data is provided by InSight Crime in association with the Asociación para una Sociedad más Justa (ASJ Honduras), a Honduran civil society organisation promoting justice and changes towards a fairer society for the most vulnerable. This paper published in 2016 stated:

'Broadly speaking, gangs have little presence outside the three largest urban areas: the capital city of Tegucigalpa and its surrounding metropolitan area; the city of La Ceiba, the third largest in the country; and Cortes province. In Cortes, most gangs are concentrated in greater San Pedro Sula, the country's industrial and economic capital. That is not to say that there is not gang presence in some rural areas. A prime example is the municipality of Tela, between La Ceiba and San Pedro Sula, where the MS13 has established a strong base of operations.

'... gang presence in these cities gives no clear pattern of why gangs occupy certain territory and not others. According to police intelligence, the Barrio 18 is currently operational in approximately 150 neighborhoods, or "colonias," in Tegucigalpa. As can be seen in the map below... Barrio 18's largest extension of territory is in the southern part of the Capital District, including Tegucigalpa's sister city, Comayagua. Meanwhile, MS13 is operational in some... colonias in the capital district, while the gang's largest concentration of forces is believed to be in the western part of the city. There are thought to be just 12 colonias out of 222 in which both gangs are present at the same time, including Tegucigalpa's city center.

MS13 and Barrio 18 presence in Tegucigalpa

'In San Pedro Sula,... meanwhile, Barrio 18 is present in 22 colonias. The MS13 is also present in 11 of those, explaining in part why the city sees so much violence, as the gangs jostle for dominance within these contested areas. In addition to those 11 colonias, the MS13 is present in another 58 colonias in San Pedro Sula. It should also be noted that other gangs are interspersed in both San Pedro Sula and Tegucigalpa...

MS13 and Barrio 18 presence in San Pedro Sula

11.2.3 InSight Crime in its 'Honduras profile' updated February 2021 stated: 'Gangs are concentrated in the country's largest urban areas, including the capital Tegucigalpa, the economic hub of San Pedro Sula and the Caribbean coastal city of La Ceiba... or in rural areas close to the border with El Salvador, where they find a safe haven...

11.2.4 The ACCORD response of December 2022, citing various sources, stated:

'... maras are, according to the January 2020 publication by María Luisa Pastor Gómez, essentially an urban phenomenon. They are much more predominant in poor and marginalised neighbourhoods, where there is little state control (Pastor Gómez, 29 January 2020, p. 6). However, Elizabeth Kennedy [Central America Monitor Research Director for the Washington Office on Latin America (WOLA), social scientist and expert in Central American migration and indigenous and Garífuna People] disagrees with this statement and refers to interviews she has conducted with children and families from rural as well as from urban areas in 13 of 18 departments in Honduras, which showed that gangs operate in rural areas as well (Kennedy, 6 December 2022)

'... The gang territories are marked by specific graffiti that adorns the walls of affected communities. Mostly the graffiti shows the numbers 18 for the Barrio 18 and 13 for the MS-13 (McGrath, 10 February 2021).'

11.2.5 The Crisis Group report of 10 July 2023, based on 50 interviews with a range of sources, observed: 'MS-13 and the 18th Street gang are prevalent mostly in suburbs of the capital Tegucigalpa and San Pedro Sula, the country's second largest city, but they are reportedly expanding into coastal regions and along the borders with Guatemala and El Salvador.'

11.2.6 The USSD's Overseas Security Advisory Council in its report on Honduras updated 18 July 2023 (OSAC report 2023) observed: 'Hondurans continue to be affected by MS-13 (Mara Salvatrucha) and Calle 18 [Barrio 18] gang activity in cities such as Tegucigalpa, Choloma, La Ceiba, Tela, and San Pedro Sula.'

11.2.7 The HRW World report 2022 covering events in 2021 stated: 'Gangs exercise territorial control over some neighborhoods and extort residents throughout the country.' However, HRW do not provide detail or indicate how this information was obtained. HRW make no comment on gang control in their report on events in 2022. The AIR/FIU report November 2020 noted that the smaller gangs - such as Vatos Locos, Los Chirizos, and El Combo que no se deja - had a limited reach compared to Barrio 18 and MS-13.

Updated to 6 October 2023

12. Profile of members

12.1.1 An AIR/FIU report November 2020 stated: 'These organizations [Barrio 18 and MS-13] are composed of networks of turf-based groups of youth and adults.' The paper further noted:

'... gangs remain a predominantly male phenomenon, and the average age at which males join a gang is 15. Interviewed females joined the gang at an average age of 13.2. Nearly 46 percent of the subjects interviewed for this study are active members of a gang, while the rest are in different stages of gang membership. Approximately 54 percent of the subjects interviewed in the survey belong—or have belonged—to Mara Salvatrucha (MS-13), while 35 percent expressed their loyalty to the 18th Street Gang, also known as Pandilla 18 (or 18th Street Gang). The rest of the interviewees indicated membership in smaller gang groups: Los Chirizos, El Combo que no se deja, Los Olanchanos, Los Vatos Locos, etc.'

12.1.2 Based upon 1,021 survey respondents, the November 2020 AIR/FIU research paper found that 94% of both current and previous gang members were male and 6% were female; 65% were under 26 years old and 15% were over 40. Women tended to be younger than men, with an average age of around 18 and 25 years respectively.

12.1.3 With regards to education, the AIR/FIU research paper found that a large majority of the survey respondents had not completed high school (90.3%) and 1.4% had never attended school. Gang members on average dropped out of school around 12-13 years old.

12.1.4 As to membership profile according to gender the AIR/FIU research paper stated:

'The research team interviewed government officials, pastors, and leaders of organizations which work with former gang members. These interviewees said that while women used to play secondary roles in gangs, mostly as partners of gang members, there is no longer a significant gender difference in terms of gang affiliation and participation in gangs. Most former gang members in our sample shared the view that there are few differences between men and women with respect to their participation in gangs; many explicitly said they do not see any difference in terms of gender, noting that women can become more lethal than men because people tend to assume that women are not violent. One former

Barrio 18 gang member from San Pedro Sula said, "Now gangs use women as hitmen (sicarias) because most people believe they are harmless, but when you give arms to women, they are lethal"...

'Moreover, female gang members are often used for tasks traditionally associated with women's roles, such as cooking for the gang members, attending to those who are injured and visiting them at the hospital, and doing errands, including sometimes transporting drugs from one place to another. Former female gang members whom we interviewed also said that women are used as sex objects to seduce or distract police officers during an operation.

'Whether or not female gang members end up doing other jobs typically associated with men, data indicate that it is likely that the relationship between males and females in the gang is unequal and is consistent with the patriarchal or "macho" culture already prevalent in Honduras. Even former gang members who believed there were no differences between men and women in the gangs expressed the belief that women are "more passive" than men or that in the end, women are not the "head of the household and always obey the man."

12.1.5 The InSight Crime profile updated February 2021 stated '...gangs like the Barrio 18 and MS13... concentrate their criminal activities in urban areas and recruit young people, many of whom are suffering from widespread economic inequality and a lack of opportunity.'

12.1.6 The ACCORD response December 2022 citing various sources stated:

'A 2020 analytical paper on Central American maras by María Luisa Pastor Gómez of the Spanish governmental Institute for Strategic Studies, explains that gang members join as young people: mostly boys, who come from broken and low-income families and who usually left school before the age of 16. These children seek an alternative space for socialisation and solidarity in a hostile environment. Some join to protect themselves or because they are forced to... With respect to female gang members, the paper adds that they tend to join around the age of 18, often to escape family problems and in approximately 12 percent of cases, because they are forced to do so... Joining a gang involves harsh and violent rites of passage.'

Updated to 6 October 2023

13. Recruitment

13.1.1 The International Displacement Monitoring Centre (IDMC) in a thematic report 'A web of violence – Crime, corruption and displacement in Honduras' from March 2019, by Vickie Knox of London University, (IDMC paper 2019) stated:

'Young people are particularly vulnerable to forced recruitment, which may start with grooming when children are given small gifts and attention in return for involvement. Boys are targeted from as young as six to act as lookouts, make deliveries and collect extortion money. Girls are targeted from the age of eight for sexual exploitation by the clika, and from 11 or 12 years to be sexually involved with a specific gang member... Forced recruitment in schools has triggered significant displacement. Gangs have infiltrated many education centres, particularly in urban areas, and pupils are targeted by their peers who try to convince them to become involved in gang activities. They must comply with the gang's demands or leave...'

13.1.2 The AIR/FIU report 2020 stated: '... being out of school may increase the vulnerability of some youths to gang membership, because they have few other alternatives, either for entertainment or for income generation.'

13.1.3 The AIR/FIU report described reasons for joining a gang:

'Most survey respondents provided reasons for joining the gang which reflected the allure of the gang: They did so to be with peers and to be part of the organization. However, in-depth interviews revealed that beyond those reasons, youths were coming from problematic families, inattentive communities, and institutions which do not provide development opportunities to minors. In any case, gangs seem to represent a viable alternative to satisfying the emotional needs of individuals in their adolescent years. Gang leaders take advantage of this vulnerability and quickly push their members to criminal schemes and violence.'

13.1.4 The AIR/FIU report 2020 found:

'... most of the [survey] respondents [of former and current gang members] did not undergo a process of initiation when joining the gang... In Honduras, only 31.8 percent of respondents with a history of gang affiliation said they joined through a process of initiation. Among female gang members, this percentage is even lower: 9.8 percent of the female respondents said they had to go through an initiation rite... rites of initiation were more common among the older respondents than among the younger ones.'

13.1.5 The AIR/FIU report added:

'... although rites of initiation are not very common in Honduras, the largest and more powerful groups practice them much more frequently than the smaller gangs... The most common rite of "jumping into" the gang is for member initiates to take a beating from their own peers and future fellows in the gang... The survey also revealed that nearly 27 percent of the individuals who went through a formal process of initiation had to complete a "mission." Those missions frequently entailed killing a person—or a few people—designated by the gang. In some instances, those missions involved the participation of more structured criminal schemes, such as setting up an extortion ring in a predetermined community. A comparison between gang organizations shows that although members of the MS-13 gang tend to endure more beatings as a form of initiation than Barrio 18 members, there is no statistically significant differences between the groups. The modes of joining the gang were very similar between the two largest gangs.'

13.1.6 With regard to women, the AIR/FIU report 2020 stated:

'Although men and women allegedly have similar roles in the gangs, most women are sexually abused once they are in a gang. This happens sometimes as part of their initiation ritual, wherein all members of the clique rape the woman before she can be admitted. Often women are abused only because members of the gang want to have sex with them. As one former Barrio 18 gang member from San Pedro Sula said, "If several members of the gang want to have sex with a woman, so long as she is not committed in a relationship to someone in the clique, she cannot refuse" ...'

Updated to 6 October 2023

14. Leaving a gang

14.1.1 The AIR/FIU report 2020 stated:

'Intentions to leave the gang are more frequent in the early stages of membership. Those intentions decline for a while and then increase again with age. Successful disengagement is closely associated with interactions that provide social and instrumental support to reintegration.

- 'Members of the two major gangs (MS-13 and Barrio 18) express less intention of disengagement than members of the smaller gangs or combos...

- 'There is a U-shaped curve relationship between the number of years in the gang and intentions to leave. During the first years of gang membership, intentions to leave are stronger; then they subside for a while and start growing again after six years of being in the gang. This pattern suggests that the early months and years of gang life are probably full of doubts about membership. These doubts are later quenched by gratifying experiences as a gang member and then reemerge as the individual matures.
- 'Religion also plays a critical role in the process of leaving the gang. Belonging to an Evangelical church in Honduras contributes to one's intention to disengage from the gang and provides safe passage out of the group.
- 'Non-gang groups and social networks of non-gang members are key to supporting gang members' intentions to leave the gang. Active members who spent the most time with non-gang individuals (their family and non-gang friends) were more likely to disengage from the gang.'^[footnote 60]

14.1.2 The AIR/FIU report added:

'Respondents said it is easier for a lower ranking gang member to get permission to leave the gang or to disengage from gang activities; respondents said lower ranking members are less likely to pose a threat to the gang or reveal information to rival gangs or the police. In contrast, the path to disengagement is difficult for someone who ranks higher in the gang... As with men, women who ascend to positions of leadership in the gang have a more difficult time disengaging from the gang than those who are not leaders. Having more authority and decisionmaking capacity in the gang gives them greater access to information, which top gang leaders regard as one of the most valuable assets.'

14.1.3 With regards deserting a gang, the AIR/FIU paper stated:

'Deserters are threatened with murder, and anyone who wants to leave the gang needs to obtain special permission from the top leadership. In a case described in a qualitative interview, a female former gang leader said she had to obtain a special permit to leave the gang. She explained that she was granted the permit because she was pregnant, and she said she was committed to God; however, the gang leader made it clear to her that "if it is true that you are attached to God, you have to keep your devotion, because the minute you detach yourself, I will give the order to kill you."

14.1.4 The AIR/FIU report noted: 'Pastors and experts indicated that gangs would track former members as they integrated into a community of faith to ensure they did so "with sincerity"; the gang respected one's decision to leave for religious reasons, but potentially would retaliate against those whom they determined were not following a religious lifestyle...'

14.1.5 The AIR/FIU report stated:

'Despite the difficulties associated with leaving a gang, many people are successful in leaving the gang in Honduras. In fact, nearly half of our survey sample were no longer active in the gang and see themselves as former gang members. In addition, most respondents (62 percent) know someone who has done so... These numbers suggest that in general, cases of disengagement are relatively frequent..'

14.1.6 The table below is based on information from the AIR/FIU paper on what an individual has to do to leave a gang.

Mechanisms of leaving the gang	Percentage
Impossible to leave	37%
Join church or rehab programme	28%
Talk to leaders	19.4%
Just leave	11.9%
Accomplish a mission (usually understood as killing someone)	2.7%
Other	0.9%

14.1.7 The ACCORD response December 2022 citing María Luisa Pastor Gómez of the Spanish governmental Institute for Strategic Studies who spoke about leaving a gang:

"Once in [a gang], the new members accept a series of strict rules and values and find themselves forced to develop strong ties of belonging, unity, loyalty and solidarity with the new 'family' while simultaneously weakening their links to their own families and to society. In principle, joining a gang is an irreversible process, as the leaders do not allow anybody to leave, unless this is achieved through joining some evangelical church"...

“If done without permission [leaving a mara]... implies certain death, and obtaining the leaders’ blessings involves long and arduous negotiations... Many departures take place via religious conversion and integration into an evangelical church, an experience which provides a safe haven that allows aspiring deserters to reestablish links with the community, to build their families and to look for educational or job opportunities without harassment from the gang. However, this way is not easy either, as any members wishing to leave the Mara are subjected to very close monitoring... Other challenges faced when leaving a gang are the total lack of the skills needed for regular work, the lack of training opportunities, the constant threat emanating from old gang rivals, harassment from the police and security forces, and social discrimination on account of their past and their appearance, since one of the most visible features of Mara members until recently were their tattoos, which are almost impossible to get rid of.”...’

Updated to 6 October 2023

15. Gang activities - control of territory

15.1.1 The IDMC report 2019 stated: ‘Street gangs’ territorial control extends to all people within their area, and particularly women and girls... The territorial control that organised crime groups exert over border areas means that women and girls who live there are also vulnerable to human trafficking and forced prostitution as well as sexual abuse by the groups’ members...’

15.1.2 The AIR/FIR report November 2020 stated:

‘Gang activities revolve around the concept of territorial control. All gangs seek to exert control inside the communities in which they operate in order to extract resources and revenues. Both the MS-13 and 18th Street gangs use violence and participate in similar criminal activities... local drug trafficking, extortion, and assassination for hire, among others. However, most testimonies provided during the in-depth interviews coincide with the notion that MS-13 gang members concentrate their criminal activities around the control of drug markets, while Barrio 18 gang members focus more on extortion activities which directly affect the communities in which they operate.’

15.1.3 The AIR/FIU report 2020 also noted:

‘... As one former MS-13 gang member explained, Mara Salvatrucha will do everything in their power to keep the police from entering their territories. When a community member has a problem inside MS-13 gang territory, people go to the

gang leaders before contacting authorities to solve the problem. These findings are consistent with past research which indicates that MS-13 gang members stopped extorting inside their neighborhoods to leverage support with the people who live in those communities. Regardless, MS-13 gang members are violent and constantly engaging in criminal behavior.'

15.1.4 The InSight Crime profile updated February 2021 stated: '[Barrio 18 and MS13]... often exert influence over entire neighborhoods, imposing their own order, demanding extortion payments from businesses and residents, and running local drug sales and kidnapping rings.'

15.1.5 ACCORD in their response of December 2022 gangs report citing a September 2022 publication by the [Global Protection Cluster](#) stated:

'... territorial control by the maras is reflected in the imposition of invisible borders, in curfews and dress codes. All persons living in gang-controlled areas face restrictions in accessing the rights to health, education, work and the use of public spaces. The publication further notes that territorial disputes in areas historically impacted by violence, such as San Pedro Sula, La Lima, Choloma and Tegucigalpa as well as in areas where the level of violent incidents was historically lower, such as Danlí, Choluteca, Olancho, Valle, La Ceiba and Gracias a Dios, have intensified. Controls and restrictions imposed by the maras have increased in recent years, especially in peripheral areas of urban centres, where restrictions on mobility have worsened.

'France 24, a French state-owned international news television network that also broadcasts in Spanish, in July 2022 publishes an article on such an invisible boundary. The article describes a dirt road that separates the territories of MS-13 and Barrio 18 in the Chamelecón neighbourhood, a hotspot for gang violence in San Pedro Sula... The dirt road is known as "la frontera" and in July 2022 was crossed by members of Barrio 18, who fired machine guns on a street and demanded of locals living on the MS-13 side to vacate the area. Ten families had to leave, and even though the police reinforced their presence, they didn't return'

15.1.6 The ACCORD response of December 2022, in an interview with María Luisa Pastor Gómez of the Spanish governmental Institute for Strategic Studies, stated:

"Gangs are groups that create their own rules and membership criteria and that are marked by an obsessive territorial logic. The territorial framework —usually a marginal neighbourhood or a hill— is their place of action which they consider their property. Mara members fight to maintain control over their physical space

and defend it to the last. They even impose restrictions on the movement of its inhabitants, often according to the territorial limits established with the rival gang. Maras secure the support of local gang family members and also rely on “falcons” or informers who act as their eyes and ears inside the neighbourhoods and supply them with all information. ...The Maras impose tacit codes of conduct on inhabitants, and if the latter reject those, they suffer violence. Refusing to collaborate also means death, as does accidentally trespassing on a rival gang’s territory. Gang members lay down the rules in the communities. People can see and hear, but they must never speak about or report anything or they risk being tortured or, in the worst case, murdered. At night, vehicles trying to enter the neighbourhoods must switch off their lights, otherwise they can come under fire. If a person wants to move between neighbourhoods, they must request a permit and pay 5 dollars. Everyone is asked to produce their ID, and there are even rules regarding clothes. For example, wearing a Tshirt with the number 18 in a neighbourhood controlled by the MS13 Mara can be a reason to die.” ...’

15.1.7 A UNHCR report from March 2022 stated:

‘Community leaders reported incidents of housing dispossession and occupation by street gangs, resulting in the forceful displacement of families or, in the case of San Pedro Sula, preventing people affected by Eta and Iota hurricanes to return to their place of origin. In San Pedro Sula, communities stressed major loss of income, assets, community spaces, while elders and community leaders expressed unusual fear over crossing “invisible borders”...

‘Chamelecón is one of the largest sectors of San Pedro Sula and is made up of 62 colonies. The sector has historically suffered from the impact of violence and territorial control of two gangs over northern and southern areas of the sector, causing many families to abandon their homes in search of safer communities.

‘Choloma is a municipality in the Department of Cortés, located on the outskirts of San Pedro Sula.... The situation of generalized violence is mainly caused by fragmented street gangs that frequently dispute territories to maintain strategic control over drug trade and the road to the main national port of Omoa. The violence affects disproportionately children, youth, and women, making it one of the municipalities with the highest femicide rate in Honduras.’

Updated to 6 October 2023

16. Gang activities - drug trafficking

16.1.1 The AIR/FIU report 2020 noted 'The MS-13 gang... tend to specialize to a larger extent in local drug trafficking and assassinations for hire. They tend to operate with more consideration for the community in which they are based, and they are more effective in penetrating criminal justice institutions for their own advantage.' The same report stated 'In the in-depth interviews, former MS-13 gang members explained that their organization focuses on petty drug trafficking and maintains a good relationship with the people within their neighborhoods.'

16.1.2 The ICG report 2023 noted:

'... street gangs, such as MS-13 and the 18th Street gang, at times partner with or work for drug trafficking groups that have penetrated the highest echelons of state... The country's most widespread criminal activities are drug trafficking and extortion... A peculiarity of Honduran gangs compared to those in other Central American countries is their apparent prominence, particularly the MS-13, in drug smuggling... Once controlled by a few cartels, drug trafficking in Honduras is now run by myriad groups, including gangs... Some of these groups reportedly hold a tight grip over remote parts of the country, particularly La Mosquitia, a stretch of land along the eastern coast, and are responsible for some 30 per cent of the country's violent deaths, according to the UN Office on Drugs and Crime... They also seem to be trying hard to turn Honduras from a transit country into a cocaine producer. In 2022, authorities eradicated approximately 140 hectares of coca, more than thirteen times the previous year's total. This area is but a fraction of that under cultivation in Colombia, but the rise suggests an effort to concentrate both production and trafficking in Honduras...'

17. Gang activities - violence

17.1 Use of violence

17.1.1 An AIR/FIU research paper from November 2020, citing other sources, stated: 'Despite the difficulties in pinpointing the precise number of active gang members in Honduras, government officials and experts view street gangs as responsible for an important share of the criminal violence taking place in the country. However, as with the number of gang members, there are no reliable data about the number of murders and crimes committed by gangs in the country.' The same AIR/FIU report stated: 'As with the gang-related statistics, scholars and journalists interviewed by the research team maintained that the data

[on murder rates] are not completely reliable. More importantly, however, the gang problem in Honduras continues to be severe, even with the reduction in homicide rates.'

17.1.2 The OSAC CSR 2023 stated: 'The MS-13 and Calle 18 gangs [Barrio 18] are the most active and powerful gangs present in Honduras. Gangs are not reluctant to use violence, and specialize in murder-for-hire, carjacking, extortion, and other violent street crime... Drug trafficking and gang activity are the main causes of violent crime in Honduras.'

17.1.3 The InSight Crime homicide round-up for 2022, dated February, 2023 stated 'Many of the violent deaths in Honduras are attributed to gangs known for retail drug trafficking and extortion.'

17.1.4 The USSD's OSAC report 2023 noted: 'Drug trafficking and gang activity are the main causes of violent crime in Honduras... Major cities (e.g., Tegucigalpa, San Pedro Sula, La Ceiba) have homicide rates higher than the national average, as do several Honduran departments... including Atlántida, Colón, Cortés, and Yoro.'

17.2 Homicide statistics

17.2.1 The InSight Crime profile updated February 2021 identifies Barrio 18 and MS13 as the primary drivers of homicide.

17.2.2 The table below has been created by CPIT based on data presented by UNODC and InSight Crime but drawn from Honduran government sources. It documents the intentional homicide rate in Honduras between 2010 and 2022:

Year	Women	Men	Total
2010	9.21	136.88	73.79
2011	11.33	151.81	82.39
2012	13.95	147.65	81.57
2013	11.05	131.11	71.77
2014	10.98	116.89	64.54
2015	10.41	99.37	55.39
2016	9.96	97.85	54.44

Year	Women	Men	Total
2017	8.21	71.21	40.14
2018	7.64	67.45	37.87
2019	8.06	73.13	40.95
2020	6.51	64.23	35.7
2021	6.47	69.3	38.25
2022			38.5

17.2.3 The InSight Crime homicide round-up for 2022 dated February 2023 stated: 'Honduras continued its streak as Central America's deadliest country in 2022, with a homicide rate of 35.8 per 100,000 people, [according](#) to government figures. Nonetheless, the country reduced homicides by 12.7% compared to 2021. The government has not registered such a low number of deaths since 2006, [according](#) to a statement from the Security Ministry....'

17.2.4 The Infosegura, a regional strategic partnership of the United Nations Development Programme (UNDP) and the United States Agency for International Development (USAID) for policymaking and implementation, provided data for 2022 noting

- 'Homicides decreased by 12.8% in 2022 with regard to the previous year.'
- '... a homicide rate of 35.8 per 100,000 population, which is the lowest in the last decade.'
- '45% of homicides are associated with social conflict and other causes not attributable to organized crime.'
- '40% of homicide victims are between 18 and 30 years old.'
- '145 municipalities [out of 298] reduced the number of homicides.'
- '34 municipalities maintained the same number of homicides...'

- '44 municipalities [had]... zero homicides. [\[footnote 87\]](#)

17.2.5 An Infosegura report on citizen security in 2022 provided detail about change in homicide rates and distribution between 2021 and 2022.

17.2.6 The Infosegura report provided data on violence and citizen security between January and June 2023 (Infosegura report 2023) based on preliminary data from Technical Board on Violent Deaths: National Police, Public Prosecutor's Office/Directorate of Forensic Medicine, National Registry of Persons, Observatories of Coexistence and Citizen Security, National Institute of Statistics, Undersecretariat of Security in Police Affairs and the Technical Unit for Inter-institutional Coordination (UTECI). The report stated:

- there were 1,639 homicides in the first half of 2023 – the number of homicides in same period in 2021 was 2,059 in 2021 and in 2022 was 1,900
- 86% of homicide victims were men
- 37.4% homicide victims were aged 18 to 30 [\[footnote 89\]](#)

17.2.7 The Infosegura report 2023 provided the graphic and map below describing the number of homicides by municipality between January and June 2023:

81 municipalities report no homicides.

203 municipalities report between 1 and 20 homicides.

The municipalities with most homicides are Distrito Central y San Pedro Sula.

1,191 homicide cases (72.7%) in the municipalities with OMCSO observatories.

222 municipalities where there are no registered homicides of women.

85 municipalities where there are no registered homicides of men.

NB OMCSO stands for Municipal Observatories of Coexistence and Citizen Security of the Secretariat of Security.

18.1.2 The AIR/FIU research paper continued:

'In contrast, the Barrio 18 gang is viewed as even more ruthless. They impose extortions, which they call "war taxes" (impuestos de guerra) against the residents of the communities which they control. Former 18th Street gang members said that the gang does not care whom they extort. They will extort and threaten any members of the community regardless of their economic situation. Victims range from the person selling candies on the corner of the street to formal businesses which operate inside the neighborhood. In addition, the 18th Street gang runs local drug-dealing points inside their territories, but according to different sources, their operations remain less organized and more fragmented than those of the MS-13 gang.'

18.1.3 In September 2022, Julia Yansura, Program Director for Latin America & the Caribbean at Global Financial Integrity, a Washington DC-based think tank focused on illicit finances/trade, corruption and money laundering estimated that extortion payments in Honduras amount to between US\$52 million and US\$72 million.

18.1.4 The ACCORD response of December 2022, in an interview with María Luisa Pastor Gómez of the Spanish governmental Institute for Strategic Studies, stated: 'The Mara gangs have established themselves on the ground as an alternative authority to the state that exacts "taxes". From that position, they run drug traffic or small dealing schemes as well as extorting small businesses and residents within their catchment area. The latter are charged "rent" or "housing"...'

18.1.5 The ACCORD response of December 2022 report, citing several sources, stated:

'According to Elizabeth Kennedy [Central America Monitor Research Director for the Washington Office on Latin America (WOLA)], the estimate by Julia Yansura [above] is a very conservative estimate, she states that "in some neighborhoods all residents must pay extortion. Likewise, all companies/organizations in some industries – public transport, trash collection, etc. – must pay extortion"...

'Regarding the portion of the Honduran population affected by extortion, numbers vary widely depending on the sources reporting on this issue. A 2019 ONV [The National Violence Observatory (Observatorio Nacional de la Violencia)], survey concerning citizen perception on insecurity and victimisation in Honduras revealed that two in 1,000 Hondurans, or 0.2 percent, fell victim to extortion in 2019...

'LAPOP, a survey research lab carrying out surveys of public opinion in the Americas at Vanderbilt University in Tennessee, based on a survey carried out from October to November 2018 including 1,560 interviews... reports a much higher number: it notes that 8.5 percent of Hondurans fell victim to extortion within 12 months preceding the survey period October/November ...'

18.1.6 ACCORD stated: 'Approximately two million US Dollars are paid to criminal groups by the public transport sector in extortion per month.'

18.1.7 The Honduran newspaper, La Tribuna, reporting in Spanish but translated using Google Translate, on 23 November 2022:

'99 percent of Honduran victims of extortion do not dare to file a formal complaint, according to a report by the Association for a More Just Society (ASJ)... In the study "War tax: the phenomenon of extortion and the state response in Honduras", the organization details that around 206,000 Honduran households have been victims of extortion in 2022.

'The data was obtained through requests for information sent to the Judiciary, Secretariat of Security, Public Ministry, National Penitentiary Institute (INP) and the National Banking and Insurance Commission (CNBS). Judicial files were also consulted, between November 2021 and April 2022, mainly evaluating the management of the previous government and the National Anti-Maras and Gangs Force (FNAMP)... The document indicates that 847,154 boys, girls, youth and adults have been impacted by extortion in Honduras during this year, however, this number could be even higher due to new trends in crime.

'According to the report, 96 percent of the defendants had an alleged affiliation with organized crime structures; cases of former public employees, imitators and people conspired or forced to get involved in the extortion process were also recorded.

'Regarding the amount paid in extortion, it is estimated around 18,000 million lempiras [around £600million] per year, an approximate 87,427 [around £2,900] per victim..'

18.1.8 The ICG report 2023 noted:

'One crime in particular, extortion, appears to be on the rise... The main gangs, along with an apparently growing number of imitators, have been ratcheting up extortion demands, particularly from private and public transport services, and

expanding their rackets to more places...

'Early in 2022, new groups emerged in the San Pedro Sula transport terminal... Humanitarian workers say Salvadoran gang members, fleeing President Nayib Bukele's crackdown, have settled in Honduran cities, particularly those along the border but also the industrial centre of Choloma outside San Pedro Sula... It also appears that the MS-13 has intensified its shakedowns of residents in some areas after briefly suspending this practice when COVID-19 broke out in 2020 (although this extortion could be the work of impostors)... Extortion has started to occur more often in border departments like Ocotepeque, Copán and Santa Bárbara, as well as in the central region of Colón, all places where it was once quite rare...'

18.1.9 The Infosegura report on citizen security provided data on rate of extortions and profile of victims in 2022:

Extortion rose 153% in 2022. It reached the second highest record this decade, second only to 2013.

95% of reports of the crime of extortion involved men.

59% of victims are between 31 and 50 years of age.

18.1.10 The Infosegura report also provided data on the distribution of extortion in 2022:

72% of all extortion is registered in the departments of Cortes and Francisco Morazan that have the highest percentages of extortion.

85% of extortion reports are concentrated in 15 municipalities.

Municipalities with highest incidence of extortion in 2022:

Municipality	%
Distrito Central	43%
San Pedro Sula	19%
La Ceiba	9%
Choloma	3%
El Porvenir	1%

members knowledgeable of individuals receiving remittances. Officers distinguished [between] gangs [which] extorted a specific amount on a routine basis while imitators asked for one large sums of cash. ... Most disturbing in the case of Honduras, was the common theme of corrupt National Police officers involved in extortions. Participants described officers acting as delinquent groups committing extortion, involved with gangs committing extortion, and/or not arresting gang members in exchange for a portion of extortion funds." ...'

18.2.3 The same ACCORD response of December 2022 stated that women and minors are also involved in extortion:

'From 2013 to 2021, 534 or 17 percent of persons detained for this crime were under the age of 18. Of those 25 percent were female minors.... The article states that in some parts of Honduras gang members force children to collect war taxes or otherwise threaten their families. Even so, the children benefit from the collection of the war tax, because they receive around 10 percent of the proceeds with which they support their families. The article further states that 20 to 40 percent of gangs are made up of women and among their most frequent tasks are the collection of extortion payment.'

18.2.4 An Insight Crime article of 29 November 2022 stated:

'...while the traditional narrative is that the MS13 and Barrio 18 are responsible for virtually all the extortion happening in Honduras over the last ten years, this is not the current reality, according to Daugaard.

"There are a lot of groups involved in this. Local, smaller local gangs, insiders within the police, within the judiciary," said Daugaard [Andreas Daugaard, a research coordinator at Asociación para una Sociedad más Justa (Association for a More Just Society - ASJ), the Honduran chapter of Transparency International]. "The other big group is so-called imitators. People who don't necessarily belong to any gang use the notoriety and fear of gang membership to extort. Once you mention 'I'm from Barrio 18' or 'I'm from MS13,' many people will automatically pay up."

'Extortion schemes have also become easier to carry out as digital money transfers become more commonplace in Honduras. Using apps like TigoMoney, extortionists can demand faster payments that appear in the banking system as legitimate transactions. No electronic payment extortion cases end up in court, only extortion involving cash, which is becoming far less frequent, according to Daugaard.'

18.3 Targets of extortion

18.3.1 IDMC in a March 2019 report stated:

'... People in certain lines of work, such as market stallholders, informal street vendors, transport workers, teachers and owners of small and micro businesses, are particularly vulnerable to extortion. People who receive remittances and those who have returned from abroad may also be targeted because they are presumed to have money.

'Residents of gang-controlled areas may also be charged the impuesto de Guerra [extortion]. The level of risk depends on the area people live in and the type of business they run, with payments for businesses such as car dealerships running into tens of thousands of lempira, or hundreds of dollars, a week... Recent research found that some gangs focus more on local and small-scale extortion than others. "Barrio 18 relies much more on micro-extortion – targeting the street vendor, corner store or the local mechanic – than MS13. This puts them at odds with the community"

18.3.2 The December 2022 ACCORD response stated, based on an interview with Pamela Ruiz:

"Extortion impacts a wide cross-section of society. Victims include individuals, households, and businesses of all sizes. Victimization data suggests that men of working age in sectors such as sales or transportation are particularly vulnerable. Victims come from a variety of socio-economic backgrounds. They include those perceived to have a little extra money, such as small business owners who are doing well or remittance recipients who are receiving money from abroad."

18.3.3 The ACCORD response of December 2022 stated:

'CONADEH [The National Human Rights Commission] in August 2022 lists the following victims of extortion: merchants, housewives, people working in the transport sector, mechanics, teachers, members of the justice sector, journalists, teachers, doctors, lawyers, drivers of private student transport or employees of public or private companies, who must pay every time they enter neighbourhoods controlled by criminal groups, either to enter or leave the place... UNHCR in November 2022 also mentions sex workers being targeted for extortion by gangs... Yansura adds that victims also include people living in poverty and prison-

inmates... InSight Crime in an undated article on extortion mentions that allegedly in Honduras political parties must often provide cash or other benefits to gangs to be able to campaign in certain territories under their control...'

18.3.4 Regarding women and girls as victims of extortion, the ACCORD response of December 2022 stated:

'WAGE, Women and Girls Empowered, a consortium led by the American Bar Association Rule of Law Initiative, in an October 2019 publication on women's economic empowerment in Honduras states that gang members attack small and medium enterprises - such as those owned by women - rather than large businesses, because they have less power to react...'

18.3.5 Freedom House in their 2023 Freedom in the World report and covering events from 2022 stated: 'Criminal groups undermine academic freedom, as they control all or parts of schools in some areas and subject staff to extortion schemes.'

18.4 Homicides linked to extortion

18.4.1 The ACCORD 2022 gangs report stated: 'According to the ONV Boletín Nacional [The National Violence Observatory (Observatorio Nacional de la Violencia)] on violent deaths for 2020, in 44 cases of homicides extortion was a possible motive... with a significantly higher number registered in 2019, when ONV observes 89 homicides possibly related to extortion motives... Two women lost their lives in consequence of incidents related to extortion.'

18.4.2 The ACCORD 2022 gangs report stated:

'[El País.hn](https://www.elpais.hn) in May 2022 reports that this sector in recent years has lost more than 500 drivers and other personnel, who were killed by organised crime due to non-payment of the war tax. All of these murders have gone unpunished, reports the newspaper... Expediente público, a magazine for investigative journalism in Central America, in a video on extortion in Honduras dated May 2022, cites ONV data that recorded 1,781 drivers were murdered between 2010 and 2019. Between January and 23 March 2022 alone, ONV recorded 27 murdered drivers... The leader of the public transport sector, Wilmer Cálix, notes that working in the transport sector is one of the most insecure professions in Honduras, as did CONADEH which categorised this profession as a high-risk job in 2019...'

Updated to 6 October 2023

19. Targets of gang violence

19.1 General

19.1.1 IDMC in a March 2019 report stated: 'Gang victims broadly fall into two groups: those individually targeted and actively persecuted, and those more generally affected by criminal violence. People from both groups may have to flee, but the former have heightened security concerns before and after their displacement, and this results in different patterns of movement and outcomes.'

19.1.2 The same IDMC report citing other sources stated:

'Enmity presents the greatest risk, and includes refusing to join a gang, leaving a gang, wanting to leave a gang, refusing to comply with a gang's demands and being suspected of belonging to a rival gang. It may also include having friends or family who are deemed to fall into any of these categories. People accused of enmity are highly vulnerable to extreme reprisals. They and/or their relatives may be killed, tortured, raped or disappeared, and gangs are equally brutal in their response to those who deemed to have disrespected them and their relatives. Those suspected of belonging to or associating with a gang, or having friends or family who do so, face persecution and murder by rival gang members, social cleansing squads and security forces conducting raids in gang areas... People flee to avoid this fate, or if a family member has fallen victim...'

19.1.3 IDMC also stated: 'Harassment and threats are highly targeted on individuals and families. People flee if they receive a serious threat or if they refuse a group's demands. People in rural and Garifuna areas leave if they know their children are about to be co-opted or because of a more general fear of them falling into the drug trade.'

19.1.4 ACCORD in their December 2022 report stated: 'UNHCR in a March 2021 report on displacement and violence against women in Honduras assesses that in Tegucigalpa, San Pedro Sula and Choloma crimes such as extortion, murder, kidnappings and other types of violence against women, against the LGTBQ+ population and other vulnerable groups are part of the daily life for a large number of inhabitants...'

19.1.5 In a report for the UN Committee on the Elimination of Discrimination Against Women (CEDAW) dated 12 September 2022, the Advocates for Human Rights, an NGO with special consultative status, citing other sources, stated: 'In

their exercise of territorial control, gangs forcibly recruit and sexually abuse children... Those who resist recruitment are killed, raped, displaced, or disappeared...'

19.1.6 The USSD human rights report 2022 stated: 'Criminal groups, including local and transnational gangs and narcotics traffickers, were significant perpetrators of violent crimes... directed against human rights defenders, judicial authorities, lawyers, business community members, journalists, bloggers, women, and other vulnerable populations.'

19.1.7 The OSAC CSR 2023 stated:

'The public transportation sector is a regular target of extortion, and experiences higher levels of homicide than many other sectors. There have been multiple incidents of gang members destroying city buses and taxis, and reports that gang members rob, assault, rape, kidnap, or murder passengers. Passengers on public buses have been the victims of robbery at roadblocks and bus stops, during daytime and nighttime hours... Most of the reported incidents on public transportation involved gang members demanding extortion payments.

'...Some passengers opt to travel armed when using public transportation, which has resulted in armed confrontations where innocent bystanders are injured or killed in the crossfire. Some would-be muggers and gang members keep to a daily schedule, riding city buses from one stop to the next, committing criminal acts with impunity along the way.' The OSAC CSR 2023 noted: 'Most crime victims are members of rival gangs, small business owners who resist gang extortion, passengers on public transportation, or those involved in land disputes.' The OSAC report also stated: 'Gangs control some of the taxi services, primarily in the large cities.'

19.2 Current and former gang members

19.2.1 IDMC in a March 2019 report stated:

'Street gangs demand absolute loyalty from members and their partners and families, and from people who live in the areas they control. Perceived acts of betrayal carry extreme risk and may be punished with death. Such acts include owing money, particularly for people who collect extortion payments or sell drugs, refusing the recruitment of a child and refusing sexual involvement with a gang member. People accused of betrayal tend to flee rather than filing a report, which may aggravate the threat even after displacement.'

19.2.2 IDMC further noted:

'Because gangs perceive failure to comply as an act of betrayal, the risk of those who flee being sought out and persecuted is high, making safe options within the country extremely limited.... The murder, attempted murder, disappearance, violent assault or rape of a relative, partner or friend perceived to have committed and [sic] act of enmity or betrayal often triggers the displacement of whole households, because its members fear the risk will extend to them.'

19.2.3 The AIR/FIU report 2020 stated:

'According to the survey results, nearly 33 percent of former gang members said they or their families had been threatened by the gang. During the in-depth interviews, former gang members explained that the immediate challenge they faced as they tried to leave the gang was death. Across respondents who were formerly in a gang and among community leaders, 20 of the 36 respondents said that former gang members perpetually fear being killed by a rival gang or their own former gang, in cases in which gang members perceive that a person who disengaged from the gang leaked information...

'Relatedly, respondents said another consequence of desisting is having to leave the community or country in an attempt to escape the threat of being killed. One community member from La Ceiba said, "You could say that it is advisable for them to start a life in a different place, a different environment" (Interview 30, community member).'

See also section

19.3 Informants, witnesses and victims of crime

19.3.1 IDMC in a March 2019 report stated:

'Reporting a crime or being suspected of passing information to the authorities or a rival gang violates the code of *ver, oír y callar* and also invites extreme retaliation. Even the mere fact of witnessing a crime, particularly a murder, may put people at risk, and the threat of reprisals is meant to terrorise and exert control. People who live in areas where bodies are dumped are terrified of being considered a casual witness if, for instance, they see a car pull up. Witnesses and informants are regularly killed, disappeared, tortured or raped. Given the acute risks they face, witnesses to crime may be forced to flee... Reporting a crime is doubly risky, given that gangs have infiltrated the police, who are often also inefficient and may leak information, unwittingly or otherwise.'

19.3.2 The same IDMC report stated: 'Victims and witnesses of crime have a well-founded fear of reporting and state protection because of complicity and tolerance and the fact that drug-trafficking groups have infiltrated the police and military. If someone reports a crime, they most often will flee...'

19.3.3 The OHCHR report 2022 noted '... harassment and reprisals against victims and witnesses who cooperate with investigations, as well as challenges for their effective protection, including lack of resources and risks due to the manner in which confidential information is handled...'

19.4 Health workers and teachers

19.4.1 IDMC in a March 2019 report stated: 'Health workers have also fled threats after treating victims of violence, gang members or victims of sexual abuse and exploitation. Teachers who are at risk because of gangs' infiltration of schools have been forced to displace or request a transfer elsewhere.'

19.4.2 The New Humanitarian, an independent non-profit news organisation focussing on humanitarian issues, quoted a nurse who had worked for 10 years at 'Hospital Escuela, the main public medical facility that receives most of the casualties of gang violence in Tegucigalpa.' The nurse commented:

"The hospital can become a battleground for the gangs as there is no space which they will not creep in... Sometimes gang members enter to 'finish the job', or come to supervise the emergency treatment we provide to their wounded compañeros, threatening staff and waving weapons around."

"[Their compañeros] check the syringes and ask about the medicine I administer to be sure I am not making a mistake or trying to kill the patient," she said. "Every day, we fear the Maras. It's paralysing."

19.5 Women and children

19.5.1 IDMC in a March 2019 report stated:

'Women and girls who refuse sexual involvement with gang members or who want to remove themselves from such a situation are at high risk of extremely violent reprisals. This includes former partners and those forced or coerced into sexual involvement. Failure to comply with demands may be met with murder, sexual violence or death threats that extend to the whole family. Killings tend to involve

torture and the mutilation or dismemberment of the victim's body. People flee in response to such risks, but may also do so pre-emptively if, for example, parents have been told to bring their young daughter to a gang leader...'

19.5.2 IDMC continued: '... Girls are forced into sexual involvement with individual gang members from the age of about 12 and subjected to sexual abuse and exploitation by the entire *clika* from as young as eight. Girls who live in gang-controlled neighbourhoods "receive clear messages that they and their bodies belong to the gang, and that gang members have power to exercise sexual violence with complete impunity". Refusal can result in death.'

19.5.3 The same IDMC report stated:

'Gangs and organised crime groups perpetrate sexual abuse and violence in several forms connected to their assertion of power and territoriality. These include the direct punishment of a woman who has offended a gang, reprisals against men meted out against their female relatives, the gang rape of kidnapped minors in *casas locas*, forced or coerced involvement with gang members, sexual slavery and forced prostitution. Threatened girls may be hidden or resort to self-containment before fleeing elsewhere in the country or abroad, and in some cases whole families may leave because risk extends to them. The femicide or disappearance of a close female relative may also lead to the displacement of whole families.'

19.5.4 The ACCORD response of December 2022 citing various sources stated:

'Boerman describes that any refusal of a female to enter into a relationship with a gang member is perceived as challenge to the gang member's dominant position over women and therefore entails a "punitive response" that is visible also to the other gang members and "demonstrates and reinforces their dominance over their woman.'" Boerman goes on to explain:

"Once females have entered into relationships with a gang member—or have been targeted for such a relationship—they are considered to be that gang member's *jaina* or *morra*, his property and, at times, the property of the gang itself. Because they are perceived as 'property' with no rights, authenticity or authority, in addition to being subjected to extreme and routine physical violence, women often become sex slaves and are also frequently forced to engage in criminal activity on behalf of the gang under threat of death to them and their family members, including smuggling drugs and other contraband into prisons."...'

19.5.5 The HRW World report 2022 stated that: 'Child recruitment by gangs has caused many children to flee, abandoning school.'

For information on forced recruitment, including of children, see

19.6 Lesbian, gay, bisexual, trans and intersex persons

19.6.1 IDMC in a March 2019 report stated:

'...Signs of torture were found on the bodies of all LGBT+ people examined at autopsy in 2017... Violence and abuse is particularly extreme for those who do not conform to patriarchal gender norms and for LGBT+ rights defenders. Street gangs' macho codes or códigos mean LGBT+ people living in areas they control face particular risks and movement restrictions....

'Gangs may forbid LGBT+ people to live in areas they control and may harass them and order them to leave. They may also flee to avoid being forced to undertake criminal activities. Trans women engaged in sex work flee if they ... experience difficulties in paying extortion or if they are targeted with violence as a result.'...

19.6.2 The 2019 IDMC report added:

'LGBT+ people generally do not receive support from either their families or the state but rely instead on the broader LGBT+ community. This includes a strong network of LGBT+ organisations in the region and abroad, which helps them plan and prepare for cross-border flight, including the asylum process, and to find sympathetic hosts in their destination country. Given the lack of protection and persistent abuse they face in Honduras, LGBT+ people are among those most likely to flee the country.'

19.6.3 The USSD HR report 2022 stated: 'NGOs reported gangs engaged in "corrective rape" of lesbian or transgender individuals.' With regard to the displacement of children, the same report stated: 'Civil society organizations reported that common causes of forced displacement for youth included... discrimination based on sexual orientation or gender identity, sexual harassment...'

19.7 Journalists

19.7.1 The 2019 IDMC report stated: 'Journalists who report on crime have fled after being targeted with violence and threats or after the murder of a colleague. They have also been killed after their displacement and as far away as Veracruz in

Mexico while waiting for their asylum claim to be processed...'

19.7.2 The USSD human rights report 2022 stated: 'Media members and NGOs stated the press self-censored due to fear of retaliation from criminal groups, drug trafficking organizations, or corrupt government officials.'

19.8 Public transport workers

19.8.1 The Honduran online media company, Criterio, reporting on 24 November 2022 about a strike by transport workers (in Spanish but translated by Bing) on

'Of the little money they make, although they work seven days a week without much rest, the transporters give most of their earnings to the criminals, if they are not in danger of being killed.... According to the statistics [transport workers have]... in recent years, almost a thousand carriers have been killed. However, violence has increased rather than been combated.

'... Transport leaders said that, in 2022, at least 60 of them have been killed for carrying out their work. In 2019, the Honduran Institute of Land Transport (IHTT) announced that there were 32,148 registered transport units (buses, taxis and mototaxis). However, nearly 25 percent of workers have abandoned their jobs due to extortion in Honduras.'

19.8.2 The InSight Crime homicide round-up for 2022, dated February 2023 stated 'Honduras's [transport sector](#) has been particularly persecuted by extortion and ensuing violence, with at least 60 workers losing their lives in 2022.'

19.8.3 Freedom House Freedom in the World 2023 report, covering events in 2022 stated: 'Taxi and bus drivers are notable targets of gangs...'

19.8.4 The UNHCR Operational Update 17, April 2023, noted that

'The transportation sector is one of [the] most exposed to violence and forced displacement triggers. Bus drivers operating in the route San Pedro Sula Yojoa (one of the most important in the country) went on strike after receiving extortion [sic] threats by gang members. This happened less than a week after three bus companies resumed its activities following similar threats. In addition, the Honduras Airport Infrastructure and Services Company (Ehisa) denounced [sic] that [sic] gang members are trying to extort job applicants at the airfield demanding monetary payment to apply for job offers.'

19.9 Returning migrants

19.9.1 The UNHCR noted in its August 2023 situation update that a total of 588,557 Hondurans had returned to the country between January 2015 and 31 August 2023. This included 41,320 between January and August 2023.

19.9.2 UNHCR's Operational Update covering the period April to June 2023 noted:

'In 2023, a total of 27,719 Hondurans were returned to the three Assistance Centres for Returned Migrants located in the department of Cortés. From April to June, 11,552 people were returned, a 58% decrease in comparison with the same quarter of 2022.

'... UNHCR works strategically in the three Centres for Returned Migrants available in Honduras to identify and refer cases of returnees in need of protection, which on average account to 5% of the total returned population. Between April and June 2023, UNHCR attended 101 cases (149 people). The returnees received information on protection alternatives, available services for protection cases, including third country solution's programmes, psycho-social assistance, and internal relocation. In addition, with the support of UNHCR, DINAF is providing some of the children returned with psychosocial support.'

19.9.3 The 2019 IDMC report stated: 'Gangs may target returnees and deportees for extortion because they believe them to have financial resources, and this may lead to further displacement. Others may be vulnerable to gang recruitment if they lack connections to family or social networks and economic stability in the country...'

19.9.4 ACCORD's 2022 report on gangs, citing various sources, noted:

'The Latin America Working Group (LAWG), a non-profit advocacy group calling for just US policies towards Latin America based in Washington D.C., in a 2018 publication writes about what awaits deportees from the US upon their return to El Salvador and Honduras. The LAWG describes the situation as "one of uncertainty, fear, and little hope for their future outside of a life in hiding". It continues:

"The situation of insecurity, corruption, and impunity that all deported migrants return to remains the same and in some cases has deteriorated. In the worst cases, an individual may face direct threats to their life or be assassinated shortly after returning. In the best cases, returning often means a life in hiding and facing daily

challenges alone, including possible trauma from the journey and rights violations suffered at the hands of organized crime, authorities, and immigrant enforcement agents. [...]

“In many cases, the fears migrants have of returning to their communities are the same ones that propelled them to leave in the first place, including threats from gangs and organized crime. These risks are heightened for unaccompanied children, women, youth, and LGBTI individuals. Deported migrants may be targeted for various reasons: they may have already been under threat before they left, the gang control in the community may have worsened, or perhaps they may be perceived as returning from the United States with money and become immediate targets for extortion.

“Fear may also be compounded with other stigmas upon return to the community. Deported migrants might experience feelings of failure and disappointment at the way things turned out and rejection by family members. Stigmas can be greater for deported women, especially because they might suffer sexual and gender-based violence along the migration journey. In some cases, deported migrants may fear the situation so much that they may not want to return to their home communities at all. Some NGOs report that they have witnessed cases where children don’t want to leave the repatriation centers due to fear. [...] [H]alf of the people interviewed were displaced internally before deciding to leave the country, and when they returned, these individuals again depended on family so as not to return to the community from which they fled. Thus, upon deportation to their home country, they also return to the very situation of displacement, uncertainty, and fear they fled from in the first place. In instances where deported migrants do return to their communities, many resign to living in states of confinement and being locked up in their own homes to avoid threats, suffering restrictions on their personal freedoms. Individuals at risk often turn to their families for protection instead of the state, and those without families, such as unaccompanied children or youth, are often at most risk.” (LAWG, 11 January 2018)”

‘In her December 2022 e-mail response Elizabeth Kennedy states that the risks upon return to Honduras are probably the highest for males, aged 15 to 39, LGBTI individuals, indigenous and Garífuna persons as well as for persons from neighbourhoods with high levels of violence. 78 Kennedy has documented 100 persons killed after their deportation to Honduras since 2014, and she stresses that this number does not reflect the total of cases of persons deported to and then killed in Honduras. She has identified some of the reasons why persons are

killed after their deportation: residence in a neighbourhood with high levels of violence, long-term residence in the US, tattoos, perceived or actual past or current organised crime membership (Kennedy, 6 December 2022).

'Several other sources also report cases of migrants to the US who were deported to Honduras and killed shortly after their return. Among those sources are Just Security, an online forum for analysis of US security based at the New York University School of Law, The San Diego Union-Tribune, San Diego's largest media company and an older article of 2015 by UNHCR, all of which report that killings of returnees are not exceptional events:

"Santos Chirino pleaded with an immigration judge to not return him to Honduras, where he feared he would be killed by the gang members against whom he had testified in court. The judge denied his asylum claim and he was shot to death less than a year after being deported. Chirino's case was unusual only in that his fate upon return was documented." (Just Security, 17 February 2022)

"[...] Yovin Estrada Villanueva returned to his family home just months after fleeing for his life [...]. His attempt to win asylum in the United States had failed. Just over a year later, shortly before his 28th birthday, Villanueva was killed by the very people he fled. He was shot while driving his mototaxi — a dangerous occupation in neighborhoods under gang control. [...] Villanueva's decision to seek asylum [...] began with a murder — he witnessed a fellow mototaxi driver get killed. Details of what happened that day are not safe to talk about and remain unclear. [...]

"Villanueva's murder was not an isolated incident. [...] In Honduras, that violence is far from a private matter. A complex web of issues, from economic struggles to corrupt government, have created an environment ripe for gang domination that touches the majority of its citizens' lives. [...] There is no comprehensive database that tracks exactly how many people were deported to their deaths after telling the United States they were afraid to go home. But in places like San Pedro Sula, it is difficult to find someone who doesn't know of at least one person who was returned and killed." (San Diego UnionTribune, 11 October 2020)

"The gunman was waiting as Marco Antonio Cortés boarded a bus in the north-west Honduran city of San Pedro Sula. One pull of the trigger and the 18-year-old was dead, adding to the alarming toll of young Honduran males who are attacked, killed or simply disappear after being deported from the United States or Mexico.

‘It’s not just one, two or three that are killed after their deportation,’ says Sister Valdete Wilemann, who runs a state-owned centre that puts up some of the deportees who return to Honduras.” (UNHCR, 29 January 2015) 79

‘Thomas Boerman notes in his 2019 paper on the visibility and vulnerability of family members of individuals targeted by organized criminal groups that the act of fleeing can increase the risk of gang violence a person faces upon return:

“[...] [T]he act of fleeing or going into hiding to avoid gangs’ demands and risk of harm is perceived as a challenge and antagonistic act, so if one flees and is forced by circumstances to return to the area or relocates and is later found, the level of risk that he or she encounters is likely to be substantially higher than at the time of his or her departure. Beyond a desire to punish the individual who fled, the intent is to convey a message to the larger community that attempting to escape by fleeing will result in even more serious reprisals. The act of fleeing may also result in risk to the family members left behind as gangs routinely seek them out to coerce information on the person who fled [...]” (Boerman, December 2019, p. 11)’

Updated to 6 October 2023

20. Government strategy to combat gangs

20.1 Iron fist (‘Mano duro)’

20.1.1 The InSight Crime profile of February 2021 observed: ‘Since 2003, Honduras has pursued an “iron fist” [mano duro] security strategy against gangs. These policies, which did not address the root causes of gang membership or provide rehabilitation for gang members, have led to an increase in the prison population and burdened Honduras’ already stumbling penal system.’

20.1.2 The HRW World report 2022 covering events in 2021 stated: ‘Historically, governments have responded to organized crime with iron-fist security strategies. In 2018, the government created a special force to fight gangs (Fuerza Nacional Anti Maras y Pandillas), with members from the police, military, and Attorney General’s Office.’

20.2 State of exception: extortion and gang strategy 2022/23

20.2.1 The InSight Crime noted in an article of 29 November 2022:

'Honduran President Xiomara Castro declared a state of exception [in December 2022] as extortion cases reached uncontrollable levels, raising fears she may be inspired by controversial but widely popular measures in neighboring El Salvador.

'The measures will suspend some constitutional rights in urban areas with a significant presence of criminal groups, deploy 20,000 national police officers, and institute security checks on roads, among other steps to clamp down on gangs, reported Reuters.

'Most of the authorities will be placed in neighborhoods across Tegucigalpa and San Pedro Sula, where the Mara Salvatrucha (MS13) and Barrio 18 have a strong presence and carry out high levels of extortion, according to El Heraldo [media site].

'The state of exception is part of a larger anti-extortion strategy announced in a press conference on November 24 [2022]. Other measures included creating stricter regulations for businesses selling SIM cards for cellphones, tracking phone numbers used by extortionists, and requiring motorcycles to have a license plate and helmet with matching numbers.

'During the press conference, the government also announced plans to implement a "follow the money" strategy, not to prosecute low-level collectors but to trace extortion payments and how they are laundered into the formal economy, investigating involved businesses.'

20.2.2 An article Arturo Matute, a citizen security expert at the US Institute of Peace, a think tank, of 19 January 2023 noted the government introduced an:

'... "Integral Plan for the Treatment of Extortion," which proposed legal reforms, technological and institutional improvements, community programs, prison reforms and mechanisms for institutional coordination. [President] Castro then announced that the government was declaring a national security emergency, which would suspend certain constitutional guarantees in communities affected by gangs, drug traffickers and other criminals.

'Under this "partial state of exception," which began December 6 [2022] after its approval by congress, the government can suspend rights in 162 sectors of Tegucigalpa, and San Pedro Sula, the country's two largest cities. It extended the emergency for 45 days in early January, expanding its scope to municipalities in 16

departments, including some on the country's northern Atlantic coast, an important trafficking hub for U.S.-bound cocaine, which arrives in Honduras from South America via boats and airplanes.'

20.2.3 The Guardian in an article from January 2023 commented:

'... steps were taken to demilitarize public security forces and a community policing model was announced, with the hope being that the measures would increase public trust in an institution that has historically been dogged by corruption and infiltrated by the very same organized crime groups it is supposed to combat.

'But the removal of military officers from an anti-gang taskforce resulted in a messy divorce that temporarily reduced the unit's already limited capacity – opening a window for criminals – and before the community policing model could have any effect, the political pressure to take decisive action against extortion boiled over.

'Police presented a comprehensive plan to reform laws and ramp up institutional capacity – measures that experts believe could have a positive effect long-term – but which were pushed aside by the short-term political decision to declare a state of exception...'

20.2.4 InSight Crime observed in an article of 28 June 2023 that:

'The Honduran government is intensifying its anti-gang crackdown following recent outbursts of criminal violence, but its one-size-fits-all response fails to acknowledge the variety of organized crime dynamics at play.

'President Xiomara Castro announced new security measures on June 22 and June 25, bolstering a state of exception in place since December 2022 that aims to curb gang violence and extortion.

'The government put the military police in charge of the prisons and implemented curfews in Choloma and San Pedro Sula, the two largest cities after the capital Tegucigalpa... [However] The government's single-minded focus on gangs targets only one source of violence caused by organized crime in Honduras... By solely blaming gangs for Honduras' violence, the government ignores the role of other actors, like drug trafficking organizations and corruption networks... the

21. Protection

21.1 Criminal justice system

21.1.1 The USSD HR report 2022 covering events from 2022 stated:

'The Honduran National Police maintain internal security and report to the Secretariat of Security. The armed forces, which report to the Secretariat of Defense, are responsible for external security but also exercise some domestic security responsibilities in support of the national police and other civilian authorities. Some larger cities have police forces that operate independently of the national police and report to municipal authorities. The Military Police of Public Order report to military authorities but conduct operations sanctioned by civilian security officials as well as by military leaders. The National Interinstitutional Security Force coordinates the overlapping responsibilities of the National Police, Military Police of Public Order, National Intelligence Directorate, and Public Ministry during interagency operations. Civilian authorities maintained effective control over security forces. There were reports that members of the security forces committed some abuses.'

21.1.2 The USSD OSAC security report of July 2023 noted:

'The Honduran National Police (HNP) maintains internal security and reports to the Secretariat of Security. The force is organized into regional headquarters, municipal headquarters, headquarters of fixed or mobile stations, and police posts. There are at least 360 police centers throughout Honduras.

'The National Interinstitutional Security Force (FUSINA) is an interagency command that coordinates the overlapping responsibilities of the national police, military police of public order, National Intelligence Directorate, and Public Ministry during interagency operations. It brings together elements of the Honduran military, national police, investigators, judges, intelligence, and other relevant offices across the Honduran government to better coordinate the "whole-of-government" operations against organized crime and insecurity in the country. Although FUSINA reports to the National Security and Defense Council, it plays a coordinating role and does not exercise broad command and control functions over other security forces except during interagency operations involving those forces.

'The armed forces, which report to the Defense Secretariat, are responsible for external security, but also exercise some domestic security responsibilities in a supporting role to the national police and other civilian authorities. The Military Police of Public Order (PMOP) report to military authorities, but conduct operations sanctioned by civilian security officials as well as by military leaders.

'The National Anti-Gang Task Force (FNAMP) has been replaced by the Direccion Policial Anti Maras y Pandillas Contra el Cimen Organizado [Police Directorate against Maras, Gangs and Organized Crime] or DIPAMPCO and is under the control of the Honduran National Police (HNP).'

21.2.7 The OSAC CSR 2023 stated: 'In March 2019, the Honduran Government created the National Urban Transportation Security Force to combat extortion and other crimes perpetrated by gangs.'

21.1.3 A December 2022 ACCORD report on gangs stated: 'As of August 2022, the Honduran National Police has a total of 17,320 police officers, including 2,667 women (15.40 percent), according to an article by Honduras Verifica, a media organisation focused on fact-checking and countering disinformation... It consists of several units, including for prevention and community security, criminal investigations, protection and special services, anti-drug operations, special forces and others...'

21.1.4 The US CIA World Factbook updated July 2023 stated that there are 'approximately 16,000 active personnel [in the armed forces] (7,500 Army; 1,500 Navy, including about 1,000 marines; 2,000 Air Force; 5,000 Military Police of Public Order); approximately 18,000 National Police (2022).'

21.1.5 The US CIA World Factbook also provided information on the judicial system noting the highest court is the 'Supreme Court of Justice or Corte Suprema de Justicia (15 principal judges, including the court president, and 6 alternates; court organized into civil, criminal, constitutional, and labor chambers); note - the court has both judicial and constitutional jurisdiction'. The subordinate courts include 'courts of appeal; courts of first instance; justices of the peace'.

21.1.6 Roberto Moneada and others in Encyclopaedia Britannica stated that 'The justices of the Supreme Court are appointed by the president. The Supreme Court exercises centralized control over the lower courts, including the appointment of justices, and has original and exclusive jurisdiction to declare acts of the legislature unconstitutional.'

21.1.7 The InSight Crime Honduras profile from February 2021 stated:

‘Honduras’ highest judicial body is the Supreme Court of Justice, which includes chambers for constitutional, criminal and civil cases. Below this are an appeals court, first instance trial courts for criminal and civil cases, and municipal and district-level justices of the peace. Honduras has an Attorney General’s Office (Fiscalía General) that functions as part of the independent Public Ministry (Ministerio Publico) and handles criminal investigations.’

21.1.8 World Prison Brief, collated by Birkbeck, University of London, reported that the prison administration, Instituto Nacional Penitenciario, included 26 establishments and there 191 prisoners per 100,000 of the national population. The OHCHR report 2022 noted, however:

‘As of December [2022], the National Penitentiary System housed an average of 19,842 adult inmates in the country’s 25 penitentiary centres, despite only having the capacity to house 14,780 persons, resulting in an overcrowding rate of 34.2%. At least 51.6% of the prison population does not have a final sentence. The absence of guidelines for the classification of persons deprived of liberty that would allow for adequate prison management in accordance with international human rights standards and reduce prison violence is concerning.’

21.1.9 The NGO, World Justice Project’s, Rule of Law Index 2022, released October 2022, analyses ‘in-depth survey data in 140 countries’ to assess how the rule of law is experienced and perceived. The Index is based on 8 factors: constraints on government powers; absence of corruption; open government; fundamental rights; order and security; regulatory enforcement; civil justice; and criminal justice. Honduras’ overall rule of law was 0.41 (with 1 being complete rule of law), ranking it 121 out of 140 countries. With regard to the sub-category evaluating criminal justice, Honduras scored 0.26 ranking 134 out of 140 countries.

21.2 Police effectiveness

21.2.1 The AIR/FIU report 2020, citing other sources, commented on the possible reasons for the reduction in homicide rates:

‘To date, there are no reliable studies which explain this dramatic reduction in homicide rates [upto 2019/20]. The government claims the reduction is related to three factors: (1) its offensive against police officers linked to organized crime (the so-called “police depuration”); (2) tightening of controls in the penitentiary centers, from which gang leaders issue orders to kill rivals; and (3) the creation in

2018 of the Anti-Gang National Force (Fuerza Nacional Anti-Maras y Pandillas), integrated by police officers, military police, staff from the national intelligence agency, and prosecutors... While a more effective police crackdown against gangs in Honduras may account for some of the reduction in homicide rates, the decrease also may be explained by issues in the quality of the homicide data.'

21.2.2 The InSight Crime Honduras profile from February 2021 stated: 'Honduras' most important criminal organizations [primarily drug trafficking groups] have largely been dismantled over the last decade, with the arrests of their top leaders and their extraditions to the United States. Nevertheless, testimony given by these criminal bosses during their trials has provided evidence of their continued operations in the country and its penetration into the highest spheres of political power.'

21.2.3 A contribution from the Advocates for Human Rights to a September 2022 CEDAW report stated: 'The director of the Observatory of Violence at the National Autonomous University of Honduras noted that weak social policies and institutions fail to gain control of the territory currently run by gangs.'

21.2.4 ACCORD's 2022 report on gangs, citing various sources, stated:

'Criterio.hn, a Honduran investigative platform, in an August 2022 article refers to the director of the ONV, Migdonia Ayestas, who explains that since 2004 up to August 2022 more than 83,000 violent deaths are still under investigation in Honduras. The ONV director states that 95 percent of crimes in the country go unpunished because there is no criminal investigation. Another interview partner in the same article, the Fiscal Management coordinator of the Association for a Fairer Society (Asociación para una Sociedad más Justa, ASJ), Ninoska Reyes, stated that of 100 cases that are brought to the security and justice authorities, only six are followed up by prosecution and lead to a conviction ... Even cases of homicides mostly go unpunished: the January 2022 publication by Pamela Ruiz observes that according to official data, 87 percent of homicides in 2017 went without punishment ...'

21.2.5 A UN Human Rights Council report from February 2023 (UNHRC report February 2023) on the situation of human rights in Honduras from 1 January 2022 to 31 December 2022 stated: 'The Office welcomes the closure of the National Inter-Institutional Security Force and the transfer of the National Anti-Mara and Gangs Force to the Secretariat of Security through the establishment of the Police

Directorate against Maras, Gangs and Organized Crime. However, this transfer did not result in a decrease in the number of cases of unnecessary or disproportionate use of force.'

21.2.6 The USSD HR report 2022 stated with regard violent crimes perpetrated by criminal gangs, local transnational gangs and drug traffickers: 'The government investigated and prosecuted some of these crimes, but impunity was widespread.'

21.2.7 The OSAC CSR 2023 stated: 'The government lacks resources to investigate and prosecute cases; police often lack vehicles/fuel to respond to calls for assistance. Police may take hours to arrive at the scene of a violent crime or may not respond at all...'

21.2.8 The ICG report 2023, citing various sources, noted:

'President Castro may inadvertently have created an opportunity for gangs and their imitators to expand the extortion rackets when she handed the police a far bigger role in taking on gangs and running the prisons. For one thing, the police appear to have been ill prepared for these mandates. The army officers formerly in charge of the anti-gang task force reportedly took with them intelligence collected over years, and it was almost four months before the police assumed management of jails... All the while, the police were operating with the previously allocated budget, with which they had to do old and new jobs alike...

'Staffing has also been a problem. Police ranks were depleted when Castro took office, after Hernández had moved to rid the force of corrupt officers and others who did not meet age, physical fitness and education requirements... While acknowledging the scarcity of qualified personnel, a high-level police commissioner said the force aims to recruit 2,000 new officers per year to reach a total of 25,000 by 2025...

'Besides being short on personnel, the police are often under-equipped to attend to crime victims. Crisis Group heard testimonies of people who had suffered extortion and could not file a police report due to "lack of paper" at the station... Jails, now under police command, have too little money for routine repairs. "Of 500 cameras [we have installed], 300 are out of service", a high-level prison commissioner observed... The government also faces disputes with contractors handling security cameras in the streets and emergency telephone lines serving the general public, apparently related to its attempt to renegotiate the licences. As a result, these services have not been operating for months, seriously affecting the police's ability to receive complaints from the public and act on them...'

21.3 Gang collusion with security forces

21.3.1 The ACCORD response of December 2022, citing various sources, noted:

'... IDMC notes that organised criminal groups have infiltrated security forces and the judicial system to a degree that this compromises security forces' ability to effectively fight organised crime. Moreover, victims were often reluctant to report a crime fearing that gang-related police officers might leak the information (IDMC, March 2019, pp. 16; 22). IACHR notes that the "State recognizes that in the last decade it has been one of the most violent countries in the world, and that drug trafficking and organized crime are factors generating violence, which have infiltrated several State institutions" (IACHR, 27 August 2019, p. 12).

'UNDP/ASJ describe the role of state officials within a gang's network of sympathisers and collaborators, including police officers and other officials: This network of collaborators includes senior police officers with the power to let them [the gangs] free to pursue their criminal activities. Low-ranking police officers are also involved. Moreover, this organisational structure includes a more clandestine but equally important figure – that of professionals and political operators. These people have university studies, knowledge and contacts to the world of legitimate business with levels of influence in state institutions. They communicate directly with the more socially acceptable-looking gang leaders. They act to resolve gang-related problems such as defence in courts or procedures to obtain transport operating licences. These are people who have influence with the police, prosecutors and even judges. The political figure is tasked with buying friendship with the authorities. (UNDP/ASJ, 2020, p. 31, working translation from Spanish)

'Al Jazeera reports in August 2022 on an investigation by Honduran journalists into the collaboration between security forces and MS-13:

"Amid allegations that an elite Honduran police force colluded with a notorious gang while carrying out death-squad activities, observers are asking whether the administration of President Xiomara Castro has the political power or will to reform the country's security forces. According to an investigation last month by Honduran journalists, the National AntiGang Police Force and military police conducted extrajudicial executions and torture, while planting evidence and working in collusion with MS-13, the most prominent street gang in Honduras. 'Cases were fabricated, evidence was planted, and false positives were created in exchange for bribes,' said Wendy Funes, who runs Reporteros de Investigacion, the

media outlet that uncovered the allegations. The police squad was 'embedded in the Honduran state [and] existed to execute people', she told Al Jazeera." (Al Jazeera, 24 August 2022)'

21.4 Arrests and convictions

21.4.1 The HRW World report 2022 covering events in 2021 stated: 'From 2015 through 2019, authorities arrested 4,196 gang members, the National Police reported.'

21.4.2 ACCORD in their gangs 2022 report citing various sources stated:

'El País.hn in February 2022 reports that eight members of Los Tercereños are being investigated for contract killings, extortion, drug trafficking, storage of weapons and ammunition of permitted and prohibited use, robbery of homes, robbery of persons, forced displacement, rape and coercion, among other crimes in San Pedro Sula and surrounding areas ... In May 2022 the Ministerio Público, the public prosecutor's office, posted on its website that a series of raids in the Rivera Hernández neighbourhood were carried out to investigate the involvement of supposed members of the Tercereños in criminal acts, specifically some violent deaths in the area ...'

21.4.3 The USSD HR report 2022 in the case of the killing of Said Lobo Bonilla, son of former President Porfirio Lobo and three other men stated: 'On September 22, the court in a preliminary hearing charged Eber Ezequiel Espinoza and Erick David Macías Rodríguez with quadruple homicide. Authorities continued to search for the individuals who ordered the homicide.'

21.4.4 InSight Crime in an article from February 2023 stated: 'President Xiomara Castro stirred controversy near the end of the year by [implementing](#) an anti-gang crackdown that arrested 652 suspected gang members and dismantled 38 gangs, [according](#) to statistics reported by the newspaper El Heraldo.'

21.4.5 The ICG report 2023, citing various sources, noted:

'... The Honduran police claim to have captured 4,000 people in the first six months of the state of exception, but 81 per cent had to be released due to lack of evidence... But the National Human Rights Commissioner's office found that only 25 of the 1,348 arrests it could verify during the first month were related to extortion, the main crime targeted by Castro's campaign. The online media outlet ContraCorriente, meanwhile, reported that the country's two anti-extortion courts had handled just 49 cases by early February...'

21.4.6 The Honduran newspaper, La Tribuna, in article of 21 July 2023 in Spanish but translated by Bing, citing information provided by a police spokesman, reported:

'In the so-called "War on Extortion" and a year after it was created, the Anti-Maras, Gangs and Organized Crime Police Directorate (Dipampco) has captured 1,900 people... . Among the captures... [include] at least 500 members and people linked to the dangerous... [Barrio] 18...[additionally] the special teams of the Dipampco, managed to capture some 400 people linked to... Mara Salvatrucha (MS-13).

'Another 900 people from Organized Crime Groups (GDO) were taken out of circulation and the vast majority are already under the process of prosecution... From 2022 to date, 400 extortionists have been captured, when they made rounds of collection of the so-called "rent", in the main cities of the country.'

21.5 Judiciary - effectiveness

21.5.1 The HRW world report covering events in 2022 stated:

'President Castro campaigned on a promise to work for independent and impartial justice. The justice system's weak response to corruption, a structural problem in Honduras, and a series of laws hindering prosecutors' capacity to investigate have enabled impunity for corrupt acts that contribute to human rights violations...

'Lack of transparency and clear criteria also plague the selection of lower-court judges and decisions over their careers. The Supreme Court president has ultimate power over selection, promotion, transfer, and discipline of lower-court judges.'

21.5.2 The OHCHR report 2022 stated:

'In 2022, progress was made towards strengthening the rule of law and judicial independence through the implementation of the new legal framework for the election of Supreme Court justices... The information received regarding attacks and retaliation against justice officials in relation to their work, particularly those linked to the anti-corruption circuit, is of concern. The lack of an effective institutional response to protect the personal integrity, judicial independence and autonomy of justice officials represents an obstacle to their work, exacerbates their vulnerability, and negatively impacts access to justice.'

21.5.3 The OHCHR report 2022 went on to note:

'The justice administration system remains characterized by high rates of impunity, structural barriers and systemic issues for accessing justice, mainly due to weak judicial independence, procedural delays and limited participation of victims of human rights violations in the criminal process.

'... Several specialized prosecutors' offices of the State Attorney's Office lack sufficient resources or permanently assigned investigators, which negatively impacts their effective investigation capacity and limits the implementation of an effective criminal prosecution strategy. Consequently, most investigations are carried out without an analysis of the context, without establishing the criminal offenses that correspond to the gravity of the violations, without characterization of the victims, or analysis of intellectual authorship and chain of command for cases involving the security forces and non-state actors.

'The publicity of hearings and the participation of victims in judicial proceedings remains limited due to restrictions imposed in the context of the COVID-19 pandemic, limiting physical access to hearings. Courts, particularly those at the local level, did not adopt measures to mitigate the negative impact of such restrictions on the access to hearings and publicity of proceedings...'Effective access to justice with a gender perspective remains a challenge.'

21.5.4 The USSD HR report 2022 stated:

'The law provides for an independent judiciary, but the justice system was poorly staffed, inadequately equipped, often ineffective, and subject to intimidation, corruption, politicization, and patronage. Low salaries and a lack of internal controls rendered judicial officials susceptible to bribery. Powerful special interests, including criminal groups, exercised influence on the outcomes of some court proceedings...

'The law provides for the right to a fair and public trial; however, the judiciary did not always enforce these rights.

'Credible observers noted problems in trial procedures, such as a lack of admissible evidence (i.e., prosecution failed to submit sufficient evidence of guilt), judicial corruption, witness intimidation...'

21.5.5 The same USSD report continued:

'Judicial inefficiency, corruption, and insufficient resources delayed proceedings in the criminal justice system, and lengthy pretrial detention was a serious problem... The law mandates that authorities release detainees whose cases have not yet come to trial and whose time in pretrial detention already exceeds the maximum prison sentence for their alleged crime. Nonetheless, many prisoners remained in custody after completing their full sentences, and sometimes even after an acquittal, because officials failed to process their releases expeditiously.'

21.5.6 Freedom House's Freedom in the World 2023 report, covering events in 2022, stated:

'Political and business elites exert excessive influence over the judiciary, including the Supreme Court. Judicial appointments are made with little transparency, judges have been removed from their posts for political motivations, and several lawyers have been killed in recent years...

'The Castro administration has taken some steps to address due process and law enforcement problems. Ramón Sabillón, a former national police chief who was dismissed by former president Hernández and spent years in exile after arresting drug-trafficking suspects, was named security minister in January 2022. In August, the administration transferred control of prisons from the military to the national police for a one-year period. However, the government's announcement of a "war against extortion" in November and the resulting state of exception in December led to a suspension of constitutionally protected rights and raised due process concerns.'

21.6 Corruption

21.6.1 Honduras was ranked 157 out of 180 countries in Transparency International's Corruption Perceptions Index 2022, with a score of 23 out of 100 (a lower score indicates a higher level of corruption).

21.6.2 The InSight Crime 'Honduras profile' updated February 2021 stated: 'Honduran police agents have been accused of one of the greatest varieties of criminal activities, that include corruption, passing information to criminal groups, letting drug shipments pass through without inspection, protecting drug trafficking activities and participating in violent criminal operations, and in some cases even directing them.'

21.6.3 The InSight Crime profile added:

'Honduras' judiciary is widely considered to be weak, ineffective and highly corrupt. The selection processes for Supreme Court magistrates and Attorney General have both been subject to manipulation by members of Congress, many of whom have been implicated in corruption scandals... Given the weakness of Honduras' judiciary, many high-profile drug trafficking suspects have been extradited to the United States.'

21.6.4 The USSD OASC report 2023 stated:

'President Xiomara Castro came into office on a platform of anticorruption and transparency. Some steps have been taken to demonstrate commitment, including the extradition of former President Juan Orlando Hernandez to the U.S. In June, the Castro government announced they would begin a process of constitutional reform, another campaign promise. It is too early to assess the extent to which this government will be able to address corruption, which remains a pervasive problem, especially at a local level given the strong presence of armed gangs who often target local officials for corruption.'

21.6.5 ACCORD in their gangs 2022 report citing various sources, although it is unclear what time period is being referred, stated:

'... there are reports on corruption within the National Police and allegations of security forces collaborating with criminal groups, including by HRW (13 January 2022), the Borgen Project (26 July 2019) and researcher Pamela Ruiz in the context of a study on gangs, violence and extortion, that includes interviews with stakeholders:

"Most disturbing in the case of Honduras, was the common theme of corrupt National Police officers involved in extortions. Participants described officers acting as delinquent groups committing extortion, involved with gangs committing extortion, and/or not arresting gang members in exchange for a portion of extortion funds. An NGO participant shared local vendors perspective: 'Si la policía es ineficiente, mejor le pago a los pandilleros. Además, no me van a matar y me va a cuidar.' (If the police are inefficient, it's better to pay gang members. Besides, they won't kill me and will take care of me.) ... Academic and NGO participants described extortion to function as an informal form of security. In conclusion, violence is not exclusive to gangs in Honduras, but aggravated with domestic narco-trafficking groups, imitators, and corrupt police officers. While gangs are prevalent in urban centers, narco-trafficking groups are prevalent in

trafficking corridors. It should be noted that territory control is exclusive for these groups. Extortions were also committed by imitators and more concerning is the involvement of corrupt police officers." ...'

21.6.6 The USSD HR report 2022 stated: 'The law provides for criminal penalties for corruption by officials, but authorities did not implement the law effectively, and officials continued to engage in corrupt practices with impunity. There were numerous reports of government corruption.'

21.6.7 Freedom House Freedom in the World 2023 report, covering events in 2022 stated: 'The lack of due process is a serious issue in Honduras. The judiciary and law enforcement agencies are often compromised and underfunded. As such, they are corrupt, targets of influence peddling and undue influence, and often engage in criminal activities.'

21.7 Security force human rights violations

21.7.1 The USSD HR report 2022 stated:

'The law prohibits arbitrary arrest and detention and provides for the right of any person to challenge the lawfulness of his or her arrest or detention in court. The Inter-American Commission on Human Rights reported that authorities at times failed to enforce these requirements effectively...

'CONADEH [The National Human Rights Commission] reported 33 cases of arbitrary arrest through August [2022]. The Public Ministry reported 11 cases of alleged illegal detention or arbitrary arrest as of September [2022].'

21.7.2 Freedom House's Freedom in the World 2023 report, covering events in 2022 stated: 'PN [National Party] governments utilized the armed forces to combat crime and violence. Arbitrary arrests and detentions were common, as was lengthy pretrial detention. Many people remained in pretrial detention in 2022.'

21.7.3 A UNHRC report February 2023, citing media reports stated:

On 31 May [2022], members of said Force [National Anti-Mara and Gangs Force] fired shots during a foot chase of a 21 year old man who was under investigation for allegedly assaulting a Police officer during a football match. The Office documented the excessive use of force during illegal and arbitrary searches of homes without warrants in the context of search operations for the man. After the

State Attorney's Office filed an appeal based on the Minnesota protocol, on 23 October the Criminal Court of San Pedro Sula indicted four members of the Force for murder, torture, concealment and falsification of public documents .

21.7.4 The USSD HR report 2022 stated 'On May 31 [2022], members of the National Anti-Gang Unit shot and killed Wilson Ariel Pérez Hernández in San Pedro Sula, Cortés Department. He was allegedly killed while antigang unit officials tried to arrest him for assaulting a police officer at a soccer match on May 29. On October 17, the Public Ministry charged four unit officials for their involvement in Pérez's killing...'

21.7.5 Freedom House Freedom in the World 2023 report, covering events in 2022 stated: 'In response to widespread violence, the government of Juan Orlando Hernández empowered the Military Police of Public Order and other security forces to combat security threats, and that policy has continued under President Castro. However, these units often employ excessive force when conducting operations.'

21.7.6 A OHCHR report 2022 stated:

'Abuses by the National Anti-Mara and Gangs Force continued to be reported. On 25 February, the Office documented an irregular raid in Marcovia, Choluteca, when officers from this Force made unnecessary use of lethal weapons, firing against the population, killing one and wounding four other men. While the investigation continues, no charges have been made against the alleged perpetrators, thereby compromising the right to prompt and effective justice for the victims.'

21.8 Witness protection

21.8.1 The IDMC report 2019 stated 'A witness protection scheme exists, but there is understandably little confidence in it, leaving those who do report crimes no choice but to flee immediately, most often outside the country. In the rare event that the authorities secure a conviction, witness protection ends, but orders to kill witnesses and their family members may still be issued from prison...'

21.8.2 ACCORD in their gangs 2022 report citing various sources stated:

'In 2007, Honduras passed Decree 63-2007, the Law on Witness Protection in Criminal Proceedings (Ley de Protección a Testigos en el Proceso Penal) (Decreto No. 63-2007, 21 June 2007), and subsequently established a witness protection programme at the Public Prosecutor's Office. The Washington Office of Latin America (WOLA) explains in a joint report with the University Institute for

Democracy, Peace and Security (IUDPAS, Instituto Universitario En Democracia, Paz Y Seguridad) that: "With this law, the Witness Protection Program was created in the Public Prosecutor's Office to provide greater protection to witnesses at risk who are admitted to the program. This protection includes their family circle, their spouse, housemates, relatives, or other people with ties to the witness. The program can also include temporary or permanent relocation, an identity change, or physical modifications. Additional protection measures are also contemplated, such as police measures (bodyguards, surveillance, communication modalities, etc.), prison measures, and judicial measures (videoconferencing, voice distortion, anonymity, or identity protection, etc.)."...

21.8.3 The same ACCORD report continued:

'Implementation of the witness protection programme, however, appears to be challenging, for example due to underfunding and -staffing: WOLA and IUDPAS describe that in 2014, the programme had only one office in Tegucigalpa with ten employees, but without social workers, psychologists and other experts as foreseen by the law, and a budget of USD 119,941. In 2017, the number of staff members had reportedly risen to 13 and the budget increased to USD 383,812....

'Similarly, the Canadian Immigration and Refugee Board (IRB) quotes in an information gathering mission report of February 2018 the Honduran National Commissioner for Human Rights (CONADEH, Comisionado Nacional de los Derechos Humanos), saying that the number of protection requests was "out of proportion" considering the lack of funds of staff, which affected the state's ability to provide effective protection...'

21.8.4 The USSD HR report 2022 and IDMC both described the witness protection programme in Honduras as ineffective .

21.9 Oversight bodies and mechanisms

21.9.1 The Insight Crime Honduras profile 2021 stated:

'In 2016, public protests against corruption led to the creation of the Mission to Support the Fight Against Corruption and Impunity in Honduras (Misión de Apoyo contra la Corrupción y la Impunidad en Honduras - MACCIH), which is backed by the Organization of American States (Organización de Estados Americanos - OEA).

'MACCIH worked with a specialized unit within the Honduran Attorney General's Office to reveal the existence of embezzlement networks involving hundreds of officials across the spectrum of political parties. They also uncovered a scheme to

divert money destined for social programs to electoral campaigns, including those of Juan Orlando Hernández. The scheme was run by the [previous] president's late sister, Hilda Hernández.

'Nevertheless, at the end of 2019, the Honduran Congress issued a recommendation to disband the MACCIH. The mission left the country in January 2020 and a few months later, several of the most emblematic cases started to be buried.'

21.9.2 The Insight Crime profile also noted:

'At the beginning of 2016, Honduras created a commission for purging the police following revelations that leading members of the police had participated in the 2009 murder of the country's drug czar. Unlike previous efforts to purge the police force, the commission made some early progress, reviewing hundreds of senior officials and discharging thousands of agents from the institution. The commission's mandate remains in force and by January 2020 [more than 6,000 agents](#) had been removed. Nevertheless, [scandals](#) involving relations between organized crime and police leadership have put the commission's legitimacy into question.'

21.9.3 The same Insight Crime profile stated with regard to the judiciary: 'The internationally-backed MACCIH supported the Attorney General's Office in its corruption investigations from 2016 until 2019, when Congress voted to end its mandate.'

21.9.4 The National Commissioner for Human Rights in Honduras (CONADEH) has responsibility for protecting and promoting human rights and headed by Blanca Sarahí Izaguirre Lozano who was elected by congress for a 6-year term in 2020. The USSD human rights report 2022 noted

'A semiautonomous commissioner for human rights, Blanca Izaguirre, served as ombudsperson and investigated complaints of human rights abuses. NGOs and other civil society groups generally considered the commissioner independent but at times ineffective. With offices throughout the country, the ombudsperson received cases that otherwise might not have risen to national attention.

'The Secretariat of Human Rights served as an advocate for human rights within the government. The Public Ministry's Office of the Special Prosecutor for Human Rights handled cases involving charges of human rights abuses by government officials. The Public Ministry also has a Special Prosecutor's Office for the

Protection of Human Rights Defenders, Journalists, Social Communicators, and Justice Officials. There is also a Human Rights Committee in the National Congress. The Ministries of Security and of Defense both have human rights offices that coordinate human rights-related activities with the Secretariat of Human Rights.'

Updated to 6 October 2023

22. Freedom of movement

22.1 Legal rights

22.1.1 The USSD human rights report for 2022 stated: 'The law provides for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these related rights.' With regard in-country movement the USSD report stated: 'There were areas where authorities could not assure freedom of movement because of criminal activity and a lack of significant government presence.'

22.1.2 Freedom House Freedom in the World 2023 report, covering events in 2022 stated: 'Ongoing violence and impunity have reduced personal autonomy and freedom of movement in Honduras. Those living in gang-controlled territories face extortion, and dangerous conditions limit free movement and options for education and employment... The December 2022 state of exception curtailed constitutional rights, allowing authorities to restrict movement in parts of Tegucigalpa and San Pedro Sula.'

22.2 Displacement

22.2.1 The UNHCR's Operational Update 17, April 2023 also observed that '+247,000 people have been internally displaced in Honduras as a result of violence between 2004 and 2018.' NB that the IDMC caveated that this figure

'... is extrapolated from a survey using a sample size of 836 displaced households and 837 non-displaced households. It could be lower or higher due to the margin of error. This figure is considered an underestimate, given the sensitivity of displacement associated with violence, as those displaced by violence may prefer not to disclose their situation.' In addition, it includes people who joined displaced households after the event that caused the displacement, and, thus, who may not necessarily be IDPs themselves. Finally, this figure has not been updated since

2018. It is unclear whether these IDPs are still displaced and what their current living conditions. IDMC is not able to assess that. We have medium confidence in this figure.'

22.2.2 The USSD human rights report 2022 noted there were '... estimated [to be] approximately 937,000 individuals [who] were forcibly displaced by 2020 natural disasters. Official data on forced displacement, especially displacement due to violence, was limited in part because gangs controlled many of the neighborhoods where individuals were forced from their homes and communities...'

22.2.3 The USSD report 2022 stated

"Gang activity, including attacks on and exploitation of nonmembers, was the primary contributor to violence-related internal displacement... The government maintained the Interinstitutional Commission for the Protection of Persons Displaced by Violence and created the Directorate for the Protection of Persons Internally Displaced by Violence within the Secretariat of Human Rights. Both the secretariat and the commission focused on developing policies to address IDPs. Additionally, under the Comprehensive Regional Protection and Solutions Framework, with significant support from UNHCR, the Secretariat of Human Rights and Secretariat of External Relations and International Cooperation continued to build capacity to provide services to vulnerable populations, including IDPs, those at risk of forced displacement, refugees, and returned migrants.

'Despite incremental progress, government capacities remained relatively nascent and limited.'

22.2.4 The UNHCR explained in April 2023 that:

'The main causes that drive forced displacement in Honduras due to generalized violence include (i) social and territorial control by criminal gangs or armed groups, (ii) extortion, (iii) force recruitment, use and association; (iv) the dispossession, usurpation and destruction of housing, land and property; (v) gender-based violence; (vi) political violence; (vii) human rights violations. Apart from these forced displacement triggers, the effects of climate change and related disasters are increasingly impacting Honduras.'

22.2.5 On the matter of displaced children in Honduras, the USSD human rights report 2022 stated:

'Civil society organizations reported that common causes of forced displacement for youth included death threats for failure to pay extortion, attempted recruitment by gangs, witnessing criminal activity by gangs or criminal groups, domestic violence, attempted kidnappings, family members' involvement in drug dealing, victimization by traffickers, rape (including commercial sexual exploitation by gangs), discrimination based on sexual orientation or gender identity, sexual harassment, and discrimination for having a chronic medical condition.'

22.2.6 HRW world report covering events in 2022 noted that most affected by displacement '... are children fleeing forced gang recruitment, professionals and business owners facing extortion, domestic violence survivors, and LGBT people and members of ethnic minorities enduring discrimination and violence, the Inter-American Commission on Human Rights (IACHR) reports.'

22.2.7 The IDMC report 2019, citing various sources, noted:

'The same risks and threats that caused displacement may persist after flight, particularly for those persecuted by gangs because they are perceived to have committed an act of betrayal or enmity, those who flee political persecution... New risks may emerge when people flee from one marginalised and gang-controlled urban area to another, or from rural to urban areas. They may also arise as a result of people's economic coping strategies, which can make them vulnerable to extortion, dangerous work or violence in the workplace...

'People's inability to find safety and security within the country may make their situation unsustainable, leading to further displacement and psychological and economic harm. Some may eventually decide they have no option but to leave the country, while for others internal displacement may not be a viable option in the first place. Others still may resort to self-containment in an effort to escape their continued persecution.'

22.2.8 The IDMC report, citing various sources, further considered:

'People's chances of finding safely [sic] in displacement vary significantly depending on their economic resources. Many poor IDPs are restricted in terms of destination to areas that are equally if not more dangerous than their places of origin. Safer neighbourhoods are more expensive, and they are often gated or reserved for long-term residents... Effective protection is elusive. The state is largely unable or unwilling to protect its citizens, and people have a deep mistrust of the authorities and fear of reprisals. The state is also often all but absent in

urban areas under gangs' control and border areas where organised criminal groups operate. This lack of security often means displacement fails as a protection strategy.'

22.2.9 And also stated:

'People unable to find safety in displacement are often forced to flee again. Many are displaced internally several times before deciding they have no choice but to leave the country. The risk that led to their initial displacement may persist or they may face new risks that arise in the areas they seek refuge... If gangs and other criminal groups believe someone is guilty of betrayal or enmity or they have another serious grievance, they may track that person down in their place of displacement. Their extensive network of look-outs, strong communications networks and the fact that Honduras is a relatively small country combine to mean that internal displacement may not be a viable option for many people...

'People's freedom of movement may be restricted when the level of risk they face is high, whether it comes from state or criminal perpetrators. The most severe form of restriction is self-containment, in which someone confines themselves to the house and does not go out. It may be a protection strategy to avoid displacement, or it may precede flight. It is most common among directly threatened men between the ages of 15 and 29 before they flee. Families may also try to avoid displacement by taking their children out of school and confining themselves to the home, or they may send their children to stay with relatives.'

22.2.10 The USSD human rights report 2022 noted: '... NGOs reported IDPs were at increased risk of victimization and exploitation by criminal groups.'

22.2.11 The USSD also noted:

'Civil society organizations reported that common causes of forced displacement for youth included death threats for failure to pay extortion, attempted recruitment by gangs, witnessing criminal activity by gangs or criminal groups, domestic violence, attempted kidnappings, family members' involvement in drug dealing, victimization by traffickers, rape (including commercial sexual exploitation by gangs)... and discrimination for having a chronic medical condition.'

22.2.12 The ACCORD response of December 2022 citing various sources stated:

Exhibit 10

Gender-Based Violence in Honduras — The Security Distillery

 thesecuritydistillery.org/all-articles/womens-bodies-as-a-battlefield

Rae Hemming

March 15, 2023

TW: Mentions of sexual violence, including rape and sexual assault.

Honduras has been named on several occasions the worst place in the world to be a woman. High levels of gender-based violence persist in a climate of chronic generalised violence. The obvious threat of criminal groups, gangs, and corruption, belies the less perceptible threat of an embedded patriarchal and sexist culture. Women and young girls experience a wide range of violence in both private and public spaces that perpetuate their vulnerability and victimisation in a state that is unwilling and unable to protect them, driving many of them to flee the country.

By Laia Corxet Solé

Honduras consistently ranks among the world's most dangerous places to live (outside of an active conflict zone), especially for women [1]. Gender-based violence is persistent and pervasive throughout the region, most notably in the countries known as the Northern Triangle of Central America (NTCA) – El Salvador, Guatemala and Honduras – where crime, gang violence, corruption, and patriarchal culture coalesce, creating a climate ripe for violence against women. In 2022, as recorded by national media, 297 women were victims of femicide, and the National Emergency System registered 38,332 reports of domestic violence and 59,147 reports of intimate partner violence [2]. Between 2016 and 2021, 2,264 women were victims of femicide [3]. In January 2023 alone, 38 women died a violent death in Honduras [4]. Gender-based violence is the second leading cause of death among women of reproductive age in the country [5].

Numbers and statistics of femicides, however, cannot fully encompass the reality for Honduran women, which is marked by violence and fear. The NTCA countries are male-dominated societies in which children and women alike are subjected to violence with impunity [6], and extreme levels of gender-based violence in the region have been identified as one of the major driving forces for both internal displacement and external migration towards Mexico and the United States [7].

A VIOLENT MILIEU: CHRONIC VIOLENCE AND MILITARISATION

Criminal groups and gangs, regionally known as *maras*, have terrorised Honduras since the 1990s and are characterised by their brutal use of violence against the population [8]. The State's response to organised crime has led to an open confrontation between national security forces and the gangs. The situation was further exacerbated by the 2009 coup d'état perpetrated by the armed forces against the democratically elected president Manuel Zelaya, which led to an increased militarisation of the state [9]. In this context, violence against women is minimised and overlooked as a secondary security issue.

The 2009 coup impacted violence against Honduran women in two ways. Firstly, the few (largely ineffective) legal advancements and structural protections for women developed by previous democratic governments were dismantled, further stripping women of support and recourse in the face of violence [10]. Secondly, the growing militarisation of the government and society normalised all forms of violence, especially those against women [11]. This is evidenced by the fact that femicide increased by 300% from 2006 to 2012 [12].

A VIOLENT SYSTEM: IMPUNITY AND INSTITUTIONAL VIOLENCE

There is a systematic disregard by authorities for gender-based violence, which further victimises women and normalises this type of violence in society. Abuse, sexual assault, and domestic violence are a widespread norm in both public and private spheres, yet there is little support from state institutions for victims to escape vulnerable situations [13]. A high percentage of abuses go unreported, as women fear being dismissed and further victimised by police and judicial authorities [14]. Moreover, even those who do report abuse find little support, since the impunity rate for gender-based violence in Honduras is over 90% [15], meaning, reports rarely end up leading to an investigation or a conviction. Often, reporting only places women in more danger at the hands of their abusers, who are unlikely to face any consequences. Indeed, impunity is one of the major factors that enable the continuation of high rates of violence against women in Honduras [16], and together with the lack of legislative enforcement and a restriction of reproductive rights, constitutes another form of violence against women: structural violence [17].

A VIOLENT CULTURE: *MACHISMO* AND GANG CULTURE

Machismo (the Spanish term that refers to cultural misogyny) is ubiquitous in Honduras and in most of Central America. Patriarchal and sexist beliefs are the cultural norm, and traditional gender roles are strictly enforced. The pervasiveness of *macho* culture is a crucial element in the normalisation of gender-based violence, since it perpetuates the belief that women are lesser beings subject to male authority and domination, and therefore violence inflicted upon them is legitimate [18]. Domestic and intimate partner violence are pervasive and normalised within society, and the state lacks the will and the resources to properly protect women from it [19]. Additionally, the prevalence of rape and sexual violence gives rise to a number of health concerns for women in the form of sexually transmitted diseases and unwanted pregnancies in a country where abortion is heavily penalized [20].

Honduras' cultural misogyny, however, reaches extreme levels when it intersects with gang culture. In a society that emphasises gendered hierarchies, gang members demonstrate extreme, hypermasculine attitudes in order to assert their dominance [21]. Violence and control over women is an expectation for gang members to gain the respect of other members and assert dominance over the population.

Gender-based violence, however, is not only perpetuated for the hyper-masculine projection needs of gang members, but pursues strategic goals as well [22]. Gangs use barbaric violence against women to enforce their control over the population and the territory under their domain, as well as the illicit markets in which they operate [23]. Violence serves a communicative aim in the *maras'* strategy of terror, sending a message to the general population, the state, and even their own members. Violence against women living in gang-controlled areas, particularly rape and sexual assault, is also used as a tool for control and punishment of the women themselves and their family members; escaping the violence is virtually impossible. Subsequently, many women and their families are driven to either endure or flee the country altogether, a decision which renders them even more vulnerable to sexual violence and victimization by criminal gangs, police, and smugglers, as they make their way to other countries [24]. In fact, the chronic state of violence in Honduras, especially in the form of domestic violence, is associated with the high levels of displacements and migration in the country [25].

Consequently, women's bodies become a battlefield where the conflict between gangs and the state is waged, as physical and symbolic violence perpetrated by both sides becomes deeply ingrained in the everyday life of women and girls in Honduras [26]. The persistent presence of gangs and cartels forces many women to live in self-imposed imprisonment in their own homes as a form of protection [27]. Oftentimes, young girls will see their education cut short to avoid violence in school or in the street, which has lasting consequences on their prospects [28]. Young women and children are especially vulnerable to sexual violence [29] and non-traditional forms of human trafficking, such as being made to engage in criminal activity through force or coercion [30]. A common feature of gang culture is the phenomenon of *Jianas*, a term used to designate young girls and women who have been forced into brutally violent relationships with gang members in conditions that amount to modern-day slavery [31]. Furthermore, women are faced with additional violence perpetrated by members of the security forces [32]. Crimes committed against women in gang-controlled areas are more likely to go unpunished and unreported, and girls and women with gang associations – whether voluntary or not – are prosecuted and subject to additional abuses, including sexual assault, beatings, disappearances, and femicide [33].

Conclusion

The Honduran State has failed to establish a system that protects women [34]. Gender-based violence in all its forms is normalised and legitimised in a society where violent expressions of hypermasculinity are the norm. Violence against women is ultimately an expression of the systematic and pervasive patriarchal and misogynistic ideas that permeate Honduras' society and state, and it is a reflection of the unequal power dynamics between men and women in the region [35]. When this patriarchal normalisation of violence against women intersects with the *maras'* brutality, however, the violence against women reaches extremely disturbing levels.

The recent election in 2022 of Honduras' first female president, Xiomara Castro, may present an opportunity for change, as she has expressed willingness to defend women's sexual and reproductive rights, as well as tackle the high levels of gender-based violence in the country [36]. Nevertheless, the context and culture that enable widespread gender-based violence in Honduras will necessitate a multifaceted and systematic transformation that tackles the root causes: long-term, chronic violence and *machismo* culture.

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Exhibit 11



General Assembly

Distr. general
24 June 2024
English
Original: Spanish

Human Rights Council

Fifty-sixth session

18 June to 12 July 2024

Agenda item 3

Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Visit to Honduras

Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, Morris Tidball-Binz* **

Summary

The secretariat has the honour to submit to the Human Rights Council the report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, Morris Tidball-Binz, on his official visit to Honduras, which took place from 22 May to 2 June 2023. During his visit, the Special Rapporteur examined existing measures and national efforts to prevent and investigate unlawful killings, including deaths resulting from institutional violence, deaths in custody and gender-based killings.

The Special Rapporteur acknowledges the legacy of human rights violations and violence inherited by the current Government and commends the political discourse acknowledging the existing gaps and challenges as well as the willingness to address past violations and prevent their recurrence. He underscores the structural challenges that are impeding efforts to uphold the right to life, including the impunity for criminal offences and corruption that is endemic in State institutions. Despite systematic reporting of unlawful killings and State efforts to provide reparations for the families of victims, very few cases are investigated and in even fewer cases are the perpetrators prosecuted.

In his report, the Special Rapporteur offers practical and context-specific recommendations for improving the prevention and investigation of unlawful killings, enhancing accountability and effectively safeguarding the right to life, especially the lives of vulnerable persons and groups. The Special Rapporteur stands ready to assist the Government of Honduras in the effective implementation of his recommendations.

* The present report was submitted after the deadline so as to include the most recent information.

** The summary of this report is being circulated in all official languages. The report itself is contained in the annex and is being circulated in the language of submission and English only.



Annex

Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, Morris Tidball-Binz, on his visit to Honduras

I. Introduction

1. At the invitation of the Government of Honduras, the Special Rapporteur on extrajudicial, summary or arbitrary executions, Morris Tidball-Binz, conducted an official visit to Honduras from 22 May to 2 June November 2023. The purpose of the visit was to obtain first-hand information on the situation with regard to extrajudicial, summary or arbitrary executions and to identify good practices and challenges in relation to efforts to uphold the right to life. The Special Rapporteur also examined progress made towards ensuring protection for individuals and groups – especially those in vulnerable situations, as well as accountability for victims and members of their families – and preventing future attacks on the right to life in Honduras.

2. The Special Rapporteur expresses his sincere gratitude to the Government of Honduras for its invitation, for the cooperation extended to him and for the constructive dialogue that took place prior to and during the visit. He also commends the Government's openness, and its readiness to assume responsibility for past violations and address deep-rooted, structural problems in order to prevent any recurrence.

3. During the visit, the Special Rapporteur met with representatives of the executive, legislative and judicial branches, including senior government officials from the Office of the President, the Ministry of Foreign Affairs and International Cooperation, the Ministry of Defence and the Ministry of Human Rights, as well as representatives of law enforcement agencies including the Office for Security in Police Matters, the Directorate of the National Police and the Directorate of the National Prison Institute. He also met with the President, with members of the Supreme Court, the Public Prosecution Service and specialized prosecutors' offices, including the Office of the Special Prosecutor for Human Rights, the Office of the Special Prosecutor for Offences against Life, the Office of the Special Prosecutor for the Protection of Ethnic Groups and Cultural Heritage, the Office of the Special Prosecutor for the Protection of Human Rights Defenders, Journalists, Social Communicators and Justice Operators, and with representatives of the Specialist Criminal Investigation Agency, the Directorate General of Forensic Medicine (including its Director General) and the Special Unit for the Investigation of Violent Deaths in Bajo Aguán, attached to the Public Prosecutor's Office. Additionally, he met with the President of the National Congress and members of the parliamentary committees on human rights, constitutional affairs and justice, with the Counsel General and with representatives of national human rights institutions such as the Office of the National Commissioner for Human Rights and the National Committee for the Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment.

4. The Special Rapporteur also met with relatives of victims of extrajudicial, summary and arbitrary executions, with representatives of civil society organizations and academic institutions including the Observatory on Violence of the University Institute for Democracy, Peace and Security of the National Autonomous University of Honduras and the International Committee of the Red Cross, and with several United Nations agencies, including the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), the United Nations Children's Fund (UNICEF) and the United Nations Development Programme (UNDP).

5. In the capacity of forensic doctor, Mr. Tidball-Binz ran a training session and took part in a workshop organized to formulate a protocol for the investigation and prosecution of violent deaths of LGBTIQ+ persons across the country, in conjunction with the Honduras country office of the Office of the United Nations High Commissioner for Human Rights (OHCHR) and civil society organizations. The Special Rapporteur also met with

organizations representing victims killed for having defended land rights, the rights of Indigenous and Afro-Honduran Peoples and the protection of the environment.

6. The Special Rapporteur thanks the OHCHR country office in Honduras for its invaluable support during preparations for the visit and while the visit was under way. He also expresses his deepest gratitude to the families of the victims of unlawful killings and to civil society organizations for their commitment to his work and the trust they placed in him.

7. In the course of the 12-day visit, the Special Rapporteur travelled to the cities of Tegucigalpa, San Pedro Sula, La Ceiba and Trujillo, the towns of El Progreso and Tocoa and the Bajo Aguán region, where he met with local authorities, victims' families and civil society organizations. He also visited the national prison in Támara.

8. The Special Rapporteur looks forward to continuing the constructive dialogue with the Government and other stakeholders with a view to ensuring the effective implementation of the recommendations contained in this report.

II. Background

A. Political, economic and social context

9. The scars of a history of political and economic instability are visible in the deep inequalities and high levels of crime, including drug smuggling and gang violence, that permeate Honduran society. These problems, combined with entrenched corruption, excessive use of force and repressive policies, have for decades facilitated grave human rights violations committed with impunity.

10. In 1963, a military coup overthrew the democratically elected Government of President Ramón Villeda Morales and ushered in a series of authoritarian military Governments that, until 1981, engaged in systematic campaigns of arbitrary detention, torture, enforced disappearance and extrajudicial execution of political opponents in application of its national security doctrine. These campaigns were primarily carried out by special military counterinsurgency units and the infamous Battalion 3-16, a death squad under the command of military intelligence officers.¹ In 1981, a civilian President, Roberto Suazo Córdova, was elected in free and democratic elections. The Constitution entered into force in January 1982.

11. In 2009, a coup d'état illegally ousted the then President Manuel Zelaya. Numerous serious human rights violations were committed under the de facto Government that took control following the coup.² The Truth and Reconciliation Commission created in 2010³ determined that State agents were implicated in 12 extrajudicial killings caused by disproportionate use of force and eight homicides motivated by discrimination. The Commission issued 84 recommendations, including recommendations on justice, reparations and guarantees of non-repetition.

12. The Government's repressive response to the 2017 post-election protests gave rise to further human rights violations. These included excessive use of force, including lethal force, by agents of the security forces, and specifically the Public Order Military Police and the Army, which resulted in deaths and serious injuries among demonstrators, and also among bystanders, that passed without investigation and without the perpetrators being brought to justice.⁴

13. Following an exponential increase in violence in the early 2000s and an expansion in gang activity fuelled by gang members returning to Honduras, the homicide rate grew, peaking between 2011 and 2013 at 90.4 victims per 100,000 inhabitants per year, at that time

¹ E/CN.4/2003/3/Add.2, para. 15.

² See <https://www.cidh.org/pdf%20files/HONDURAS2009ESP.pdf>.

³ Executive Decree No. PCM-011-2010, art. 1.

⁴ See <https://www.ohchr.org/sites/default/files/Documents/Countries/HN/INFORMETEM%C3%81TICO2017Enero2020.pdf>, para. 56.

the highest in the world.⁵ Despite a 17 per cent reduction in the national homicide rate as of 2023, the rate remains high, at almost 32 homicides per 100,000 inhabitants.⁶ The main cause of violent death is firearm injury (accounting for 77.8 per cent of violent deaths of men and 69.3 per cent of violent deaths of women), which is attributed primarily to a lack of effective gun control by the State.

14. The two main gangs are MS-13 (Mara Salvatrucha) and the 18th Street gang (Mara Barrio 18). These gangs act with brutal violence, controlling the lives of residents in the neighbourhoods where they operate, extorting “taxes”, forcing children and young persons to collect these “taxes” or sell drugs, and forcing young women, who are also often subject to rape, torture and even death in inter-gang conflicts, to carry drugs and weapons.⁷ The gangs are also the main source of violence, including homicides, in prisons.

15. The former National Anti-Gang Task Force – a special unit of the National Police that operated from 2013 to 2022 – and other security forces working to combat gangs have engaged in deadly operations targeting vulnerable population groups such as young persons and residents of marginalized neighbourhoods that have given rise to extrajudicial killings. After its dissolution, the National Anti-Gang Task Force was replaced by the Police Directorate for Combating Gangs and Organized Crime, with the stated purpose of comprehensively addressing both ordinary and organized crime.

16. Inherited political and security challenges, compounded by high levels of corruption, including organized crime, have had a devastating effect on the economy of Honduras, which remains one of the poorest and most unequal countries in the region.⁸ The coronavirus disease (COVID-19) pandemic coupled with the effect of hurricanes Eta and Iota pushed the rate of extreme poverty up to 57.7 per cent in 2020. Economic recovery had helped to reduce this rate to 41.5 per cent by 2023, but extreme poverty remains high, mainly owing to the absence of equitable access to land and natural resources, particularly for Indigenous Peoples, persons of African descent and campesinos.⁹

B. Current structural and institutional challenges

17. Impunity is endemic in the case of femicide (90 per cent) and crimes against LGBTIQ+ persons (90 per cent), against bloggers and journalists (93 per cent), against children and adolescents (95 per cent) and against land defenders (97 per cent), among other crimes. Past violations, including the killing of protesters during the violence that erupted following the 2017 elections, remain unpunished.¹⁰ In most cases of alleged human rights violations in which the security forces are implicated monitored by OHCHR, the investigations and prosecutions have failed to identify the perpetrators or establish the chain of command.¹¹

18. Corruption in public institutions has been rampant. The country is ranked 154th out of 180 in the Transparency International Corruption Perceptions Index.¹² The main factors linking corruption to extrajudicial killings are: (a) the lack of accountability of police and military officers accused or suspected of homicides; (b) the corruption that affects public officials responsible for investigating, prosecuting and punishing homicides; and (c) attempts by the authorities to shield officials from accountability. In 2022, the Secretariat of the United

⁵ A/HRC/35/23/Add.1, para. 15.

⁶ Homicide data infographic, 2018 to 2023, available at: <https://www.sepol.hn/sepol-estadisticas-honduras.php?id=158>.

⁷ A/HRC/35/23/Add.1, para. 23.

⁸ See <https://www.bancomundial.org/es/country/honduras/overview>.

⁹ See A/HRC/55/22.

¹⁰ Ibid.

¹¹ Ibid.

¹² See <https://www.transparency.org/en/press/transparency-international-concerned-over-threats-to-civic-space-honduras>.

Nations and the Government of Honduras signed a memorandum of understanding¹³ for the establishment of an international, independent, impartial, and autonomous mechanism to fight corruption and impunity in Honduras. Also in 2022, the State Secretariat for Transparency and the Fight against Corruption was created and a national transparency and anti-corruption strategy for the period 2022–2026 was drawn up in order to address the problem in a comprehensive manner.

III. Legal, institutional and political framework

A. Ratification of relevant international and regional instruments

19. Honduras has ratified the nine core international human rights treaties and the additional protocols thereto. These include the International Covenant on Civil and Political Rights, article 6 of which enshrines the right to life, and the Second Optional Protocol thereto, aiming at the abolition of the death penalty. Honduras is a party to the American Convention on Human Rights, article 4 (1) of which also enshrines the right to life and article 27 of which establishes the non-derogability of certain rights, and has recognized the jurisdiction of the Inter-American Court of Human Rights.¹⁴ According to the Constitution, ratified international treaties form part of domestic law and take precedence in the event of conflict with national legislation.¹⁵

B. Legal framework

20. The Constitution of Honduras establishes the inviolability of the rights to life, dignity and physical, moral and psychological integrity and safeguards the right not to be subjected to torture or cruel, inhuman or degrading treatment.¹⁶ It also recognizes the right to petition for habeas corpus and *amparo*.¹⁷ These provisions are fleshed out in the Criminal Code, which penalizes the offence of ordinary homicide in article 192 and the offence of aggravated homicide (homicide committed with brutality and premeditation) in article 193.¹⁸ The Criminal Code was amended in 2011 to introduce the offences of torture, femicide, hate crime against women and against lesbian, gay, bisexual and transgender persons, incitement to hatred, and discrimination through the media. Another amendment, introduced in 2012, established enforced disappearance as a specific offence.

21. The Public Prosecution Service oversees criminal investigations and proceedings before the courts and the institutions that carry out these functions, including the Specialist Criminal Investigation Agency;¹⁹ the Directorate General for Forensic Medicine and close to 850 offices across the country, including 17 agencies and 11 units specialized in specific categories of crime.²⁰ Representatives of the Public Prosecution Service told the Special Rapporteur that the main challenges it faced stemmed from a lack of sufficient resources, which undermined its ability to investigate offences effectively and efficiently, to uphold human rights and to reduce crime in general. Additionally, the fact that the Directorate General for Forensic Medicine is not independent from the Public Prosecution Service undermines its neutrality. A bill to address this shortcoming is pending adoption in Congress.

¹³ See <https://www.un.org/sg/en/content/sg/note-correspondents/2023-05-04/note-correspondents-international-independent-impartial-and-autonomous-mechanism-against-corruption-and-impunity-honduras>.

¹⁴ See http://www.oas.org/dil/treaties_B-32_American_Convention_on_Human_Rights_sign.htm.

¹⁵ Constitution of the Republic of Honduras, art. 18.

¹⁶ *Ibid.*, arts. 65 and 68.

¹⁷ *Ibid.*, arts. 182 and 183.

¹⁸ See [https://www.poderjudicial.gob.hn/Cedij/Cdigos/CodigoPenalDecretoNo130-2017-fusionadoconreformas\(August2023\).pdf](https://www.poderjudicial.gob.hn/Cedij/Cdigos/CodigoPenalDecretoNo130-2017-fusionadoconreformas(August2023).pdf).

¹⁹ See <https://www.mp.hn/publicaciones/mp-y-cn-dan-seguimiento-a-resultados-de-la-unidad-especializada-en-la-investigacion-de-muerte-de-mujeres-y-femicidios-de-la-atic/>.

²⁰ See <https://www.mp.hn/estructura-organica/unidades-especializadas/>.

22. The Police Investigations Directorate is tasked with assisting prosecutors throughout the country in the investigation of criminal offences, including potentially unlawful deaths. However, the Directorate reports to the Ministry of Security, which poses problems for its impartiality when investigating offences perpetrated by members of the security forces.

23. The national human rights institution is the Office of the National Commissioner for Human Rights, has been accredited with “A” status by the Global Alliance of National Human Rights Institutions. The Office is present in all 18 departments of the country and is mandated to receive complaints of human rights violations, including killings, to investigate such complaints and to make appropriate recommendations to State authorities. Of the total number of complaints handled by the Office in 2023, 12.42 per cent concerned death threats. In the period 2021–2023, around 4,700 persons reported having received death threats and many of them were forced to relocate internally or abroad as a result.

IV. Good practices and positive developments

24. In view of the opportunity for change arising from the election of Xiomara Castro, who took office as the first woman President of Honduras on 27 January 2022 and promised to move forward on human rights and to tackle corruption, the Special Rapporteur notes that many of the observations and recommendations made by his predecessors²¹ remain relevant to the fight against the entrenched impunity for extrajudicial, summary and arbitrary executions that has been reported over the past four decades.

25. The Special Rapporteur acknowledges the long-standing structural problems inherited by the new Administration that constitute the root cause of human rights violations including, among the most prevalent, extreme poverty and inequality, rampant corruption, conflict over land, violence, insecurity, impunity, institutional weakness and the patriarchal culture. He also acknowledges the progress made in 2023 towards compliance with the recommendations of international human rights mechanisms, including the adoption of a legal framework to strengthen the independence of the judiciary, the repeal of the Act on the Classification of Public Documents relating to National Security and Defence, progress in environmental matters, and the adoption of the Act on the National DNA Database System.

26. The Special Rapporteur commends recent reparation and remembrance initiatives that recognize the State’s responsibility for crimes committed in application of the national security doctrine. In 2023, Honduras publicly acknowledged its responsibility for the extrajudicial killing of Herminio Deras García in January 1983 and for the multiple human rights violations committed against his family for 30 years, as ordered by the Inter-American Court of Human Rights.²² In February 2024, the Government announced the creation of the National Centre for Historical Memory, which will contribute to the implementation of measures of reparation for the crimes of the past. The Special Rapporteur underscores that meaningful accountability for criminal offences, including extrajudicial killings, through the prosecution of those responsible and the application of penalties commensurate with the gravity of the offence, is the only way to prevent recurrence and provide comprehensive reparation for the families of the victims.

27. On 30 August 2023, with technical assistance from OHCHR, the Committee of the Families of Detained and Disappeared Persons in Honduras presented to President Castro a bill containing a draft law on the victims of the national security doctrine in the period 1980-1993. The bill envisages a series of measures related to the rights to truth, justice, reparation and guarantees of non-repetition for victims and their families. The bill also includes a proposal to create and strengthen, with input from victims and organizations, institutions specialized in the investigation and prosecution of serious human rights violations and mechanisms for the search, location, recovery, identification and dignified return of the skeletal remains of victims of enforced disappearance.

²¹ Visits by previous mandate holders: Asma Jahangir in 2001 (E/CN.4/2003/3/Add.2) and Christof Heyns in 2016 (A/HRC/35/23/Add.1).

²² *Deras García et al vs. Honduras*, judgment of 25 August 2022.

28. The Special Rapporteur acknowledges the adoption of executive and legislative decrees related to violations committed in the context of the 2009 coup d'état, including:

- Decree No. 4-2022, granting financial assistance to the direct descendants and/or ascendants of persons killed during the 2009 coup d'état
- Executive Decree No. 17-2022, establishing a programme of social benefits for family members of the victims of arbitrary execution during the 2009 coup d'état known as "the martyrs of the Honduran resistance"
- Executive Decree No. 13-2023, creating the Programme of Memory, Truth, Reparation, Justice and Non-Repetition for the Reconciliation and Refoundation of Honduras

29. In March 2023, the Office of the Undersecretary for Security submitted to Congress a bill to create a decentralized, independent national institute of forensic medicine and science, in accordance with international standards.²³

V. Principal conclusions on the right to life

A. Right to life of groups and individuals in situations of vulnerability

30. During his visit, the Special Rapporteur was alerted to the long history of attacks on the right to life that has characterized the country's recent past. These attacks, which are still happening, entail death threats and executions targeting vulnerable groups and individuals, including women and girls, LGBTIQ+ persons, persons of African descent and Indigenous persons, children, human rights defenders, including land and environmental defenders, journalists and social media activists. In the 70 cases of killings of human rights defenders documented by OHCHR between 2018 and 2023, 67.1 per cent of the victims were dedicated to the defence of land, territory and/or the environment. The victims were from Indigenous groups in 13 cases and were persons of African descent in 14 cases. In the same period, OHCHR documented at least five cases of enforced disappearance, involving four Garifuna women and one transgender woman.

1. Women and girls (femicide)

31. Honduras has the highest rate of gender-based killings of women and girls (femicides) in Latin America.²⁴ The Office of the National Commissioner for Human Rights estimates that more than 8,100 women lost their lives in violent circumstances in 2002 and 2023 combined and that 400 were murdered in 2023. Faced with these concerning figures, the State took certain positive steps, including amending the Criminal Code in 2013 to introduce the offence of femicide, which is defined, in article 208, as the murder of a woman perpetrated by a man "in a context of unequal power relations between men and women for reasons of gender". In 2022, the Ministry of Women's Affairs was created as the lead institution for national policy on women.²⁵

32. A number of public institutions with a remit to investigate and prevent femicide have been created, including the Office of the Special Prosecutor for the Protection of Women within the Public Prosecution Service and the Unit for the Investigation of Violent Deaths of Women and Femicide, created by decree in 2016.²⁶ By the same decree issued in 2016, the State also created the Inter-agency Commission for Monitoring the Investigation of Violent Deaths of Women and Femicides,²⁷ responsible for inter-institutional coordination, analysis,

²³ A/HRC/50/34, para. 56.

²⁴ <https://unsdg.un.org/latest/stories/violence-against-women-other-pandemic-impacting-honduras>.

²⁵ Decree No. PCM-05-2022.

²⁶ Decree No. 106-2016.

²⁷ *Ibid.*, art. 2. The Commission's rules of procedure can be consulted at: <https://www.tsc.gob.hn/bookcase/index.php/reglamentos/862-rules-of-procedure-de-la-comision-interinstitucional-de-seguimiento-a-las-investigaciones-de-las-muertes-violentas-de-mujeres-y-los-femicidios>.

formulating recommendations for the Government, ensuring the implementation of security policies and recommending campaigns to eradicate violence against women.²⁸ In 2022, the President of Honduras announced that the National Women's Institute would become a Ministry.²⁹

33. However, these positive legislative and institutional advances are undermined by other developments, such as the entry into force, in June 2020, of the new Criminal Code, which reduced the minimum sentence for femicide to 15 years.³⁰ The reduction in sentences is compounded by a low prosecution and conviction rate in femicide cases, as well as procedural flaws in investigations.³¹ During his visit, the Special Rapporteur noted with concern the persistently high rate of femicide and the impunity that prevails. He also noted that the number of investigations and prosecutions in femicide cases remains unsatisfactory owing to a combination of budget, human resource and technical constraints, limited coverage of rural areas and poor inter-institutional coordination.³²

34. The Special Rapporteur followed with concern the high-profile case of Keyla Patricia Martínez Rodríguez, who was detained by security forces on 6 February 2021 for allegedly violating the curfew imposed during the COVID-19 pandemic and placed in custody in Police Departmental Unit No. 10 in La Esperanza (Intibucá), where she died the same day. Witnesses stated that she had been assaulted while in custody while the police claimed that she had committed suicide – a claim that was dismissed by the Office of the Special Prosecutor for Offences against Life within the Public Prosecution Service after the autopsy identified signs of manual strangulation consistent with homicide. A police officer was subsequently charged but, despite irrefutable evidence of femicide, the officer was convicted of involuntary manslaughter and, in February 2024, was granted early release after paying a fine of less than \$400. The outcome of this case attests to the degree of sexist bias and tolerance of gender-based crime that still prevails within the criminal justice system despite the authorities' efforts to prevent it. In October 2023, the Inter-agency Commission for Monitoring the Investigation of Violent Deaths of Women and Femicides urged the judiciary to correct the sentence but, to date, there had been no review.

2. LGBTIQ+ persons

35. Several Special Rapporteurs have expressed concern about unlawful killings of LGBTIQ+ persons,³³ the lack of investigation and the impunity enjoyed by perpetrators.³⁴ During his visit, the Special Rapporteur noted that this situation continues. In 2023, at least 47 LGBTIQ+ persons were killed (12 lesbian women, 17 gay men and 18 transgender persons) and one was a victim of enforced disappearance. Only 8 of these 47 cases were the subject of a criminal investigation and, to date, no charges have been brought.³⁵ According to the Office of the National Commissioner for Human Rights, almost 90 per cent of crimes against LGBTIQ+ persons go unpunished.³⁶

36. The dangers faced by LGBTIQ+ persons in Honduras were also recognized by the Inter-American Court of Human Rights in the case of Vicky Hernandez, a transgender woman and human rights activist who was a victim of extrajudicial killing in 2009. In November 2020, the Court ruled that the State of Honduras was responsible for her death and for the failure to investigate it, and ordered a series of reparatory measures, including the

²⁸ Decree No. 106-2016, art. 3.

²⁹ See <https://www.laprensa.hn/honduras/instituto-nacional-de-la-mujer-pasara-secretaria-estado-announcement-xiomara-castro-presidenta-XC6361213>.

³⁰ CEDAW/C/HND/CO/9, para. 24; and Decree No. 130-2017.

³¹ A/HRC/433/Add.2, para. 42; and A/HRC/WG.6/36/HND/3, para. 70.

³² A/HRC/WG.6/36/HND/3, para. 70.

³³ E/CN.4/2003/3/Add.2, para. 68.

³⁴ A/HRC/35/23/Add.1, paras. 44–47; and E/CN.4/2003/3/Add.2, para. 68.

³⁵ A/HRC/52/24, para. 83.

³⁶ See <https://www.conadeh.hn/defensora-del-pueblo-de-honduras-demanda-que-cesen-los-crimenes-of-hate-against-members-of-the-lgtbi-community/>.

formulation and implementation of a special protocol for investigating deaths of LGBTIQ+ persons.³⁷

37. The case of Thalía Rodríguez Rivera, a transgender woman and LGBTIQ+ activist murdered at her home in Tegucigalpa in 2022, apparently to end her activism, provides another illustration of the persistent failure to adequately investigate these homicides. In this case, the subsequent investigations were apparently plagued by irregularities. Following national and international protests, one person was arrested and charged with her murder and, at the time of writing, is awaiting sentencing. However, the irregularities in the investigation raise doubts about the charges brought in this case.

38. The Special Rapporteur is providing technical assistance and cooperating closely with OHCHR, national institutions and national and regional non-governmental organizations to develop a national protocol for the investigation and prosecution of violent deaths of LGBTIQ+ persons. The protocol would be the first of its kind and could serve as a model of good practice for other countries and regions.

3. Indigenous Peoples and persons of African descent

39. The Indigenous and Afro-Honduran population represents slightly more than 8 per cent of the country's total population.³⁸ The Lenca, Maya Ch'orti, Miskito, Pech, Tawahka and Xicaque Peoples are classified as Indigenous, while the Garifuna and Bay Island Creoles are Honduran ethnic groups of Afro-Caribbean origin.³⁹ Indigenous Peoples and Hondurans of African descent have historically faced structural barriers that have given rise to systematic discrimination.⁴⁰

40. The Special Rapporteur noted a lack of effective and timely investigation of the serious violations committed against members of both groups and their communities as well as a lack of protection measures that leaves these communities in a situation of increased vulnerability and exposed to a high risk of further abuse. Echoing the recent judgment of the Inter-American Court of Human Rights in *Garífuna Community of San Juan and its Members v. Honduras*, the Special Rapporteur notes with concern the threats and attacks that the community has suffered as a result of its struggle to prevent the misappropriation of its lands, including for tourism development projects, and the reported failures to adequately investigate such violations and provide protection for members of the community.⁴¹ On 28 January 2023, Ricardo Arnault Montero, a fisherman, Garifuna land rights activist and member of the Land Defence Committee, was killed in mysterious circumstances near his home in the community of Triunfo de la Cruz on the north coast. It was in this same location that four Garifuna leaders, including Alberth Sneider Centeno, the first young president of the community's governing board and a member of the Black Fraternal Organization of Honduras, disappeared from their homes after being arrested in July 2020 by unidentified men wearing National Police uniforms. There has been no news of them since.⁴²

41. In another example of such violations, in 2021 Erick Barú Rivera, a Miskito fisherman, was killed when a sizeable contingent of soldiers of the Armed Forces fired indiscriminately at members of his community, including women and children gathered peacefully on the beach.⁴³ The Special Rapporteur, as a forensic doctor, met with members of the community, examined their healed gunshot wounds and viewed photographs taken immediately after the attack of the injuries sustained by some of the children, all of which

³⁷ *Vicky Hernández et al vs. Honduras*, judgment of 26 March 2021. See also <https://www.oas.org/en/iachr/decisions/court/2019/13051FondoEn.pdf>.

³⁸ See <https://www.ine.gob.hn/images/Productos%20ine/censo/Tomo%20municipales%20pdf/12lapaz/168Cane.pdf>.

³⁹ See <https://www.refworld.org/reference/countryrep/mrgi/2008/en/65122>.

⁴⁰ CERD/C/HND/6-8, para. 6.

⁴¹ Judgment of 29 August 2023, para. 44.

⁴² See <https://oacnudh.hn/oacnudh-condena-la-desaparicion-forzada-de-alberth-sneider-centeno-presidente-del-patronato-de-la-comunidad-garifuna-de-el-triunfo-de-la-cruz-y-de-tres-personas-mas-pertenecientes-a-la-comunidad/>.

⁴³ See <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunication/File?gId=26836>.

were fully consistent with their testimonies. At the time of his visit, the authorities had not yet visited the community to investigate the attack, supposedly for security reasons and because they lacked the resources to travel to this remote location. No one has been held accountable for these violations.

42. In November 2022, Marcos Antonio Pineda, a member of the Lenca community of El Encinal, in La Paz department, was arbitrarily killed by members of the National Police while they were conducting an inspection in a village settlement. In October 2023, the local courts acquitted the only officer charged with the murder,⁴⁴ so ensuring total impunity for a homicide that, according to reports, was just part of the systematic and unpunished attacks suffered by the Lenca people.⁴⁵

43. An exception to this pattern of impunity is the case of Berta Cáceres, a Lenca Indigenous activist and environmentalist and the national coordinator of the Civic Council of Popular and Indigenous Organizations of Honduras, who was assassinated in 2016 because of her activism against a hydroelectric project planned on ancestral lands. Those responsible for planning, ordering and carrying out her murder were arrested, charged and found guilty, and were sentenced in June 2022.

44. The Special Rapporteur takes note of the public apology issued by the State in Puerto Lempira in March 2023, when it acknowledged its responsibility for the crimes committed against members of the Miskito community,⁴⁶ making an important first step towards ensuring accountability, truth and reconciliation.

4. Children and adolescents

45. Despite the adoption of Executive Decree No. 11-2013, establishing the National Policy for the Prevention of Violence against Children and Young Persons, designed to reduce the structural factors that render children, adolescents and young persons vulnerable to violence,⁴⁷ the risk of violent death remains very high. In 2023, there was an average of 60 deaths per month, which was 21 more than in the previous year.⁴⁸

46. Organized crime, including gang violence, is responsible for 36.6 per cent of all homicides. The Committee on the Rights of the Child expressed concern about the extensive recruitment of children by gangs and recommended, inter alia, that the State take all measures necessary to prevent the recruitment of children and protect them from violence.⁴⁹ The Special Rapporteur is particularly concerned about the lack of effective solutions to combat the root causes of violence against children, which include poverty, recruitment by gangs, social stigmatization and attacks, including arbitrary killings, by law enforcement officers that are often met with impunity for the perpetrators.

47. Brian Jafeth Hepburn, a 15-year-old teenager, was arbitrarily detained in 2020 by the National Police in San Pedro Sula. He was taken to a local police station, where, according to witnesses, he was tortured and then killed. His mother found his body, with signs of torture and a gunshot wound to the back of the head, lying in a local field later the same day. To date no one has been brought to justice for his murder.

⁴⁴ See <https://oacnudh.hn/28-de-octubre-de-2023-oacnudh-lamenta-el-fallo-en-el-caso-de-marcos-antonio-pineda-integrante-de-copinh-asesinado-el-23-11-2022-en-el-que-el-tribunal-de-sentencia-de-comayagua-absolvio-de-los-car/>.

⁴⁵ See <https://copinh.org/2023/10/comunicado-el-tribunal-de-sentencia-de-comayagua-ha-absuelto-de-los-cargos-de-manera-arbitraria-al-policia-jose-adan-perez-por-el-homicidio-del-joven-lenca-marcos-antonio-pineda/>.

⁴⁶ Inter-American Court of Human Rights, *Miskito Divers (Lemoth Morris et al.) v. Honduras*, judgment of 31 August 2021.

⁴⁷ See <https://conexihon.hn/2022/04/30/sin-avances-la-implementacion-de-la-politica-nacional-de-prevencion-de-la-violencia-hacia-la-ninez-y-juventud/>.

⁴⁸ See <https://redcoiprodén.org/honduras-registra-un-incremento-de-21-en-muertes-violentas-de-ninez-adolescencia-y-juventud/>.

⁴⁹ [CRC/C/HND/CO/4-5](https://www.crc.org/docs/default-source/press-releases/2018/crc-hnd-co-4-5.pdf).

48. The Special Rapporteur echoes the Human Rights Committee's call for the authorities to duly investigate all violent crimes, prosecute the perpetrators and enhance protection for children at risk of violence.⁵⁰

5. Activists and defenders of land, territory and environmental rights

49. In 2023, OHCHR recorded at least 17 killings. In 15 of these cases, the victims were human rights defenders, mainly defenders of land and environmental rights, while in 2 cases, the victims were journalists. During his visit to the Bajo Aguán region, the Special Rapporteur noted with grave concern the frequent conflicts related to access to land and natural resources, including threats, attacks and killings targeting campesinos, especially land rights and environmental activists and members of campesino cooperatives in the region.

50. Despite the urgent need for human and material resources to ensure prompt and reliable investigations, the Special Rapporteur learned of reductions in the number of prosecutors and expert personnel assigned to investigative units and a lack of basic resources for the medico-legal investigation of these serious crimes. He also noted with grave concern a lack of due diligence and serious conflicts of interest likely to result in negligence and procedural omissions in the investigation of some of the murders. On 14 October 2023, Kevin Meza, an 18-year-old campesino, was murdered in the municipality of Tocoa, in Colón department, during peaceful protests in defence of land rights. He is alleged to have been killed by members of the National Police who intervened to disperse the campesinos and later took over the investigation of his murder. Those responsible are still at large.

51. The Special Rapporteur welcomes the signature of the agreement between the Government, the Agrarian Platform and the Coordinating Committee of Community Organizations of Bajo Aguán in 2022. The agreement provided for the creation of a tripartite commission, which had already been established as at April 2024, to mediate in the conflict and prevent and investigate related human rights violations. However, he remains deeply concerned about the impunity that prevails in respect of the deaths of and attacks on defenders of land and territory that have continued to occur since the signature of the agreement. Security guards and agents of private security companies have allegedly been involved in these threats, attacks and killings.

52. These attacks are not limited to the Bajo Aguán region. Pablo Hernández Rivera, a local media worker and member of the Lenca Indigenous community who denounced local government corruption, was murdered in early 2022 in Tierra Colorada, in Lempira department, allegedly by order of the local authorities, due to his activism. Two persons from his community were arrested and charged with murder in June 2022 and are now awaiting sentencing. Mr. Hernández Rivera's family are reported to have suffered threats for having demanded accountability, including from those who ordered the murder.

53. The Special Rapporteur noted with grave concern that many of the victims of the recent attacks and killings were persons benefiting from precautionary measures under the National Protection System for Human Rights Defenders, Journalists, Social Communicators and Justice Operators. The State has a duty to protect the right to life and any breach of this obligation may in itself equate to a violation of the right.

B. Excessive use of force in the context of the fight against crime

54. The Special Rapporteur is particularly concerned about the state of emergency declared by Decree No. 29-2022 in a bid to combat extortion and related crimes that entered into force on 6 December 2022. Excessive and unscrutinized powers have been granted to the National Police and the Public Order Military Police, which bodies continue to carry out civil security tasks using military tactics and weapons, including making arrests and conducting searches without warrants, at a time when various fundamental rights and freedoms, such as the rights to personal liberty and freedom of association, assembly and movement, among others, have been suspended. The state of emergency has been extended nine times to date and has been expanded into all 18 departments. Several of these extensions

⁵⁰ CCPR/C/HND/CO/2, para. 19.

have been passed in Congress with only limited debate as to their effectiveness and the controls that might be relevant. On at least three occasions, the extensions have not been passed in their entirety, in violation of national regulations.

55. Multiple human rights violations have been reported, among them arbitrary and excessive use of force, including lethal force, and unlawful killings allegedly committed by the Police Directorate for Combating Gangs and Organized Crime and the Public Order Military Police. In 2023, OHCHR documented seven cases of enforced disappearances (of six men and one transgender woman), five extrajudicial killings (all of men), four cases of torture and ill-treatment (all against men) and one case of sexual violence (against a woman). It also recorded allegations of illegal detentions, excessive use of force, abuse during searches conducted without a warrant and planted evidence, particularly in the departments of Cortés, Francisco Morazán and Yoro.⁵¹

56. Wilson Ariel Pérez Hernández was killed in 2022 in San Pedro Sula by members of the former National Anti-Gang Task Force. The police stated that he was killed in a shooting while resisting an arrest warrant issued following an assault on a female police officer who was attempting to disperse a brawl at a football match. The victim had publicly announced that he would surrender to the police in exchange for guarantees of his safety. After his murder, evidence, including closed circuit television footage, emerged which showed that he had been severely beaten before being summarily executed. Four police officers were charged with the murder and were awaiting trial at the time of writing. However, they are likely to be released early. The family has received threats for having demanded justice.

57. The Special Rapporteur welcomes the publication of the National Police Manual on the Use of Force and Firearms.⁵² However, the guidelines contained in the Manual are not legally binding and a specific regulatory framework is required to ensure their effective application. The Special Rapporteur also welcomes the bill to regulate the use of force by law enforcement bodies and officers in Honduras, which is based on relevant international standards and is currently being considered by Congress. He calls for the bill to be adopted.

C. Deaths in custody

58. The National Prison System, which can accommodate 13,000 persons at maximum capacity, is currently housing around 19,500 adults (about 18,500 men and 1,500 women). Overcrowding is thus nearly 30 per cent above capacity, contributing to violence and deaths in custody. Owing to long delays in the administration of justice, around 45 per cent of those in prison are in pretrial detention. At the time of the visit, the judiciary was implementing a prison decongestion plan in an attempt to reduce overcrowding, for example by granting early release where appropriate and expediting trials. As a result, overcrowding had been reduced by 6 per cent compared to 2022.

59. Homicides, inter-gang violence and access to weapons among gang members⁵³ are long-standing problems in prisons that are aggravated by substandard infrastructure and lack of resources, including the resources needed to ensure inmates' health and safety. The accidental fire at the national prison in Comayagua in 2014, in which 361 inmates died, was the deadliest ever recorded in a prison. The high death toll was attributed to a combination of overcrowding, lack of adequate fire safety measures and poor prison management. In 2019, gang violence claimed the lives of 37 detainees across the country's prisons, leading the Government to impose a state of emergency and place prisons under military control until February 2022.⁵⁴

60. The Special Rapporteur noted that there was no unified computer system for registering and monitoring persons held within the prison system and no centralized system for recording information on deaths in custody, including the cause and manner of death and

⁵¹ A/HRC/52/24, para. 21.

⁵² Ministerial Agreement No. 1147-2023.

⁵³ See https://www.state.gov/wp-content/uploads/2023/02/415610_HONDURAS-2022-HUMAN-RIGHTS-REPORT.pdf.

⁵⁴ See <https://www.hrw.org/es/world-report/2021/country-chapters/honduras>.

the outcome of any investigations conducted. Such information is essential for the design of prison management policies that respect human rights and for the prevention of deaths in custody.

61. Honduran prison regulations require all deaths in custody to be investigated, irrespective of the apparent cause and circumstances. However, this important provision is undermined by the fact that investigations rarely comply with established international standards, including the Minnesota Protocol on the Investigation of Potentially Wrongful Death of 2016, not least because practising forensic doctors lack the specialist knowledge and training necessary for its effective implementation. The families of the deceased rarely have access to the results of investigations, which are not usually shared with the prison administration.

62. The Special Rapporteur welcomed the current Government's early efforts to demilitarize the national prison administration, improve prison management and reduce the persistently high level of violence in prisons, including deaths in custody. To lead these efforts, the Government established the National Prison System Intervention Commission, tasked with improving conditions of detention. Additionally, however, he noted with concern the persistent long-standing structural problems – in particular, severe overcrowding coupled with a level of human and material resources alarmingly insufficient to guarantee the safety of inmates and staff – and alerted the authorities to the fact that, without substantial improvements to staffing levels, infrastructure and prison security, the risk of prison violence would not be abated.

63. Shortly after the Special Rapporteur's visit, on 20 June 2023, a violent brawl between rival gangs erupted at the National Women's Prison for Social Adaptation in Támara, resulting in the death of 46 women. Inmates clashed using knives, arson and firearms, the latter belonging to the National Police. When the former head of the Intervention Commission requested an investigation into the origin of the weapons, she received death threats that forced her to flee the country for her own safety. The investigations into the events and the deaths are continuing.

64. As a result of these events, the Government declared a state of emergency in the National Prison System and issued Executive Decree No. 28/2023, re-establishing military control and thus leaving the promising reforms on hold. The Decree delegated to the Public Order Military Police, for one year, the powers to serve as Intervention Commission. The Government also announced plans to build a maximum-security prison on the Swan Islands, a group of remote Caribbean islands, to house gang leaders and prisoners considered violent. This situation raises serious concerns about the ability of the Armed Forces to manage prisons without the relevant training. Owing to this lack of training, a restrictive approach to security, as opposed to an approach respectful of the human rights of persons deprived of their liberty, is likely to be favoured and thus could fuel still more prison violence and, consequently, deaths.

VI. Duty to investigate and access to justice

65. A number of structural impediments continue to impede access to justice and accountability for past and present human rights violations. This situation is attributable, among other things, to the fact that investigations are to a great extent inadequate, to flaws in the administration and enforcement of justice, including unjustified procedural delays, to the limited extent to which victims are involved in criminal proceedings, and to the absence of an effective victim and witness protection system. The Special Rapporteur also noted that capacity for investigating violations of the right to life was limited and that such investigations were often neither prompt, effective, thorough, independent, impartial nor transparent, as required by international standards. He further noted a lack of cooperation from the Armed Forces and security forces when it came to sharing important information with the Public Prosecution Service and allowing access to military installations in the course of criminal investigations, especially investigations into crimes committed in the context of the 2009 coup and the 2017 post-election crisis, as well as a lack of coordination between the

offices of the specialized prosecutors assigned to such cases with a view to ensuring their more effective investigation. The Human Rights Secretariat has echoed these concerns.⁵⁵

66. The Directorate for Police Disciplinary Matters is responsible for investigating abuses committed by police officers in Honduras and the Inspectorate General of the Armed Forces and the Humanitarian Law Directorate are responsible for investigating abuses committed by military officers, while the Office of the National Commissioner for Human Rights process complaints of human rights violations and refers them to the Public Prosecution Service for investigation.⁵⁶ The fact that the same law enforcement body suspected of having carried out extrajudicial killings is responsible for the investigation of its own conduct raises serious doubts as to the independence and impartiality of the investigative process and its outcome, and is not compatible with international standards. The Special Rapporteur noted the creation, in 2023, of the Specialist Criminal Investigation Agency within the Public Prosecutor's Office,⁵⁷ which is independent from the National Police and is mandated to investigate serious crimes. However, the human and material resources allocated to this Agency are insufficient.

67. Another recurrent impediment is that the investigating authorities often refuse or otherwise obstruct the registration of victims' complaints. Additionally, human rights defenders are frequently criminalized while those who report unlawful killings, including relatives of victims, face threats and attacks. Junior Tomás Santos Pineda was arbitrarily detained in March 2023 by officers of the National Police and the Police Directorate for Combating Gangs and Organized Crime, who used violence to enter and raid his home on the pretext of the state of emergency, and, at the time of writing, his whereabouts are unknown. During the arrest, the police threatened his family and severely beat his brother Darwin Fabricio Santos. In June 2023, Tomás Santos Alejandro, the father of Junior Tomás, was shot and killed at his home by unidentified assailants. In July 2023, Darwin Fabricio Santos was arrested, charged with gang activity and imprisoned pending trial. Those responsible for the disappearance of Mr. Santos Pineda and the murder of his father remain at large.⁵⁸

68. The Special Rapporteur noted that victims had only limited access to free and effective legal services. Although article 16 of the Code of Criminal Procedure establishes that the Public Prosecution Service must provide legal assistance when required, the provision of such services is hampered by a lack of resources that creates an additional obstacle to victims' participation in criminal proceedings, as required by international standards.⁵⁹

69. The Special Rapporteur noted with great concern that the State, and particularly its criminal justice system, has failed to comply with decisions of the Inter-American Court of Human Rights that require the State to take the measures necessary to investigate, prosecute and, especially, punish those responsible for the commission of extrajudicial killings. The Public Prosecution Service has not yet implemented any of the protocols that the Court has called for, including, in particular, a protocol for investigating crimes committed against LGBTIQ+ persons, human rights defenders and victims of political violence in the electoral context, despite having received assistance for their formulation, including from OHCHR and from this mandate holder.

VII. Medico-legal and forensic investigation system

70. The Special Rapporteur noted with concern that medico-legal and forensic capacity and resources appeared to be insufficient to ensure the adequate and reliable investigation of crimes, including serious human rights violations such as unlawful killings. Specialists in

⁵⁵ See https://scm.oas.org/pdfs/2023/CIDH/IA2022_Cap_5_HO_ES.pdf, para. 59.

⁵⁶ See https://www.state.gov/wp-content/uploads/2023/02/415610_HONDURAS-2022-HUMAN-RIGHTS-REPORT.pdf; page 4.

⁵⁷ See <https://www.mp.hn/publicaciones/area/atic-agencia-tecnica-de-investigacion-criminal/>.

⁵⁸ See <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=28651>.

⁵⁹ [A/HRC/45/13/Add.3](#), para. 61. See also the Minnesota Protocol on the Investigation of Potentially Wrongful Deaths, para. 25.

anthropology and forensic archaeology are lacking, and access to effective forensic investigation is very limited, if it exists at all, in the remote areas where many of these crimes are reported. The Special Rapporteur discovered that the Tocoa morgue, which is described as being “mobile”, was in fact immobile and lacked equipment, notably radiology equipment, essential to the reliable investigation of cases of violent death.

71. The fact that the General Directorate for Forensic Medicine is structurally dependent on the Public Prosecutor’s Office is incompatible with the impartiality and independence expected of medico-legal systems for investigating deaths under international standards. The Special Rapporteur welcomes the bill to create a decentralized national institute of forensic medicine and science separate from the current General Directorate of Forensic Medicine attached to the Public Prosecutor’s Office, which was submitted to Congress in March 2023. A “decentralized” institute would mean an autonomous, independent institute with its own legal personality and resources, and thus with greater capacity to conduct investigations with full impartiality and with the necessary State powers.⁶⁰

72. The Special Rapporteur acknowledges other legislative and institutional advances aimed at improving forensic investigations and reiterates the need to adopt specific measures to implement these laws. He particularly welcomes the adoption of the Act on the National DNA Database System, passed by Congress in August 2023,⁶¹ which will allow for the categorization and systematization of analyses of DNA profiles obtained from samples and evidence related to criminal investigations and of civil and humanitarian identifications made in the context of situations such as mass disasters, migration and human trafficking, among others.

VIII. Conclusions and recommendations

A. Conclusions

73. **The Special Rapporteur welcomes the fact that the authorities have made an express commitment to investigate and prevent unlawful killings, have acknowledged the problems existing in the area of human rights and have identified the measures needed to address them. Their stated political will must be translated into specific and measurable actions that allow for prompt, effective, thorough, independent and impartial investigations of all cases of unlawful killings, even in the absence of a complaint (i.e. ex officio), for full reparations to be granted to victims and their families and for all those responsible, including those who ordered, planned or agreed to violations of the right to life, to be brought to justice.**

74. **The Special Rapporteur recalls that the duty to combat impunity for unlawful killings is a State obligation, not an option. Bringing those responsible for unlawful killings to justice is also essential to preventing the recurrence of such violations and enforcing the victims’ right to reparations.**

75. **The Special Rapporteur welcomes the cooperation and technical assistance programmes established between the Government of Honduras and OHCHR, particularly the programmes intended to strengthen the rule of law and build capacity within the prison system.⁶² He encourages the State to extend this cooperation to encompass the effective investigation of unlawful killings and expansion of medico-legal and forensic capacity, including through international cooperation, in particular South-South cooperation. Such cooperation will be key to breaking the culture of violence and impunity.**

⁶⁰ A/HRC/50/34. See also <https://seguridad.gob.hn/subsecretaria-de-seguridad-busca-crear-instituto-nacional-de-medicina-legal-y-ciencias-forenses/>.

⁶¹ See <https://justiciaforense.org/2023/08/23/aprobada-ley-de-bases-de-datos-de-adn-en-honduras/>.

⁶² Human Rights Council resolution 54/30.

B. Recommendations

76. The Special Rapporteur recommends that the Government of Honduras carry out prompt, effective, thorough, independent, impartial and transparent investigations and, in particular, urges the State to:

(a) Ensure that all potentially unlawful deaths are investigated in a prompt, independent, impartial, effective, thorough and transparent manner, applying a gender perspective and in accordance with international standards, including, in particular, the Minnesota Protocol on the Investigation of Potentially Unlawful Deaths;

(b) Adopt the bill to create a national institute of forensic medicine and science and allocate sufficient human and financial resources to ensure the institute's effective and autonomous operation;

(c) Prosecute all those responsible for carrying out or instigating unlawful killings and all senior officers in the chain of command responsible for such killings in order to end the situation of structural impunity;

(d) Operationalize the DNA databases that will serve as the basis for investigations into unlawful killings, including the reliable identification of the deceased, and ensure access to information for the victims' families; these databases should be consolidated across all investigative agencies and should allow for information cross-checking in all 18 departments of Honduras, while ensuring that personal data is protected;

(e) Ensure that victims and families have unrestricted access to complaint mechanisms and case files and are able to participate in investigative processes, including by adopting victim and witness protection systems to prevent reprisals;

(f) Ensure effective and transparent coordination between specialized prosecutors' offices and prevent police involvement in investigations into potentially unlawful deaths in order to ensure timely and thorough investigations.

77. With regard to the investigation of past human rights violations, including extrajudicial, summary and arbitrary executions, the Special Rapporteur recommends that the Government of Honduras:

(a) Implement all outstanding recommendations of the Truth and Reconciliation Commission, in particular by thoroughly investigating violations committed before and after the 2009 coup d'état, prosecuting those responsible, providing reparations to the families and adopting measures to ensure that the events are not repeated, in accordance with the judgments of the Inter-American Court of Human Rights;

(b) Facilitate effective search and recovery operations and the reliable forensic identification of victims of extrajudicial killings committed in the past, including while the national security doctrine was being applied in the 1980s and 1990s;

(c) Consider adopting, as a matter of priority, the draft law on victims of the national security doctrine and ensure that its provisions guarantee the investigation of serious human rights violations as well as reparations for the victims.

78. With regard to deaths in custody, the Special Rapporteur recommends that the Government:

(a) Ensure that all deaths in custody are investigated in accordance with the Minnesota Protocol on the Investigation of Potentially Unlawful Deaths;

(b) Ensure that all medico-legal and forensic investigators responsible for investigating deaths in custody receive adequate training on the use of the Minnesota Protocol on the Investigation of Potentially Unlawful Deaths, have the resources necessary for its effective implementation and communicate appropriately with the relevant prison authorities;

(c) Establish a unified, computerized central registry system containing disaggregated data on all persons deprived of liberty in the country and all deaths in custody nationwide, including an indication of the cause of death;

(d) Notify the families of persons who die in custody in a prompt and transparent manner;

(e) Ensure that prisons are managed by civilian forces and that prison security personnel receive adequate training on international standards related to deprivation of liberty, including the management of situations of violence and emergencies;

(f) Ensure that prisons are not controlled by gangs and that inmates do not have access to weapons, drugs and cell phones that could be used to commit crimes and endanger the lives of others inside and outside prison;

(g) Work to reduce overcrowding by adopting, among other measures, less punitive policies that prevent excessive use of pretrial detention.

79. With regard to the use of force, the Special Rapporteur recommends that the Government:

(a) Implement, as a matter of urgency, the National Police Manual on the Use of Force and Firearms (introduced by Agreement No. 1147-2023);

(b) Adopt the bill to regulate the use of force by law enforcement bodies and officers in Honduras and ensure that its provisions adhere fully to the fundamental principles of necessity, proportionality, legality, precaution and non-discrimination;

(c) Provide adequate financial and human resources, and also equipment, to law enforcement bodies in order to ensure compliance with human rights standards;

(d) Provide training on the aforementioned international standards to all agents mandated to use force, and establish administrative and criminal mechanisms to ensure accountability and appropriate penalties;

(e) Ensure that the military police are not involved in public security activities or activities that, in compliance with international standards, should be carried out by non-military personnel;

(f) Identify and address the structural causes of violence and insecurity and ensure that the declaration of a state of emergency and the suspension of rights is an exceptional measure subject to systematic review in full compliance with international human rights law and, in particular, the principles of necessity and proportionality.

80. With regard to femicides, the Special Rapporteur recommends that the Government:

(a) Adopt and implement, without delay, a specialized protocol for the prevention and investigation of gender-based killings of women and girls, in accordance with the standards established in the Latin American model protocol for the investigation of gender-based killings of women, and foster coordination between civil society and public institutions to ensure its effective implementation;

(b) Amend the Criminal Code to increase the penalties for femicide and make them proportionate to the seriousness of the crime, and ensure that cases of femicide are investigated by the Inter-agency Commission for Monitoring Investigations of Violent Deaths of Women and Femicides and that the perpetrators are prosecuted and punished appropriately;

(c) Train criminal justice system actors to address the personal and contextual factors that lead to femicide, which include deeply rooted misogynistic beliefs. The content of the training should be developed in collaboration with civil society actors and academia.

81. Regarding violent deaths of LGBTIQ+ persons, the Special Rapporteur recommends that the Government:

(a) Redouble efforts to prevent deaths resulting from violence based on gender or sexual orientation, in particular by ensuring that all such cases are investigated in accordance with international standards, and take steps to address the underlying discrimination and stereotyping apparent in such investigations;

(b) Move forward, in cooperation with OHCHR and civil society organizations, with the promotion, training and effective implementation of a protocol for the investigation and prosecution of violent deaths of LGBTIQ+ persons.

82. With respect to children and adolescents, the Special Rapporteur recommends that the Government:

(a) Adopt appropriate measures to protect the right to life of children and adolescents, especially in areas controlled by gangs and during arrests and raids, and establish rules for security forces and investigative agencies to ensure that the rights of children and adolescents are protected during homicide investigations;

(b) Investigate all violent and other serious crimes committed against children and adolescents promptly, thoroughly and impartially and prosecute and punish those responsible, at the same time ensuring that full reparations are provided to victims;

(c) Develop programmes to protect children and adolescents who refuse to join gangs, including by ensuring the effective implementation of and sufficient funding for the Comprehensive System for the Protection of the Rights of Children and Adolescents in Honduras.

83. With regard to the situation in the Bajo Aguán region, the Special Rapporteur recommends that the Government:

(a) Guarantee the effective investigation of all violent deaths occurring in the context of the Bajo Aguán conflict;

(b) Allocate adequate resources to investigative units, including forensic units, and ensure effective protection against reprisals and acts of intimidation for witnesses, victims and their families;

(c) Operationalize and ensure the effective functioning of the tripartite commission established to mediate in the agrarian conflict in Bajo Aguán with a view to finding lasting solutions, addressing structural challenges and guaranteeing reparation and measures of non-repetition.

84. With regard to human rights defenders, journalists, social communicators and justice operators, the Special Rapporteur recommends that the Government:

(a) Strengthen the National System for the Protection of Human Rights Defenders, Journalists, Social Communicators and Justice Operators in order to guarantee its effectiveness, adopt clear protocols for assessing risk situations and raise awareness of the mechanism, particularly at the local level;

(b) Call on investigative agencies to establish the pattern of human rights violations, particularly violations committed against the aforementioned groups, with a view to identifying the root causes of unlawful killings and developing a strategy to prevent their recurrence, including by bringing the perpetrators and instigators to justice;

(c) Adopt a comprehensive protection mechanism to protect the physical and psychological integrity and life of persons belonging to this group.

85. With regard to Indigenous Peoples and persons of African descent, the Special Rapporteur recommends that the Government:

(a) Protect the right to life of persons belonging to Indigenous and Afro-Honduran communities and ensure that a differentiated approach is applied in the investigation of all potentially unlawful deaths, threats and attempts on their lives, taking the context of historical discrimination into account and ensuring the availability of the human and financial resources necessary for this purpose.

86. With regard to the fight against impunity and corruption, the Special Rapporteur recommends that the Government:

(a) Continue to work with the United Nations to address the root causes of corruption and to combat corruption in all public institutions, including as a prerequisite for ensuring truth and justice for all victims of violations, including unlawful killings, and members of their families, and for restoring public trust in State institutions, including the criminal justice system;

(b) Commission an independent assessment of the work of investigative agencies, including the Public Prosecution Service and its specialized units, in order to identify the structural weaknesses that lead to inconclusive investigations, particularly in cases of potentially unlawful deaths, and adopt an accountability protocol designed to ensure that any person found responsible for obstructing access to justice, tampering with evidence or obstructing the prosecution of perpetrators is held accountable;

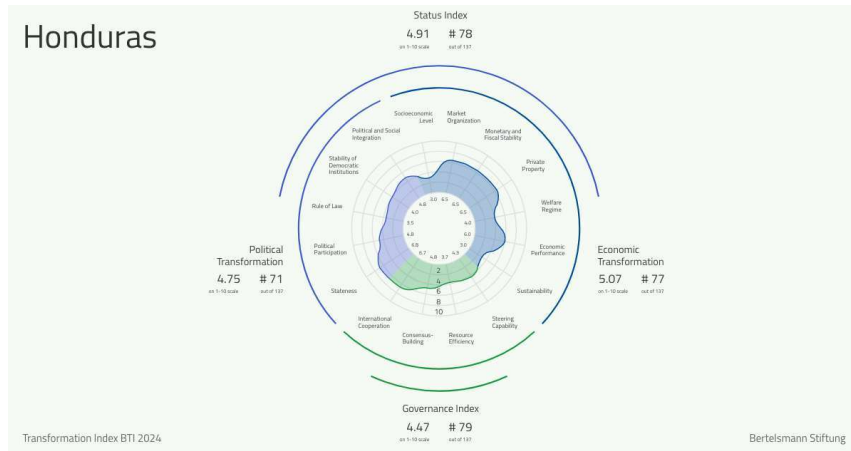
(c) Adopt a policy of zero tolerance for corrupt behaviour and abuse of power in all State institutions with a view to increasing accountability and eliminating real and perceived impunity.

87. The Special Rapporteur recommends that OHCHR expand its programmes of support for the National Prison System so as to ensure the reliable investigation and prevention of deaths in custody, including forensic investigations that conform to international standards, particularly the Minnesota Protocol on the Investigation of Potentially Unlawful Deaths.

Exhibit 12

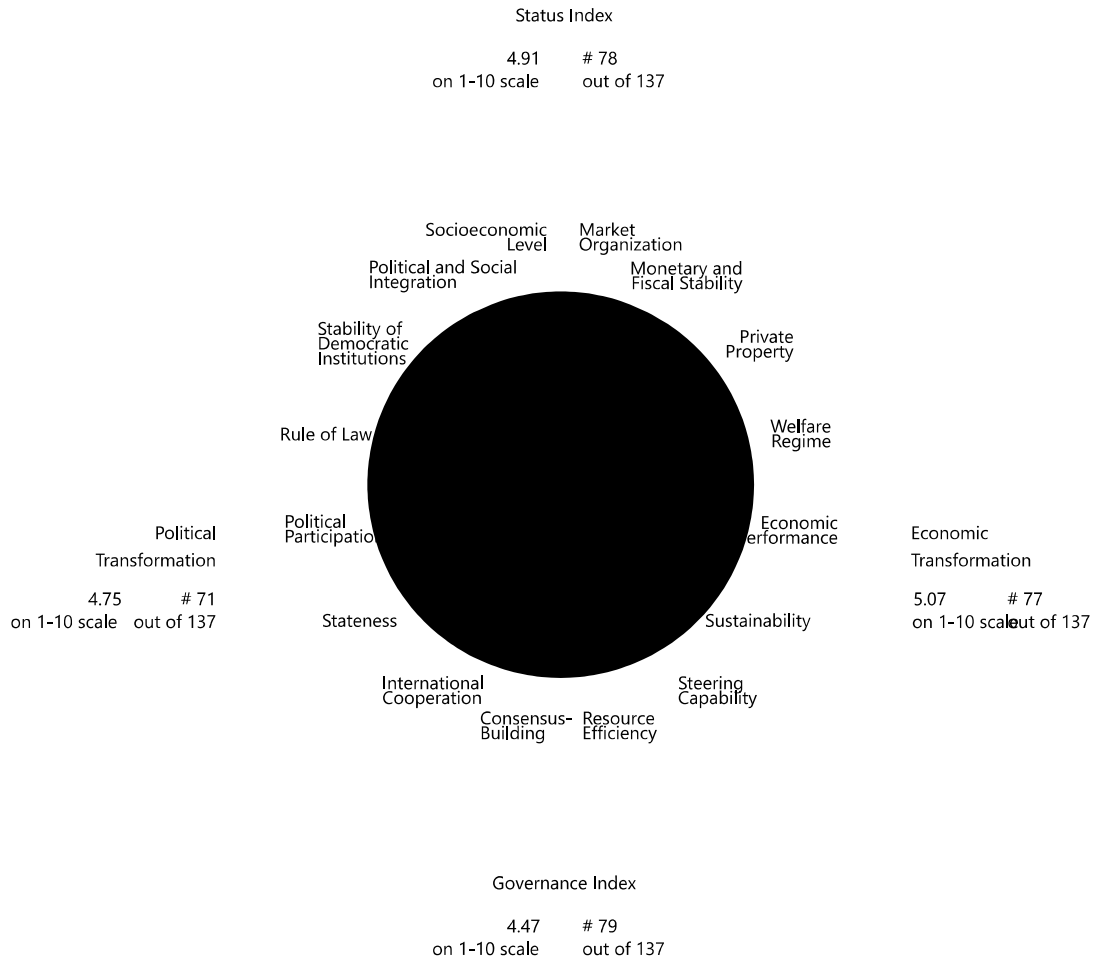
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Executive Summary

While 2021 and 2022 posed significant challenges for Honduras, there are some tentative positive developments that suggest a brighter future for the country. However, it's important to note that progress remains fragile and could easily be reversed.

In terms of political transformation, the 2021 general election marked substantial progress and a shift toward renewed democracy. The presidential elections, although not without flaws, were viewed as credible and fair, and the decisive victory of the opposition candidate was accepted by the losing candidate and his party. This represented the first peaceful transfer of power since the military coup in 2009.

Xiomara Castro, elected president, ran on a platform of change and anti-corruption. Her tenure has seen notable achievements, including the extradition of her predecessor, Juan Orlando Hernández, to the United States on drug trafficking charges and the repeal of the Secrets Law, which allowed officials to conceal corrupt activities. However, she also passed an amnesty law shortly after taking office that could shield powerful figures in her party from prosecutions for corruption, raising questions about her commitment to combating it. Like her predecessors, Castro has struggled to address widespread violence within democratic norms, resorting to suspending certain rights to combat extortion affecting small businesses, which she declared a national emergency. The declaration of a state of exception at the end of 2022, which remains in effect, acknowledged an ongoing failure by the state. Despite concerns, such measures enjoy broad public support.

In the economic sphere, although the country rebounded from the effects of the COVID-19 pandemic, Honduras continues to be one of the poorest and most unequal countries in the Western Hemisphere. It has also become increasingly clear that it is on the frontline of climate change, yet ill-prepared for climate change's consequences. Consequently, the new government faces the challenging task of balancing competing demands for environmental action and economic growth that would benefit the predominantly impoverished population. Castro has faced criticism from environmental groups for prioritizing economic interests over environmental concerns. Additionally, she has been criticized for not doing enough to strengthen the rights of women, particularly in relation to reproductive rights, and the rights of Indigenous populations and other minorities.

Considering the political instability in various parts of the Americas, including the United States, it is uncertain whether the achievements of the past two years will remain intact. As Castro approaches the midway point of her term at the end of 2023, there is still much work to be done, and the focus may shift toward preparations for the 2025 elections.

- [BTI 2024: Media kit](#)
- [Methodology](#)
- [FAQ](#)

History and Characteristics

Two interconnected aspects, economics and politics, have shaped Honduras's process of transformation and have evolved in complex ways over an extended period. Economically, Honduras remains one of the poorest and most unequal countries in the Western Hemisphere. However, there have been significant shifts in the macroeconomic policies pursued by successive governments. Since the end of the Cold War, the country's economic landscape has diversified, transitioning from an agriculture-based economy to one centered around manufacturing and the production of low-cost consumer goods, commonly known as maquilas. Concurrently, Honduras has increasingly engaged with the global economy and played an active role in promoting regional economic integration through the Central American Common Market and international trade agreements within the framework of the Central American Integration System (SICA).

Natural disasters, such as Hurricane Mitch in 1998, partly drove these economic changes. The substantial international aid required for reconstruction required regional and international cooperation. However, international assistance also came with demands for reform. Structural adjustment programs developed by the International Monetary Fund did not lead to more equitable economic development. In fact, socioeconomic inequalities deepened over time, often exacerbated by reforms in social service provisions and reductions in benefits, which nearly every government from President Rafael Leonardo Callejas (1991 – 1994) to President Hernández (2014 – 2022) implemented.

Politically, Honduras experienced a period of relative stability from 1982, when the first democratically elected president (Roberto Suazo Córdova) took office, until 2009, when elected President Manuel Zelaya was ousted in a military coup. The period between 2009 and 2021 witnessed a significant decline in the country's democratic quality, notably the erosion of reforms initiated in 1994 by President Carlos Roberto Reina and in 1998 by President Carlos Flores to limit the military's

power. Since 2009, the military has expanded its role both economically and politically, while increasing involvement in domestic security. This process has garnered broad public support and media endorsement, often framed as addressing the severe public security challenges the country has faced since the 1990s. Despite the military's assumption of domestic security responsibilities, the level of violence in the country has remained largely unchanged.

Since 2009, the violent suppression of opposition protests and civil society activities has increased. Journalists critical of the government routinely face threats, intimidation, arrests, injuries and even death. Honduras has become one of the most perilous countries globally for environmental activists and defenders of Indigenous and minority rights. Deliberate government policies have led to significant democratic backsliding since 2009. This was most overtly demonstrated during President Hernández's rule through the fraudulent 2017 presidential elections and the de facto termination of the Organization of American States (OAS) anti-corruption mission MACCIH (Misión de Apoyo contra la Corrupción y la Impunidad en Honduras) in 2020. The latter action effectively undermined the independence of the judiciary.

Political Transformation

Stateness

The monopoly on the use of force continues to be contested in the country by a variety of groups ranging from street gangs, such as the MS-13 and the 18th Street Gang, to more organized international drug trafficking groups. These groups are linked to state institutions at both the local and national levels. Criminal investigations expose them, particularly ones by the U.S. Department of Justice, which has indicted and convicted several high-profile Honduran political and economic actors of international drug trafficking, including former President Juan Orlando Hernández, who was extradited to the United States a few weeks after leaving office and is currently awaiting trial. While criminal investigations into high-profile, powerful state actors should be welcomed, the fact that most of these are undertaken by the U.S. Department of Justice, rather than the authorities in Honduras, underlines the state's weakness.

Street gangs pose a significant practical challenge to establishing a monopoly on the use of force. There has been some progress in reducing violence. The National University Violence Observatory recorded a murder rate of 41.7 for every 100,000 inhabitants in 2021. Yet, Honduras remains the deadliest country in Central

America. The MS-13 and the 18th Street gangs have between 35,000 and 40,000 members, according to estimates by Insight Crime and the Association for a More Just Society (AJS), the Honduran Chapter of Transparency International.

The new president has promised to take a more holistic approach to addressing the root causes of the gangs' standing in the areas they control. However, alongside a newly created community police, she has continued to deploy military police. She also declared a state of emergency to deal with extortion and other crimes.

Violence does not equally impact all groups in society. Poor people are far more likely to be victims of violence, including violence committed by the state itself. According to Human Rights Watch, environmental activists and journalists critical of the government are especially targeted, making Honduras one of the most dangerous countries in the world for members of these groups. Once again, this is an issue that the new president has promised to tackle. Yet, the lack of control the state has over some regions of the country means there may be a gap between rhetoric and practical achievements.

Monopoly on the use of force

The nation-state is recognized by the majority of the population as legitimate. However, deep mistrust continues to exist between it and significant parts of the population. In many ways, the convincing victory of Xiomara Castro in the 2021 presidential elections – so convincing that it was impossible for the losing National Party to contest it in any meaningful way – showed that there was a desire for change on the part of the majority of the population.

However, it will be difficult to address many of the structural inequalities and problems that exist in Honduras, at least in the short term. For instance, Indigenous people and people of African descent, in particular, continue to be systematically disadvantaged and discriminated against in education, the labor market, and access to basic social and state services. This is also reflected in the under-representation of these groups in politics, though the last elections, apart from electing the country's first female president, also resulted in more women in Congress. Now, 27% of seats are held by women, according to the Institute for Democracy and Electoral Assistance.

The structure of the new government, at least on paper, suggests increased focus on issues that have, historically, impeded the development of state identity across the country as a whole, even though there are challenges to gender equality in

politics. According to the Economic Commission for Latin America and the Caribbean (ECLAC), through its Gender Equality Observatory, in Honduras only 30% of staff in government ministerial cabinets are women.

Castro has a Ministry of Transparency and Fight Against Corruption and has promised a more transparent system for appointing judges, including to the Supreme Court. She has appointed a Minister for Human Rights, Natalie Roque, a long-standing activist in this area. She has also promised more consultation with local and Indigenous communities on questions of economic development.

Whether these measures will, in the short term, succeed in diminishing the mistrust between the state and population, and therefore consolidating state identity, is open to question, particularly because Castro's control over Congress is relatively fragile and considerable vested interests are against significant structural changes in the way politics and economics in the country works.

State identity

There is no state religion, and, according to the constitution (Article 77), the Honduran state is secular. The Catholic Church is the only legally recognized church. In recent years, however, evangelical churches have attracted a growing number of followers. According to the State Department's 2021 Report on International Religious Freedom, Evangelicals now represent the country's biggest religious denomination. These groups exert considerable social influence on the population, especially in the poorer communities of the country. In terms of public security, for instance, they continue to be critical mediators between gangs and the government and often represent the only viable means for gang members to leave criminal life and return to society through engagement with, and within, the church.

Evangelical churches exercise considerable influence over government policy when it comes to certain social questions. One particular flashpoint is women's rights. The new president had promised a less conservative policy, for instance, on access to contraception. During the review period, however, she did not make any changes, meaning that even access to emergency contraception was illegal until the ban was lifted in March 2023. Many civil society activists blame the influence of religious organizations for this lack of progress. There remains a clear divergence between the constitutional provision for Honduras being a secular state and the practical influence of religious organizations, which is considerable.

No interference of religious dogmas

Honduras's public administration suffers from serious inefficiencies and corruption. The state is strongly "corporatist" and based on a network of personal relationships that reach from the highest to lowest echelons of the state. This sustains corruption and does nothing to improve efficiency. More than half of all Hondurans claim to have witnessed corruption in their interactions with public officials between 2019 and 2021. In the population's perception, access to basic public services is either not available or depends on committing acts of corruption. The new government has promised to increase transparency in the public sector, both in relation to appointments and showing how public money is spent. Yet it remains to be seen whether, and when, these promises will be fulfilled.

In terms of law enforcement and access to justice, Honduras's security and judicial institutions are centralized, and access to these institutions in rural areas is compromised by criminal structures and the private security industry. According to the World Bank, 95.7% of Hondurans have access to a basic water source, 83.8% can access basic sanitation and 93.2% have access to electricity. Women and other vulnerable communities are most affected by the lack of access to basic services, justice and security.

The country also suffers from patchy delivery of public services, including transport, access to adequate water and sewage systems, education and training. This became apparent during the pandemic when the provision of health services was uneven, while accountability was essentially suspended by the declared state of emergency. The state continues to have only a rudimentary presence in significant parts of the country, with the result that the provision of many essential public services cannot be guaranteed. This, in turn, fuels the mistrust that exists between the population and the state.

Basic administration

Political Participation

Xiomara Castro from the Liberty and Refoundation Party (LIBRE) emerged triumphant in the 2021 general election with about 51% of the vote, becoming Honduras' first female president. Voter turnout, at around 68%, was significantly higher than in 2017, according to the Honduran Election Authority. The election resulted in a peaceful transfer of power and marks significant progress in restoring a functioning democracy, though much work remains to be done.

The losing candidate, a member of the Honduran National Party (PNH), which is former President Hernández's party, made no serious attempt to challenge the election results, despite deep polarization in the country. Power was transferred peacefully for the first time since the 2009 coup. In the previous post-coup elections, in 2013 and 2017, there was strong evidence pointing to serious irregularities. In contrast, international observers, including from the European Union and the United States, confirmed the essentially fair nature of the 2021 elections. The election's credibility was partly due to the commitment of the National Electoral Council (CNE), in particular, members from the Honduran Liberal Party (PLH) and LIBRE in opposition to the incumbent PNH. The 2021 voter register was overall reliable, despite around 400,000 people failing to receive new ID cards – which were distributed between 2020 and 2021 as part of a new nationwide effort – by election day.

Still, Honduran elections continue to be marked by violence. As in every election since 2009, several candidates were assassinated before the general election. Furthermore, the campaign was, once again, marked by sometimes-extreme rhetoric about what an opposition victory would mean. Throughout the campaign period, state media consistently demonstrated bias against opposition parties and failed to provide them with equitable air time. However, fears that the electoral commission – which was full of Hernández allies – would attempt to undermine the vote proved to be largely unfounded.

Free and fair elections

The new Honduran government continues to face old challenges, such as difficulty governing effectively in the face of deeply entrenched vested political and economic interests.

First, the state's administrative capacity is a significant constraint. The government frequently fails to implement political decisions, which also applies in terms of its geographic reach. In large parts of the country, the state's presence is rudimentary, and its ability to act is severely limited. This is illustrated by its failure to put an end to the numerous extortion rackets criminal gangs run, particularly in Tegucigalpa and San Pedro Sula. In some parts of these cities, it is impossible to run a small business without having to pay a "war tax" to street gangs, as confirmed by a 2022 InSight Crime study. The situation has become so severe that the new government imposed a state of emergency, following El Salvador's initiative, suspending many civil liberties in order to "control" this problem.

Second, the role of the military in Honduran politics is important and often decisive. Castro has to strike a difficult balance between “de-militarizing” the government and the state and keeping the military on her side, which is especially relevant since her husband, former President Manuel Zelaya, was ousted by a military coup in 2009. She named her husband’s nephew, José Manuel Zelaya, defense minister. For now, this ministry has a larger budget than the Security Ministry, which includes the civil National Police. Simultaneously, Castro has to make good on her promise to reform the state, which includes the effective restoration of civil rule, to which the military is subordinate. The fact that the military is a key economic actor in the country makes this task difficult. Furthermore, the military has assumed key tasks in the public security sector. Castro promised to remove the military from the provision of public security, but due to the declared state of emergency it is still an important actor. The Military Police, created by the previous president, Juan Orlando Hernández, is still on the streets.

Similar observations hold for both religious and economic actors. For instance, Castro has been criticized for her slow progress on improving women’s rights when it comes to access to abortion and tackling domestic violence. The influences of both the Catholic and Evangelical Churches are strong, restricting her ability to act. Moreover, the government’s lack of a stable majority in Congress makes passing legislation subject to constant negotiations.

In the economic sphere, the new government has scrapped the self-governing “investment zones.” While doing so was a key campaign promise, some economic elites have strongly criticized the move, arguing that it will deter investment and leave existing zones in a state of legal limbo.

In short, the political and economic landscape makes governance a constant challenge, creating the risk that the president will not be able to implement her political program.

Effective power to govern

Association and assembly rights are guaranteed in the constitution, which is formally widely respected and extensively used. During the Hernández Presidency, many groups – from teachers to peasants to health care workers to students – actively protested, particularly against the privatization of public services and rural economic development projects.

Yet, under the cloak of restrictions imposed to manage the COVID-19 pandemic, the state cracked down on protests with even more ferocity and violence than in previous years. Peasant and Indigenous groups, in particular, faced the almost constant threat of violence, either directly from the state or with its tacit support, especially if those groups actively opposed what the government considered economic development projects. Honduras continues to be one of the most dangerous countries on earth for environmental activists, as shown by the Annual Report of Human Rights Watch. The same goes for defenders of LGBTQ+ rights and critical journalists.

The new government has promised to improve protections for the right to association and protest. Nevertheless, due to the limited reach and capacity of the state, as well as widespread corruption, these promises have not yet led to an environment where anyone, regardless of the group to which they belong, can peacefully protest without fear of intimidation, violence or even death.

Furthermore, under the guise of combating extortion and organized crime, the current government has imposed a state of exception in parts of the country, suspending political and civil rights in the process.

Association / assembly rights

The Honduran constitution formally guarantees freedom of expression. Honduras has, in terms of the number of outlets and ideological breadth, a vibrant media landscape. In practice, however, freedom of expression is not guaranteed.

Journalists, particularly those investigating environmental crimes or crimes against Indigenous people, continue to be threatened and often assassinated. According to the Committee for the Protection of Journalists, since 2001, more than 90 journalists have been killed, while many others have been threatened or forced to leave the country. According to the Honduran Human Rights Commissioner, virtually none of these murders and threats ever lead to criminal prosecution or conviction.

Moreover, while there is Freedom of Information Legislation in place, according to the Human Rights Advocacy Group WOLA (Washington Office on Latin America), the law is poorly implemented, and the previous government made considerable amounts of information inaccessible, citing "national security" concerns. Therefore, in practice, access to information remains difficult.

While the restrictions on civil liberties – for instance, suspending Article 72 of the constitution guaranteeing freedom of expression – have been lifted, the new government has followed previous administrations' tradition of suspending civil

liberties in the name of dealing with emergencies. This is apparent in the recent declaration of a state of emergency to address the problem of extortion. The government has effectively assumed extraordinary powers to limit the civil liberties of its citizens.

Freedom of expression

Rule of Law

The separation of powers is formally established in the Honduran constitution. In practice, enforcing this separation has always been challenging and, after the military coup in 2009, increased substantially. Successive governments actively promoted the cessation of this separation as a matter of policy. Both the Supreme Court and the Supreme Electoral Tribunal were effectively under the control of the government and no longer functioned as independent institutions. Emergencies such as natural disasters and, more significantly, the COVID-19 pandemic only added to the breakdown in the separation of powers, since declaring a state of emergency formally suspends the normal functioning of the state.

Since the new government came into power, there have been mixed messages with regards to restoring the separation of powers. On the one hand, the government has promised to reform the appointment system for Supreme Court justices with the aim of promoting transparency in the process. Plans to reconstitute internationally sponsored anti-corruption and reform commissions, for instance, for the national police, also suggest a determination to tackle deep-seated corruption that has significantly contributed to the breakdown of the separation of powers.

On the other hand, declaring a state of emergency to deal with endemic extortion suggests that the promise of restoring basic democratic norms might not be met considering the enormous pressure to “do something” about a problem that is driving many small businesses to the edge of ruin. Similar measures in neighboring El Salvador led to soaring approval ratings for incumbent President Bukele. Under the new government, ‘deal-making’ with the National Congress to get legislative proposals approved has continued at pace, often with little to no transparency.

Separation of powers

Perhaps one of the most lasting legacies of the post-coup era in Honduras is the total breakdown of judicial independence. Courts essentially became instruments to protect the ruling National Party and its political leaders, including the presidents. In packing the Supreme Court and the Electoral Tribunal with loyalists, former President Hernández succeeded in overturning the ban on presidential re-election and confirming his disputed win in the 2017 presidential election.

His successor, Castro, has made restoring political and judicial accountability one of the main planks of her presidency. She oversaw the extradition of Hernández to the United States and took steps to welcome a new UN-backed anti-corruption commission to the country, one of the main tasks of which will be to propose reforms to restore judicial independence in the face of endemic corruption. However, concrete steps toward reinstating the judiciary's and prosecutors' independence have not been implemented as of now. The pivotal test will be in 2023, when we will see if the actions align with the rhetoric regarding transparency and independence.

Castro's commitment to transparency and judicial independence will face its most significant test in 2023, when Congress will be tasked with nominating new Supreme Court Justices and a new Attorney General. She has pledged to ensure transparency throughout this process and to uphold the independence of these newly appointed judges.

Independent judiciary

For years, there has been a concerted effort on the part of the political class in both the executive and the legislature to destroy what little remained of judicial independence and, with it, the prosecution of office abuse.

The new government came into office with the promise it would take firm action against abuses of power. As a first step, it announced the recreation of an internationally backed commission against corruption. The original, OAS-backed commission was suspended by President Hernández in 2020, after it uncovered several large-scale corruption schemes involving top-level politicians and members of the economic elite. It remains to be seen whether Castro will keep her word. Civil society groups point to recent legislative actions as setting worrying precedents. In her first six months in office, Castro's government managed to get an Amnesty Law through Congress, which, critics say, will make it much harder to

prosecute public officials' abuses of power. While Castro has denied that this law is intended to shield public officials from criminal prosecution, civil society groups argue that the law can be used to prevent the prosecution of abuses of power.

Furthermore, it remains dangerous for the media to cover office abuse. According to Reporters without Borders, Honduras became more dangerous for journalists from 2021 to 2022.

Prosecution of office abuse

Honduras is party to all major regional and international conventions on civil and human rights and has incorporated these rights into the constitution, backed by an array of laws overseen by national agencies. The existence of a codified guarantee of these rights has, however, not been sufficient to guarantee them in practice. While the new government has promised to do more to protect the civil rights of minority groups, such as Indigenous people and members of the LGBTQ+ community, in practice, violations of their rights continue. The security forces commonly violate civil rights. Legislative action and a lack of political will mean that public agents are often politically shielded from prosecution. Moreover, the private security sector is significantly under-regulated.

Freedom House, in its report on civil rights in Honduras in 2022, states that individuals and groups working in defense of the rights of Indigenous people and members of the LGBTQ+ community face significant intimidation and violence, both from the state and non-state groups defending certain economic interests. So do environmentalists. The Inter-American Commission on Human Rights cataloged the murder of at least 75 human rights defenders between 2014 and the end of 2021. Over two dozen defenders of LGBTQ+ rights were killed in 2021 alone. According to the Honduran Center for LGBTI Development and Cooperation (CDC), sexual minority groups continue to face systematic discrimination in the job market, access to social services and justice. Most crimes against members of this community go unpunished.

Civil rights

Stability of Institutions

The performance of democratic institutions in Honduras continues to raise serious concern. Since the 2009 coup, there has been a deliberate attempt to destroy mechanisms of oversight and control. The new government has pledged to restore these mechanisms. For instance, it pledged to reconstitute an anti-corruption mission under international supervision to continue the work of the

Mission to Support the Fight Against Corruption and Impunity in Honduras (MACCIH), which the previous administration disbanded. The new president also pledged to reform the judicial appointment system, particularly for the Supreme Court, to make the system more transparent and restore the independence of the judiciary. Whether this will occur in practice remains to be seen.

Notably, the new government has not reversed some of the reforms introduced by its predecessor. For instance, some of the changes Congress approved to the country's criminal court, which hinder the investigation of large-scale criminal groups, continue to be in force, although others have been reversed. Similarly, the decision in December 2022 to impose a state of emergency to address endemic extortion of businesses by criminal gangs has suspended some accountability mechanisms, especially with regards to the police.

Independent of the current government, one key area of progress is the strengthening of the electoral process and the institutions overseeing it. Both the National Electoral Council and Electoral Justice Court, created in 2018/19 and operational in the 2021 elections, helped to restore some level of trust in the fairness of national elections. Observers consider them one of the key reasons for the relatively peaceful, transparent nature of the electoral process, as well as acceptance of the electoral results.

Performance of democratic institutions

The key actors in Honduras – whether political or economic elites or churches – are formally committed to democratic institutions and their functioning. Restoring a functioning democracy was a key plank in the new government's election campaign. In this respect, it is noteworthy that the new president was elected based on her appeal to a broad electoral coalition and with the support of other parties that are not traditional allies of the president's party, LIBRE. However, some actions since then have raised concerns about this public commitment to restoring democracy.

The decision to impose a state of exception in the country to deal with extortion is, at best, an admission of the state's weakness in the face of organized criminal actors. At worst, it represents a return to the authoritarianism that has been the hallmark of Honduran politics for many years. These tactics are evidenced in neighboring countries, such as El Salvador, where cracking down on criminal actors is hugely popular with the public even when it undermines democratic institutions.

Furthermore, the president's relations with Congress are often tense and have been since she assumed office. Thus, democratic institutions are often seen as transactional or even expendable when they do not serve particular political objectives.

Commitment to democratic institutions

Political and Social Integration

The party system in Honduras has undergone major changes, which were confirmed and accelerated by the 2021 elections. One notable shift is the ongoing decline of the two long-standing parties, the PNH and PLH, which have historically maintained their influence through clientelist practices and patronage. The PNH not only lost the presidency but also relinquished its position as the largest party in Congress, experiencing a loss of 17 seats and securing only 44 out of 128 seats. Simultaneously, the PLH's decline persisted, as it came in third in the presidential election with just 10% of the vote and lost five congressional seats, leaving it with only 22.

The 2021 elections also confirmed LIBRE's ascent as a major political force, clinching victory in both the presidential and congressional races. However, it might be premature to label this as a definitive, enduring shift for two main reasons. First, at the presidential level, the opposition coalesced around a single candidate, enabling Castro to capture the majority of anti-National Party votes. The sustainability of this electoral coalition in 2025, when LIBRE will be the incumbent party, remains uncertain. Second, at the congressional level, LIBRE is not a cohesive ideological bloc, and internal tensions have complicated Castro's relationship with Congress.

While it is evident that the party system has evolved in recent years, it is too early to conclude that it has stabilized. Further fluctuations in the political landscape are possible. Moreover, internal divisions persist, particularly within the LIBRE party, contributing to challenges and fractures in the relationship between the government and Congress. The polarization of left-wing and right-wing rhetoric, a relatively new phenomenon in Honduras, is intensifying. Additionally, conflicts within the party coalition resulted in a rupture when selecting the president of Congress in January 2022.

Party system

Honduras has a vibrant and active third sector. Prior to the 2021 elections, interest groups – particularly human rights groups, environmental groups and students – were key actors in protests against government policy and corruption.

Yet, there is still a considerable discrepancy between the degree of representation of interest groups and their ability to work freely. So, while groups defending the environment, for instance, have gained some prominence (albeit still under the threat of violence from entrenched economic interests), other groups continue to face enormous difficulties. The government has been criticized for not moving fast enough on many of its promises regarding improving rights for minority groups, such as women and sexual minorities. Often, the government is caught between the demands of these interest groups and traditional actors, such as economic elites, which have significant representation in Congress and considerable influence over the government. While there has been steady progress in implementing some of the electoral promises made to interest groups, the government runs the risk of not fulfilling civil society's expectations, which may have been unrealistic.

Interest groups

According to Latinobarómetro 2021, all social indicators in Latin America have worsened in the last couple of years, including in Honduras. The COVID-19 pandemic negatively affected social conditions in Honduras considerably, as have several severe weather events since 2020. This had led to a steady erosion of trust in democracy and its institutions. According to the Latinobarómetro 2021 report, only 30.1% of Hondurans prefer democracy to any other kind of government, the lowest approval rate in the region. The regional average is 49%.

There were also two positive developments: First, in 2019, Congress approved a new electoral law that incorporated several reforms, including improvements to the voter registration process and new oversight bodies. Second, voter turnout in the 2021 elections was considerably higher than in previous elections. At just over 69%, turnout was almost 12% higher than for the 2017 elections. This suggests both a desire for change and increased trust in the electoral process, which is critical to the consolidation of democracy. It is thus possible that approval of democracy may be increasing, though it is too early to tell. It would be wise to wait for confirmation of this trend during the next elections.

It is important to note that some actions the government has taken – such as imposing a state of exception to deal with organized crime – are undemocratic yet enjoy a high level of public support. This suggests that support for democracy includes the rather narrow definition of holding regular elections but not the broad, normative definition, at least when it comes to questions of personal security.

Approval of democracy

Honduran society continues to grapple with stark disparities, whether they are economic, social or political in nature. These disparities have eroded trust between the populace and the government over several decades. Consequently, exacerbated by the impacts of the COVID-19 pandemic and severe weather events since 2020, civil society organizations have stepped in to assume significant roles in addressing the pressing needs of the population, especially at the local level and in underserved communities. Their efforts have encompassed providing essential food and clean drinking water, as well as offering emergency assistance to individuals unable to work due to the pandemic. In these specific communities, there exists a robust bond among citizens characterized by a sense of solidarity.

However, when we look at interactions between different communities, such as impoverished neighborhoods and middle- to upper-class districts, the dynamic often revolves around a provider-consumer relationship. A large portion of the less affluent population engages in informal employment, frequently serving the wealthier communities, as outlined by the International Labour Organization (ILO). This arrangement created significant social tensions during the pandemic, particularly when lockdown measures disrupted these informal relationships in many instances.

According to the 2021 Latinobarómetro survey, 15% of Hondurans expressed trust in the majority of people, surpassing the regional average of 12%. Nevertheless, this represented only a marginal 1% improvement from the 2018 Latinobarómetro edition.

Social capital

Exhibit 13

Gender-Based Violence Country Profile HONDURAS



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Contents

INTRODUCTION	3
PREVALENCE OF GENDER-BASED VIOLENCE: PRE- AND POST-COVID	4
POLICY AND LEGAL FRAMEWORK	7
GBV RESPONSE MECHANISMS AND SERVICES	9
APPENDIX 1 – LATIN AMERICA (9 COUNTRIES): TOTAL AND INTIMATE FEMINICIDES	12
APPENDIX 2 – SERVICES AVAILABLE DURING COVID-19 FROM INAM (2 OF 5 POSTERS PUBLISHED FOR DIFFERENT DEPARTMENTS)	13
APPENDIX 3 – UN WOMEN: MEASURES AGAINST VIOLENCE AGAINST WOMEN (HONDURAS)	14
GLOSSARY	15
REFERENCES	16

INTRODUCTION

Honduras has a small and informal economy that is predominantly agricultural, but its strategic location, solid industrial base, ample resources, and young population indicate potential for inclusive and resilient economic growth. From 2010-2019, the country experienced average annual GDP growth of 3.1 percent, driven by remittances-fueled private consumption, and supported by responsible macroeconomic policies.¹

Despite the growth, Honduras remains one of the poorest and most unequal countries in the region, with nearly half of the population living on less than US\$6.85 per day in 2019. The COVID-19 pandemic and hurricanes Eta and Iota had a significant impact on the economy in 2020, leading to a contraction in real GDP, an increase in poverty, and job losses, with social assistance programs having limited impact due to low coverage.²

Honduras has one of the highest rates of violent deaths of women in the world, by 2021, there were reported 318 violent deaths of women.³ Violence against women is widespread and systematic in

Honduras, affecting women and girls in numerous ways, including high levels of gun violence, domestic violence, femicide, and sexual violence. Despite those figures, Honduras has a lower percentage of women who have experienced intimate partner violence compared to the world average.⁴ Honduras is both a source and transit country for human trafficking, with women being the most affected by it. The COVID-19 pandemic has exacerbated the situation, resulting in an increase in reported cases of domestic and intra-family violence.⁵

¹ Overview. (n.d.). World Bank. <https://www.worldbank.org/en/country/honduras/overview>

² Ibid

³ Sevencan, S. (2022). Honduras sees 318 cases of femicide in 2021: Report. Anadolu Agency. <https://www.aa.com.tr/en/americas/honduras-sees-318-cases-of-femicide-in-2021-report/2486705#:~:text=Over%20300%20women%20were%20killed,viole%20they%20were%20subjected%20to>.

⁴ Social Institutions and Gender Index (n.d) <https://www.oecd.org/stories/gender/social-norms-and-gender-discrimination/sigi?country=HND>

⁵ U.S. Department of State. (2022). Trafficking in persons report. <https://www.state.gov/reports/2022-trafficking-in-persons-report/honduras/>

PREVALENCE OF GENDER-BASED VIOLENCE: PRE- AND POST-COVID

UN Women Prevalence Data on Different Forms of Violence against Women⁶:

- Lifetime Physical and/or Sexual Intimate Partner Violence: 27.8%
- Physical and/or Sexual Intimate Partner Violence in the last 12 months: 6.8%
- Lifetime Non-Partner Sexual Violence: Official National Statistics Not Available
- Child Marriage: 33.6%

Honduras has a GII value of 0,431, ranking it 107 out of 170 countries in 2021.

Regarding the Gender Gap Index, Honduras has decreased in scores resulting in its position in rank 82nd a considerable decline compared to its previous rank (67th).

Honduras has one of the highest rates of violent deaths of women in the world. In 2020, 278 women

were murdered in Honduras.⁷ By 2021, there were reported 318 violent deaths of women, translating to one murder every 27 hours.⁸ Accordingly, a study developed by the Gender Equality Observatory for Latin America and the Caribbean, states that femicide rate per 100,000 women was 4.6 by 2021 and that 234 cases were reported. As for women's deaths at the hands of their intimate partner or former partner Honduras rate was 1.0 (21%).

Violence against women is widespread and systematic in Honduras, and it affects women and girls in numerous ways. Within the country there are high levels of gun violence, domestic violence, femicide, and sexual violence. Individual GBV victimization is largely normalized and disregarded, notwithstanding a collective recognition of the pervasiveness of GBV in all its forms; according to the Social Institutions and Gender Index, the percentage of ever partnered women and girls aged 15-49 years subjected to physical and/or sexual violence by a current or former intimate partner was of 17% by 2022.⁹

⁶ UN Women Global Database on Violence against Women (n.d.). Honduras. <https://evaw-global-database.unwomen.org/en/countries/americas/honduras?formofviolence=7b8d7298a96749eea9d64c16f104c540>

⁷ UNSDG. (2021). Violence against women, the other pandemic impacting Honduras. <https://unsdg.un.org/latest/stories/violence-against-women-other-pandemic-impacting-honduras>

⁸ Sevencan, S. (2022). Honduras sees 318 cases of femicide in 2021: Report. Anadolu Agency. <https://www.aa.com.tr/en/americas/honduras-sees-318-cases-of-femicide-in-2021-report/2486705#:~:text=Over%20300%20women%20were%20killed,violence%20they%20were%20subjected%20to>

⁹ Social Institutions and Gender Index (n.d) <https://www.oecd.org/stories/gender/social-norms-and-gender-discrimination/sigi?country=HND>

In Honduras, the labor force participation rate among females is 49.4% and among males is 77% for 2022. In the same sense, vulnerable employment for females has improved in Honduras since 1991. Nevertheless, vulnerable employment among women is 48.6% and among men is 34.9% in Honduras for 2019. Workers in vulnerable employment are the least likely to have formal work arrangements, social protection, and safety nets to guard against economic shocks; thus they are more likely to fall into poverty.¹⁰

Surprisingly, in Honduras the share of women who have experienced intimate partner violence is less than the world average. Intimate partner violence is by far the most prevalent form of violence against women globally but in Honduras the percentage of women ages 15-49 who have ever experienced any form of sexual violence is 12.5% while the percentage of women ages 15-49 who have ever experienced intimate partner violence is 21.6%.¹¹

In contrast to the trend in many countries in the region, intimate femicides¹² in Honduras amount to less than 20% of the total, indicating that femicidal violence is perpetrated mainly by strangers or people with whom the victim had no emotional ties (See Appendix 1).¹³ Indeed, a recent analysis from the IDB

shows that the characteristics of femicide in Honduras differ from trends in other Latin American countries and the rest of the world in which a significant proportion of cases correspond to intimate femicide (by partner, ex-partner), while in Honduras most are perpetrated by organized crime and a significant number are classified in the category “not determined.”¹⁴

Studies also show a high prevalence of school-related gender-based violence (SRGBV). One recent survey revealed that almost half of all children have suffered some type of abuse in school.¹⁵ These indicate a high prevalence of harassment by teachers, including sexual harassment, and the infiltration of organized criminal groups and youth gangs into = schools, often using technology. Violence in the household is a major factor in SRGBV, with many directly linking violence in the home, street, and school.¹⁶

Finally, Honduras is both a source and transit country for human trafficking, and women are particularly vulnerable to sex trafficking. According to the U.S. Department of State 2022 Trafficking in Persons Report, the Government of Honduras reported investigating 148 trafficking cases—64 cases for sex trafficking and related crimes, five cases for forced labor, and 79 cases of unspecified exploitation.

¹⁰ *Ibid*

¹¹ *Ibid*

¹² That is, those killings where the perpetrator is or was in a conjugal, cohabiting, dating, or occasional amorous liaison relationship with the victim (Definition: Addressing violence against women and girls during and after the COVID-19 pandemic requires Financing, Responses, Prevention and Data Compilation, 2020).

¹³ United Nations Economic Commission for Latin America and the Caribbean. (2020). Addressing violence against women and girls during and after the COVID-19 pandemic requires financing, responses, prevention and data compilation. <http://hdl.handle.net/11362/46425>

¹⁴ IDB. (2019). *Femicide in Honduras*.

¹⁵ USAID. (2019). *Monitoring and evaluation support for collaborative learning and adapting (MESCLA) activity: Gender-based violence study in Western Honduras, submitted to USAID by the Global Women's Institute at the George Washington University and Estudios e Investigaciones de Centroamérica*.

¹⁶ *ibid*

This compares with 82 cases investigated for sex trafficking and related crimes in 2020 and 91 in 2019. Authorities initiated prosecutions of 43 suspects (27 for sex trafficking and 16 for forced labor), compared with nine initiated in 2020 (seven for sex trafficking and two for forced labor) and 55 in 2019 (53 for sex trafficking, including procuring commercial sex acts, and two for forced labor). The government convicted 18 sex traffickers, compared with 14 traffickers convicted in 2020 (10 for sex trafficking, two for forced labor, and two for both sex trafficking and forced labor) and 34 traffickers convicted in 2019 (33 for sex trafficking/procuring commercial sex acts and one for forced labor).¹⁷

The 2012 Honduran anti-trafficking law provides penalties of up to 15 years' imprisonment for human trafficking; nonetheless, despite increased law enforcement efforts, Honduras continues to have problems with data collection, victims' services, and the prosecution of offenders. Instances of trafficking remain "grossly underreported due to the hidden nature of the crime" as well as the prevalence of organized crime. Furthermore, authorities are often complicit, precluding any progress towards effective prevention and prosecution.¹⁸

With the onset of the COVID-19 pandemic in March 2020, the National 911 Emergency System saw an increase in reported complaints of domestic violence and sexual harassment. At the same time, there was a reduction in physical care services and access to justice due to COVID-19 mitigation measures.

Since the pandemic, the National Observatory of Violence and others report a 4.1% increase in domestic and intra-family violence.¹⁹ In the first year of the pandemic, Honduras recorded 171 murders of women since the state-mandated curfew implemented in March due to the pandemic.²⁰ This is also reflected in the figures provided by the Gender Equality Observatory for Latin America and the Caribbean, a femicide rate of 4.6 per 100,000 women by 2021 and 234 cases reported.

Another issue during the pandemic was the lack of reliable statistical data as neither the Investigative Police Department (DPI) nor the public prosecutors had timely accurate data regarding GBV. The two femicide units, the Special Prosecutor for the Protection of Women and the Prosecutor for Crimes against Life were not travelling to communities to register complaints.

¹⁷ U.S. Department of State. (2022). *Trafficking in persons report*. <https://www.state.gov/reports/2022-trafficking-in-persons-report/honduras/>

¹⁸ *Ibid*

¹⁹ Education Development Center. (2020, November 23). *Let's talk about it: violence against women in Honduras*. <https://www.edc.org/lets-talk-about-it-violence-against-women-honduras>

²⁰ Centro de Derechos de Mujeres. (2020). *Observatorio de violencias contra las mujeres*. <https://derechosdelamujer.org/project/2020/>

POLICY AND LEGAL FRAMEWORK

Gender equality in the legal framework: With regards to overall gender equality in the legal framework, according to the World Bank's 2023 Women, Business and the Law study, Honduras scores 75 out of 100 (over 8 indicators). When it comes to constraints on freedom of movement, laws affecting women's decisions to work, constraints on women starting and running a business, and gender differences in property and inheritance, Honduras gets a perfect score. However, when it comes to laws affecting women's pay, constraints related to marriage, laws affecting women's work after having children, and laws affecting the size of a woman's pension, Honduras could consider reforms to improve legal equality for women.²¹

The following data points illustrate various gender aspects in Honduras' legal framework²²: a) It is unclear what the legal age of marriage is in Honduras; while the Civil Code sets the minimum age for marriage without parental consent at 14 for boys and 12 for girls, the Family Code establishes that 21 as the minimum age without parental consent; b) The Civil Code establishes that only the "innocent" partner may initiate divorce, which can be either spouse; c) Rape is considered a "public crime" in Honduras, and proceedings can be initiated even if the victim does not press charges; spousal rape is included in the general definition of rape; d) Abortion is legal in Honduras only to save the

life of the mother; e) With regards to political voice, women and men have the same legal right to vote and stand for election, and there are legislated candidate quotas at both the national and sub-national levels.

International conventions on GBV: Honduras is party to several international conventions that guarantee equality, non-discrimination, and freedom from violence for women and girls, including the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW), the "Convention of Belem Do Para," the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, and the Convention on the Rights of the Child (CRC). Honduras ratified the Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment in 1996 which clarified that domestic violence falls under the purview of the obligations set forth in the Convention.

In 1997, Honduras adopted a Law against Domestic Violence, but current criminal penalties are minimal. This law was amended in 2006 and 2013 and includes economic violence. While the law criminalizes domestic violence and penalizes perpetrators with between two and four years imprisonment, the only legal penalty for a first offense is a sentence of one to three months of community service and "24-hour preventive detention

²¹ World Bank (2023). *Women, Business and the Law 2021*. <https://wbl.worldbank.org/content/dam/documents/wbl/2023/snapshots/Honduras.pdf>

²² OECD *Social Institutions and Gender Index*. (2014). Honduras. <https://www.genderindex.org/country/honduras-2014-results/>

if the violator is caught in the act.²³ It should also be noted that as of 2019, national criminal regulations still do not recognize various types of violence experienced by women: patrimonial violence, institutional violence, sexual violation within marriage, child marriage, and sexual harassment.²⁴

In 2013, Honduras amended its Criminal Code to include the crime of femicide, as well as to add a provision that makes the commission of a crime with hatred or contempt on the basis of sex or gender an aggravating circumstance.

Honduras has made some strides on the legislative and policy fronts to protect women against violence, including²⁵:

I. The National Policy on Women: Second Gender Equality Plan to “combat violence against women in different environments” as well as to further the promotion, protection, and assurance of the “right of women, girls, and adolescents to peace and to a life free of violence.” This Gender Equality Plan has produced “a normative framework of public policies recognizing and guaranteeing the rights of women,” which has served as a critical “technical and policy tool for mainstreaming gender equality.”

II. The National Plan to Combat Violence against

Women 2013-2022, which aims to prevent and prosecute gender-based crimes; and

III. Additional measures to improve the collection of statistics related to and services for victims of violence against women.

Nonetheless, in 2016, the Committee against Torture determined that “in reality, little has changed on the ground for victims of gender-based violence,” despite the establishment of several laws and mechanisms to protect women and girls. As is the case with other countries in the region, in Honduras, there are significant inconsistencies between legislation and public policy since there is no clear link between the two instruments, including discrepancies between national plans on violence against women and existing domestic violence legislation.²⁶ Ultimately, the legal system and policies in place are not protecting women from GBV or providing victims with the necessary support and services. Moreover, the legal system and policies fail to hold perpetrators accountable,²⁷ and the Special Rapporteur noted a “climate of widespread and systematic crime, corruption and impunity.”²⁸

Regarding human trafficking in Honduras, the Committee against Torture noted that “legal provisions do not cover trafficking for reasons other than sexual purposes and that officials suspected of

²⁴ IDB. (2019). *Femicide in Honduras*.

²⁵ *The Advocates for Human Rights. (2016). Honduras' compliance with the Convention Against Torture parallel report relating to violence against women.*

²⁶ UNDP. (2017). *From commitment to action: Policies to end violence against women in Latin America and the Caribbean.* <https://www.undp.org/latin-america/publications/commitment-action-policies-end-violence-against-women-latin-america-and-caribbean>

²⁷ *ibid*

²⁸ *The Advocates for Human Rights. (2016). Honduras' compliance with the Convention Against Torture parallel report relating to violence against women.*

trafficking activities are not properly investigated” and recommended that Honduras “amend the Criminal Code to include all exploitative purposes of trafficking” as well as “conduct training for law enforcement officials, migration officials and border police on the causes, consequences and incidence of trafficking

and other forms of exploitation.” The Committee also noted “the lack of comprehensive and disaggregated data on complaints, investigations, prosecutions, and convictions of cases of torture and ill-treatment by law enforcement officials, as well as on trafficking in persons and domestic and sexual violence.”²⁹

GBV RESPONSE MECHANISMS AND SERVICES

Over the years, Honduras has sought to improve access to justice with actions such as:

- **Establishing specialized courts on domestic violence and a Gender Unit (2013)**, which provide training and information on issues related to all forms of discrimination against women through the design and implementation of campaigns on the cycle of violence. Currently, three courts exist nationwide with limited coverage and staffing;³⁰
- **Launching of mobile courts** in Choluteca, San Pedro Sula, and Tegucigalpa which have been able to provide more localized services and receive complaints to be referred to the special domestic violence courts;
- **Creating a femicide unit** within the Directorate-General of Criminal Investigation;
- **Establishing domestic violence offices (2013)** at all departmental headquarters; and
- **Opening of reporting centers (2013)** in Tegucigalpa and San Pedro Sula where women can report crimes and seek medical attention, in addition to the 298 government-operated women’s offices (one in each municipality) providing services to women focusing on the prevention of GBV.

Overall, however, institutional responses to GBV remain inadequate. This includes key sectors such as judiciary, public prosecution, police, health services, municipal services, and community responses. As noted by one study, there is a “lack of coordination and cohesion among service providers and justice operators, and an alarming lack of funding. Additionally, the demand greatly outstrips supply of services, typically centralized in urban areas, leaving a large majority of

²⁹ *ibid*

³⁰ USAID. (2015). *Gender-based violence analysis for USAID/Honduras*.

the population without any support.”³¹

Most women do not go to the police for help given the widespread impunity for sexual violence and femicide and the fear of retribution when their perpetrators are gang leaders or well-connected politically.

Women express that there is no point in going to the police because they do not get involved in domestic affairs while others fear retribution. Even when women do turn to local law enforcement, they receive limited to no support. In general, domestic and sexual violence cases are handled with “systematic indifference of the police.”³² Many argue that systemic failures are related to Honduras’ entrenched machismo and patriarchal culture while gang members and others also threaten, abduct, assault, and rape Honduran women.³³ The UN Special Rapporteur on Violence against Women recently reported that Honduras has a 95% impunity rate for sexual violence and femicide crimes.³⁴

Regarding health services, one of the main contributions of health sector to address GBV is the creation of the Family Counseling Units (Consejerías de Familia) in 1993. The Consejerías are tasked to “function as a monitoring mechanism and guarantee of human rights, and to prevent and provide assistance, protection and support to victims of interfamily violence.” 23 Consejerías are strategically

located at hospitals and health centers in populated neighborhoods and are meant to serve as a one-stop-center, providing multi-sectorial case management for victims, including counseling, assistance from a social worker, and legal services in one location. Some of them also provide counseling to male perpetrators and work on redefining masculinity. Although these are meant to cover the whole country, less than 12 Consejerías are still operational, most providing only limited services due to scant resources.³⁵

Municipal services and community responses: In the absence of sufficient specialized national bodies to address GBV, several municipalities have created their own structures, mainly through the Municipal Offices for Women (Oficinas de la Mujer, OMM). The OMMs are often the first point of entry (after the police) for victims of GBV looking for support. There are significant variations between OMMs in each municipality, largely determined by the political will of the mayor, local advocacy, and the availability of financial resources. Due to the limited support from the national and municipal governments, community groups often assume a particularly important role.³⁶

Additional actions include:

— **Línea 114 “Vivir Sin Violencia Y Con Respeto”**

³¹ USAID. (2015). *Gender-based violence analysis for USAID/Honduras*.

³² Kelly, A. (2011, May 28). *Honduran police turn a blind eye to soaring number of ‘femicides.’* Guardian. <http://www.theguardian.com/world/2011/may/29/honduras-blind-eye-femicides> See also: <http://www.s21.com.gt/internacionales/2015/11/17/cada-16-horas-muere-una-mujer-violencia-machista-honduras, Nov 17, 2015>

³³ *The Advocates for Human Rights*. (2016). *Honduras’ compliance with the Convention Against Torture parallel report relating to violence against women*.

³⁴ Office of the High Commissioner for Human Rights. (2014, July 10). *Special Rapporteur on Violence Against Women finalizes country mission to Honduras and calls for urgent action to address the culture of impunity for crimes against women and girls*. <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14847&LangID=E>

³⁵ USAID. (2015). *Gender-based violence analysis for USAID/Honduras*.

- (2010) which provides aid to survivors of violence over the phone (available only in the city of Tegucigalpa)³⁷
- **Safe Houses (“Casas Refugio,” 2010)**, six safe houses established with state support through organized civil society networks of women against violence.

Finally, the following additional national and local measures were implemented during the COVID-19 pandemic by the National Institute of Women (INAM), among others (See Appendix 2 for additional examples):

- Design of prevention campaigns and new protocols and strategies for attention to violence against women;
- Creation of multi-sectoral response teams who virtually provide psychological, social, and legal assistance services to GBV survivors;

- Implementation of the campaign “Without Violence During the Emergency” and “INAM Supports You” which is designed to promote INAM’s GBV services and the co-responsibility of care at home;
- Strengthening the Municipal Offices for Women (OMMs), providing technological resources to facilitate their functions during the emergency situation; and
- Strengthening of statistical capacities to facilitate the exchange of data with the Supreme Court of Justice, for the monitoring of violence against women.

It should be noted in particular that Honduras was one of a limited number of countries in the region where all or part of services to address violence against women were declared essential as part of the government’s response for preventing and addressing gender-based violence, allowing greater access for women and girls during the pandemic than in neighboring countries.³⁸

Examples of Notable Interventions to Address GBV

In 2016, the Government implemented Ciudad Mujer, a project (replicating an existing model in neighboring El Salvador) designed to assist female victims of violence through providing integrated public services to women and focusing on economic independence, protection, and social development. There are now 6 Ciudad Mujer throughout the country, as well as a Mobile Ciudad Mujer (See Appendix 3).⁴⁰

³⁶ *ibid*

³⁷ UN Women Global Database on Violence against Women (n.d.). Honduras. <https://evaw-global-database.unwomen.org/en/countries/americas/honduras?formofviolence=7b8d7298a96749eea9d64c16f104c540>

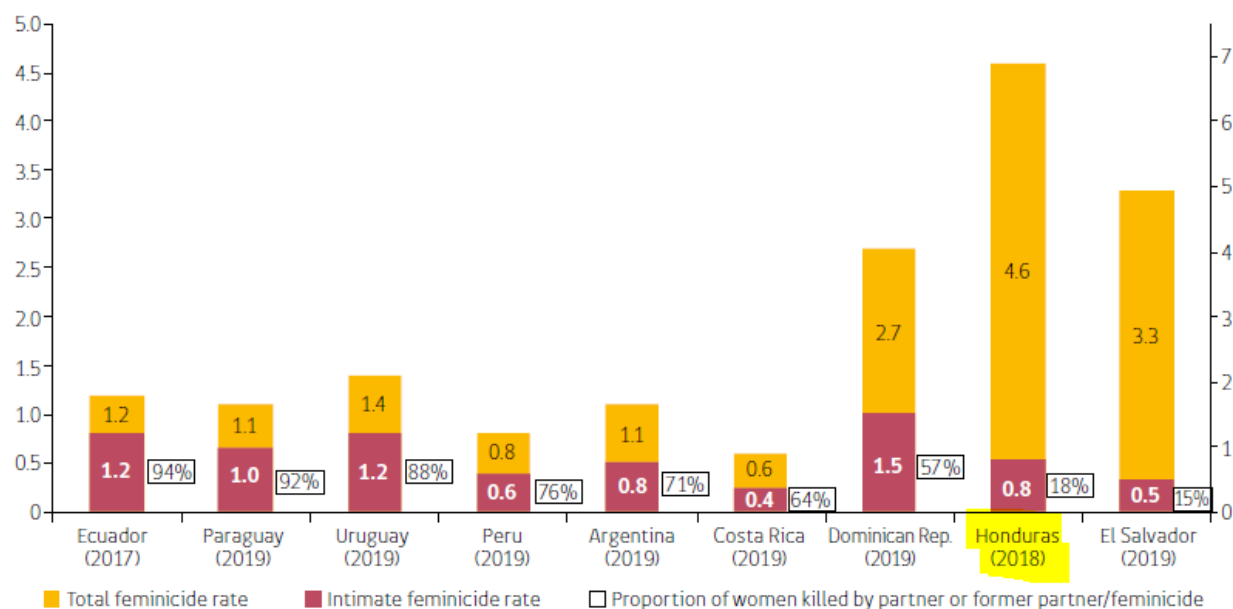
³⁸ United Nations Economic Commission for Latin America and the Caribbean. (2020). Addressing violence against women and girls during and after the COVID-19 pandemic requires financing, responses, prevention and data compilation. <http://hdl.handle.net/11362/46425>

³⁹ Agencias, Gobierno de Honduras replicará proyecto de El Salvador para víctimas de violencia. (2016, June 21). Radio La Primerísima. <http://www.radiolaprimerisima.com/noticias/resumen/205182/gobierno-de-honduras-replicara-proyecto-de-el-salvador-para-victimas-de-violencia>

⁴⁰ Ciudad Mujer. (n.d.). <https://www.ciudadmujer.gob.hn/direcciones/>

APPENDIX 1 – LATIN AMERICA (9 COUNTRIES): TOTAL AND INTIMATE FEMINICIDES⁴¹

Figure 3
Latin America (9 countries): total and intimate feminicides, latest year available
(Rates per 100,000 women)



Source: Economic Commission for Latin America and the Caribbean (ECLAC), Gender Equality Observatory for Latin America and the Caribbean [online] <https://oig.cepal.org/en>.

⁴¹ United Nations Economic Commission for Latin America and the Caribbean. (2020). Addressing violence against women and girls during and after the COVID-19 pandemic requires financing, responses, prevention and data compilation. <http://hdl.handle.net/11362/46425>

APPENDIX 2 – SERVICES AVAILABLE DURING COVID-19 FROM INAM

(2 OF 5 POSTERS PUBLISHED FOR DIFFERENT DEPARTMENTS)

¡LLÁMANOS! SAN PEDRO SULA

PSICOLOGÍA	TRABAJO SOCIAL	ASESORÍA LEGAL
LUNES 9607-6117 - 7:00AM A 7:00PM 8880-0382 - 8:00AM A 8:00PM 3373-2174 - 10:00AM A 10:00PM MARTES 9619-4186 - 8:00AM A 8:00PM 3214-2311 - 10:00AM A 10:00PM MIERCOLES 9607-6117 - 7:00AM A 7:00PM 9619-4186 - 8:00AM A 8:00PM 3373-2174 - 10:00AM A 10:00PM 3214-2311 - 10:00AM A 10:00PM VIERNES 9619-4186 - 8:00AM A 8:00PM 3373-2174 - 10:00AM A 10:00PM 3214-2311 - 10:00AM A 10:00PM SABADO 9607-6117 - 7:00AM A 7:00PM DOMINGO 3373-2174 - 10:00AM A 10:00PM 3214-2311 - 10:00AM A 10:00PM	LUNES A VIERNES 9892-5921 - 7:00AM A 7:00PM	LUNES A VIERNES 3378-7340 - 8:00AM A 2:00PM 9951-4781 - 10:00AM A 5:00PM 3163-2247 - 10:00AM A 5:00PM

#InamTeAcompaña #SinViolenciaAnteLaEmergencia

GOBIERNO DE LA REPÚBLICA HONDURAS | INSTITUTO NACIONAL DE LA MUJER INAM | CIUDAD MUJER POR UNA VIDA MEJOR | UNAH

MUJER SI ERES VÍCTIMA DE VIOLENCIA EL INAM TE APOYA

TEGUCIGALPA ¡LLÁMANOS!

ASESORÍA LEGAL - PSICOLÓGICA - TRABAJO SOCIAL	
LUNES MARTES MIERCOLES	9863-6096 9801-2882 8:00AM A 8:00PM
JUEVES VIERNES SABADO	9566-7272 9651-1157 8:00AM A 8:00PM

#InamTeAcompaña #SinViolenciaAnteLaEmergencia

GOBIERNO DE LA REPÚBLICA HONDURAS | INSTITUTO NACIONAL DE LA MUJER INAM | CIUDAD MUJER POR UNA VIDA MEJOR

APPENDIX 3 – UN WOMEN: MEASURES AGAINST VIOLENCE AGAINST WOMEN (HONDURAS)⁴²



<https://evaw-global-database.unwomen.org/en/countries/americas/honduras>

⁴² UN Women Global Database on Violence against Women (n.d.). Honduras. <https://evaw-global-database.unwomen.org/en/countries/americas/honduras?formofviolence=7b8d7298a96749eea9d64c16f104c540>

GLOSSARY

Gender	Roles that are determined socially, behaviours, activities, and attributes that a society considers appropriate for men and women. These roles are contextual and influenced by a society's culture and traditions, as well as by prevailing religious beliefs.
Gender-Based Violence (GBV)	Any act of violence that results in, or the nature of which causes, physical, sexual, or psychological harm or suffering to someone because of his or her sex. This including threats through similar acts, coercion, or arbitrary deprivation of liberty, whether in public or private life (UN, 1993).
Sex	Refers to the biological and physiological characteristics which differentiate men and women.
Sexual Exploitation	Any real or attempted abuse of a position of vulnerability, power differential, or relationship of confidence for a sexual purpose, including, but not limited to, taking financial, social, or political advantage of another through sexual means.
Sexual Abuse	Real or threatened physical intrusion of a sexual nature, whether it be by force or under unequal or coercive conditions.
Sexual Harassment	Unwelcomed sexual advances, demand for sexual favors, or any other verbal or physical behavior of a sexual nature. In the workplace, submission to these advances or behaviors may made either implicitly or explicitly a condition of continued employment, promotion, or other decisions affecting a person's employment.

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Social Sustainability and Inclusion Global Practice,
Latin America and the Caribbean Region

Published: June 2023

Exhibit 14

Femicides in Honduras

 catalystplanet.com/travel-and-social-action-stories/femicides-in-honduras

Guest User

July 15, 2025

Alex Jung

Honduras has one of the highest rates of femicides in the world, with more than 4,000 women killed between 2013 and 2025.

Femicide is the intentional, targeted murder of women or girls due to their gender. Honduras is a nation where femicide is highly prevalent, with a rate of about six [per 100,000 women](#) killed as a result, making it one of the highest rates of femicides in the world. Femicide rates are also high in many other Latin American countries, including the Dominican Republic, with a rate of three per 100,000 women, and El Salvador, with 2.5 per 100,000 women. Honduras also has high rates of gender-based violence. [Each year, there are 16,000 reports of domestic violence and 3,200 reports of sexual crimes.](#) Significantly, many cases of domestic violence and femicide do not result in trial or punishment. Feminist activist and writer Diana E. H. Russel, at the UN Symposium on Femicide, claimed, "The so-called maniacs who commit these atrocities are acting out the logical conclusion of the woman-hatred which pervades the entire culture." Gender-based violence and femicide in Honduras continue to harm families and communities today.

Gang violence is a primary cause of these femicides. There are many gangs operating in Honduras, including Mara Salvatrucha 13 (MS-13) and Barrio 18 (Pandilla 18 or 18th Street gang). Up to around [40,000 individuals](#) in the country are involved or associated with gangs. Although a large amount of criminal activity in gangs is through the extortion of drugs, violence is also often exercised between them for territory and influence. The killing of wives and daughters of rival gang members is done as a form of intimidation and an assertion of dominance. Additionally, the women are often raped and sexually harassed before they are killed. The reality is that many cases of gang-related femicides and violence toward women go unnoticed and unrecorded, making it difficult to estimate the scale of the issue in Honduras.

Under Honduran law, femicide is considered a serious felony, with a maximum of 40 years of imprisonment. However, this sentence is often unfulfilled, as [approximately 90%](#) of Honduran femicides go unpunished; this statistic, being an estimation, also reflects that the Honduran government does not release official

statistics regarding the number of trials and convictions, emphasizing a lack of transparency and action. According to The Advocates for Human Rights, "While Honduras has established several laws and mechanisms to protect women from violence, little has changed on the ground for victims of gender-based violence." Furthermore, though the proposal for a new law against violence toward women was presented to the country's National Congress on March 8, 2022, it has yet to be deliberated. But progress was not entirely void, as in 2023, the national General Budget included a section with a gender focus for the first time, with a budget of \$4 million.

Despite the ongoing issue and a large spike in femicides during the COVID-19 pandemic, according to the UN Sustainable Development Group, local NGOs and feminist activists have been actively working to address the issue. The law on safe houses, which has yet to be discussed by the National Congress, was proposed by feminist activists who believed safe houses should be funded for survivors of family and domestic violence. "The Other Pandemic" campaign was also launched during the pandemic to raise awareness on gender-based violence in Honduras; this included a docuseries with testimonies of women survivors, education campaigns at various schools and the spreading of the campaign's mission on national TV networks. Media activism is also integral when addressing the issue. This calls for the gathering of accurate, truthful information and data regarding femicides and gender-based violence. A study by the Spotlight Initiative found that nine out of 10 news stories in Honduras covering the topic of femicide omit details, creating many misrepresentations of the reality.

GET INVOLVED

Anyone interested in addressing and supporting the activism regarding femicide and gender-based violence in Honduras can do so by engaging with various national and international NGOs, including [the Spotlight Initiative](#), [End Violence Against Women](#), [Foro de Mujeres por la Vida](#) and [Proyecto Aldea Global](#).

Exhibit 15

At least 4,050 women were victims of femicide in Latin America and the Caribbean In 2022: ECLAC

caribbean.un.org/en/253787-least-4050-women-were-victims-femicide-latin-america-and-caribbean-2022-eclac

Story

23 November 2023

Femicidal violence can be prevented with comprehensive and forceful state responses, says says the United Nations regional organisation.

In 2022, at least 4,050 women were victims of femicide (also known as feminicide) in 26 countries and territories of Latin America and the Caribbean, according to the latest data that official agencies reported to the [Gender Equality Observatory for Latin America and the Caribbean](#) (GEO) of the Economic Commission for Latin America and the Caribbean (ECLAC). This is equivalent to one gender-related killing of a woman every two hours in the region.

“It is not possible to identify an upward or downward trend in the rates of femicide or feminicide in each country, since the variations are small and do not reflect an increase or decrease in the problem,” ECLAC explains in a [new report](#) on this issue. However, the United Nations regional organization stresses, it can be affirmed that femicide persists in the region, despite greater public awareness, legislative advances, progress in the measurement of cases and the state response.

Of the 19 countries and territories in Latin America that reported the number of femicides or gender-related killings of women in 2022, the highest rates were seen in Honduras (6.0 per 100,000 women), the Dominican Republic (2.9) and El Salvador and Uruguay (1.6). The lowest rates (meaning less than 1 victim per 100,000 women) were observed in Puerto Rico and Peru (0.9), Colombia (0.8), Costa Rica (0.7), Nicaragua (0.5), Chile (0.4) and Cuba (0.3).

In the Caribbean, 46 women were victims of lethal gender violence in the seven countries and territories that provided information corresponding to 2022. The highest number of cases by far was in Trinidad and Tobago (43).

“We will not get tired of saying this: Latin America and the Caribbean has a duty to prevent and eliminate all forms of violence against women and girls. It is unacceptable that more than 4,000 women and girls are murdered each year in our countries on the basis of gender,” José Manuel Salazar-Xirinachs, ECLAC’s Executive Secretary, said just before the [International Day for the Elimination of Violence against Women](#), which is commemorated each year on November 25 and launches 16 days of activism through to December 10, which is International Human Rights Day.

In the context of his official visit to Chile, the United Nations Secretary-General, António Guterres, participated in one of the commemoration and awareness-raising activities that ECLAC and the UN System in the country carry out each year in the framework of the [UNiTE by 2030 to End Violence against Women campaign](#).

Launched in 2008, this initiative by the UN's highest authority calls on governments, civil society, women's organizations, young people, the private sector, media and the UN system to join forces to prevent and eliminate this true global pandemic. The theme this year is "UNITE! Invest to prevent violence against women and girls."

Femicide is simply the most extreme expression of inequality, discrimination and the multiple forms of violence against women and girls, ECLAC reiterates. For example, according to specialized national surveys from 10 countries in the region, between 42% and 79% of women (around 2 out of every 3) have been victims of gender violence in different areas of their lives. In addition, on average, 1 in 3 women has been or currently is a victim of physical and/or sexual violence perpetrated by someone who was, or is, their partner, which entails the risk of lethal violence, according to the World Health Organization (WHO). This corresponds to 88 million women over 15 years of age in Latin America and the Caribbean. At the same time, early and forced child marriages and unions are a harmful practice and a manifestation of gender violence that persists and is widespread in the region, affecting 1 in 5 girls.

"Femicidal violence can be prevented with comprehensive and forceful state responses. Profound transformations are urgently needed to ensure that the women and girls of our region can live violence-free lives," José Manuel Salazar-Xirinachs underscored.

More than 70% of the femicide victims in 2022 were between 15 and 44 years of age, according to the information provided by eight Latin American countries. However, 4% of them were under 15 and 8% were aged 60 or older.

In seven countries that reported to ECLAC, at least 400 children, adolescents and other dependents lost their mother or caregiver due to femicide in 2022. On this topic, it is important to note that only eight Latin American countries have created concrete reparation measures to support the dependents of femicide victims, which constitute a fundamental response in building a comprehensive approach.

To prevent femicidal violence, it is also necessary to strengthen data on the existence of prior complaints of violence or precautionary measures (such as restraining orders) that would allow for assessing risks and taking timely action, and thereby averting gender-related killings.

States in the region must increase budget allocations and invest to bolster policies against gender violence with new strategies for responding to the various manifestations of violence such as, for example, gender violence in digital media, ECLAC warns.

In the [Buenos Aires Commitment](#) – which was approved in 2022 and proposes a path for moving towards a care society – the region’s countries agreed to “promote the adoption and implementation of laws, policies, comprehensive and multisectoral action plans and educational awareness-raising programs to prevent, address, punish and eliminate all forms of gender-based violence and discrimination against women, adolescent girls and girls in all their diversity, in different areas and manifestations, including harmful practices such as female genital mutilation, child marriage and early unions.”

Moving towards a care society requires transforming patriarchal, discriminatory and violent cultural patterns, ECLAC emphasizes.

In sum, the Commission urges the region’s governments to redouble their efforts aimed at improving record-keeping and information systems; to increase budget resources for public policies that respond comprehensively to victims and survivors; and to invest in effective prevention, strengthening risk assessment and effective protection and reparation measures for victims, and their access to medical, psychosocial, legal assistance and other services, as well as to educational, economic and employment opportunities.

Finally, the Commission clarifies that current information on femicide victims does not enable the construction of a comparable time series for the region’s countries. Several countries have improved their femicide records through legal reforms, which has entailed methodological adjustments that prevent a strict comparison.



ECLAC Caribbean

Exhibit 16



Report to Congress on The Successes and Failures of the Government of Honduras in Democratic Governance, Rule of Law, Economic Freedom, and Human Rights

Section 7019(e) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2024 (Div. F, P.L. 118-47) and House Report 118-146

How the Department of State Evaluates Honduras

The Department of State publishes a variety of publicly available reports that document the successes and failures of the Government of Honduras in democratic governance, rule of law, economic freedom, and human rights, including the Human Rights Report, the Worst Forms of Child Labor Report, the Trafficking in Persons Report, the Investment Climate Statement, and the Fiscal Transparency Report.

Democratic Governance

The country faces formidable challenges in democratic governance, including weak institutions, endemic corruption, impunity, citizen insecurity, and shrinking space for civil society.

Rule of Law

Rule of law is one of the country's greatest areas of concern. The World Bank rated Honduras in the 15th percentile among countries worldwide for rule of law in 2023, a slight drop since the 2022 report. The 2024 Investment Climate Statement for Honduras described investors reporting that uncertainty surrounding the implementation of pending legislation and legislative framework for taxation, and other concerns continue to present significant challenges for enterprises of all sizes.

Economic Freedom

Honduras faces numerous challenges to economic freedom, including persistent uncertainty caused by corruption, unstable rule of law, lack of judicial independence, security concerns, expensive and unreliable electricity, licensing and permitting bureaucracy, and deteriorating infrastructure. According to the 2024 Investment Climate Statement, business leaders perceive the investment climate became more challenging, primarily due to political uncertainty. In September 2024, the Supreme Court found the law that created the employment and economic development zones unconstitutional. This matter is one of several investment disputes between the Government of Honduras and the private sector. This has created a climate of uncertainty that has driven a decline in private investment and job creation.

Human Rights

The 2024 Human Rights Report on Honduras cited reports of arbitrary or unlawful killings; disappearances; torture or cruel, inhuman, or degrading treatment or punishment; harsh and life-threatening prison conditions; arbitrary arrest or detention; serious problems with the independence of the judiciary; and serious restrictions on freedom of expression and media freedom, including threats against media members by criminal elements. Criminal groups, including local and transnational gangs and narcotics traffickers, were significant perpetrators of violent crimes and committed acts of homicide, torture, kidnapping, extortion, human trafficking, intimidation and other threats, and violence directed against human rights defenders, judicial authorities, lawyers, business community members, journalists, bloggers, women, and other vulnerable populations. The government investigated and prosecuted some of these crimes.

Impact of Honduras' Foreign Relations on U.S. National Security Interests

Despite Honduras' diplomatic efforts with Russia and the CCP, Honduras cooperates with the United States on countering narco trafficking, and addressing illegal immigration, all of which advance U.S. national security interests in the region.

Honduras established diplomatic relations with the Chinese Communist Party in March 2023. Honduras paused its negotiations of a free trade

agreement with China in 2024. Honduras observed Venezuelan elections in July 2024 and President Xiomara Castro congratulated Nicolás Maduro on his “unquestionable triumph” quickly following the National Election Council-declaration of Maduro as the winner. LIBRE’s presidential candidate, former finance and defense minister, Rixi Moncada, also congratulated Maduro on his fraudulent re-election. Honduras extended an invitation to Russia to observe its elections in November 2025. Senior Honduran officials have publicly criticized U.S. policy toward Venezuela, Nicaragua, and Cuba.

Evaluating U.S. Assistance to Honduras

U.S. foreign assistance between 2020 and 2022 did not curb illegal immigration from the region to the United States. Enforcement of U.S. immigration laws since January 2025 has resulted in a drastic reduction in illegal immigration from Honduras, as well as other countries, and Honduras has cooperated with U.S. efforts to remove illegal immigrants from the United States.

Proof of Service

On this date, I, Natalia Vieira Santanna, served a copy of the following documents:

RESPONDENT’S COUNTRY CONDITIONS - HONDURAS

To the following:

Office Location:	Mailing Address:
Office of the Principal Legal Advisor Department of Homeland Security 100 Montgomery Street, Suite 200 San Francisco, CA 94104	US Immigration and Customs Enforcement US Department of Homeland Security Office of the Principal Legal Advisor P.O. Box 26449 San Francisco, CA 94126-644

by:

- Through the EOIR Courts and Appeals System (ECAS), which will automatically send service notification to both parties that a new document has been filed.

Natalia Vieira Santanna (Bar N. 337502)
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P.O. Box 7528
Oakland, CA 94601
Counsel for Respondent