

HONDURAS REPORT

Monitor of the Lima and Los Angeles Commitments

Citizen Corruption Observatory

September 2024





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LIST OF ACRONYMS

APUVIMEH Asociación para una Vida Mejor

ASJ Asociación para una Sociedad más Justa

ASONOG Asociación de Organizaciones No Gubernamentales de Honduras

CCO Citizen Corruption Observatory
CFA Citizen Forum of the Americas

CIPRODEH Centro de Investigación y Promoción de los Derechos Humanos

COHDESSE Consejo Hondureño del Sector Social

CPI Corruption Perceptions Index CSOs Civil Society Organizations

CSPAS Civil Society Participation in the Americas Summit

EROC Espacio Regional de Occidente
FONAC Foro Nacional de Convergencia
FPIC Free, Prior and Informed Consultation
IAPI Institute of Access to Public Information

LTAPI Law on Transparency and Access to Public Information

MSMEs Micro, small and medium-sized enterprises

MWO Municipal Women Offices
NAC National Anti-corruption Centre
NGO Non-Governmental Organization
NIS National Institute of Statistics

NPM - CONAPREV National Prevention Mechanism - National Commission for the Prevention of

Torture

OAS Organization of American States

ODECO Organización de Desarrollo Comunitario

PAEAH Plan de Estado Abierto Honduras
PCM President of the Council of Ministers

Redlad Latin American and Caribbean Network for Democracy

SENPRENDE Servicio Nacional de Emprendimiento y de Pequeños Negocios STLCC Secretaría de Transparencia y Lucha Contra la Corrupción

TO Transparency Officer

UPR Unique Participants Register

You can access the Country Report carried out in Phase 1 at this link.











INTRODUCTION

What is the CCO?

The Citizen Observatory of Corruption (CCO) emerged in 2020, through a coalition of civil society organizations and social actors on the continent, created to allow monitoring of compliance with the commitments adopted by the governments of the hemisphere at the VIII Summit of the Americas and promote citizen participation in the fight against corruption.

The CCO is the result of the collaboration between the Citizen Forum of the Americas (CFA), the Latin American and Caribbean Network for Democracy (Redlad), chapters of Transparency International (TI) in Latin America and civil society organizations that act in 19 countries on the continent. Redlad and the Citizen Forum of the Americas are platforms for dialogue, exchange, strengthening, communication and advocacy of civil society that operate throughout the region.

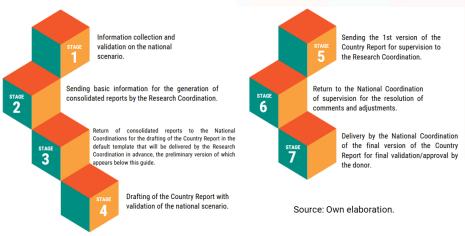
Phase 1 of the CCO was carried out between November 2020 and June 2021, in which more than 150 organizations from society participated, to obtain an analysis and assessment of the status of the Commitments assumed at the Lima Summit.

In this new Phase, CCO 2 has 3 objectives:

- Support the Latin American and Caribbean Network for Democracy (Redlad) and the Citizen Forum of the Americas (CFA) to continue promoting the participation of civil society organizations (CSOs) in the next Summit of the Americas.
- Support the strengthening of the capacity of CSOs to promote citizen agendas participate in policy promotion and monitor government commitments.
- Support inter-American efforts to strengthen respect for Human Rights and democratic governance, including the hemispheric anti-corruption approach.

This document is framed in the strengthening of capacities through advice and technical support at the strategic and implementation levels, monitoring of results and strengthening the capacities of Redlad and CFA members.

A schematic graph is presented with the methodology that will be used to prepare the Country Report on this occasion.











HONDURAS PARA UNA SOCIEDAD MÁS JUSTA

COLLABORATIVE WORK METHODOLOGY

For monitoring of the commitments of the VIII Summit and the IX, the CCO designed a unified methodology that allow the weighting of the results obtained and a comparison between the countries that make up this consortium. For the investigation of each country, the National Scenario consolidated and at least ten civil society organizations and representatives of different population groups and topics that address this process of monitoring the commitments assumed by the countries of the region. For this purpose, a four-stage process was generated.

- Collection of information based on previously designed indicators that analyze regulatory and practical issues of the prioritized commitments of both Summits under analysis. For the normative indicators, the latest version of each norm was investigated on official sites, including the Constitution and laws of national scope. Regarding the practice indicators, at least one request for public information from competent authorities was requested from the national scenarios, three interviews with specialists and analysis of secondary sources official reports on compliance with commitments, academic and CSO studies, reliable journalistic sources supported by empirical evidence. In addition, research of experiences was added on concrete advances, social conflicts, violations of rights and good practices, placing special emphasis on how they affect, positively or negatively, the most vulnerable population groups, a special focus of the CCO's work.
- Weighting of results obtained, qualifying each commitment to generate
 the bases for the comparative work that animates the CCO as a regional
 initiative. Three criteria were established to analyze: the relevance, which
 accounts for the opportunity and convenience of the actions that
 governments take to fight corruption; the effectiveness, that is, to what
 extent the actions carried out by governments promote the fight against
 corruption; Sustainability that values the continuity over time of these
 actions and commitments.
- Data validation by the National Scenarios: a distinctive element of the CCO that is given a special space in the following section.
- Collaborative analysis of the validated results and the production of this
 Country Report. Once the investigation was completed, the countries
 submitted the information to the Research Coordination, which processed
 the data and generated graphic information so that each national
 scenario could narratively report the status of the fight against corruption
 based on the commitments assumed with a special focus on the
 assumption of the perspective of citizenship and the exercise of
 fundamental rights, especially about the most vulnerable population
 groups.

Focal points:

FCA Redlad

National Scenario Chapters of TI

Human Rights
LGBTIQ+
Indigenous organizations
African descendant groups
Religious groups
Youths
Academy
Women
People with disabilities



- oudlogy
- Queries Public Information Requests
 - Workshops Interviews
 - Interviews Meetings
- Validations





Under the leadership of the Transparency International-Redlad-Citizen Forum

alliance, the scope of exchange, learning and analysis that allowed the collection and validation of data in Phase 1 was renewed, with organizations specialized in human rights, anti-corruption, work in territory and hemispheric spaces.











COUNTRY CONTEXT

Honduras has experienced <u>high levels of political instability</u>, including coups d'état and electoral controversies. The Inter-American Commission on Human Rights (IACHR), in its Resolution 1/18, establishes that corruption is a complex phenomenon that affects all human rights, both civil and political, as well as economic, social and cultural, including the right to development; it also weakens governability and democratic institutions, fosters impunity, undermines the rule of law and aggravates inequality.

Similarly, the World Bank in 2013 has established that corruption is the "public enemy number one" of developing countries. By July 2021, 54.0% of Honduran households were in conditions of economic vulnerability, since their income was below the poverty line. According to data from UNDP "Honduras also faces serious challenges in terms of gender equality and women's empowerment: although it has managed to reduce gender inequality by 8.1% in the last 10 years, it continues to be one of the countries with the greatest gender inequality in Latin America and the world. In 2021, it was ranked 107th out of a total of 170 countries."

Likewise, Transparency International, in its <u>Corruption Perception Index</u> (IPC) (2023) indicated that Honduras managed to place itself in position 154, moving 4 steps in the ranking after being stuck in position 157 for three consecutive years. It should be noted that in this edition, the IPC classifies 180 countries, from the most transparent in position 1, to the least transparent in position 180.

In retrospect, a look at the history of the Honduran economy shows that "starting in 1990, a new neoliberal economic model was promoted, based on the principles of the Washington Consensus. This began with the implementation of the Law on Structural Economic Order (Decree 18-90), which enacted the devaluation of the Lempira, tariff reduction, the elimination of franchises, tax increases, and the liberalization of bank interest rates; which led to a reduction in import taxes, the elimination of local protectionism, and greater opening of trade relations at a global level."

In Honduras, the population is predominantly young, with a high birth rate and a prolonged emergency in terms of teenage pregnancy. In 2018 alone, a total of 29,629 young people between 10 and 19 years of age gave birth. Emigration is common, with many Hondurans seeking better opportunities abroad, especially in the United States; hence the migrant caravans have attracted international attention in recent years. Internal migration also occurs, with people moving from rural to urban areas in search of better economic and educational opportunities.

In terms of the environment, the country has a great biodiversity of natural resources, but faces problems such as deforestation, pollution and the effects of climate change.

Situation of population groups in Honduras

Situation of women. In Honduras, according to the National Institute of Statistics (NIS), women constitute 53.3% of the total population, which in absolute terms represents 5,112,114 people:











56.7% are concentrated in urban areas and 43.3% in rural areas. The national female participation rate is 44.6%: 50.7% are concentrated in urban areas and 35.7% in rural areas. 7 out of 10 women in Honduras are not studying and only 11.74% are not doing so because they have alreadyfinished their studies; 21.9% left school due to lack of financial resources and 17.4% simply because they do not want to continue.

Indigenous Peoples. The State of Honduras formally and legally recognizes the existence of 9 indigenous peoples rooted in their cultural diversity: Lencas, Chortis, Nahuas, Tawahka, Miskitu, English-speaking Afro-descendants, Tolupanes, Pech and Garífunas. Recent results of the 2024 Honduras Indigenous Navigator Report Among others, the following conclusions stand out: "Threats tothe security of indigenous peoples and their members persist, especially against those who defend the interests of their communities, with cases of homicides, death threats and arbitrary arrests occurring. Impunity is a constant in these events, as is the lack of access to justice and scant political representation of the various peoples.

LGBTIQA+ people. Over the years, there has been some progress in the fight for LGBTIQA+ rights in Honduras. However, there have also been setbacks, especially in terms of violence, stigma and discrimination. According to data from the National Human Rights Commissioner (CONADEH), in 2022at least 43 people from the lesbian, gay, bisexual, transgender and intersex communities were murdered. In a global figure from the same organization, only 23% of cases were prosecuted.

Disability. "In Honduras, the Expediente Público data, available from the Unique Participants Register (UPR) of the National Center for Social Sector Information (CENISS), from the period 2018-2019, there are 222,388 people with disabilities, of which 117,895 (53%) are women"; "in this period according to official data, out of 161,646 people with disabilities evaluated, 69,626 (43.1%) have no educational level and only 9.7% finished high school, which also affects their situation of poverty due to their inability to find a job". "There is no process of accompaniment and follow-up of complaints and grievances". "In addition to the low political participation, the government plans of the political parties only mention "specific actions" aimed at the disability sector for the benefit of a few people, but they lack a transversal plan that allows adequate attention to the diversity of disabilities, says the Coordinatorof Institutions and Associations for Rehabilitation of Honduras (CIARH)"².

Youth. According to NIS data for 2023 "Urban and rural youth are inserted in economic branches and productive sectors of low quality, which are characterized by a marked wage inequality and job insecurity." "Young people from rural areas have greater disadvantages when entering the youth labor market." Likewise, the trends denote the need to promote changes in institutional, organizational and political matters, to design and develop a new generation of social policies focused on attacking the underlying problems that promote youth work in adverse conditions and in a framework of accentuated violation of human rights. Consequently, according to the National Commissioner for Human Rights (CONADEH) in Honduras, 1,798 girls, boys and adolescents were forcibly displaced or were at risk of displacement between 2019 and 2022. The main causes were related to threats, murders and extortion, mainly perpetrated by Maras and gangs.













Tema 1: Fortalecimiento de la Gobernabilidad Democrática

- 2. Fortalecer la autonomía e independencia judicial siguiendo los estándares interamericanos y universales aplicables en la materia, con el objeto de promover el respeto al Estado de Derecho y el acceso a la justicia, así como promover e impulsar políticas de integridad y transparencia en el sistema judicial.
- 7. Promover la equidad e igualdad de género y el empoderamiento de las mujeres como objetivo transversal de nuestras políticas anticorrupción, mediante un grupo de trabajo sobre liderazgo y empoderamiento de las mujeres que activamente promueva la colaboración entre instituciones interamericanas y la sinergia con otras agencias internacionales.
- 8. Incluir a los diversos grupos en situación de vulnerabilidad en la definición de medidas para fortalecer la gobernanza y combatir la corrupción, reconociendo su grave impacto en dichas poblaciones.
- 11. Promover códigos de conducta para los servidores públicos que contengan altos estándares de ética, probidad, integridad y transparencia, tomando como referencia los "Lineamientos para la Gestión de Políticas de Integridad en las Administraciones Públicas de las Américas", e instar al sector privado a desarrollar códigos de conducta similares.

Tema 2: Transparencia, Acceso a la Información, Protección de Denunciantes y Derechos Humanos

- 13. Continuar fortaleciendo sistemas o medidas nacionales anticorrupción y mejorar las condiciones para la efectiva participación de la sociedad civil, organizaciones sociales, academia, sector privado, ciudadanos y otros actores sociales en el seguimiento de la gestión gubernamental, incluyendo el establecimiento de mecanismos de prevención, canales de denuncia de posibles actos de corrupción, así como facilitar la labor de los observatorios ciudadanos u otros mecanismos de control social, incentivando la adopción de mecanismos de participación electrónica.
- 14. Promover y/o fortalecer la implementación de políticas y planes nacionales y, cuando corresponda, sub-nacionales, en materia de: gobierno abierto, gobierno digital, datos abiertos, transparencia fiscal, presupuestos abiertos, sistemas electrónicos de compras, contrataciones públicas y registro público de proveedores del Estado, considerando para ello la participación de la sociedad civil y otros actores sociales.
- 15. Consolidar la autonomía e independencia de los órganos de control superior.
- 22. Proteger a los denunciantes, testigos e informantes de actos de corrupción frente a acciones intimidatorias y represalias.

Prioritized commitments

Tema 3: Financiamiento de Organizaciones Políticas y Campañas Flectorales

25. Impulsar la adopción y/o fortalecimiento de medidas que promuevan la transparencia, rendición de cuentas, contabilidad apropiada y bancarización de los ingresos y gastos de las organizaciones y partidos políticos, principalmente de sus campañas electorales, garantizando el origen lícito de las aportaciones, así como la sanción por la recepción de contribuciones ilícitas.

Tema 4: Prevención de la Corrupción en Obras Públicas, Contrataciones y Compras Públicas

29. Promover la inclusión de cláusulas anticorrupción en todos los contratos del Estado y de asociaciones público-privadas, y establecer registros de personas naturales y jurídicas vinculadas con actos de corrupción y lavado de activos para evitar su contratación.

Tema 5: Cooperación Jurídica Internacional; Combate al Cohecho, al Soborno Internacional, al Crimen Organizado y al Lavado de Activos

- 37. Promover la más amplia cooperación entre las autoridades judiciales, policías, fiscalías, unidades de inteligencia financiera y autoridades administrativas, en las investigaciones y procedimientos relacionados con los delitos de corrupción, lavado de activos, cohecho y soborno transnacional.
- 41. Impulsar la adopción o fortalecimiento de medidas a través de las instituciones competentes, para permitir el embargo preventivo, la extinción de dominio y la confiscación de activos producto de la corrupción.













A. Plan de Acción Interamericano sobre Gobernabilidad Democrática

- 3. Apoyar elecciones libres y justas bajo el pleno respeto a la soberanía de los Estados, a través de las siguientes medidas, de acuerdo con la legislación nacional.
- D. Promover el derecho de los ciudadanos a elegir a sus líderes en elecciones libres y justas, que sean periódicas, basadas en el sufragio universal y secreto, y que se realicen de una manera transparente, a través de la implementación de medidas que faciliten la capacidad de todos los partidos políticos, incluidos aquellos de la oposición, para presentarse en las elecciones, promoviendo la participación plena e igualitaria de las mujeres y eliminando, cuando existan, las barreras para que las mujeres se presenten como candidatas para cargos políticos.
- 4. Proteger la libertad de prensa y el ejercicio pleno de los derechos civiles, incluyendo la libertad de asociación, libertad de reunión pacífica y libertad de expresión, y promover el libre intercambio de ideas, información y pensamiento, como principios fundamentales de las democracias representativas y participativas, de acuerdo con los tratados internacionales de derechos humanos, alentando el establecimiento, en todos los ámbitos gubernamentales, de mecanismos que promuevan la transparencia y el acceso a la información pública.
- 7. Tomar medidas concretas, con participación y colaboración de la sociedad civil, para mejorar la promoción y protección de los defensores de los derechos humanos, incluidos aquellos que trabajan en temas ambientales, a fin de incluir:
- A. El desarrollo de procesos consultivos, especialmente en torno a la promulgación de leyes, políticas públicas, proyectos de desarrollo, y la creación de un espacio seguro y propicio para el trabajo de la sociedad civil.
- 12. Continuar con el cumplimiento de los compromisos asumidos en la Octava Cumbre de las Américas, en particular, el Compromiso de Lima sobre Gobernabilidad Democrática frente a la Corrupción, reafirmando el compromiso con los tratados en la materia, tales como la Convención de las Naciones Unidas contra la Corrupción, la Convención de las Naciones Unidas contra la Delincuencia Organizada Transnacional y la Convención Interamericana contra la Corrupción, e implementando las siguientes acciones:
- A. Promover la equidad e igualdad de género y el empoderamiento de las mujeres y niñas en las medidas para combatir la corrupción, desde el proceso de planificación hasta la implementación, el seguimiento y la evaluación de las mismas.
- G. Identificar, elaborar y mantener estadísticas, incluyendo su desagregación por género y otras variables relevantes, para evaluar la efectividad e impacto de las políticas de transparencia y acceso a la información, y proporcionar acceso público.
- 13. Continuar implementando las recomendaciones recibidas a través del proceso de revisión del Mecanismo de Seguimiento de la Implementación de la Convención Interamericana contra la Corrupción (MESICIC); reportando anualmente al MESICIC sobre el progreso realizado sobre estas recomendaciones; y fomentando la participación de la sociedad civil, el sector privado y los actores sociales en la prevención y la lucha contra la corrupción, incluyendo iniciativas que fomenten la consulta pública, la educación y concientización, promuevan la participación ciudadana en los procesos de toma de decisiones, y permitan a la sociedad civil involucrarse en el monitoreo y control, según corresponda y de acuerdo a la legislación nacional.
- 14. Integrar los compromisos emanados de la Cumbre de las Américas y otros foros pertinentes relacionados con la promoción de la transparencia y la lucha contra la corrupción en los Planes de Acción Nacionales de la Alianza para el Gobierno Abierto, según corresponda, incluyendo iniciativas que fortalezcan la transparencia fiscal y eviten los delitos financieros, y refuercen la apertura de la información pública y los datos en formatos abiertos desde el diseño.
- 17. Adoptar las medidas correspondientes para abordar los compromisos políticos de la Resolución A/RES/S-32-1 de la Asamblea General de las Naciones Unidas, que probó la Declaración Política "Nuestro compromiso común de afrontar eficazmente los desafíos y aplicar medidas para prevenir y combatir la corrupción y reforzar la cooperación internacional", así como seguir promoviendo los resultados del proceso preparatorio de este periodo especial de la Asamblea General, incluyendo, según corresponda y de acuerdo con la legislación nacional, de:
- D. Elaborar y aplicar medidas, de acuerdo con la Convención de Naciones Unidas Contra la Corrupción, que establezcan la responsabilidad penal, o bien, cuando proceda, la responsabilidad civil y administrativa de las personas jurídicas que incurran en actos de soborno transnacional.
- G. Empoderar a los jóvenes para proponer ideas encaminadas a la prevención y lucha contra la corrupción, tomando como base los resultados del Foro de la Juventud en el marco del proceso preparatorio del Periodo Especial de Sesiones de 2021 de la Asamblea General de las Naciones Unidas contra la Corrupción.
- 23. Promover mecanismos a nivel regional para impulsar la participación significativa de la sociedad civil y actores sociales, incluyendo las organizaciones de mujeres y de jóvenes, en el monitoreo de la implementación de los compromisos de la Cumbre.
- 24. Estimular foros de múltiples partes interesadas para el diálogo entre el sector público, el sector privado y la sociedad civil, incluidas las organizaciones de mujeres y jóvenes, y los actores sociales, a fin de fortalecer las prácticas democráticas, el respeto de los y las libertades fundamentales, así como la lucha contra la corrupción, y el Gobierno abierto con inclusión de:
- F. Promover el involucramiento parlamentario como una parte integral del Proceso de Cumbres por medio de ParlAméricas, la organización interparlamentaria del Hemisferio, y otras organizaciones parlamentarias.









B. Plan de Acción sobre Salud y Resiliencia en las Américas

9. Promover el uso de mecanismos de adquisiciones públicas y conjuntas para medicamentos, diagnósticos y suministros para procurar la asequibilidad, la sostenibilidad, la pericia y el desarrollo de los presupuestos de salud actuales de una manera eficaz, eficiente e inclusiva, teniendo en cuenta las legislaciones nacionales y los compromisos asumidos a nivel regional y subregional.

C. Programa Regional para la Transformación Digital

- 3. Generar un conjunto de políticas públicas que permitan impulsar la inclusión digital. la ciberseguridad ciudadana, el acceso a la educación y cultura, a los servicios digitales en condiciones de confianza y seguridad, a la información pública y abierta, y a los servicios financieros para el acceso universal y accesibilidad a los contenidos y productos digitales, así como impulsar la participación ciudadana a través de herramientas y medios digitales.
- 17. Acelerar la transformación digital del gobierno y apoyar la simplificación de trámites administrativos y la modernización de los servicios públicos, así como también fortalecer la calidad de la alfabetización y ciudadanía digital siempre teniendo en consideración la protección de los datos personales de los ciudadanos.
- 21. Impulsar una estrategia de apertura de datos e información pública que facilite la interoperabilidad en la región, fortaleciendo la colaboración y la participación activa entre los Estados, sociedad civil, sector privado y el sector académico hacia un enfoque de gobierno abierto.
- 30. Fomentar la discusión de estándares y el intercambio de mejores prácticas en las áreas de ciberseguridad y protección de las y los usuarios y consumidores, y de la ciudadanía en general, sobre la prevención del ciberdelito, de conformidad con las disposiciones de instrumentos internacionales y regionales, como el Convenio sobre la Ciberdelincuencia del Consejo de Europa (Convenio de Budapest), cuando corresponda, con participación del sector privado, sector académico y otras partes interesadas.



D. Acelerando la Transición Justa hacia la Energía Limpia, Sostenible y Renovable

- 2. Enfatizar la necesidad de incorporar un enfoque inclusivo en los procesos de digitalización, democratización y descentralización, dentro de las estrategias hacia una transición energética sostenible y justa de nuestros países, teniendo en cuenta la igualdad y equidad de género, el empoderamiento de las mujeres y el respeto de los derechos de los pueblos indígenas, las personas afrodescendientes y las personas con discapacidad.
- 3. Promover la implementación entre los participantes del Compromiso Mundial sobre el Metano, por medio de la cooperación internacional, incluso por medio del fortalecimiento del soporte técnico y financiero, y la elaboración de planes de acción integrales y sectoriales, transparentes y verificables a nivel de país para la mitigación de los efectos del gas metano.

E. Futuro sostenible y verde

- de los Líderes de Glasgow sobre los Bosques y el Uso de la Tierra, los compromisos nacionales sobre deforestación conservación, así como la labor regional de detener v revertir la deforestación v conservar, manejar v utilizar sosteniblemente ecosistemas, y a redoblar nuestros esfuerzos para:
- 1. Promover la Declaración F. Fortalecer la protección de los defensores de derechos humanos, particularmente de los Pueblos Indígenas y comunidades locales que trabajan en asuntos ambientales, en colaboración con las partes interesadas para formular y aprobar planes antes de la X Cumbre de las Américas para: 1) responder y recolectar información de los defensores ambientales sobre amenazas o incidentes de violencia, de conformidad con la legislación nacional: 2) promulgar, según corresponda, y hacer cumplir leyes que protejan a los defensores de derechos humanos que trabajan en asuntos ambientales y los recursos que los mismos defienden; 3) realizar y elaborar evaluaciones ambientales, conforme con la legislación nacional viaente.
- 6. Promover patrones de producción y consumo responsable, de conformidad con su legislación nacional, mediante el fortalecimiento de los sistemas de compras qubernamentales y la inclusión de criterios sostenibles, según corresponda, en los procesos de adquisición de bienes, servicios y obras públicas, así como a través de la promoción de soluciones para fortalecer las capacidades del mercado que reduzcan los efectos adversos al ambiente.

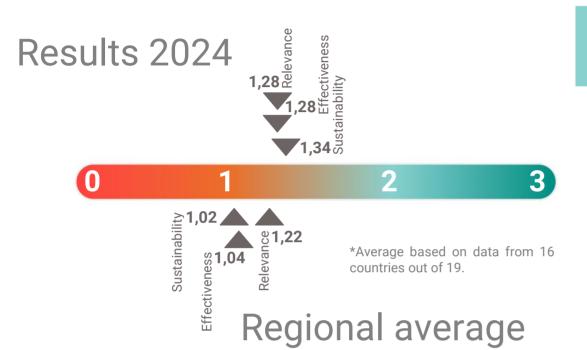






VIII Summit Lima (2018)

SUMMARY OF GENERAL RESULTS



INCLUSION OF POPULATION GROUPS



2024 Commitments No. 13 (58%)





WORST SCORE 2024 Commitments No. 22 (26%)

THEMES

BEST SCORE 2024 Financing of Political Organizations and Election Campaigns

 International Legal Cooperation

WORST SCORE 2024

COMMITMENTS

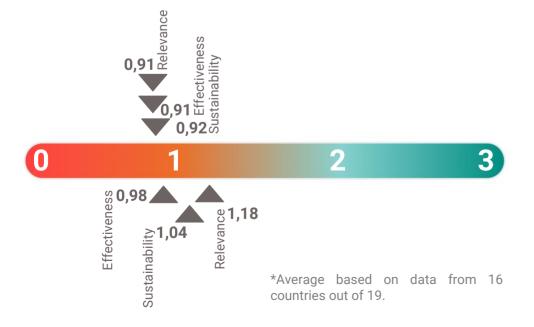
BEST SCORE 2022 - 2024 2022: No. 252024: No. 13

• 2022: No. 7 and 8

• 2024: No. 22

WORST SCORE 2022 - 2024

Results 2024



Regional average

IX Summit

Los Angeles (2022)

INCLUSION OF POPULATION GROUPS



BEST SCORE 2024

Commitments No. 3 from Plan C (67%)





WORST SCORE 2024

Commitments No. 24 from Plan A (0%)

THEMES

BEST SCORE 2024 Health and Resilience

 Clean, sustainable, renewable, and just energy transition

WORST SCORE 2024

COMMITMENTS

BEST SCORE 2024 No. 14 from Plan A and No. 3 from Plan C

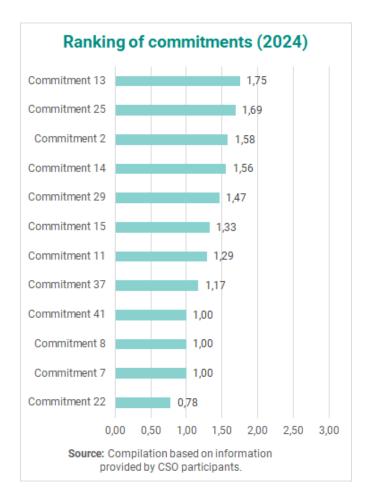
 No. 13 and 24 from Plan A and No. 3 from Plan D

WORST SCORE 2024



VIII Summit

Lima (2018)

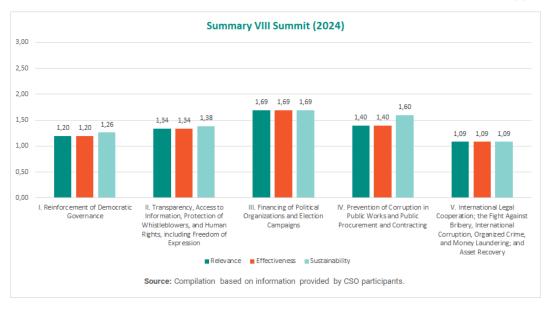




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Citizen participation is severely criticized by the government, particularly against civil societyorganizations such as the NationalAnti-Corruption Council (NAC)and the Asociación para una Sociedad más Justa (ASJ),stating that they carry out "political attacks" by fulfilling their civic obligation to report. These organizations have been the target of attacks from government platforms and high levelsof the State.

77 -



Recommendation for Commitment No. 22 on Transparency, Access to Public Information and Whistleblower Protection

Allocate resources to implement the Law for the Protection of Human Rights Defenders, Journalists, Social Communicators and Justice Operators, which includes provisions for the protection of those who report acts of corruption and human rights violations, protective measures and prohibition of reprisals against whistleblowers.









HONDURAS PARA UNA SOCIEDAD MÁS JUSTA

IX Summit

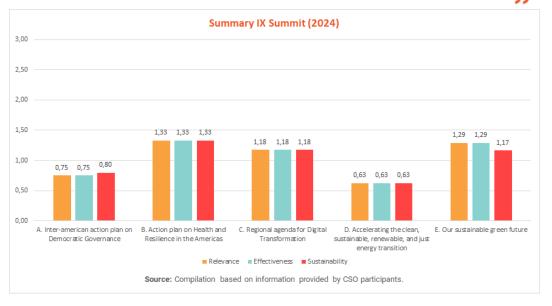
Los Angeles (2022)



- 66

Although the norm establishes that there are no regulatory restrictions about peaceful association and assembly, in practice, the application is perceived as partial according to civil society organizations; and although the constitutional norms have statements related to freedom of expression, in practice, communicators and journalists have died in the course of their work and their crimes remain unpunished.

77 -



Recommendation for Commitment No. 24 of the Inter-American Plan for Democratic Governance

Promote the incorporation and financing of private companies to promote forums against corruption and the promotion of best practices in Open Government.









VIII Summit

Lima (2018)

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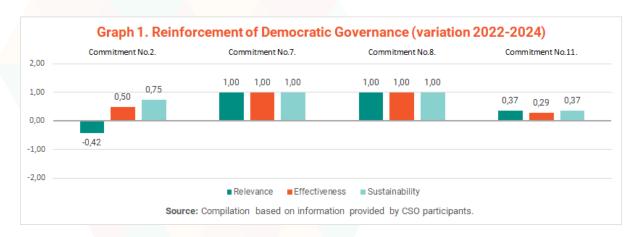






RESULTS OF THE VIII SUMMIT

Reinforcement of Democratic Governance



Regarding the topic of Reinforcement of Democratic Governance, an assessment is made of 6 components. In the case of Honduras, the overall average of compliance is 1, which implies a low assessment that shows a stagnation of actions about the previous report.

Commitment No. 2, regarding strengthening judicial autonomy and independence, is stagnant due to evidence of a fragile rule of law, where judicial independence is a persistent challenge. Regarding Commitment No. 7, there is no evidence of government actions that indicate progress in the gender agenda associated with anti-corruption policies.

Although the Secretariat for Women's Affairs was created in 2022 and the Third National Plan for GenderEquality and Equity was recently approved, there is no real or theoretical link between equality policies and anti-corruption policies. There are also no normative documents or practices that demonstrate the differentiated impact of corruption on reducing poverty rates and providing care to historically vulnerablepopulations.

Institutional Strengthening is part of the commitments made, showing progress in favor of the training ofcivil servants and in improving the skills of those who exercise public functions in key areas such as public management, transparency and accountability (Transparency Secretariat and LCC. 2024).

The most significant achievement in this area has been the creation of the Secretariat for Transparency and the Fight against Corruption and its Internal Regulations. However, in relation to Commitment No. 11 of the Lima Summit, there is a clear need to promulgate a new Code of Ethics for Public Functioning, which responds to the current environment and is by international standards of ethics, integrity and transparency that integrate the anti-corruption element into their legislative models.











As relevant setbacks and challenges, Executive <u>Decrees</u> have been approved to <u>suspend constitutional guarantees</u>, which have had positive results in the government's opinion, but negative in the public perception regarding respect for human rights. In this regard, we must not forget the massacre of 46 women deprived of liberty, which occurred in the Women's Penitentiary for Social Adaptation, on June 20, 2023, where they were burned and killed by the impact of automatic firearms including machine guns and others used by the police and the military, being the most serious event to have occurred recently in Latin America.

The prosecution of the authorities responsible for introducing the machine guns and fuel necessary to carry out the actions that led to this massacre is still pending.

As a notable finding, the Attorney General's Office expressed on June 20, 2024, its desire to reach an amicable settlement with the victims. It is worrying in this context that, one year after the events, the Directorate of Forensic Medicine and the Public Prosecutor's Office have not reported on the whereabouts of the human remains of one of the victims, while their Families still suffer from this disappearance. (See ASJ forum, "Every life counts").

A notable advance has been the monitoring system created by the Secretariat of Human Rights, where roundtables have also been established for various strategic issues; however, there is no evidence of significant progress regarding the protection of groups in vulnerable conditions.

Finally, the Third National Plan for Gender Equality and Equity has been approved as a result of the efforts of the Secretariat for Women's Affairs. Another recent issue of special concern has been the issue of the disappearance of people in social contexts of violence and forced displacement.

EXPERIENCES

"The lack of an adequate law on the Judicial Council and the Judicial Career has been a constant concern for various entities and organizations who warn that, without these reforms, the judicial system will continue to be vulnerable to political and administrative pressures"³.



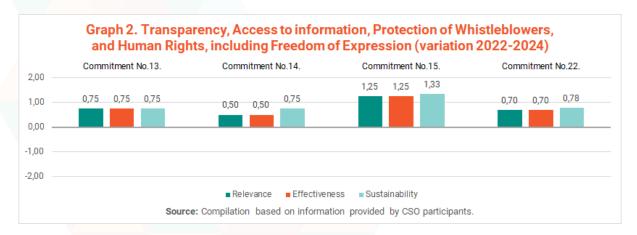








Transparency, Access to Information, Protection of Whistleblowers, and Human Rights, Including Freedom of Expression



Citizen participation is severely criticized by the government, particularly against civil society organizations such as the National Anti-Corruption Council (NAC) and the *Asociación para una Sociedad más Justa* (ASJ), stating that they carry out "political attacks" by fulfilling their civic obligation to report. These organizations have been the target of attacks from government platforms and high levels of theState. The rest of the population observes these events, and consequently, a lack of credibility is created in general, which reduces their credibility participation in the general vote.

Regarding this participation, "the current regulations establish that both the referendum and the plebiscite can be requested by at least 2% of the citizens registered in the National Electoral Census, at least ten congressmen at the national level and the Presidency of the Republic, in a resolution of the Council of Ministers, and once the initiative is known in the legislative plenary, the support of 86 congressmen of the 128 that make up the Legislative Branch is required, being 2/3 of said body"⁴.

Currently, citizen participation limits its action to formal institutional mechanisms such as the request for information for accountability through the Transparency portal; Electronic Information System of Honduras SIELHO.

Regarding Commitment No. 13, on channels for reporting acts of corruption, electronic portals have recently been enabled for this purpose in the Transparency Secretariat.

Concerning Commitment No. 14, on Open Government Policies and Plans, the document: Open Government Plan "Honduran Voices for Transparency" states that, in the opinion of civil society, "the judiciary in Honduras has been vulnerable to political influence and corruption, which makes effective prosecution of such cases difficult. According to a report by the Inter-American Commission on Human Rights (IACHR), impunity in corruption cases in Honduras is 93%, which meansthat only 7% of cases are prosecuted and punished."











EXPERIENCES

A positive experience has been "The Open State Action Plan 2023-2025." This Plan, launched by the Secretariat for Transparency and the Fight against Corruption with the support of USAID and UNODC, seeks to promote transparency and citizen participation. (OT-SCLTLCC)

The Open State Action Plan 2023-2025 has 14 commitments and 57 milestones that address social challenges framed in different areas of impact that emerged from awareness, consultation and dissemination events in the 18 Departments of the country. (glhonduras.org)

It has been repeatedly reported that the Witness Protection Program in Criminal Proceedings does not work due to a lack of financial resources, among other reasons.

In Honduras, cases have already been reported of people who were murdered as protected witnesses before testifying in court. On the other hand, although there are control and supervision mechanisms relating to fiscal responsibility and financial investigation, there is a lack of resources to carry out effective investigations and punish those responsible for acts of corruption.

Regarding Commitment No. 15: "Consolidating the autonomy and independence of high-level oversight bodies"; transparency portals have been created where citizens can access information on public spending and other government activities. Hence, an average rating is relevant at present. However, at present, the lack of sanctioning capacity of the Transparency institutions makes the application of the law partial and with little effectiveness in relation to the institutional objectives.

According to the ASJ bulletin <u>"State of the country, transparency and democracy"</u>, "Transparency International's (TI) Corruption Perceptions Index (CPI) establishes that, in 2023, for the third consecutive year, Honduras obtained a score of 23 points out of 100 possible, which places the country in position 154 out of 180 countries evaluated.

According to Transparency International, "countries that obtain a score lower than 50 out of 100 clearly indicate that they have serious corruption problems." It is worrying that the score of 23 has not been improved in the last three years, and according to data published by TI, this score remains the worst in history."

In relation to Commitment No. 22 on measures for the labor, fiscal and reputational protection of witnesses, victims and whistleblowers of corruption cases, the score "0" highlights the vulnerability of whistleblowers, since the Law for the Protection of Witnesses in Criminal Proceedings lacks financial and specialized resources, being a general law, with minimal efficiency in its application, which does not establish specialized variants for the issue of corruption, which requires better technical mechanisms and greater allocation of resources for the protection of the lives of people who testify to or report corruption. This commitment shows no progress in relation to the previous report.

In the opinion of several civil society organizations, the Effective Collaboration Law remains essential to ensure greater diligence in investigative processes. This law would allow people involved in criminal activities to provide valuable information in exchange for legal benefits, helping to dismantle criminal networks from their highest levels, thereby increasing judicial efficiency. "If approved, it would allow anyone who has participated in the commission of a crime to have their sentence reduced or completely remitted in exchange for truthful and effective information"⁵.



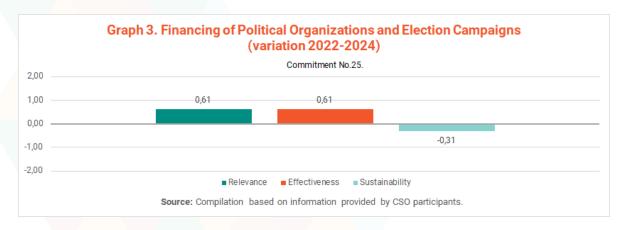








Financing of Political Organizations and Election Campaigns



This theme was assessed in relation to Commitment No. 25, which proposes to promote the adoption and/or strengthening of measures that promote transparency, accountability, appropriate accounting and banking of the income and expenses of organizations and political parties, mainly from their electoral campaigns, guaranteeing the legal origin of contributions, as well as the sanction for the receipt of illicit contributions.

This section highlights advances and setbacks regarding the financing of Political Parties. The current laws that regulate electoral processes and Political Organizations, as well as the Law on Financing, Transparency and Oversight of Political Parties and Candidates; popularly known as the "Law of Clean Politics", establish the parameters of participation for citizens through the respective bodies; however, one of the enormous failures evidenced related to the banking registry is associated with the fact that it only allows the audit of funds from the institutional account of political parties and not the personal accounts of those who nominate titular candidates.

This makes it difficult to effectively monitor the origin of the funds used to fund political campaigns. In other periods of government, there has also been a <u>party quota</u> which has also been part of the financial flow that supplies the various political parties in power and which can be considered another form of corruption.











Political parties in Honduras can receive funding from a variety of sources, including:

Public Financing: This is a contribution granted by the State specifically for political parties. In Honduras, this is provided through political debt and, additionally, for the financing of specific activities that the parties must carry out in matters of institutional strengthening, political training and the promotion of youth and women's leadership.

Private Contributions: It is a form of participation by a private person or organization in the campaign of a political party, movement or candidate, which can take the form of contributions, donations, inheritances, self-financing and other similar ways, provided that they are permitted by law and their origin is known. The prohibitions that exist for receiving private financing are established by the "Clean Politics Law" that prohibits contributions from the State, those deducted from the permanent staff of the Public Administration (unless they authorize it), those from abroad, those made by religious institutions and anonymousdonations.

Increasing resources and promoting the independence of the authorities in charge of oversight and auditing; improving mechanisms for transparency and access to information on political financing and imposing stricter limits on private donations, as well as increasing sanctions for non-compliance with the legal framework; these are some of the pending challenges within the framework of this commitment since the financing of political parties in Honduras is a critical aspect for the integrity of the democratic system and the fairness of elections, an essential element for strengthening the democratic order in the country.

EXPERIENCES

It is necessary to introduce a reform to the Law on Financing, Transparency and Oversight of Political Parties and Candidates, which will allow for the oversight of the income of both legal entities and natural persons that make up the political institution.



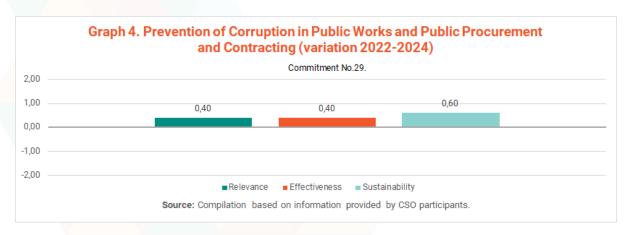








Prevention of Corruption in Public Works and Public Procurement and Contracting



The average score for this section is 2, which means that there has been moderate progress in fulfilling actions related to Commitment No. 29 regarding the inclusion of corruption clauses in all State and public-private partnership contracts and establishing a registry of natural and legal persons linked to acts of corruption and money laundering, to prevent their hiring.

According to official information provided by the Secretariat of Transparency and Fight against Corruption, the national legislation on state contracting contemplates the inclusion of various clauses within the contracts: Penalty Clause; Sanctioning Clause; Anti-fraud Clause and prevention of corruption: Article 117 of the General Budget of Income and Expenditures of the Republic and its General Provisions Fiscal Year 2024, for which the ONCAE issued a Circular STLCC-ONCAE-AL-007-2024, provides what will be the wording of the aforementioned clause, defining corrupt and fraudulent conduct and establishing commitments to prevent this type of actions within the processes.

Integrity Clause: regulated in article 7 of the Law on Transparency and Access to Public Information, which indicates that contracts must include this clause to oblige individuals to observe rules of ethical conduct throughout the process and for which the text that must be included in this clause was established by the Institute of Access to Public Information, through agreement SE-037-2013.

EXPERIENCES

In the previous government management, multiple acts of corruption and mismanagement in the process of purchasing medicines were <u>identified</u>, which affects their availability and quality. On the other hand, there are also problems of shortages due to delays in the purchasing process or problems with suppliers.



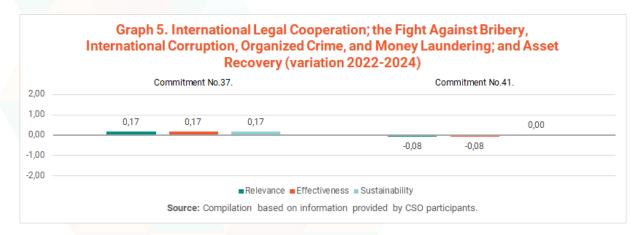








International Legal Cooperation; the Fight against Bribery, International Corruption, Organized Crime, and Money Laundering; and Asset Recovery



Regarding Commitments No. 37 and No. 41, the rating in relation to the previous report remains incipient.

Commitment No. 37 has a low rating. The official response of the Public Prosecutor's Office has been that international investigation is carried out by considering international law and reciprocity practices, and is carried out through letters of understanding or diplomatic requests. However, there is a clear need to establish protocols that improve efficiency and facilitate the exchange of information, especially in situations of transnational crimes related to money laundering. As well as to establish clear legal mechanisms and protocols aimed at clarifying all the particularities related to extradition.

EXPERIENCES

Seized Assets, which is subject to questioning due to its inability to protect and manage assets subject to confiscation. This situation recently led to an intervention. "From February 12, 2023 to February 10, 2024, the conclusion was a complete restructuring, although one of the members of the intervention expressed that a total liquidation would be more viable. However, he stressed that the final word is up to the President of the Republic." In addition, the figure of bribery and transnational corruption must be incorporated, as well as improving the definition of the concept: "Public Official Person", while implementing protocols that guarantee promptness and speed in the actions.









IX Summit

Los Angeles (2022)

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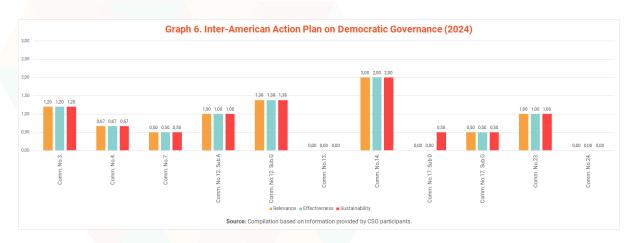






RESULTS OF THE IX SUMMIT

Inter-American Action Plan on Democratic Governance



Regarding Commitment No. 3, the existence of regulations for the establishment of periodic elections is highlighted, as well as the guarantee of the exercise of alternation in the exercise of power. However, the average for this section is 1. Despite progress in the commitment at the regulatory level and the existence of anauthority that guarantees transparency in the electoral process, there are no guarantees regarding the fairness of competition between political parties. The Clean Policy Unit, by its legal framework, does not have the authority to audit the personal funds of the candidates, nor are there measures in place to promote the equal participation of women and other gender identities in the electoral competition.

Regarding Commitment No. 4, the score is low because, although the norm establishes that there are no regulatory restrictions about peaceful association and assembly, in practice, the application is perceived as partial according to civil society organizations; and although the constitutional norms have statements related to freedom of expression, in practice, communicators and journalists have died in the course of their work and their crimes remain unpunished.

In turn, Commitment No. 7, regarding Prior, Free and Informed Consultation and security for activists participating in the defense of the territory, was found to have no protocols for calls or clear mechanisms for institutional participation, nor specific security elements, which is why it is considered to be poorly fulfilled, hence its low rating for the purposes of this report.

Regarding Commitment No. 12, the normative provisions do not have links regarding anti-corruption policies; nor is there, eventually, a governmental instance that promotes women's leadership in anti-corruption policies. A great effort has been made for the approval of the III Gender Equality and Equity Plan, but this will only be official when it is published in the official gazette "La Gaceta", therefore it is not yet recognized as a concrete normative advance.











Commitments 13, 14, 17, 23 and 24 are between 0 and 1, except an average rating due to the report of improvement in the reporting channels on possible acts of corruption from the SCTLCC.

The Constitution of the Republic of Honduras: Decree No. 131, published in La Gaceta No. 23,612; January 20, 1982, establishes in Article 1 that "Honduras is a sovereign State of law, constituted as a democratic, free and independent republic." It enshrines political rights, as well as the values and principles of democracy that rest on popular sovereignty, thus establishing that sovereignty corresponds to the people from whom all the powers of the State emanate that are exercised by representation. The supplanting of popular sovereignty and the usurpation of the constituted powers are classified as crimes of treason against the hundand. Liability in these cases is imprescriptible and may be deduced ex officioor at the request of any citizen. Article 5 establishes the democratic principles of political participation and the right to vote as a public function, guaranteeing that elections are periodic, free and secret.

Regarding the alternation in the exercise of power, Article 4 establishes it as mandatory, while Article 239 prohibits presidential reelection, although this provision has been the subject of controversy and legal reinterpretations in recent years, departing from its initial spirit in terms of prohibiting presidential reelection. An example of this was in 2017, the second term of former President Juan Orlando Hernández Alvarado, who is currently serving a sentence for drug trafficking in New York City, USA.

Electoral regulations have been subject to reforms in recent years, the most notable of which are:

- Constitutional Reform contained in Decree N° 200-2018, dated January 28,2019, ratified by Decree N° 2-2019 dated January 29, 2019 and published inLa Gaceta N° 34,856.
- Constitutional reform, contained in Decree No. 2-2019, dated February 6, 2019, La Gaceta N° 34,864, articles 43-B, 51.
- Law on Financing, Transparency and Oversight of Political Parties and Candidates. Decree N° 137-2016, its reforms were made by Decree N° 137-2020, dated December 15, 2020, Gazette N° 35,460, and its latest reforms by Decree N° 183-2020, dated January 27, 2021, according to La Gaceta N° 35,499.
- Reform of the Law on Financing, Transparency and Oversight of Political Parties and Candidates, by Legislative Decree N° 183-2020, dated January 27, 2021.

EXPERIENCES

Women's political participation is limited.

Of the total of 298 municipal mayors nationwide in Honduras, only 15 are mayors led by women, a figure equivalent to 5% of the total.











- Special Law for the Selection and Appointment of Electoral Authorities. Powers, Competencies and Prohibitions, Decree N° 71-2019, August 20, 2019, La Gaceta N° 35,027.
- Electoral Law of Honduras, Decree 35-2021, dated May 26, 2021, La Gaceta 35, 610.
- Electoral Observation Regulations of the National Electoral Council, contained in Certification No. 1452-2021, dated September 10, 2021.
- Regulations for the Procedure of Administrative Actions for Electoral Claims, General Elections 2021, contained in Certification N° 2339-2021, dated November 15 to 20, 2021.

The reforms carried out by Decree N° 200-2018, dated January 24, 2019, published on February 6, 2019 in La Gaceta N° 34.864; establish the National Electoral Council and the Electoral Court of Justice as electoral bodies for the exercise of the electoral function. The Electoral Consultative Council is created as coadjutors, as an instance of consultation and collaboration with the National Electoral Council (NEC) and the National Electoral Commission, as a party body in charge of carrying out, organizing, directing and controlling internal elections.

The NEC is the competent body to issue and carry out administrative, technical and logistical acts and procedures in electoral matters and citizen consultation, in internal, primary, general elections, plebiscites and referendums. It has jurisdiction over the entire national territory and its domicile is the capital of the Republic. Its integration, organization, operation, systems and processes are of national security. It has the right to initiate laws in matters within its jurisdiction and is made up of three (3) principal counselors and two (2) alternate counselors.

As regards the Free, Prior and Informed Consultation (FPIC), which is also part of this section, this has not been regulated. Nor have the institutionalized mechanisms been implemented to carry out the calls for consultation processes at the national level.



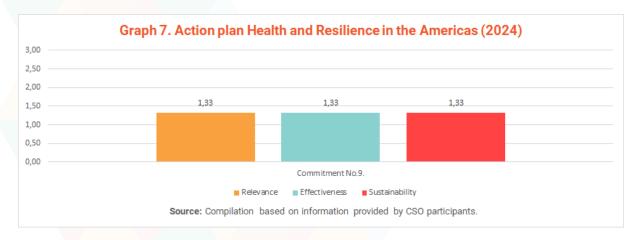








Action Plan on Health and Resilience in the Americas



Commitment No. 9 has a score of 2 points, regarding the fact that purchases in the health procurement process are public and have anti-corruption clauses. As for the rest of the ratings, it is low. Although there are official regulations for purchases, inappropriate practices still persist, such as unplanned direct purchases or the use of figures such as trusts.

In Honduras, there is current legislation in the area of Health, which is of general application. The public procurement regulations in this sector are governed mainly by the State Contracting Law (SCL) and are administered by the State Contracting and Acquisition Regulatory Office (ONCAE). The official platform to manage and make these processes transparent is Honducompras, which centralizes information on public tenders and acquisitions. There is also the 2021 National Health Plan. However, purchases continue to be carried out directly, under Decree PCM 053-23, which extends the Health Emergency Decree sanctioned in 2022 at the national level by Decree 07-2022. Emergency decrees have been a negative practice in the country since the 1990s, which should be restricted or stricter parameters should be established for decreeing them, not "subjective" ones, as to what an emergency should be.

EXPERIENCES

64.1% of the population lives in extreme poverty, so food security is a condition that is not guaranteed to all citizens, in addition to the fact that Social Security (Article 42. CR) should be free for all people and currently, only those who are affiliated and up to date with their contributions are partially guaranteed this right.



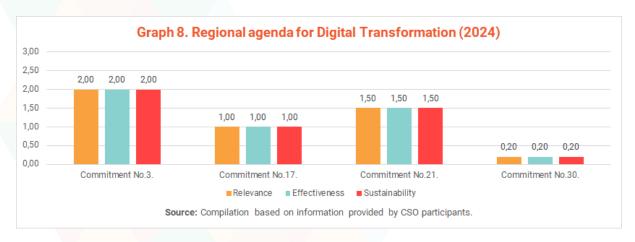








Regional Agenda for Digital Transformation



The rating of actions in this section is medium in Commitments No. 3, No. 17 and No. 21 because there are partial initiatives that are aimed at the fulfillment of specific actions, but it is necessary to improve mechanisms to make a more effective implementation. The rating "0" in the case of the regulations on the commitment related to digital literacy and Commitment No. 30 on cybersecurity and cybercrime, since there are no significant actions that can be identified and integrated into this Report.

In Honduras, digital transformation is an evolving process that seeks to integrate technology in various areas of the country to improve the efficiency, transparency, and quality of public and private services. The General Directorate of Administrative Modernization of the STLCC, officially announced the beginning of the construction of the Digital Transformation Policy. As of September 2022, in the area of the Digital Republic, the Directorate of Management by Results (DIGER) was designated as the responsible entity.











EXPERIENCES

The Criminal Code needs to be reformed in relation to cybersecurity.

The National Congress welcomed the reforms promoted by CAIS, regarding cybercrime, aimed at promoting a Central American model that addresses fraud, pornography, and sexual extortion. In this regard, the Directorate of Results-Based Management has publicly announced that the Federation of Chambers of Commerce and Industries of Honduras (FEDECÁMARAH) and the Inter-American Development Bank (IDB) have announced the launch of "Digital Hub 504" in Tegucigalpa, an innovative platform designed to catalyze the digital transformation of micro, small and medium-sized enterprises (MSMEs) in Honduras. The Secretariat of Economic Development (SDE) of Honduras and the United Nations Development Program (UNDP) have established a collaboration to promote entrepreneurship and digital transformation in the country. More than 1,000 MSMEs will have the opportunity to access physical and virtual spaces for three years, facilitating the promotion and sale of their products in 15 departments.

Furthermore, to reduce the digital gap and strengthen teacher's capacities in digital skills and pedagogical strategies, the authorities of the Ministry of Education launched the National Program for Digital Educational Transformation (PNTED).

This initiative is aimed at reducing the existing digital gap, and strengthening the Honduran teaching staff in digital skills and active pedagogical strategies. The execution of the Digital Republic Project, of the current administration, continues underway with the support of the Korean Government for the development of the Digital Transformation Strategy for MSMEs together with the Secretariat of Economic Development and SENPRENDE. Finally, the government has initiated reforms for digital transformation with the discussion of the data protection law in the National Congress (Diger, 2023).

About cybercrime or cybercrime and cybersecurity, meetings have been held by the Central American Integration System (CAIS), highlighting the new forms of crime in digital environments, but no new legislation has been promoted in this regard that includes digital violence. Cybercrimes are only aimed at damaging equipment and systems, without protecting the integrity of people or establishing effective measures to control fraud that occurs in the banking system.



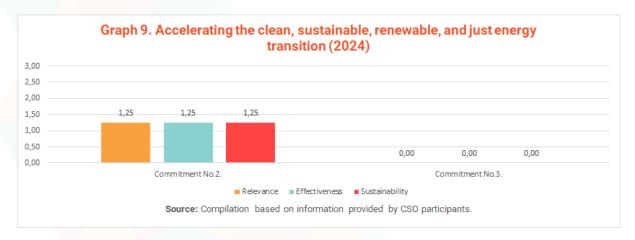








Accelerating the Clean, Sustainable, Renewable, and Just Energy Transition



This section presents little progress, especially if we consider the <u>definition</u> "energy transition as a change in the infrastructure of the current energy matrix, dominated by fossil fuels, towards a diversified one, where renewable sources and low-emission fuels predominate."

According to the Ministry of Energy "The energy sector in Honduras is under multilateral pressure to be a dynamic sector that meets the requirements and demands of an increasingly competitive and globalized commercial and industrial sector. At the same time, it must be capable of supplying energy to the residential sector, which is constantly growing and evolving in terms of meeting the needs for comfort and living conditions."

A <u>roadmap</u> was recently designed, which defines 5 strategic axes, in turn, each strategic axis integrates the 5 transversal elements (gender equity, climate change and decarbonization, inclusion and open data). The Energy Agenda and the Roadmap, as a whole, both inputs capture the actions and goals that the State, together with other private and international actors, must develop to ensure a timely process of energy development planning, in the short, medium and long term. The construction of this sheet involved the participation and dialogue of multiple sectors. Existing capacities, however, must be strengthened technically and financially.

No progress was found on the global commitment on methane.

EXPERIENCES

Honduras has the <u>highest electricity rates in Central America</u> according to ECLAC data and is the only country in the region that still suffers from blackouts, and shares this problem with Venezuela, Cuba, Ecuador and Mexico.



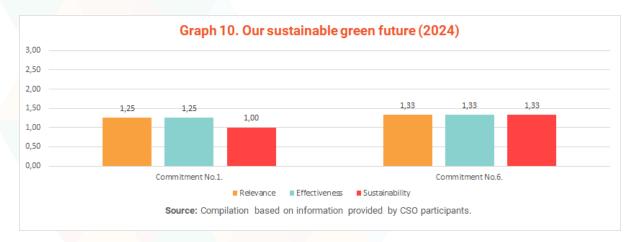








Our Sustainable Green Future



As regards regulations on territorial defense, there are unspecified initiatives regarding the Law on Prior, Free and Informed Consultation.

The Secretariat of Human Rights reported on the National Inter-Institutional Roundtable for the Prevention and Addressing of Social Conflicts, which aims to address early conflict situations in these communities and others in vulnerable conditions by recording statistics on conflicts for their respective follow-up.

On the other hand, the Law on Human Rights Defenders, Journalists, Social Communicators and Justice Operators is in force. However, this Law and its mechanism for monitoring measures have been little or not at all effective in the opinion of multiple civilsociety actors.

The General Environmental Law establishes mechanisms for carrying out periodic environmental assessments. However, the measures implemented in relation to environmental impact are being implemented in response to the crisis caused by <u>massive fires</u> and <u>environmental pollution</u> sharpened in specific sectors at the national level. This Law establishes the legal framework for the protection of the environment and the management of natural resources in Honduras and the Environmental Impact <u>Assessment Regulation (REIA)</u> It defines the procedures for carrying out environmental impact assessments and obtaining environmental licenses. However, there is a lack of sufficient technical resources to monitor the actions contained in the Law, so the positive impact of the actions taken is considered partial.

EXPERIENCES

A significant advance in this section is that Honduras was recently declared a territory free of open-pit mining as of January 2022. This progress, however, is combined with the decision to declare, through PCM 18-2024, the National Penitentiary System in a state of emergency (PCM 28-2023), ordering the construction of two prisons in protected areas, which will be built between the Departments of Olancho and Gracias a Dios, which severely impacts the ecosystem and biodiversity of this area, not to mention violating Rule 3 of the United Nations for the treatment of prisoners.







Recommendations

for the commitments acquired in the two revised Summits

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RECOMMENDATIONS FOR ACTION

VIII Summit

Theme 1. Reinforcement of democratic governance	
Action	Recommendation
Commitment No. 2: Strengthening judicial autonomy and independence.	Implement the creation and implementation of the Judicial Council law, in order to avoid nepotism and promote meritocracy in the processes of access to justice for the entire population.
Commitment No. 7: Promoting gender equity and equality and women's empowerment as a cross-cutting goal of our anti-corruption policies.	Improve the channels of supervision in the processes initiated, prioritizing crimes with criteria of objectivity in the legal direction of the investigation; as well as effectively optimize the services of attention to users and victims; improving the technical and scientific capacities for the exercise of criminal action.
Commitment No. 8: Including different vulnerable groups in defining measures to strengthen governance and combat corruption, recognizing the serious impact it has on these populations.	Ensure sufficient budget allocations and specialized human resources to implement the exercise of rights contained in the Third Plan for Equality and Gender Equality in Honduras and extend educational campaigns to ensure respect for vulnerable groups and the establishment of effective sanctions for the crime of discrimination.
Commitment No. 11: Furthering codes of conduct for public officials that contain high standards of ethics, honesty, integrity, and transparency.	Guarantee more effective participation mechanisms for these groups, through the implementation of methods that reach out in a friendly manner to the population in each departmental area.

Theme 2. Transparency, access to information, protection of whistleblowers, and human rights, including freedom of expression	
Action	Recommendation
Commitment No. 13: Continuing to strengthen national anti-corruption measures or systems and enhancing conditions for the effective participation.	Improve, through interactive spaces, whether in person or virtual and digital, the coordination and articulation between the State and Civil Society.
Commitment No. 14: Open Government, digital government	Promote digital literacy and training programs to ensure that all citizens have the necessary skills to use digital tools and participate in the digital society, while ensuring improved data protection and cybersecurity.
Commitment No. 15: Consolidating the autonomy and independence of high-level oversight bodies.	Establish clear legal frameworks that guarantee autonomy and protection against external pressures or interference from other branches of government.
Commitment No. 22: Protecting whistleblowers, witnesses, and informants of acts of corruption from intimidation and retaliatory actions.	Allocate resources to implement the Law for the Protection of Human Rights Defenders, Journalists, Social Communicators and Justice Operators, which includes provisions for the protection of those who report acts of corruption and human rights violations, protective measures and prohibition of reprisals against whistleblowers.











Theme 3. Financing of political organizations and election campaigns	
Action	Recommendation
Commitment No. 25: Financing of political parties.	Promotion of departmental campaigns to improve citizen participation and transparency; greater severity in the application of electoral crimes, since these threaten the democratic order and freedom of States and negatively affect the entire population.

Theme 4. Prevention of corruption in public works and public procurement and contracting	
Action	Recommendation
Commitment No. 29: Anti-corruption clauses in State contracts.	Improvement of oversight mechanisms and anti-corruption clauses, which do not give rise to ambiguities and establish clear sanctions for non-compliance according to the applicable legislation; fines, disqualification from contracting with the State; expulsion from the territory and others.

Theme 5. International legal cooperation; the fight against bribery, international corruption, organized crime, and money laundering; and asset recovery	
Action	Recommendation
Commitment No. 37: Cooperation between judicial authorities, police, prosecutors, intelligence units and administrative authorities.	Establish legal frameworks and protocols to ensure practical cooperation between States, under the principle of good faith, effective collaboration and reciprocity, through joint operations and investigations, coordination through working groups, ongoing training and education, prompt collaboration in the execution of court orders and exchange of information.
Commitment No. 41: Domain Extinction.	Improve asset forfeiture processes, ensuring proper and prompt application of the law and full guarantee of respect for fundamental human rights, such as private property, defense rights and due process.











Inter-American Action Plan on Democratic Governance	
Action	Recommendation
Commitment No. 3: Free and fair elections. D) Right of citizens to freely elect their leaders.	 Improve the conditions for the participation of all voters, including those with disabilities and Hondurans living abroad. Improve transparency, financing and control mechanisms for political parties.
Commitment No. 4: Freedom of the press and exercise of civil rights.	Improve the implementation mechanisms of the Protection Law for Human Rights Defenders, Journalists, Social Communicators and Justice Operators, including specialized technical resources and autonomous financial resources that provide effective protection to the press.
Commitment No. 7: Participation of civil society and protection of human rights defenders. A) Development of consultative processes with civil society.	 Ensure the participation of influential and significant representatives who legitimize the participation of civil society. Streamline and institutionalize the processes of drafting legislation with the systematic participation of interested and/or affected groups.
Commitment No. 12: Continue with the commitments of the VIII Summit on democratic governance. A) Equity and gender equality in measures against corruption.	Allocate specialized technical resources, as well as economic resources, to laws and policies on gender equality, promoting women's leadership, especially in municipal and departmental spaces.
Commitment No. 12: Continue with the commitments of the VIII Summit on democratic governance. G) Prepare statistics to evaluate the effectiveness of transparency and access to information policies.	Improve methods of disseminating information on compliance with the commitments of the VIII and IX Summits of the Americas, since the monitoring process is complicated by the lack of knowledge and ownership of institutions with key responsibilities.
Commitment No. 13: Implement MESICIC recommendations.	Assess good practices from other countries and apply them in the country context.
Commitment No. 14: Action Plans of the Summit of the Americas and the Alliance for Open Government.	Take advantage of the space for leading participation of the recently created Secretariat of Transparency and Fight against Corruption, the Secretariat of Planning and the Higher Court of Accounts and their reciprocal coordination and articulation.
Commitment No. 17: Adopt measures of the UN Assembly Declaration on International Cooperation to Prevent and Combat Corruption. D) Establish criminal liability for acts of transnational bribery.	Improve cooperation protocols between countries, establishing aggravated punishment clauses applicable in countries by their internal legislation for the configuration of the crime of bribery and transnational corruption.
Commitment No. 17: Adopt measures of the UN Assembly Declaration on International Cooperation to Prevent and Combat Corruption. G) Empower young people in the fight against corruption.	Establish coordination mechanisms with cooperation agencies and NGOs that focus their work on youth, so that leaders are aware of and promote the anti-corruption commitments made by Honduras.
Commitment No. 23: Promote the participation of civil society, including women and youth organizations.	Establish user-friendly participation mechanisms for these groups, public forums and interactive, physical and virtual accountability spaces.
Commitment No. 24: Stimulate multi-stakeholder forums to strengthen democratic practices, the fight against corruption and open government. F) Promote parliamentary involvement through ParlAmericas.	Promote the incorporation and financing of private companies to promote forums against corruption and the promotion of best practices in Open Government.











Action Plan on Health and Resilience in the Americas	
Action	Recommendation
Commitment No. 9: Promote public and joint procurement of medicines and diagnostics with more efficient and inclusive health budgets.	Compile best practices and lessons learned from the Covid-19 crisis, strengthening emergency and crisis response mechanisms, establishing methods of public transparency and accountability.

Regional Agenda for Digital Transformation	
Action	Recommendation
Commitment No. 3: Digital inclusion, citizen cybersecurity, public and open information and citizen participation through digital media.	Establish training and dissemination mechanisms for the participation of various groups, promoting digital inclusion and citizen cybersecurity on a permanent and continuous basis.
Commitment No. 17: Digital transformation of the government and simplification of administrative procedures.	Improve security methods for obtaining administrative documents, ensuring speed and personal safety for citizens
Commitment No. 21: Open data and public information strategy with an open government approach.	To gradually and sustainably energize the Open Government approach.
Commitment No. 30: Cybercrime prevention with international instruments such as the Budapest Convention.	Educate the population, especially children, youth and civil society, about the dangers of cybercrime and its link to human trafficking and extortion through ongoing campaigns.

Accelerating the Clean, Sustainable, Renewable, and Just Energy Transition	
Action	Recommendation
Commitment No. 2: Inclusive focus on digitalization, democratization and decentralization processes in a sustainable energy transition strategy.	Regionalize and/or municipalize processes to guarantee full citizen participation, ensuring effective mechanisms for inclusion in decision-making related to sustainable energy.
Commitment No. 3: Implementation of the Global Commitment on Methane.	Establish accelerated mitigation strategies for action against methane pollution.

Our Sustainable Green Future	
Action	Recommendation
Commitment No. 1: Promoting the Glasgow Leaders' Declaration on Forests and Land Use. F) Protection for human rights defenders.	Establish collective and immediate mechanisms for mitigating climate effects in the tourism sector by implementing the climate agenda.
Commitment No. 6: Promote responsible production and consumption patterns by strengthening government purchasing systems and the inclusion of sustainable criteria, reducing adverse effects on the environment.	Improve monitoring and control mechanisms through a comprehensive and collaborative approach, as well as educate and train community leaders to implement solid measures focused on a more sustainable future and greater oversight of procurement mechanisms by civil society.







Conclusions

References

and annexes

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CONCLUSIONS FROM POPULATION GROUP PERSPECTIVES

Childhood and youth. Persistent challenges such as education, underemployment, violence, insecurity, migration and poverty are among the main problems at the national level. High dropout rates persist, especially in rural areas. Schools have insufficient infrastructure and minimal educational resources, which affect the quality of learning. Specialized health and assistance services for children are scarce and consequently limited to a portion of the population. Despite state efforts, child labor has not yet been eradicated. Children and youth are often the first victims of recruitment by gangs and organized crime groups, and the economic and specialized resources for care from the government sector and even more so from civil society initiatives are insufficient.

LGBTQA+ groups face significant challenges in terms of legal protection and recognition of rights. Their visibility and representation have increased in recent years; however, their representation in the media and other spaces remains limited. Violence expressed through hate crimes is a constant problem, especially in the country's main cities and despite the social activism of organized groups, impunity has not been reduced and, consequently, neither has access to justice for victims and their families.

Women. According to the recent report carried out by the United Nations Office on Drugs and Crime (UNODC), entitled "Gender-related murder of women and girls, Femicide/feminicide", in collaboration with UN Women, Honduras is the most dangerous country in Latin America for women. Sexual violence, domestic violence and intra-family violence are often the most prevalent crimes against women nationwide. However, sexual and reproductive health services face resource and coverage barriers. Teenage pregnancy is the second highest rate in Central America and there are ongoing discrepancies regarding the approachto sexual education and access to contraceptives. There is a low representation of women in political and decision-making positions.

Disability. Currently, the lack of health services, rehabilitation, job placement, inclusion; underemployment and the absence of supervision mechanisms, as well as the absence of policies and legislation appropriate to current demands, in addition to the lack of physical accessibility and access to technology and communication through accessible formats is part of the daily scenario of people with disabilities. Therefore, it is logical to conclude that people with disabilities face continuous violations of their human rights and little access to justice. Civil society organizations advocate for a change in the attitude of the general population in order tomove towards a more inclusive society that reduces discrimination against people with disabilities. It is important to note that according to the United Nations, approximately 10% of the total population of the country, presents a disabling condition.

Indigenous and Afro-Honduran peoples: Although there is legislation protecting the rights of indigenous and Afro-Honduran peoples, discrimination and racism persist in various forms. Many communities lack basic services and adequate access to health, water and sanitation services. In recent years, conflicts have worsened over the defense of the territory and confrontation with large companies in order to prevent the systematic deterioration of natural resources in contrast to the development of tourism projects. The preservation of their cultural elements is a challenge, since migration is also part of the current scenario, given the precarious situation of a large part of this population.











END NOTES

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ANNEXES

VIII Summit

Theme 1: Strengthening D	Theme 1: Strengthening Democratic Governance						
Commitment		+ -	E	+ -	S	+ -	
2. Strengthen judicial autonomy and independence following the inter-American and universal standards applicable in the matter, to promote respect for the rule of law and access to justice, as well as promote and promoting policies of integrity and transparency in the judicial system.	1.50	-0.42	1.50	0.50	1.75	0.75	
7. Promoting gender equity and equality and women's empowerment as a cross-cutting goal of our anti-corruption policies, through a task force on women's leadership and empowerment that will actively promote cooperation among inter-American institutions and synergies with other international agencies.	1.00	1.00	1.00	1.00	1.00	1.00	
Including different vulnerable groups in defining measures to strengthen governance and combat corruption, recognizing the serious impact it has on these populations.	1.00	1.00	1.00	1.00	1.00	1.00	
11. Furthering codes of conduct for public officials that contain high standards of ethics, honesty, integrity, and transparency, using as a point of reference the "Guidelines for the Management of Policies for Probity in the Public Administrations of the Americas" and urging the private sector to develop similar codes of conduct.	1.29	0.37	1.29	0.29	1.29	0.37	

Theme 5: International Legal Cooperation; Fight Bribery, International Bribery, Organized Crime and Money Laundering						
Commitment R +- E +- S						
37. Promoting the broadest possible cooperation among judicial, police, and prosecutorial authorities, financial intelligence units, and administrative authorities in investigations and procedures related to offenses of corruption, money laundering, and transnational bribery and corruption.	1.17	0.17	1.17	0.17	1.17	0.17
41. Furthering the adoption or strengthening of measures through relevant institutions to enable the freezing, seizure, and confiscation of proceeds of corruption.	1.00	-0.08	1.00	-0.08	1.00	0.00



Theme 2: Transparency, Access to Information, Protection of Whistleblowers and Human Rights						
Commitment	R	+ -	E	+ -	S	+ -
13. Continuing to strengthen national anti-corruption measures or systems and enhancing conditions for the effective participation of civil society, social organizations, academia, the private sector, citizens, and other social actors in monitoring government performance, including the development of prevention mechanisms, channels for reporting possible acts of corruption and facilitating the work of watchdogs including other citizen oversight mechanisms, and incentivizing the adoption of digital means of participation.	1.75	0.75	1.75	0.75	1.75	0.75
14. Promoting and or strengthening the implementation of national policies and plans, and as appropriate subnational plans in the areas of open government, digital government, open data, fiscal transparency, open budgeting, digital procurement systems, public contracting and a public registry of state suppliers, considering towards that end the participation of civil society and other social actors.	1.50	0.50	1.50	0.50	1.67	0.75
15. Consolidating the autonomy and independence of high-level oversight bodies.	1.33	1.25	1.33	1.25	1.33	1.33
22. Protecting whistleblowers, witnesses, and informants of acts of corruption from intimidation and retaliatory actions.	0.78	0.70	0.78	0.70	0.78	0.78

Theme 3: Financing of Political Organizations and Electoral Campaigns						
Commitment	R	+ -	E	+ -	S	+ -
25. Encouraging adoption and/or strengthening of measures that promote transparency, accountability, appropriate accounting, and use of the banking system for income and expenditures of political organizations and parties, especially those related to their electoral campaigns, in order to guarantee the licit origin of the contributions and penalizing anyone involved in accepting illicit contributions.	1.69	0.61	1.69	0.61	1.69	-0.31

Theme 4: Prevention of Corruption in Public Works, Contracting and Public Purchases							
Commitment	R	+ -	E	+ -	S	+ -	
29. Promoting the inclusion of anti-corruption clauses in all state and public-private-partnership contracts and establishing registers of natural and legal persons involved in acts of corruption and money laundering with a view to ensuring that they are not contracted.	1.40	0.40	1.40	0.40	1.60	0.60	











IX Summit

Theme 1: Inter-American Action Plan on Democratic Governance							
Commitment	Sub commitment	R	Е	s			
3. Support free and fair elections with full respect for state sovereignty, through the following measures, in accordance with domestic law:	D. Promote the rights of citizens to choose their leaders in free and fair elections, which are periodic, based on universal suffrage and the secret ballot, and carried out in a transparent manner, by implementing measures to facilitate the ability of all political parties, including those in opposition, to stand for election, promoting the full and equal participation of women, and removing, where applicable, barriers to women running for political office;	1.20	1.20	1.20			
exchange of ideas, information, and thought as fundamental principles o	4. Protect press freedom and the full exercise of civil rights, including freedom of association, freedom of peaceful assembly, and freedom of expression, and promote the free exchange of ideas, information, and thought as fundamental principles of representative and participatory democracies, in keeping with international human rights treaties, promoting the establishment, in all areas of government, of mechanisms that promote transparency and access to public information.						
7. Take concrete actions, with the participation and collaboration of civil society, to improve the promotion and protection of human rights defenders, including those working on environmental matters, to include:	A. The development of consultative processes, particularly regarding the enactment of laws, public policies, development projects, and the creation of a safe and enabling environment for civil society to work;	0.50	0.50	0.50			
12. Continue meeting the commitments undertaken at the Eighth Summit of the Americas, in particular the Lima Commitment on Democratic Governance Against Corruption, while reaffirming our commitment to	e Americas, in particular the Lima Commitment on Democratic corruption measures, from the planning process through to implementation, follow-up, and assessment;		1.00	1.00			
treaties such as the UN Convention against Corruption, the UN Convention against Transnational Organized Crime, and the InterAmerican Convention Against Corruption, and taking the following actions:	G. Identify, develop, and maintain statistics, including disaggregated statistics on gender and other relevant variables to evaluate the effectiveness and impact of transparency and access to information policies and provide for public access to these statistics for independent evaluation;	1.38	1.38	1.38			
(MESICIC); reporting annually to MESICIC on progress made addressing the	low-Up Mechanism for the Implementation of the Inter-American Convention against Corruption nesse recommendations; and fostering the participation of civil society, the private sector, and social res that encourage public consultations, education and awareness, promote citizen participation in g and oversight, as appropriate and according to domestic legislation.	0.00	0.00	0.00			
	and from other relevant forums relating to the promotion of transparency and combating corruption including: actions to strengthen fiscal transparency and prevent financial crimes, and strengthen tage.	2.00	2.00	2.00			
17. Adopt appropriate measures to address the political commitments in the UN General Assembly Resolution A/RES/S-32-1, which approved the political declaration "Our common commitment to effectively addressing challenges	D. Develop and implement measures consistent with the UN Convention against Corruption that establish criminal or, when applicable, civil administrative liability of legal persons that engage in acts of transnational bribery offenses;	0.00	0.00	0.50			
corruption and strengthen international cooperation," as well as continue to advance the outcomes achieved in the preparatory process for this special period of this General Assembly, including, as appropriate and according to domestic legislation, to:	G. Empower young people to propose ideas with a view to preventing and combating corruption based on outcomes of the Youth Forum in the framework of the preparatory process of the 2021 special period of sessions of United Nations General Assembly Against Corruption.	0.50	0.50	0.50			
23. Promote regional mechanisms to facilitate meaningful participation implementation of the Summit commitments.	of civil society and social actors, including women's and youth organizations in monitoring the	1.00	1.00	1.00			
24. Foster multi-stakeholder forums for dialogue among the public sector, the private sector, and civil society, including women's and youth organizations and social actors, to strengthen democratic practices, respect for human rights and fundamental freedoms, anticorruption, and open government efforts, including:	F. Promoting parliamentarian engagement as an integral part of the Summits process through ParlAmericas, the interparliamentary organization of the Hemisphere, and other parliamentary organizations.	0.00	0.00	0.00			









Theme 2: Action Plan on Health and Resilience in the Americas				
Commitment	R	E	S	
9. To promote the use of public and pooled procurement mechanisms for medicines, diagnostics, and supplies to further affordability, sustainability, expertise, and development of existing health budgets in an effective, efficient, and inclusive manner, taking into account national legislation and regional and sub-regional commitments.	1.33	1.33	1.33	

Theme 5: Our Sustainable Green Future						
Commitment	Sub commitment	R	E	S		
1. To advance the Glasgow Leaders' Declaration on Forest and Land Use, national deforestation and conservation commitments, and regional efforts to halt and reverse deforestation and conserve, sustainably manage, and use ecosystems, we commit to strengthen our efforts to:	F. Strengthen the protection of human rights defenders, particularly indigenous peoples and local communities working on environmental matters, in collaboration with stakeholders, to draw up and approve plans by the Tenth Summit of the Americas to: 1) respond to and collect information from environmental defenders about threats or incidences of violence, in keeping with domestic legislation; 2) enact, as appropriate, and enforce laws to protect human rights defenders working on environmental matters and the resources they defend; and 3) carry out and implement environmental assessments, according to existing domestic legislation;	1.25	1.25	1.00		
6. To promote responsible production and consumption patterns, consistent with domestic laws, through the strengthening of government procurement systems and the inclusion of sustainability criteria, as appropriate, in the procurement of goods, services, and public works; as well as through the promotion of initiatives to strengthen market capacities that reduce adverse effects on the environment.		1.33	1.33	1.33		



Theme 3: Regional Agenda for Digital Transformation				
Commitment	R	E	s	
3. Develop a set of public policies that will allow us to promote digital inclusion, citizen cybersecurity, and access to education and culture, to digital services provided in trustworthy and secure conditions, to open and public information, and to financial services to promote universal access and accessibility to digital content and products, as well as promote citizen participation through digital tools and means.	2.00	2.00	2.00	
17. Accelerate digital government transformation and support the simplification of administrative procedures and modernization of public services, as well as strengthen the quality of digital literacy and digital citizenry, always taking into consideration the protection of citizens' personal data.	1.00	1.00	1.00	
21. Further a strategy of open data and public information that facilitates interoperability in the region, strengthening collaboration and active participation among States, civil society, the private sector, and academia towards an open-government approach.	1.50	1.50	1.50	
30. Foster the discussion of standards and the exchange of best practices in the areas of cybersecurity and protection of users and consumers, as well as citizens in general, on cybercrime prevention in line with the provisions of international and regional instruments, such as the Convention on Cybercrime of the Council of Europe (Budapest Convention), where applicable, with participation of the private sector, academia, and other stakeholders.	0.20	0.20	0.20	

Theme 4: Accelerating the Clean, Sustainable, Renewable, and Just Energy Transition				
Commitment	R	E	s	
2. Emphasize the need to incorporate an inclusive approach in the processes of digitalization, democratization, and decentralization, within the sustainable and just energy transition strategies of our countries, taking into account gender equity and equality, empowerment of women, and respect for the rights of indigenous peoples, people of African descent, and persons with disabilities.	1.25	1.25	1.25	
3. Advance implementation among participants of the Global Methane Pledge, through international cooperation including by strengthening technical and financial support, and the development of comprehensive and sectoral, transparent, and verifiable country-level methane mitigation action plans.	0.00	0.00	0.00	





