



**International
Human Rights
Instruments**

Distr.
GENERAL

HRI/CORE/1/Add.96/Rev.1
19 May 2005

ENGLISH
Original: SPANISH

**CORE DOCUMENT FORMING PART OF THE
REPORTS OF STATES PARTIES**

HONDURAS* **

[21 February 2005]

* The annex may be consulted in the secretariat archives.

** In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not formally edited before being sent to the United Nations translation services.

CONTENTS

	<i>Paragraphs</i>	<i>Page</i>
I. LAND AND PEOPLE	1 - 36	3
A. Country profile	1 - 9	3
B. Population	10 - 34	5
C. Means of communication	35 - 36	8
II. GENERAL POLITICAL STRUCTURE	37 - 53	8
A. Organization of the State	40 - 42	9
B. Structure of State bodies	43 - 51	9
C. Political parties, electoral system and armed forces	52 - 53	11
III. ECONOMIC, SOCIAL AND CULTURAL CHARACTERISTICS	54 - 67	11
IV. LEGAL FRAMEWORK WITHIN WHICH HUMAN RIGHTS ARE PROTECTED	68 - 73	13
V. INFORMATION AND PUBLICITY	74	15

I. LAND AND PEOPLE

A. Country profile

1. The Republic of Honduras is situated in the centre of the Central American isthmus, between 13 and 16 degrees North. It covers an area of 112,492 km², after being extended from 112,088 km² by decision of the International Court of Justice in the Hague on 11 September 1992. It is bounded to the north by the Atlantic Ocean and the Caribbean, or Antillean, Sea and to the south by the Pacific Ocean, and is bordered to the east by Nicaragua and to the west by El Salvador and Guatemala.
2. Some 63 per cent of its area is mountainous, with coastal plains and inland valleys, and 37 per cent consists of relatively open valleys and lowlands. Much of the land is on slopes of 30 per cent or more, with low-fertility soil and irregular rainfall. Over 90 per cent of the country is officially classed as unfit for farming; it is more suitable for forestry activities.
3. Sixty-six per cent of Honduran territory is afforested, 25 per cent is used for farming and raising livestock, and 9 per cent consists of marshes and mangrove swamps. Honduras' subtropical climate, which varies between humid and dry, explains its wide variety of land and water flora and fauna.
4. Its climate is warm and humid, especially along the coasts.
5. The temperature varies with altitude. Coastal lands below 500 m above sea level have an average annual temperature of 24° C, while in the mountains at between 500 and 2,000 m the temperature ranges between 16 and 24° C. At over 2,000 m, the average annual temperature is 15° C.

Principal ecosystems

6. Maritime influences and the country's rugged topography and variable soil types have given rise to a wide range of ecosystems.
7. In the north-eastern region, thanks to the mostly humid air from the Caribbean, the hot and humid Atlantic basin receives 1,750 to 2,000 mm of annual rainfall. This produces humid and very humid conditions along the slopes leading down to the Atlantic, which account for more than 75 per cent of the land area. The dominant vegetation in the Atlantic area consists of broadleaved trees, except in areas where fires, soil conditions or man-made changes are more conducive to pine forests. The protected coastal lagoons and bays are lined with mangrove swamps, which are influenced by inland tides along the main rivers flowing into the sea. The coral barrier reefs surrounding the Islas de la Bahía and other remote Caribbean cays are some of the most elaborate in the hemisphere.
8. The following distinct communities can be identified and described by applying the 1968 Monroe classification to the natural habitats present in Honduras:

(a) *Tropical rainforest or lowlands.* These occupy a vast area along the Atlantic slopes, including, for example, the Cordillera de Nombre de Dios, the Sierra de Río Tinto, the Río Plátano nature reserve and the Cordillera entre Ríos. These forests stretch from sea level to about 1,500 m above sea level. They receive between 2,000 and 3,500 mm of rainfall per year and are characterized by their luxuriant vegetation, with trees up to 40 or 50 m tall - the biggest grow as high as 70 m. The undergrowth consists of a great many species of ferns, palms, lianas, bamboo, grasses, epiphytes, creepers, heliconias, bushes and countless other plants;

(b) *Dry or deciduous tropical forest (monsoon forest).* This type of forest is mainly located on the Pacific slopes, although it can also be found in some small areas on the Atlantic side, such as the very dry forest in the sandy terrain to the south of the Pico Bonito national park, the main habitat of the emerald hummingbird, which is endemic to this kind of forest;

(c) *Cloud (rain or mountain) forest.* This is found at between 1,500 and 2,900 m, in the central and western parts of the country, and is an important source of water supplies for many communities. Annual rainfall in such forest is about 2,000-3,000 mm. As the name indicates, it is often covered by cloud, so that condensation on leaves helps maintain constant humidity; this encourages the growth of a large variety of mosses, lichens, ferns, palms, epiphytes, etc. The cloud forest in the west of the country contains a large number of species of conifer such as pine (six species in all), fir, cypress, liquidambar and oak;

(d) *Combinations of ocote pine and oak pine.* These cover large areas in the central, western and eastern parts of the country. In some cases they form broad swathes of woodland, as in the department of Olancho, in eastern Honduras. This is usually open woodland on siliceous, ill-drained soil, or on shallow, acidic, not very fertile soil. The dominant species is *Pinus oocarpa* in the highlands and *Pinus caribaea* on the coastal plains, although other species of pine are also found in cloud forest;

(e) *Coastal and coral reef ecosystems:*

- (i) Mango groves: the most extensive and diverse are those on the Pacific coast;
- (ii) Turtle beaches: there are large nesting beaches on both the Pacific and Caribbean coasts;
- (iii) Coral reefs: the Honduran section of the Mesoamerican Reef is second only to the Belize section in size and importance;
- (iv) Islands, islets, cays, etc.

Fauna and flora

9. Honduras has a national system of protected areas which now comprise approximately 50 national parks, nature reserves and other types of reserve and sanctuary, all of which have been established by law. They contain various species of wildlife, including the jaguar, white-tailed deer, ocelot, white-faced monkey, jaguarundi, spider monkey, howler

monkey, wild cat, puma, tapir, fox, coyote, otter, manatee and agouti. There are also over 375 species of bird and about 200 species of amphibians and reptiles in these areas. Many of these species, such as the harpy eagle, the jaguar and the tapir, are considered rare and endangered species at risk of extinction.

B. Population

1. Demographic features

10. The population of Honduras was estimated at 5.6 million in 1996, and has been growing at a rate of 2.8 per cent a year for the last 30 years. It was expected to reach 6 million by the year 2000, with a population density in that year of 50.2 persons per km².

11. In 1998 the population was estimated at 5,901,236 inhabitants.¹ The average density of 52 persons per km² contrasts with a density of 191 persons per km² in urban areas and the most agriculturally and industrially developed areas.

12. In 2001 the population was estimated at 6,076,885 inhabitants. The Honduran population is predominantly young, with 2,552,516 persons (50.9 per cent of the total) under the age of 15 and only 218,537 persons (48.7 per cent) over the age of 65.²

13. Data on the national rates of school attendance, employment, open unemployment, illiteracy and dependence, by sex and by urban and rural area, can be found in the annex.³

2. Political and administrative divisions

14. For political and administrative purposes the country is divided into 18 departments, which are subdivided into 298 municipalities and 3,731 villages which are themselves divided into 27,969 hamlets (the smallest territorial division). The following table shows population distribution by department for 1998 and 2002.

3. Population by department, 2001⁴

15. Data from the household survey conducted in March 2001 by the National Statistical Institute show that 23.3 per cent of youngsters between the ages of 13 and 15 (116,773 youngsters) work only, while 19.3 per cent of them (96,973) neither study nor work and are regarded as part of the economically active population. Women's participation in the workforce has grown significantly, mostly as a result of the cultural reassessment of their place in society but also partly as a result of the country's deteriorating economic situation, which has led to a significant fall in real terms in the wages of heads of household.

16. Nationally, women account for 50.5 per cent of the population, and men for 49.5 per cent.⁵ There is a majority of men in rural areas (1,613,165) and women in urban areas (1,327,228), which illustrates women's greater propensity for migrating from the countryside to the cities. Most of the women who migrate from rural areas are aged 15 or over, and leave to look for work. Nationwide, of the 1,211,307 households surveyed by the National Statistical Institute in 2001, 25.1 per cent were headed by women and 74.9 per cent by men.

17. Forty-six per cent of the population lives in urban areas (1,109,900), mostly in the cities of Tegucigalpa and San Pedro Sula (1,077,538), the former being the capital and the latter the country's main industrial centre.

4. Mortality

Mortality by sex and age⁶

18. The records available for the period 2000-2002 show 20,764 deaths, a crude mortality rate of 3.2 deaths per 1,000 inhabitants, with a difference in distribution by sex, the rate being 3.8 for men and 2.6 for women.

19. Mortality rates disaggregated by age group and sex show slightly higher mortality for both sexes in the first four years of life. A significant difference begins to appear at the age of 15, when the male mortality rate rises, probably as a result of violent deaths, which affect young males and young male adults more than females. Mortality rates rise for both sexes with increasing age, but the differences between them diminish at advanced ages.

20. The same trend is found in the data gathered by the sixteenth population census and the fifth housing census for 2001, which confirm the validity of the data for each of the three years in the reporting period.

21. The disaggregation of deaths by sex also shows that male mortality is higher than female mortality at all ages; nationally, males account for 59.4 per cent of all deaths and females for 40.6 per cent. High male mortality is especially evident between the ages of 15 and 44, peaking between the ages of 20 and 24 with three male deaths for each female death.

Mortality by cause, sex and age

22. One of the main causes of death is heart disease, including heart attacks, which are the leading cause of death, accounting for 17.0 per cent of deaths: 54.8 per cent of those who die from heart attacks are men and 45.2 per cent are women. The highest incidence is in the over-50s, and heart attacks are the leading cause of death in all five-year cohorts in that age group.

23. The second leading cause of death is cancer, in all its forms, which accounts for 12.2 per cent of deaths: 56.3 per cent of those who die from cancer are women and 43.7 per cent are men. Cancer kills in all age groups, but becomes a major killer after the age of 25, becoming increasingly prevalent with age. Malignant tumours of the stomach are the most common type of cancer (19.0 per cent), followed by unspecified tumours (9.9 per cent) - which suggests that more needs to be done to improve reporting procedures - leukaemia (7.7 per cent), cancer of the liver and bile duct (6.4 per cent), and malignant tumours of the trachea, bronchial tubes and lung (6.3 per cent).

24. Homicides are the third leading cause of death, accounting for 10 per cent of deaths. Of the victims, 91.5 per cent are men, mostly between the ages of 15 and 64, with the peak between the ages of 15 and 24. If homicides are combined with accidents, suicides and other acts of violence, they become the prime cause of death, accounting for 22.0 per cent of deaths.

25. Diseases of the digestive system are the fourth leading cause of death, accounting for 6.8 per cent of deaths: 63.3 per cent of those who die from such diseases are men and 36.4 per cent are women. Mortality from these diseases increases with age from the age of 25 onwards, peaking in those aged 75 and over.
26. Strokes are the fifth biggest killer, accounting for 6.6 per cent of deaths: 47.8 per cent of the victims are men and 52.2 per cent are women. Mortality from strokes increases with age from the age of 15 onwards, peaking in old age.
27. Pneumonia is the sixth main cause of death, accounting for 5.9 per cent of deaths, 52.8 per cent of which are among men. It is more common among the very young and the very old - below the age of 5 and over the age of 65 - particularly among children under 1 year of age.

5. Ethnic characteristics

28. Ethnic groups are a segment of the population that receives special attention. They comprise eight cultural groups (the Garifuna, Tolupan or Xicaque,⁷ Miskito, Lenca, Chorti, Tawahka, Pech and Island Negroes) and consist of 463,700 persons,⁸ that is, approximately 8 to 10 per cent of the total population.
29. The Garifuna, who live along the country's northern coast, account for over half of this number. They live in 43 towns and villages spread out along the Caribbean coast as far as the mouth of the Sico or Tinto river. The Tolupan or Xicaque live in 28 tribes located in remote areas in the municipalities of Yoro, Olanchito, Victoria, Negrito, Yorito, Orica and Morazán. Most of the Tolupan no longer speak their own language. The Misquito live in the north-east, in the department of Gracias a Dios, and the Lenca, another ethnic group, live in the departments of Lempira, Intibucá, La Paz, Comayagua, and parts of Cortés, Valle and Francisco Morazán.
30. The Pech, or Paya,⁹ live in 12 communities in eastern Mosquitia and the north-eastern part of the department of Olancho. The Tawahka, or Sumo,¹⁰ live in seven communities in the interior of Mosquitia. The Lenca and Chorti have long since become farm workers in the indigenous tradition. The Chorti belong to the Maya group; the origin of the Lenca is unknown. Their farming practices belong to the Central American cultural tradition, and they live in Copán and Ocotepeque.
31. These population groups are generally found in severely disadvantaged areas characterized by limited access to social services, a shortage of roads and a subsistence economy. For this reason it is government policy to give priority to such groups in community-oriented initiatives. It should be noted that these population groups retain their own languages, and that the promotion of bilingual education is government policy.
32. The official language of Honduras is Spanish.¹¹

6. Religious characteristics

33. Honduras is a country in which people enjoy freedom of conscience and religion, as attested by the variety of religions practised there.

34. Honduras guarantees freedom of worship with no preference for any particular form, provided that it does not breach the law or public order. Ministers of religion may not hold public office or engage in any form of political propaganda by citing religious grounds or exploiting people's religious beliefs for such purposes.¹²

C. Means of communication

35. Honduras is well placed geographically, between the Atlantic and Pacific oceans, to communicate with the rest of the world. It has sea ports at Puerto Cortés, Tela, La Ceiba, Trujillo and Puerto Castilla in the north, and at San Lorenzo, Amapala and Henecán in the south.

36. As far as air transport is concerned, Honduras has the following international airports: Toncontín, in Tegucigalpa; Ramón Villeda Morales, in San Pedro Sula; Golosón, in La Ceiba; Roatán, in the Islas de la Bahía; and Palmerola, in Comayagua. Smaller airports offer domestic and local flights. For transport by land, Honduras now has a first-class road network comprising the northern highway, the Atlantic coast highway, the western highway, the north-eastern highway, the eastern highway and the southern highway - the latter forming part of the so-called Pan-American highway, linking the customs post at El Amatillo, on the border with El Salvador, several major towns and the customs post at Guasaule, on the border with Nicaragua.

II. GENERAL POLITICAL STRUCTURE

37. In the fifteenth century, the Portuguese began to contemplate travelling to the Orient along routes other than the one through the Mediterranean, which had become dangerous after the fall of Constantinople to the Turks in 1453. The Italians of Venice and Genoa were also looking for a new route. Spain was for a while preoccupied with its fight for freedom from Arab domination but, once it had achieved that, it gradually began to rival the others in exploratory voyages. Explorers took advantage of the latest navigational technology, as well as better maps, and the result was a major turning point in the history of mankind - the meeting of two different worlds. The Portuguese travelled across southern Africa, India and the Indian Ocean, monopolizing the spice trade to the West. Spain entrusted its exploration to a Genoan by the name of Christopher Columbus, who reached the Antillean archipelago in 1492 and the largest Caribbean islands on another voyage. These islands provided a springboard for the future exploration of the continent and, as a result, Seville became the gateway to the New World.

38. On 30 July 1502, Columbus, on his fourth voyage, reached an island he called Isla de los Pinos (Islas de la Bahía), then dry land (Punta Caxinas) on the eastern coast of Honduras, and then Nicaragua, Costa Rica and the islands of Martinique. The part of our region that was explored was called Hibueras e Honduras, or Higueras e Cabo de Honduras, in documents of the time. Honduras became the country's official name in 1865.

39. From the second decade of the sixteenth century onwards, the country was the scene of fighting over territory between the representatives of the leaders of the Conquest, who left the Caribbean islands and headed for Mexico, Darién (in Panama) and Peru, before moving on to neighbouring regions. In 1524, González Dávila landed in Puerto Caballos; Hernando de Soto reached the Atlantic coast, acting on the orders of Hernán Cortés, who was in Mexico. A dispute arose when a government was set up in Guatemala under the governor-general Pedro de Alvarado, who made incursions into Honduras and founded Spanish towns that lasted throughout the colonial period.

A. Organization of the State

40. Following the period of annexation to Mexico, Honduras became one of the five States of the Central American Federation. Pursuant to the 1825 Constitution, the territory was divided into seven departments: one in the north (Yoro), one in the south (Choluteca), two in the centre of the country (Comayagua and Tegucigalpa), two in the west (Gracias and Santa Bárbara) and one in the east (Olancho). As indicated above, the country now comprises 18 departments and 298 municipalities.

41. In addition to the three federal constitutions (of 1824, 1898 and 1921), the country has had 13 other constitutions, dating from 1825, 1839, 1848, 1865, 1873, 1880, 1894, 1906, 1908 (which reinstated the 1894 Constitution), 1924, 1936, 1957, 1965 and 1982.

42. The 1894 Constitution - the most liberal constitution in Central America at the time - was promulgated during Policarpo Bonilla's term of office. Juan Manuel Gálvez, President of the Republic from 1949 to 1954, embarked upon the modernization of the State and some parts of society. The first Agrarian Reform Act, the Labour Code and the Social Security Act were adopted during the administration of José Ramón Villeda Morales. The governing military junta, headed by General Oswaldo López Arellano, enacted other provisions beneficial to workers and farm labourers.

B. Structure of State bodies

43. "Honduras is a sovereign State subject to the rule of law, constituted as a free, democratic and independent republic so as to ensure that its inhabitants enjoy justice, freedom, culture and economic and social welfare."¹³

44. According to articles 2 and 4 of the Constitution, Honduras is a sovereign State subject to the rule of law, constituted by the will of the people and characterized by its republican, democratic and representative nature:

(a) Republican, in that its form of government puts power in the hands of the people, which exercises it through its representatives for a predetermined period, with a separation of the three powers (legislature, executive and judiciary);

(b) Democratic, in that sovereignty and supreme power belong to the people. Sovereignty resides in the people, the source of all powers of the State, which are to be exercised by its representatives;

(c) Representative, in that the public functions originally attributed to the people are exercised by its representatives, who are elected by popular vote.

45. The Government comprises three branches: the legislature, the executive and the judiciary, which are complementary, independent and equal in rank.¹⁴

The executive¹⁵

46. The President of the Republic heads the executive on behalf of and for the benefit of the people. The 1957 Constitution abolished the office of vice-president, and there were until recently three presidential alternates (Constitution, art. 235). However, the office of vice-president was reinstated by Decree No. 374-002 of 13 November 2002, amending article 235 of the Constitution.

The legislature¹⁶

47. The National Congress consists of a fixed number of 128 deputies and an equal number of alternates. All of them, as well as the members of the municipal councils, are elected for a term of four years on the last Sunday in November of the last year of the Government's term of office, and the new Government takes office in January of the following year.

The judiciary¹⁷

48. The power to dispense justice derives from the people and is administered free of charge on behalf of the State by independent magistrates and judges, subject only to the Constitution and the laws. The judiciary consists of the Supreme Court of Justice, courts of appeal and the courts and other judicial bodies established by law. The Supreme Court of Justice is the highest judicial body and its jurisdiction covers the entire country: it has its seat in the capital, although it may temporarily move to anywhere else in the country if it so decides. The Supreme Court of Justice is composed of 15 judges, and its decisions are taken by a majority of all its members.

49. Various sectors of Honduran society participate in the selection and election of Supreme Court judges by proposing candidates. The Nominations Committee, which has to select at least 45 candidates, consists of individuals who have themselves been selected from various sectors of civil society. The judges are elected by the National Congress from a list containing no less than three candidates for each post to be filled; they require the vote of at least two thirds of all members of Congress. The election is held once the proposal containing the names of all the judges has been submitted. In the event that there is no qualified majority for the election of the full list of judges, a direct, secret vote is held to elect the remaining judges individually; the vote is repeated as many times as necessary until the two-thirds majority is achieved.

50. The term of office for Supreme Court judges is seven years from the date on which they take the oath of office, and they may be re-elected. If a judge dies, is incapacitated and unable to perform his job, is replaced for legal reasons or resigns, the judge who fills the resulting vacancy

occupies the post for the remainder of the term after being elected by a vote of at least two thirds of all members of Congress. The replacement is elected from the remaining candidates proposed by the Nominations Committee at the beginning of the term.

51. The president of the Supreme Court of Justice is elected by the judges designate.

C. Political parties, electoral system and armed forces

52. The political parties in Honduras cut across class lines, that is, they are each drawn from different social classes. No distinctions whatsoever are drawn between electors as far as the exercise of their constitutional right to vote is concerned. Most of them - be they landowners, farm workers, businessmen or labourers, well educated and uneducated alike - vote for the traditional parties (the Liberal Party and the National Party). The following parties also exist: the Innovation and Unity/Social Democratic Party (PINU-SD), the Christian Democratic Party (DC) and the Democratic Unification Party (UD). Membership of one of the two main parties used to be a matter of family tradition, but the Honduran people's increasing political maturity has recently changed that.

53. The Honduran armed forces constitute a permanent national institution, and are essentially professional, apolitical, obedient and non-deliberative (Constitution, art. 272). They consist of the High Command, the army, the air force, the navy and such bodies as are determined by the law establishing them (Constitution, art. 273).

III. ECONOMIC, SOCIAL AND CULTURAL CHARACTERISTICS

54. In recent years, the Government, as part of its structural adjustment programme, has reduced its role as a producer and price-regulator in order to boost economic growth by liberalizing the economy. The tariffs protecting domestic industries have been cut, price controls abolished, the financial markets liberalized and a foreign exchange market set up for the lempira.

55. The indicators show that the average economic growth rate rose in the 1990s (to 3.7 per cent, from 2.2 per cent in the 1980s).¹⁸ At the end of 1998, the Honduran economy suffered from imbalances in several areas, including a balance-of-payments deficit (12 per cent of gross domestic product (GDP)), a very large external debt (115 per cent of GDP), double-digit inflation (15.4 per cent), high levels of government spending and serious financial imbalances.¹⁹

56. Meanwhile, economic growth - mainly in the business, assembly, financial services and luxury tourism sectors - has made little impact on poverty. Higher output in the agricultural industry may have helped increase exports but it has not improved access by the poor to food or a better diet. It is estimated that the Honduran population's average calorie intake is 76 per cent of the required level,²⁰ and this is reflected in the level of chronic undernourishment in children under the age of 5, which has been largely unchanged at around 39 per cent since 1987.

57. The Honduran economy is characterized by the large numbers of workers in the informal sector. It is estimated that 3.9 million Hondurans depend on the informal economy. Although informal work does not necessarily equate with poverty, the majority of the poor people in

Honduras are active in the informal sector of the economy. In these circumstances, and given that tax revenue comes mainly from the formal economy (30 per cent of the population) while pressure on public spending stems mainly from the informal sector (70 per cent of the population, who need services in the fields of health, education, housing, etc.), meeting basic needs is a complex matter.²¹

58. Poverty is directly related to the low productivity of the national workforce, which is in turn related to the lack of appropriate investment in health and education. In 1991, 74.8 per cent of Honduran households were living below the poverty line, with 54.2 per cent living in extreme poverty.²² However, in 1998 those percentages had fallen to 63.1 per cent and 45.6 per cent respectively.²³ The number of people living below the poverty line is extremely high (3,637,618, of whom 2,628,770 are living in extreme poverty). Most of the households living below the poverty line live in rural areas, but some of those living in extreme poverty live on the outskirts of the cities.

59. Education-wise, the Honduran population is characterized by high levels of illiteracy and low levels of school attendance. According to the data in the March 1998 Multi-purpose Household Survey, 16 per cent of the population over the age of 10 has no schooling at all and 22 per cent has completed only one to three years of study. The equivalent figures for the rural population are 22 and 28 per cent, and for the urban population 9 and 15 per cent.

60. The records of the Ministry of Education show that despite substantial investment in the education sector, there are virtually no pre-school programmes: only 14.8 per cent of children between the ages of 4 and 6 have access to formal preschool education and 14.5 per cent to informal preschool education. As far as primary education is concerned, only 29 per cent of children enrolled in first grade complete their primary education in the time expected, while 51 per cent take on average 9 or 10 years to complete it, so that the timely completion rate is very low. At the secondary level, only 33 per cent of the population between the ages of 14 and 19 has access to secondary education, and the number and quality of school leavers are too low to meet the needs of the labour market.²⁴

61. External debt at the end of 1998 rose to US\$ 4,403,800,000, an increase of 8.1 per cent over 1997, mainly as a result of the greater use of external financing by the private and banking sectors (65.4 per cent of total expenditure), while the public sector pursued a policy of moderate borrowing, taking on only concessional debt. However, the ratio of external debt to GDP continued to fall, to 83.7 per cent of GDP in 1998. In the same year, the cost of external debt-servicing was US\$ 909.5 million, of which US\$ 689.6 million went on capital repayments and US\$ 219.9 million on interest.

62. In December 1999, total external debt rose to US\$ 729.2 million, an increase of 7.3 per cent over 1998. This pattern reflects the better utilization of concessional external financing by the public sector (59 per cent of total expenditure), while, overall, the private and banking sectors made less use (in net terms) of external resources. It should be pointed out that the ratio of external debt to GDP fell from 83.7 per cent in 1998 to 87.0 per cent in 1999, basically as a result of the fall in nominal GDP in 1999. Meanwhile, the cost of servicing the external debt was US\$ 792.9 million, of which US\$ 618.4 million went on capital repayments and US\$ 174.5 million on interest.

63. At the end of 2000, total external debt stood at US\$ 4,706 million, about the same as in 1999. This result reflected the amortization of capital, which accounted for almost all outgoings during the year. Consequently, the ratio of external debt to GDP fell from 87.0 per cent in 1999 to 78.1 per cent in 2000. The cost of servicing the external debt in 2000 was US\$ 1,113,300,000, of which US\$ 883.7 million went on capital repayments and US\$ 249.6 million on interest. The figures for servicing include relief provided by the Central American Bank for Economic Integration (CABEI) under the Heavily Indebted Poor Countries (HIPC) debt initiative to the amount of US\$ 251.8 million.

64. Honduras' public and private external debt stood at US\$ 4,808 million at the end of 2001, 2.2 per cent higher than in 2000. This result basically reflects higher net expenditure in the public sector after taking account of amortization payments. Meanwhile, the ratio of external debt to GDP fell from 78.1 per cent in 2000 to 75.1 per cent in 2001. The cost of servicing the external debt was US\$ 717.7 million, of which US\$ 540.3 million went on capital repayments and US\$ 177.4 million on interest.

65. In 2002, Honduras' total external debt was US\$ 4,874,200,000, up by 1.4 per cent from 2001, mainly as a result of the fall in value of the United States dollar against the other currencies in the debt basket. The ratio of total external debt to GDP was 74.1 per cent, about one percentage point lower than in the previous year.

66. The cost of servicing the external debt in 2002 was US\$ 734.5 million, of which US\$ 619.0 million went on capital repayments and US\$ 111.5 million on interest.

67. It should be pointed out that the debt-servicing costs for the period 1990-2002 include the readjustment operations and debt cancellation agreed with the Paris Club creditors.²⁵

IV. LEGAL FRAMEWORK WITHIN WHICH HUMAN RIGHTS ARE PROTECTED

68. The Constitution embodies many of the rights set forth in the various international human rights instruments to which Honduras is a signatory. The exercise of these rights is regulated by law in certain cases.

69. The following institutions are involved in the protection of human rights in Honduras:

The Supreme Court of Justice;

The courts and tribunals;

The Office of the Secretary of State in the Bureau of Foreign Affairs;

The Department of Special Affairs;

The Office of the Attorney-General;

The Ombudsman (National Commissioner for Human Rights);

The Honduran Institute for Children and the Family (IHNFA);

The National Institute for Women (INAM).

Remedies and compensation

70. Anyone whose human rights are violated has the right to take his or her case to one of the following courts and to seek compensation:

(a) The criminal courts: courts of first instance dealing with criminal matters, both in and outside the capital. In accordance with the criterion of objectivity, they cover the entire criminal proceedings and may take all necessary steps to deal with acts defined as offences;

(b) The civil courts: courts of first instance dealing with civil matters, both in and outside the capital, and *amparo* actions. The remedy of *amparo* is available for the protection of any right that has been violated and for which no other specific legal mechanism is provided by law.

Appeal courts review decisions of the lower courts when these are challenged. These decisions can also be challenged through the extraordinary remedies of applying for reconsideration of the facts or judicial review. There are also constitutional guarantees that were established to uphold and protect fundamental rights - habeas corpus, *amparo*, constitutional review and judicial review;

(c) Financial compensation for damage caused to third parties by acts of the Administration.

71. The constitutional guarantees in Honduran legislation are set out explicitly in title IV, chapters I and II, of the Constitution, which refer to the guarantees of habeas corpus, or personal appearance, *amparo*, constitutional review and judicial review. Chapter III of the report deals with this issue in detail.

72. Article 15 of the Constitution (in chap. III, "Treaties") states that Honduras accepts the principles and practices of international law, which promote solidarity and the self-determination of peoples, non-intervention and the strengthening of universal peace and democracy. It also proclaims the validity and obligatory execution of arbitral and judicial awards of an international nature.

73. Once international treaties enter into force they become part of domestic law and their provisions may be invoked by individuals or legal entities in any court or before any authority of the Republic. Any conflict between a treaty and the Constitution is resolved in accordance with the Constitution, which stipulates that in cases of conflict between a treaty and domestic law the treaty shall prevail (Constitution, arts. 16, 17 and 18).

V. INFORMATION AND PUBLICITY

74. The International Covenant on Civil and Political Rights was published in the Official Gazette (*La Gaceta*, No. 28293) on 24 June 1997 and ratified on 29 July 1997. Under Honduran legislation no one may claim ignorance of the law once a law has been published in the Gazette.

Notes

¹ Secretariat for Planning, Coordination and Budget (SECPLAN), Population forecasts 1998-2050.

² See annex, table 1.

³ See annex, table 2.

⁴ See annex, table 3.

⁵ See annex, table 4.

⁶ See annex, table 5.

⁷ Also known as the Jicaque or Tol.

⁸ See annex, table 6.

⁹ Also known as the Poyer or Pahaya.

¹⁰ Also known as the Twanka or Ulwa.

¹¹ 1982 Constitution, art. 6.

¹² *Ibid*, art. 77.

¹³ *Ibid*, art. 1.

¹⁴ *Ibid*, art. 4.

¹⁵ *Ibid*, art. 235 et seq.

¹⁶ *Ibid*, art. 202 et seq.

¹⁷ *Ibid*, arts. 303, 308, 311 and 314 et seq.

¹⁸ Central Bank, Department of Economic Studies.

¹⁹ *Ibid*.

²⁰ Survey of Socio-economic Indicators, 1994.

²¹ Pan-American Health Organization (PAHO) in Honduras, Health Situation, 1999.

²² Secretariat for Planning, Coordination and Budget (SECPLAN), Population, Gender and Employment Project.

²³ Figures based on the Multi-purpose Household Survey, Magdalena García, 1998.

²⁴ Pan-American Health Organization (PAHO) in Honduras, Health Situation, 1999.

²⁵ Central Bank of Honduras, Economic Studies Subsection, Financial Figures Unit, External Debt Section, Analysis of External Debt, 1997-2002, 20 November 2003.
