



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

In my capacity as Chairperson of the Committee on Migrant Workers (CMW), I have the honour to refer to the examination of the initial report of Honduras at the Committee's twenty-fifth session, held in August 2016. At the end of that session, the Committee's concluding observations were transmitted to your Permanent Mission (CMW/C/HND/CO/1). You may recall that in the concluding observations, the Committee requested Honduras to provide, within two years, written information on the steps undertaken to implement the recommendations contained in paragraphs 11, 33, 41 and 55 of the concluding observations.

At its thirtieth session, held in April 2019 in Geneva, the Committee examined the follow-up report of the State party (CMW/C/HND/CO/1/Add.1). The Committee welcomes the follow-up report received in October 2018 under the CMW follow-up procedure and commends the State party for furthering the implementation of the Convention. With respect to the follow-up report, the Committee notes the following:

Regarding the recommendation made in **paragraph 11** of the concluding observations, the Committee encourages the State party to take measures to fully implement the recommendations, and to: (i) adopt and implement legislation on migration that is fully consistent with the Convention and the other international human rights treaties that it has ratified; and (ii) ensure the effective participation of civil society organizations and specialized international agencies, such as the newly established country office of the United Nations High Commissioner for Human Rights, in the public debate on draft legislation prior to their consideration in the National Congress.

**Recommendation partially implemented.**

With regard to the recommendation made in **paragraph 33** of the concluding observations, the Committee considers that the measures taken by the State party are positive steps towards ensuring that every possible action is taken to search for migrants who are missing or have disappeared, or unidentified migrants. In order to comply with the State party's responsibility, the Committee requests it to include an evaluation of these mechanisms and statistical data on the number of persons searched and found, disaggregated by age, sex, origin and location at the time of disappearance, in its next periodic report. The Committee also encourages the State party to evaluate the impact of its engagements in the realm of international cooperation to ensure sound, equitable, humane and lawful conditions in connection with the international migration of migrant workers.

His Excellency  
Mr. Giampaolo Carmelo Rizzo Alvarado  
Permanent Representative of the Republic of Honduras  
to the United Nations Office in Geneva  
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It further encourages the State party to assess the number of cases of migrants workers who are missing or have disappeared and that they are promptly and independently investigated and whether the perpetrators receive sentences appropriate to the gravity of the offence, they should ensure that the right to justice of the families of migrant victims of disappearance — in their country of origin and/or destination — and their right to the truth about the fate of their relatives and to adequate reparation, is upheld. **Recommendation implemented and will be followed up in next periodic report.**

Regarding the recommendation made in **paragraph 41** of the concluding observations, the Committee encourages the State party to take the necessary steps to strengthen the national institutions in charge of consular services, protection and assistance for migrant workers and members of their families. The Committee takes note of the legal framework developed by the State party in order to implement this recommendation and notes the importance of hiring consular staff on the basis of merit, gender balance and expertise in the rights of migrant workers and members of their families, children's rights, the application of a gender perspective and the respect for the rights of lesbian, gay, bisexual, or transgender persons or intersex persons and the protection of women against violence.

The Committee also encourages the State party to intensify its efforts to develop a standardized tool for the collection of quantitative and qualitative data by Honduran consulates, specifically designed to specify to what extent the rights of Honduran migrant workers and members of their families, including unaccompanied children, who are detained in and deported from countries of destination, are protected or infringed and to record the reasons for the migration of persons who receive consular assistance. It further encourages the State party to include such data in its next periodic report and expresses its hope that the Consular and Migratory Observatory of Honduras (CONMIGHO) will be operating at that time. **Recommendation implemented and will be followed up in the next periodic report.**

With regard to the recommendation made in **paragraph 55** of the concluding observations, the Committee encourages the State party to take measures to fully implement the recommendation to strengthen and deepen its cooperation with countries of transit and destination with a view to adopting policies and protocols designed to ensure that children's rights in the context of migration are respected in practice. The Committee takes note of the measures taken by national institutions in the State party to address the needs of migrant children, but it remains concerned about the lack of comprehensive policies and effective coordination.

The Committee urges the State party to intensify its efforts to: (i) end the detention of children on grounds of their migration status or that of their parents; (ii) devise alternatives — in law and in practice — to the detention of families and unaccompanied or separated children, and ensure their implementation under the coordination of national and/or local organizations responsible for the comprehensive protection of children; (iii) regarding unaccompanied children specifically, design and launch a process based on the best interests of the child, with a view to adopting short- and long-term solutions; (iv) safeguard the due process guarantees of all unaccompanied children, such as the right to a guardian, the right to legal assistance, the right to be heard and the right to an effective remedy; (v) include in the migration procedures of parents an assessment of the best interests of the child, in accordance with the child's age and maturity, and guarantee that children are involved in this process; and (vi) promote protocols and actions on consular protection, including legal assistance, with a view to ensuring that Honduran migrant workers in the United States are not, as a consequence of their irregular migration status, separated from their children born in that country. **Recommendation partially implemented.**



The Committee recommends the State party to be guided in its implementation of the concluding observations by joint general comments No. 3 (2017) of the Committee and No. 22 (2017) of the Committee on the Rights of the Child on the general principles regarding the human rights of children in the context of international migration, and No. 4 (2017) of the Committee and No. 23 (2017) of the Committee on the Rights of the Child on State obligations regarding the human rights of children in the context of international migration in countries of origin, transit, destination and return.

The Committee looks forward to pursuing its constructive dialogue with the authorities of Honduras on the implementation of the Convention, and kindly asks them to include information on the implementation of the recommendations contained in this letter in its next periodic report.

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

A handwritten signature in black ink, consisting of a large, stylized 'A' followed by a horizontal line and a vertical stroke.

Ahmadou Tall  
Chair

Committee on the Protection of the Rights of All  
Migrant Workers and Members of Their Families

