



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS  
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REFERENCE: CAT/Follow-up

20 August 2018

Excellency,

In my capacity as Rapporteur for Follow-up to Concluding Observations of the Committee against Torture, I have the honor to refer to the follow-up to the examination of the second periodic report of Honduras, in accordance with the Guidelines for follow-up to concluding observations (CAT/C/55/3).

At the end of the 58<sup>th</sup> session, the Committee transmitted its concluding observations to your Permanent Mission. The Committee's concluding observations (CAT/C/HND/CO/2, para. 53) requested the State party to provide within one year further information on the specific areas of concern identified in paragraphs 16, 20 (a) and (c), 30 and 44 of the concluding observations.

On behalf of the Committee, allow me to express appreciation for your letter of 14 August 2017 providing your Government's response on the above-mentioned paragraphs (CAT/C/HND/CO/2/Add.1), and to make the following comments:

**Control and management of the prison system (para. 16)**

While taking note of the information provided by the State party, the Committee remains concerned at the continued control and management of the prison system by the military. It also takes note of the State party's commitment to end by late 2018 the practice of detaining persons accused of ordinary crimes in military facilities (2/B2).

**Conditions of detention (para. 20 (a) and (c))**

The Committee appreciates the extensive information provided by the State party on the measures taken to relieve overcrowding in penal institutions, and in

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particular: the construction of new prisons; the transfer of inmates to other detention facilities; the release of prisoners on humanitarian grounds; as well as, the proposed amendments to the Code of Criminal Procedure to promote the use of non-custodial measures as an alternative to pretrial detention. It welcomes further the efforts by the State party to reduce violence among prisoners, including the development of a training programme for prison officers (3/B1).

#### **National preventive mechanism (para. 30)**

The Committee takes note that article 11 of the Act on the National Mechanism for the Prevention of Torture sets out the requirements for the selection of the members of national preventive mechanism. However, the Committee remains concerned by the fact that the State party has not reviewed the selection process used for the appointment of the experts, which it considers not to include the procedures necessary to ensure the candidates' functional independence and to avoid any conflict of interest. It is also concerned at the insufficient resources allocated to this mechanism (2/B2).

#### **Human rights defenders and other representatives of civil society who are at risk (para. 44)**

The Committee takes note of the detailed information provided by the State party on the ongoing prosecution of persons accused of the murder of Ms. Berta Cáceres, and the measures taken to ensure the safety of other individuals under the Act for the Protection of Human Rights Defenders, Journalists, Social Communicators and Justice Officials. The Committee remains concerned, however, by the lack of specific information on the impact of such measures (2/B1).

#### **Implementation plan (para. 53)**

The Committee regrets that the State party has not provided information about its plans for implementing, within the coming reporting period, some or all of the remaining recommendations included in its concluding observations (C).

The Government of Honduras is encouraged to provide additional information, if any, which may further contribute to the Committee's analysis of the progress made regarding the specific issues of concern. This additional information may be provided in any subsequent report by the State party pursuant to the Committee's request in its concluding observations on the second periodic report of Honduras.



The Committee looks forward to a continued constructive dialogue with the authorities of Honduras on the implementation of the Convention.

Accept, Excellency, the assurances of my highest consideration.

Abdelwahab Hani  
Rapporteur for Follow-up to Concluding Observations  
Committee against Torture

A handwritten signature in black ink, appearing to read 'Abdelwahab Hani', written over a horizontal line.