



**MISION PERMANENTE DE HONDURAS
GINEBRA, SUIZA**

**STATEMENT
BY**

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**HIGH LEVEL SEGMENT OF THE 61TH. SESSION OF THE
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Mr. Chairman, Delegates, Ladies & Gentlemen,

The government of Honduras extends its warmest congratulations to Ambassador Makarim Wibisono,¹ for his election as Chairman of this Commission, and also to the other members of the Bureau. We wish you every success during this conference.

Mr. Chairman, it is recognized that poverty has negative effects over the full enjoyment of human rights, particularly socio-economic rights. Poverty is one of the biggest challenges that Honduras faces. To overcome it, my government has put into effect a "strategy for poverty reduction". We intend to convert Honduras into a mid-level developing country over the course of the next 20 years. The main pillars of this strategy include the reorientation and increase of social expenditures, and the redesign of social policy. The poverty reduction strategy is being implemented in a decentralized manner, closely coordinating efforts between our national institutions and the international donor community. Honduras requires increased human and financial resources to implement its initiatives for the reduction of poverty, just as we proclaim in the objectives and goals of the Millennium Declaration.

Another challenge we face as a nation is the severity of problems created by violence and insecurity. Towards the end of the last decade, Honduras suffered a violent wave of criminality that forced our government to undertake actions to control and bring to justice those responsible for criminal activity. This phenomenon of criminality is being effectively fought in all its manifestations of common crimes, organized crime, and the illicit organizations known as gangs, or "maras". These organizations are responsible for murder, aggression, armed robbery and extortion. They are also linked to different activities of organized crime, including drug trafficking, which have challenged the state in an unprecedented manner.

Most recently – on the afternoon of December 23, 2004 - the northern City of San Pedro Sula lived through a nightmare when a group of gang members ambushed a public vehicle, and opened fire on a bus full of innocent passengers returning to their homes after their Christmas shopping. 26 people, mainly women and children, were murdered on the eve of the Christmas holidays, leaving the Honduran population outraged and stupefied.

These acts of terrorism have forced the state of Honduras to redirect valuable human and material resources to try to avoid a recurrence of any similar act, or to allow the perpetrators to escape with impunity. These actions would serve to undermine the commitment of the population to live peacefully in a State of laws. The officers of law enforcement in our country, police, investigators and judges, are working closely together to provide solutions to this problem, while striving to guarantee the safety of the population within the framework of our Constitution and other laws of the Republic. All this must be accomplished in accordance with the legal disposition of all international instruments for the protection of human rights, which the State of Honduras is a party to. Due to this joint effort between the law enforcement officers, we have been able to reduce the rate of crime, and the general perception of insecurity. Also, with the objective of preventing violence and criminality, we have started a national program of weapons registry, which prohibits the owning, carrying and trafficking of all high-caliber weapons.

With regard to the gangs, besides their prosecution under the law, we have developed a national plan for the prevention, rehabilitation and social reintegration of gang members, through which state institutions and NGOs have joined efforts to design public policies to prevent children and youths joining gangs, and to assist those who wish to abandon these organizations. This effort also requires additional resources to those the government provides, to ensure that its results are sustainable. Therefore, we expect to continue our dialogue with friendly governments and institutions with the aim of constructing rehabilitation centers, obtaining equipment, and providing better training for personnel, among other things. The incidence of violent deaths of minors that occur in our main cities continues to be of great concern to our government. Approximately 50% of these deaths are the result of territorial disputes among gangs, or are due to activities associated with organized crime.

Acutely aware of this grave problem, in 2002 the government of Honduras created a "Permanent Commission for the Protection of the Physical and Moral Integrity of Minors" with the purpose of investigating violent deaths, to recommend appropriate action to prevent them, and to prosecute those responsible. In order to investigate these cases effectively, our government also created a special unit to investigate the death of minors, whose results and professionalism have been recognized by NGOs that work on behalf of the rights of children, and governments from cooperating countries.

Until now, the registry of violent deaths of minors by the Commission for the Protection of Minors between January 1st 1998 and February 28, 2005 amounts to 1,030 people. Up to 28 Feb 2005, 59% or 601 cases had been brought to the attention of the Special Investigation Unit. Among the cases investigated to that date, 126 cases had been sent to the Office of the District Attorney for further prosecution.

These cases are at different stages of the legal process, and they resolve 162 violent deaths. 259 people have been charged in relation to these cases. A further 61 persons are currently in prison as a preventive measure, for allegedly being involved in the commission of these crimes. Others are serving substitutive sentences, or remain at large. Additionally, 43 prison sentences have been obtained. These results show that the State of Honduras is firmly committed to combating and putting an end to this grave problem.

On behalf of my government, I reiterate before this Commission that we do not condone, tolerate or consent to the privation of life of any person. We will punish – to the fullest extent of the law – any and all those who promote and carry out acts against the dignity of all persons.

Mr. Chairman, my Government has taken important steps to promote and protect human rights. Over the last year, our President has instituted an Inter-institutional Commission for Human Rights. Its main functions are to recommend to the government policies, action plans and concrete measures of human rights that favor their realization, protection, promotion and dissemination, and to promote the fulfillment of Honduras' national and international commitments on Human Rights. The establishment of this entity has improved coordination between those institutions responsible for responding to the multiple requests for information received both from this Commission and its Special human rights

mechanisms, as well as from the inter-American Commission for Human Rights.

In this vein, I would like to draw your attention to the fact that in November 2004, President Ricardo Maduro, in stressing our commitment and respect for the decisions taken by the international courts, in this case the Inter-American Court of Human Rights, publicly recognized the State's responsibility in the violation of the human rights of Honduran national Juan Humberto Sanchez in the early nineties, and also reached mutually satisfactory agreements to indemnify human rights victims from the decade of the eighties, in the Inter-American Commission of Human Rights.

President Maduro has been emphatic in stating that shameful acts of this nature must not be repeated, and has called for the authorities and the people to commit to promoting a culture that respects life, law and order, and the defense of liberties.

We have recently welcomed in Honduras the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance. We give our thanks to the Special Rapporteur for the interest in our country that he showed during his visit last July, and for the recognition in his report for the efforts that my government is making to eliminate racial discrimination, and to broaden understanding among all ethnic groups in the country.

In fact, our government recognizes, accepts and promotes ethnic and cultural diversity in the country. Also, it is aware of the needs and demands of the indigenous and black Honduran populations. In this sense, our government sees in the report of the Special Rapporteur, an opportunity to consolidate the initiatives that are already under way in the country within the framework and implementation of the Millennium Declaration and plan of action of the Durban Declaration.

These initiatives incorporate, among others, legislative measures penalizing discrimination in all its forms. It includes institutional measures such as the creation of a national Commission against racial discrimination, xenophobia, and related intolerance, that will serve as a forum for discussion, harmonization and for consensus of the policies geared towards the elimination of racial discrimination in

all its forms. It also aims to promote understanding between local ethnic diversity and functional measures, as well as the implementation of the 'Program of Support for the Indigenous Population', which seeks to create an environment to encourage social investment among the black and indigenous communities based on methodologies of ethno-engineering, to promote both economic growth and social integration.

We recognize that violence against women affects society in general, and is a serious obstacle to obtaining sustainable development. It is urgent that we continue combatting violence against women in all its manifestations at any time and in any place. As signatories of the international conventions on this subject, we have made important advances nationally, both at the institutional and legislative levels, to prevent, sanction and eradicate all forms of violence against women, including the recently passed law on domestic violence.

We are also extremely concerned with the international phenomenon of sexual tourism, and the sexual exploitation of women and children. We reaffirm our commitment to join efforts with all governments to eradicate this scourge that transcends all borders.

Mr Chairman, another important subject is immigration. We are reminded of the Resolution on the Human Rights of Migrants approved by consensus during the last session of the Commission.

This subject is also a priority for us, as we are concerned for the well-being, security and dignity of our compatriots, who, in the search for new opportunities, often face dramatic and sometimes life-threatening circumstances. The Government of Honduras is interested in maintaining a permanent dialogue both bilaterally and multilaterally, to achieve consensual agreements that protect all parties concerned, reflecting the international reality of immigration in labor, economic, commercial and security matters, within the framework of commitments contained in all international covenants.

Mr Chairman, I would also like to make some preliminary comments relating to the Commission of Human Rights itself. In this respect, we consider it necessary that the Commission be reformed. With regard to the preliminary proposals made until now, we are not convinced

that universality of membership is the best way for the Commission to fulfill its mandate. We believe that a just and equitable rotation of membership with some limits in the terms under which a country can become a member should be applied. If done in this way, the CHR would benefit from the varied perspectives and experiences that different countries could contribute to the Commission, with an emphasis on depoliticizing it.

We should also carefully analyze whether the actual position of the CHR within the organigramme of the UN is the most appropriate one. Equally, we believe it necessary to review the mechanisms of the special procedures within the framework of the reforms of the Commission.

Additionally, we support the financial strengthening of the office of the High Commissioner, and in that sense we believe that its budget should be increased from the UN ordinary budget. If this were the case, the Rapporteurs and Experts would have sufficient means to fulfill their mandates; it would also facilitate the expansion of technical cooperation from that office to all countries that might require it.

I finish, Mr Chairman, by reiterating the commitment of Honduras to provide for its citizens the economic and social well-being, justice and freedom that is expected of a state that functions under a true democratic system.