

COMMITTEE ON THE RIGHTS OF THE CHILD
Nineteenth session
Pre-sessional Working Group
12-16 October 1998

IMPLEMENTATION OF THE CONVENTION OF THE RIGHTS OF THE CHILD

List of issues to be taken up in connection with
the consideration of the second periodic report of Honduras
(CRC/C/65/Add.2)

General measures of implementation
(Arts. 4, 42, and 44)

1. Please provide further information on the extent to which the Committee's Concluding Observations (see CRC/C/15/Add. 24) have been taken into consideration for the elaboration of the State party's second periodic report and in the planning of programmes and policies since the initial report has been examined. Please indicate which concrete measures have been adopted to implement the recommendations of the Committee, and also provide further information on progress achieved in this regard. Furthermore, please indicate if the Committee's Concluding Observations have been published by the State party.

2. In light of information provided in the report (para. 138), please indicate further measures undertaken or envisaged to fully harmonize domestic legislation (for example, Civil Code, Penal Code, Labour Code, etc.) with the principles and provisions of the Convention on the Rights of the Child.

3. Please indicate progress achieved in the implementation of the Committee's recommendation (see CRC/C/15/Add. 24, para. 21) regarding the development of indicators and the collection of disaggregated data (by age, gender and geographical distribution) concerning the status of all children under the age of 18, including the most vulnerable groups (such as children belonging to indigenous and/or minority groups, children born out of wedlock, children with disabilities and children victim of any form of abuse or exploitation). What difficulties were encountered in the collection and use of data and indicators for the design of policies and programmes for the effective implementation of the Convention?

4. In light of the information annexed to the report on the reforms of the Honduran Institute of the Child and the Family (INHFA), please indicate progress achieved in the implementation of the Committee's recommendations (see CRC/C/15/Add. 24, para. 21) concerning the need to strengthen the mandate and coordinating role of this office at the local and central levels. Please

explain the status of the Social Welfare Board (*Junta de Bienestar Social*) in view of the reforms of the INHFA.

5. With regard to information in the report (para. 101) on the *Defensores Municipales de la Niñez* (municipal children's advocates), please further indicate the envisaged functions, mandate, budget and activities of the proposed municipal children's advocates offices for children. Please also explain the relationship between these offices and the INHFA. Has the State party envisaged establishing an Ombudsperson for Children's Rights at the national level?

6. Please indicate what progress has been achieved to implement the Committee's recommendation (see CRC/C/15/Add. 24, para. 23) regarding the need to translate the Convention into main indigenous and minority languages, in particular for the Lenca, Garifuna and Miskito population.

7. With regard to the information provided in the report (para. 314) regarding low participation of non-governmental organizations (NGOs), please indicate progress achieved on the implementation of the Committee's recommendation (see CRC/C/15/Add. 24, para. 21) concerning the need to undertake further measures to promote the participation of NGOs for the design and implementation of policies and programmes for children.

Definition of the child
(Art. 1)

8. Please indicate what measures have been taken to harmonize the provisions of the Children and Adolescents Code (1996) with the Convention on the Rights of the Child, especially concerning the different ages for boys and girls defined in article 1 of the above referred Code.

General principles
(Arts. 2, 3, 6, and 12)

9. Please indicate progress achieved to comply with the Committee's recommendation (see CRC/C/15/Add. 24, para. 20), regarding the implementation of the principles of *non-discrimination* (art. 2), the *best interests of the child* (article 3) and *respect for the views of the child* (article 12), as protected by domestic legislation (e.g., Children and Adolescent Code). Please also provide some examples of implementation of these principles by courts and/or administrative bodies. Additionally, please provide information on what concrete measures have been taken to sensitize public opinion, including within the family, at school and other institutions, to encourage children to exercise their participatory rights.

10. Please indicate progress achieved in implementing the Committee's recommendation (see CRC/C/15/Add.24, para.24) regarding the need to prevent and combat discrimination against the most disadvantaged groups of children, such as children belonging to indigenous communities, the girl child, children with disabilities, children born out of wedlock and children who are living and/or working on the streets.

Civil rights and freedoms
(Arts. 7-8, 13-17 and 37(a))

11. With regard to information provided in the report (para. 415) and in light of the Committee's recommendation (see CRC/C/15/Add.24, para. 25),

please indicate progress achieved on the implementation of national campaigns to ensure that birth registration procedures are widely known and used by the population at large.

12. Please indicate if the State Party envisaged further measures, including educational ones, to prohibit and combat the use of corporal punishment within the family, at school and other institutions?

13. With regard to the Committee's recommendation (see CRC/C/15/Add. 24, para. 33) and information provided in the report (para. 436), please indicate whether the State party has considered undertaking research on the issue of child abuse. Have any cases of ill-treatment, including cases of police brutality against children been submitted to domestic courts? Please provide detailed information on the cases of children living and/or working in the streets that have been tortured or physically or sexually abused. Additionally, please indicate the measures taken for their rehabilitation and to provide adequate access to the justice system. How many complaints on police brutality against children living and/or working on the streets have been processed during the period covered by the report?

Family environment and alternative care
(Arts. 5, 18 para. 1 and 2, 9, 10, 27 para. 4,
20, 21, 11, 19, 39 and 25)

14. Please indicate progress achieved in the implementation of the Committee's recommendation (see CRC/C/15/Add.24, para. 27) regarding the strengthening of family education programmes.

15. With regard to the Committee's recommendation (see CRC/C/15/Add. 24, para. 26), please indicate progress achieved to eliminate all illegal adoptions. Please also indicate the steps taken by the State party to accede to the Hague Convention of 1993 on Protection of Children and Cooperation in Respect of Inter-country Adoptions.

Basic health and welfare
(Arts. 6, para. 2; 23, 24, 26, and 18, para. 3, and 27 paras. 1-3)

16. With regard to the Committee's recommendations (see CRC/C/15/Add. 24, paras. 28 and 29), please indicate what further measures have been taken or envisaged to improve the health status of children, especially in relation to the lack of access to clean water and sanitation, to malnutrition and gastrointestinal infections, and to the lack of access to health services in rural areas.

17. Please indicate what progress has been made to implement the Committee's recommendation (see CRC/C/15/Add. 24, para. 27) concerning the need to improve the establishment of educational programmes on reproductive health, drug abuse, sexually transmitted diseases (STDs), suicide and mental health problems.

18. In light of the alarming information provided in the report (paras. 530-532) on HIV/AIDS, please provide further information on the evaluation of preventive policies and programmes and on the provision of care and treatment for persons under the age of 18.

19. In light of the information provided in the report (paras. 500-509), please provide further information on the existing monitoring mechanisms for children with disabilities living outside special institutions. In addition,

please indicate how those children can access education, vocational training, health care services, leisure and activities aimed at promoting their social inclusion.

Education, leisure and cultural activities

(Arts. 28, 29, and 31)

20. Please indicate progress has been achieved in the implementation of the Committee's recommendation (see CRC/C/15/Add. 24, paras. 30-31) regarding further measures to reduce illiteracy, school drop out and repetition rates as well as to improve the quality of school infrastructures, especially in rural areas. Please indicate if an evaluation of the reform of the educational system has been undertaken.

21. In light of article 29 of the Convention and in the context of the United Nations Decade for Human Rights Education, please indicate measures taken by the State party to implement the Committee's recommendation (see CRC/C/15/Add. 24, para. 30) regarding the need to include human rights education, especially the rights of the child, in the school curricula.

Special protection measures

(Arts. 22, 30, and 32-40 of the Convention)

22. In light of the Committee's recommendation (see CRC/C/15/Add. 24, para. 34) and the information provided in the report (para. 590), please indicate the status of the Refugee Bill (*Proyecto de Ley sobre Refugiados*) for the protection of asylum seeking and refugee children.

23. With regard to the Committee's recommendation (see CRC/C/15/Add. 24, para. 32) on the situation of children deprived of their liberty, please indicate what progress has been achieved in relation to the following issues of concern:

- pre-trial detention;
- the conditions in institutions and how these conditions are monitored;
- guarantees to ensure the periodic review of placement;
- complaint procedures in cases of ill-treatment;
- the use of arrest, detention or imprisonment of a child only as a measure of last resort and for the shortest period of time;
- disaggregated data on detained children and on the number of cases of child offenders deferred to the Minor's Tribunals;
- children detained with adults.

24. In view of information provided in the report regarding the situation of child labour (paras. 677-704), please indicate progress achieved on the implementation of the Committee's recommendation (see CRC/C/15/Add. 24, para. 35) concerning the need to formulate a national policy to prevent and combat economic exploitation and eliminate the most hazardous forms of child labour. In addition, please indicate what measures are being taken and/or envisaged to address the issue of children living and/or working in the streets.

25. With regard to the information provided in the report (para. 152) regarding the reform of the Penal Code, please indicate if the State party has taken further measures to prevent and combat sexual exploitation and sexual abuse of children, including prostitution, pornography and trafficking. Has the State party envisaged adopting a comprehensive plan of action taking into account the recommendations of the 1996 Stockholm World Congress against Commercial Sexual Exploitation of Children?

26. In light of article 30 of the Convention, please indicate further measures undertaken, including in the framework of the United Nations Decade of the World's Indigenous People (1995-2004), to promote and protect the rights of children belonging to indigenous populations.