HONDURAS: Domestic violence in Honduras; recourse available; laws in effect and their enforcement; attitude of the police; resources available; protection offered (October 2002-June 2005)
Research Directorate, Immigration and Refugee Board, Ottawa

Statistics

The Research Directorate has obtained an electronic copy of "Violencia Contra las Mujeres," a chapter from the book Mujeres en Cifras Honduras 2004, published by the Centre for Women's Rights (Centro de Derechos de Mujeres, CDM) (2004). According to a government study cited there, 15.8 per cent of women over the age of 14 reporting having been physically abused; the figures for abused women in cities and rural areas are 17.5 per cent and 14.1 per cent, respectively (Centro de Derechos de Mujeres 2004). In 67 per cent of the cases where women reported physical abuse, their spouses were the perpetrators, while in 27 per cent of the cases, another member of the immediate family was responsible (ibid.).

The CDM indicated that, during the 12 months preceding the publication of the book in 2004, only 37.7 per cent of the women abused by their spouses had sought help (ibid.). Of these, 41.8 per cent had turned to their family and another 27.8 per cent had looked to their friends for assistance (ibid.). In addition, 8.9 per cent had sought help from the Women's Public Prosecutor's Office (Fiscalía de la Mujer), 5.5 per cent had reported incidents to the police, and 5.3 per cent had resorted to the courts (ibid.).

Some women did not seek help because they did not think it was necessary (44.8 per cent), because they were ashamed (19.6 per cent) or afraid of their aggressor (17.4 per cent), or because they believed that [translation] "it was useless to ask for help" (10.5 per cent) (ibid.).

The CDM noted an upward trend in complaints from 2002 to 2003, with the number of complaints filed in just the first half of 2003 reaching 70 to 80 per cent of the total number of complaints lodged in 2002 (ibid.).

Most of the domestic violence complaints were concentrated in the departments where the cities of Tegucigalpa and San Pedro Sula are located (ibid.).

According to the CDM, 4,768 domestic violence cases were reported to the Criminal Investigations Branch between January and October 2003 (ibid.). For its part, the Supreme Court of Justice recorded 10,846 domestic violence cases in 2002 (ibid.).

Only 2.1 per cent of complaints made to the Women's Public Prosecutor's Office resulted in legal proceedings, while 36 per cent of court cases ended in convictions (ibid.). The CDM added that, with [translation] "some 5,158 lapsed files, 47.6 per cent of cases never go to trial" (ibid.). As for [translation] "intrafamily" violence, although more than 500 convictions were handed down in 2002, none of the sentences were enforced (ibid.). According to the CDM, this situation indicates [translation] "that the legal system tolerates the problem of intrafamily violence" (ibid.).

Another document from the same source indicated that, from January to September 2004, 14 women were killed in domestic violence incidents and [translation] "their families are still waiting for justice and for the perpetrators of these crimes to be punished" (ibid. Nov. 2004).

According to the Honduran daily El Heraldo, another study by the CDM indicated that 69 per cent of women murdered in 2004 knew their killers (24 Jan. 2005). Between January and October 2003, 14 women died in connection with domestic violence incidents; 12 died during the same period in 2004 (El Heraldo 24 Jan. 2005; see also Centro de Derechos de Mujeres 2004). El Heraldo reported that few politicians have proposed solutions to fight domestic violence (24 Jan. 2005).
Laws in Effect and Their Enforcement

Country Reports 2004 provides a description of the current legislation on domestic violence and an overview of how it is enforced:

The Penal Code classifies domestic violence and sexual harassment as crimes, with penalties of 2 to 4 years' and 1 to 3 years' imprisonment, respectively; however, the Government struggled to enforce the law effectively during the year.

... The Law Against Domestic Violence, intended to strengthen the rights of women and increase the penalties for crimes of domestic violence, does not impose any fines, and the only sanctions are community service and 24-hour preventive detention if the aggressor is caught in the act. The Penal Code includes the crime of intrafamily violence and disobeying authorities, in the case that an aggressor does not obey a restraining order. Three years' imprisonment per incident is the maximum sentence. Since the Government began in 2002 to fund special courts to hear only cases of domestic violence, more cases have been resolved (28 Feb. 2005, Sec. 5).

According to El Heraldo, the prosecutor stated that women must appear in family court for charges to be laid against their aggressors, who are held in custody for 24 hours (El Heraldo 3 May 2004). The authorities can force the aggressor to leave the family home and prohibit him from going near places frequented by the victim (ibid.). They can also search the home without a warrant (ibid.). The prosecutor said that the fact that women who file complaints do not follow the whole process through to the end can create a vicious cycle of recidivism (ibid.).

Rebeca Raquel, a family court judge assigned to domestic violence cases, informed the Centre for Women's Rights that the court had received 3,283 domestic violence complaints in 2004 and that another court (Primero de Letras de Familia) had received 2,679 complaints, for a total of 5,962 cases for the department of Francisco Morazán alone, where the city of Tegucigalpa is located (Nov. 2004). Country Reports 2004 indicated that of the 3,184 instances of domestic violence reported to the Tegucigalpa office in 2004 “790 became legal cases, with 592 convictions and 26 dismissals” (28 Feb. 2005, Sec. 5).

No information on the protection offered by or the attitude of police regarding intrafamily violence cases could be found among the sources consulted by the Research Directorate.

Government Measures

The government of Honduras “maintained a cabinet-level position directing the National Women’s Institute [Instituto Nacional de la Mujer, INAM], which develops women and gender policy” (Country Reports 2004 28 Feb. 2005, Sec. 5).

An INAM article indicates that materials for domestic violence prevention training were given to the Ministry of Security for use in police training centres (26 Apr. 2005). This step is part of a project that began three years ago to [translation] “institutionalize the focus on achieving gender equality and preventing domestic and intrafamily violence” (INAM 26 Apr. 2005).

In addition, the creation of an emergency help line was announced on 21 April 2005 (ibid. 21 Apr. 2005). This line is in operation 24 hours a day, and is staffed by female police officers (ibid.). The purpose of this help line is to provide [translation] "emotional support, legal advice, and information to women ... affected by domestic, intrafamily or sexual violence" (ibid.).

El Heraldo indicated that awareness activities on intrafamily violence were organized during a week of events celebrating International Women's Day (26 Jan. 2004).

Work Done by Non-Governmental Organizations

According to Country Reports 2004, “[t]here are many NGOs active on a wide range of women's issues” (28 Feb. 2005, Sec. 5). Among these is the Centre for Women's Rights, which [translation] "promotes and defends . . . women's rights through legal and social approaches" and which focuses on cases of domestic and sexual violence (CDM n.d.).

An INAM article indicates that a shelter called the Well-Being House (Casa del Bien-estar) has been reorganized and reopened (29 Apr. 2005). Since 1997, more than 3,000 women have used this shelter’s services (INAM 29 Apr. 2005). Women who are victims of conjugal violence and their children can stay at the Well-Being...
House temporarily, receive psychological or medical support, and obtain professional training (ibid.).

*Country Reports 2004* indicates that "[s]ix private centers for battered women offered legal, medical, and psychological assistance but not physical shelter" and that only one shelter could accommodate abused women (28 Feb. 2005, Sec. 5).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

**References**


——. 29 April 2005. "La Casa del Bienestar Abre sus Puertas a Mujeres Afectadas por Violencia."


**Additional Sources Consulted**

**Oral sources:** The National Institute for Women (Instituto Nacional de la Mujer, INAM) and the Centre for Women's Studies (Centro de Estudios de la Mujer, CEM) did not provide any information within the time constraints for this Response.

**Internet sites, including:** Center for Women's Global Leadership, Centro de Investigación y Promoción de los Derechos Humanos (CIPRODEH), Comisionado de los Derechos Humanos de Honduras (CONADEH), Comité de América Latina y el Caribe para la Defensa de los Derechos de la Mujer (CLADEM), Ministerio Público de Honduras, Red de Salud de las Mujeres Latinoamericanas y del Caribe (RSMLC), *La Tribuna* [Tegucigalpa], World News Connection, Women Human's Rights Net, WomenWatch.
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