



Immigration and
Refugee Board of Canada

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24 January 2003

HND40651.E

Honduras: Recourse and state protection available for women who are stalked by members of the police or the armed forces (2001 to January 2003)

Research Directorate, Immigration and Refugee Board, Ottawa

The following information is additional to that already found in HND40207.E of 18 October 2002 on state protection available to women who are victims of violence.

The assistant of the research program and of the Casa de la Mujer program at the Women's Studies Centre (Centro de Estudios de la Mujer, CEM-H) and a lawyer at the Women's Rights Centre (Centro de Derechos de la Mujer, CDM) in Tegucigalpa provided the following information on 23 January 2003. The Casa de la Mujer is a program of the CEM-H that provides guidance to women who are victims of sexual violence or harassment.

There is no special state protection offered to women who have been victims of stalking (*acoso*) by a police officer or member of the armed forces in Honduras. The recourse available to them is the same as for all victims of sexual violence or harassment. Women may lodge a formal complaint of sexual harassment, which includes stalking, with the offices for the protection of women's rights (Fiscalía de la Mujer) of the Public Ministry located in the capital city of Tegucigalpa and in the northern city of San Pedro Sula. Outside these two cities, women may lodge a complaint with any departmental public prosecutor's office (*fiscalías*). The lawyer added that women may also initiate formal proceedings with any office belonging to the preventative or investigative police, and with the CDM, which provides legal assistance to victims of sexual violence and can, depending on the cases, oversee the proceedings.

The assistant at the CEM-H stated that she was aware of one case involving harassment of a woman by a high-level military official that was currently before the courts. However, the lawyer at the CDM was not aware of any cases involving the stalking of a woman by a police officer or military official. The lawyer added that she was certain that such cases existed, but that often women are afraid to initiate formal judicial proceedings because of family, employment and cultural considerations. Even the few women who lodge formal complaints tend to abandon their cases for fear of losing their employment or being culturally stigmatized.

According to the lawyer, protection for victims of harassment will depend on whether the harassment took place within a domestic or employment situation. In cases where there is no domestic or employment relationship between the victim and the aggressor, penalties for stalking are stipulated in the Honduran Penal Code under article 410, which addresses "breaches of good customs" (*faltas de buenas costumbres*). This article stipulates that a penalty of 60 to 90 days of imprisonment and a fine of between L.700 and L.1,000 [roughly between CDN \$65 and CDN \$93 (Oanda 23 Jan. 2003)] may be imposed on those who commit any of the following breaches: those involved in "indecent assaults in a public place" (*quien ofenda el pudor en forma pública*) and those who "approach a woman in an obscene way or who proposition her using disrespectful language in a public place" (*quien en sitios públicos se dirige a una mujer en forma soez o con frases o proposiciones irrespetuosas*) (Honduras 26 Sept. 1983).

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 to refugee status or asylum. Please find below the list of additional sources consulted in researching this Information Request.

References

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