



**WE ARE  
NOT ASKING FOR  
PRIVILEGES**

REPORT PREPARED FOR THE  
**UNIVERSAL**  
PERIODIC REVIEW (UPR)  
HONDURAS 2025





## **We are not asking for privileges**

Report prepared for the Universal Periodic Review (UPR) of Honduras, November 2025

Committee for Sexual Diversity of Honduras (CDSH)

Peace Brigades International (PBI) Honduras

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## Committee for Sexual Diversity of Honduras (CDSH)

*The CDSH is comprised of the following organizations:*

Violet Collective Association  
Litos Lesbian and Bisexual Women's Association of Honduras (Litos de Honduras)  
Humans in Action Association (HUMAC)  
Kukulcán Association  
Ixchel Lesbian Bisexual Trans Feminist Association  
Arcoíris LGBT Association of Honduras (LGBT Rainbow Association of Honduras)  
Center for LGBTI Development and Cooperation (SOMOS CDC)  
Rainbow Dolls Trans Women's Collective (Muñecas de Arcoíris)  
Pink Unity Collective  
Trans Awilix Generation Group  
Transfénix Group

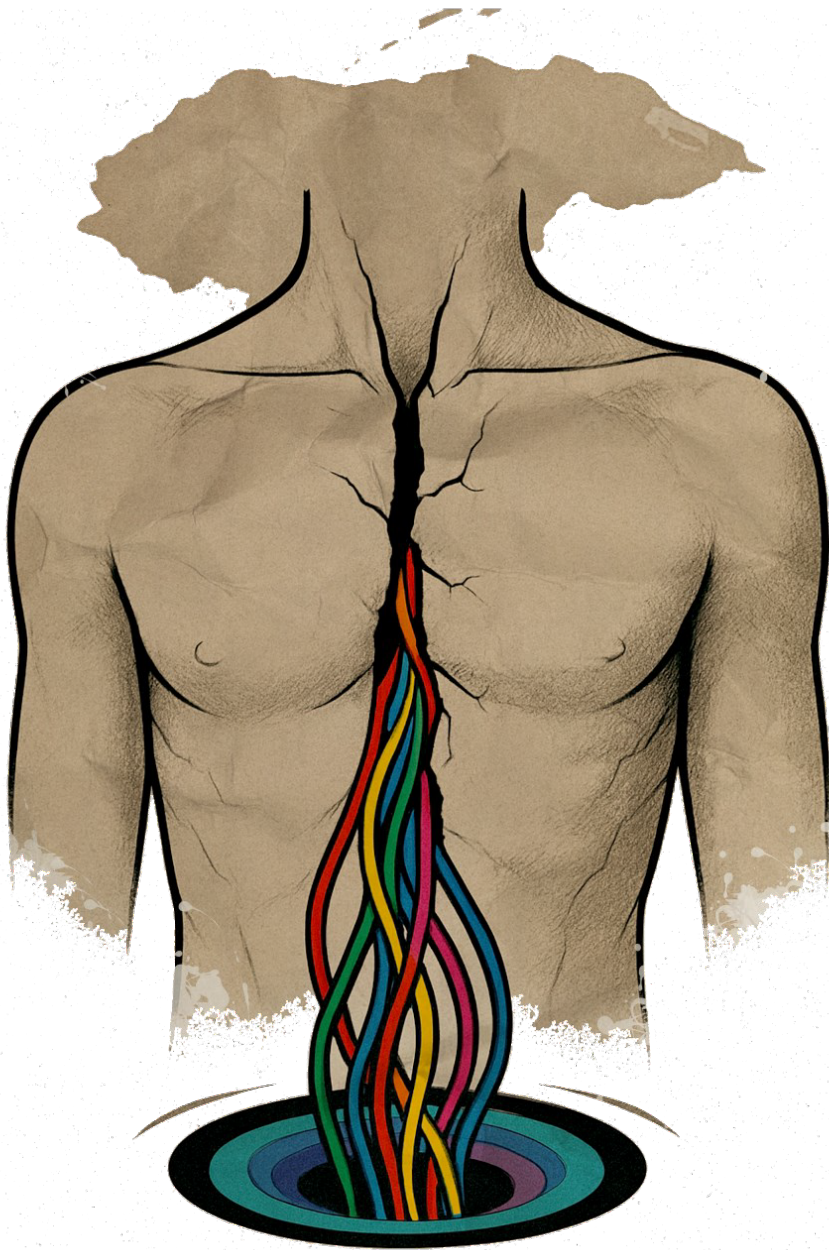


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"Society always assumes that we're trying to bring in laws that sound like privileges to cisgender heterosexual society when they're really not. They are simply the same rights that cisgender heterosexual people have: being able to change your name, being able to have a civil union with your partner, being able to adopt".

**Grecia O'Hara**

**Center for LGBTI Development and Cooperation -SOMOS CDC**

# Introduction

On November 7, 2025, during the 50th session of the Universal Periodic Review (UPR) Working Group in Geneva, Honduras will undergo the fourth cycle of review of the human rights situation in the country and will receive human rights recommendations from the various Member States of the United Nations (UN).

In the 2020 UPR, Honduras received 223 recommendations, 203 of which it accepted and 20 of which it noted. Of the total number of recommendations, 15<sup>1</sup> were specifically directed to the protection and promotion of the rights of LGBTIQ+ persons. All of these were accepted by Honduras, with the exception of one recommendation on the approval of equal marriage, which it noted.

In this report, the Sexual Diversity Committee of Honduras (CDSH) and Peace Brigades International (PBI) seek to both evaluate the implementation of the 2020 UPR recommendations and shed light on the violence faced by LGBTIQ+ people in Honduras due to the absence of laws and measures to ensure comprehensive protection for them. For the preparation of the report, a survey<sup>2</sup> and a series of focus groups and interviews were carried out with LGBTIQ+ people who are members of the CDSH and the National Roundtable for Access to Justice for the LGBTIQ Population (MNAJ-LGBTI).

During this process, **CDSH and PBI** noted with concern that over the past 5 years the State of Honduras has not complied with any of the 15 LGBTIQ+ recommendations received in the 2020 UPR. Therefore, it is critical that UN Member States continue to remind Honduras of its responsibility to comply with the recommendations. Furthermore, looking ahead to the 2025 UPR, it is equally important that more concrete measures are recommended so that the State of Honduras can move forward in the realization of human rights for LGBTIQ+ persons.

# Human Rights Situation of LGBTIQ+ People in Honduras

The increase in violence against LGBTIQ+ people in Honduras is alarming. According to the KAI+ Observatory on Violence toward LGBTIQ+ Persons of Honduras (KAI+ Observatory), a total of 194 violent deaths were registered from 2020 to March 2025. In 2023, 52 violent deaths were registered, the highest for any year on record since 2004<sup>3</sup>. The Committee for Sexual Diversity of Honduras (CDSH) has registered more than 400 cases of violent deaths of LGBTIQ+ people from the coup d'état in June 2009 to the present.

At least half of the LGBTIQ+ human rights defenders who participated in the preparation of this report indicate that between 2020 and 2025 they suffered some type of discrimination, aggression or violation of their rights for being an LGBTIQ+ person. Among the most frequently reported rights violations were discrimination and verbal and/or physical threats, followed by cyber attack, defamation on social networks, robbery/theft, physical attack/assault and bullying in educational institutions. To a lesser extent, there were reports of pursuit/following, sexual harassment, labor harassment, extortion/harassment, judicial/illegal search, criminalization, migratory incident, attempted murder, and sexual violence. The National Commissioner for Human Rights (CONADEH) reported between 2020 and March 2025 a total of 6,618 complaints related to security incidents of LGBTIQ+ persons.<sup>4</sup>

According to data provided by the CDSH, the KAI+ Observatory, the National Roundtable for Access to Justice for the LGBTI Population (Mesa Nacional de Acceso a la Justicia para la Población LGBTI- MNAJ-LGBTI)<sup>5</sup> and CONADEH, the departments with the highest number of acts of violence are Francisco Morazán and Cortés. LGBTIQ+ organizations identify among the main aggressors the National Police (PN), society in general, the Church, the Military Police of Public Order (PMOP), the Army, the Ministry of Health (SESAL), some media, the Public Ministry (MP), the National Registry of Persons (RNP), the National Protection System (SNP), and the National Congress of the Republic.

It is worrisome that the state of exception established December 6, 2022<sup>6</sup> still remains in effect, considering that security institutions are among the institutions identified as the main aggressors of LGBTIQ+ people. The power granted to the Police Directorate against Gangs and Organized Crime (DIPAMPCO) to carry out raids and arrests without justification can lead to abuses of authority, repression of dissenting voices, and increased stigma towards LGBTIQ+ people.

It is worth mentioning that the Honduran justice system has not been able to effectively resolve complaints of violence. Between 2022 and 2023, there were at least 392 complaints filed with security and justice institutions by LGBTIQ+ persons related to their sexual orientation or gender identity and expression, while in 2024 there were at least 311 complaints<sup>7</sup>. According to data from CONADEH<sup>8</sup>, the impunity rate for crimes committed against LGBTIQ+ persons is estimated at 93%.



# 194

Number of violent deaths of LGBTIQ+ people between 2020 and March 2025



**FRANCISCO MORAZÁN  
AND CORTÉS**

*Departments with the highest  
number of acts of violence*

# 93%

Impunity rate for crimes committed  
against LGBTIQ+ persons



**NATIONAL POLICE**

*Identified by LGBTIQ+ people as the  
principal aggressor*



**DISCRIMINATION  
VERBAL AND/OR PHYSICAL THREATS**

Most Reported Assaults by LGBTIQ+ Persons

## **LGBTIQ+ DEFENDERS KILLED SINCE 2020**

In the period from 2020 to March 2025, CDSH and PBI recorded multiple crimes of homicide and murder of LGBTIQ+ human rights defenders. On July 10, 2020, Scarleth Cáceres, a trans woman and member of the Arcoíris LGBT Association of Honduras, was murdered. On January 10, 2022, trans woman and human rights activist Thalia Rodríguez was murdered. On November 27, 2022, Ángel Trejo, a gay man who was allegedly tortured and handcuffed in his home, was murdered. Trejo was a member of the Arcoíris LGBT Association of Honduras, as was trans woman Soraya Alvarez Portillo, who was murdered on September 22, 2023. On November 24, Cristina Portillo, a member of the Trans Feminist Association (AFET), was disappeared.

Another murder occurred on July 29, 2020, the murder of Christal Lopez and her partner Erlin Alexi Rivera, both volunteers of the Ceiba Pro-Union Organization (OPROUCE). It should be noted that of these cases, the CDSH is only aware of progress in the investigation into the murder of Thalia Rodríguez.





## **HONDURAS: 15 YEARS OF NON-COMPLIANCE IN THE ADOPTION OF UPR RECOMMENDATIONS**

It is noteworthy that the same and similar recommendations that were made to Honduras in the 2010 UPR<sup>9</sup> and 2015 UPR<sup>10</sup> persist in the 2020 UPR.

It is of great concern that for 15 years, recommendations related to the revision of national legislation to guarantee LGBTIQ+ persons' full and unrestricted enjoyment of the human rights (Czech Republic<sup>11</sup> and Ireland<sup>12</sup>) and the approval of legislation against discrimination against LGBTIQ+ persons (Austria<sup>13</sup>) remain unfulfilled, as well as the adoption of measures, plans, and public policies for the promotion and protection of the rights of LGBTIQ+ persons (Colombia<sup>14</sup> and Brazil<sup>15</sup>), the adoption of measures to guarantee effective investigations into attacks against LGBTIQ+ persons (Ireland<sup>16</sup> and United States<sup>17</sup>), and the repeal of all national legal norms that are incompatible with international standards (Haiti<sup>18</sup>).

For 10 years, the approval of a gender identity law (Madagascar<sup>19</sup> and Denmark<sup>20</sup>), which would allow the legal gender recognition of trans persons by the National Registry of Persons (RNP), has remained unfulfilled.

The Committee on Sexual Diversity of Honduras (CDSH) recognizes the creation of spaces of dialogue with the government in order to follow up on these and other recommendations; however, no progress has been made in the completion of concrete actions for the benefit of LGBTIQ+ people, so CDSH considers the creation of these spaces to be a strategy of instrumentalization so that the State of Honduras can give positive responses to human rights mechanisms such as the UPR.







UNIDAS POR LA  
DIVERSIDAD



JUNTAS POR LA IGUALDAD







# CHAPTER I EQUALITY AND NON- DISCRIMINATION

# Equality and Non-Discrimination



## Spain:

Advance in the approval of a law that effectively implements Article 60 of the Constitution, and adapt Honduran legislation to the doctrine and jurisprudence of the Inter-American Court of Human Rights so that same-sex couples can marry without discrimination.

⊗ **Not accepted and not implemented**



## Montenegro y East-Timor:

Take concrete steps to eliminate discrimination based on sexual orientation and gender identity.

⊗ **Not implemented**



## Marshall Islands:

Develop and adopt legislation to combat discrimination against vulnerable groups.

⊗ **Not implemented**



## Chile:

Strengthen the institutional human rights framework to eliminate all forms of violence and discrimination based on sexual orientation, sexual identity, and gender expression.

⊗ **Not implemented**



## Iceland:

Adopt comprehensive anti-discrimination legislation that addresses direct and indirect discrimination and covers all prohibited grounds of discrimination, including sexual orientation and gender identity.

⊗ **Not implemented**

**UPR**  
**2020**  
UNIVERSAL PERIODIC REVIEW



In recent years, the Committee for Sexual Diversity of Honduras (CDSH) and the National Roundtable for Access to Justice for the LGBTI Population (MNAJ-LGBTI) have promoted initiatives to influence the creation of policies in favor of the rights of LGBTIQ+ people. These are outlined in the 29 points of the Amapala Declaration<sup>21</sup> of the National Platform of LGBTIQ+ Organizations, formed on November 13, 2022 in order to strengthen advocacy as a whole.

On January 14, 2022, CDSH and various LGBTIQ+ organizations presented to the Transition Commission of President Xiomara Castro's administration a document<sup>22</sup> with actions to be accomplished within the first 100 days and within 2 and 4 years. The Government Plan 2022-2026 agreed on 6 points to guarantee access to rights for LGBTIQ+ people.<sup>23</sup> However, the proposed actions have not been carried out to date.

On October 23, 2024, CDSH submitted a draft of the Anti-Discrimination Equality Law (LIA) to the Ministry of Social Development (SEDESOL). Currently, an expert report on the draft law is pending. It is worth noting that in 2019, the organization Color Pink Unity Collective submitted a draft of the same law, formerly known as the Anti-Discrimination Equality and Equity Law (LIE), to the Secretariat of Human Rights (SEDH).

Also on October 23, 2024, the CDSH submitted to SEDESOL and the Coalition against Impunity the draft reform to the Criminal Code, containing the crime of discrimination, due to the fact that the State of Honduras is not complying with articles 211,<sup>24</sup> which prohibits discrimination in access to public services; 212,<sup>25</sup> which prohibits discrimination in the area of professional and business activities; and 213,<sup>26</sup> which refers to incitement to discrimination but not to discrimination itself, so in practice it is at the discretion of the Public Prosecutor's Office (MP) to apply the criminal figure in the fiscal request or to refer the complaint to the private sphere.

The CDSH recognizes the openness of the current government to dialogue on the search for greater equality of rights for LGBTIQ+ people. In January 2024, in order to follow up on the needs expressed by LGBTIQ+ organizations, the Inclusion Policies Unit (UPI) was created within SEDESOL. Despite this progress, there is still no Directorate of Policies for Sexual Diversity, as requested by civil society organizations, which would facilitate decision-making on LGBTIQ+ issues within the Secretariat.

On May 10, 2024, SEDESOL through the UPI installed the Policy Roundtable for Inclusion (MPI) with representatives of government institutions and LGBTIQ+ civil society organizations, which had to prioritize 10 points in the areas of Human Rights, Inclusive Education, Integral Health and Employability and Development.<sup>27</sup> These 10 points were selected from the Amapala Declaration a 66% reduction of the previously agreed-upon points. Representatives of the MPI state that they have participated in these spaces for dialogue, but have not seen results in the 11 months of its operation.

It is worth mentioning that in recent years, according to the CDSH, governmental actions have not focused on finding structural measures to combat discrimination against the LGBTIQ+ population but rather on providing training to the personnel of different institutions. These trainings, however, have been insufficient, basic, and non-mandatory. Examples include training in hospitals<sup>28</sup> and the SEDH-SEDESOL-SOMOS CDC agreement.<sup>29</sup> The short duration of these trainings, coupled with the high turnover of personnel, prevents a structural impact in the fight against discrimination.

The following is an analysis of LGBTIQ+ organizations' quest for equality and non-discrimination through five key points: equal marriage, gender identity law, education, health and employment.

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## **Equal marriage**

Currently, the Constitution restricts the right to marriage and adoption for LGBTIQ+ persons in Articles 112 and 116,<sup>30</sup> which were amended in 2005 and again in 2020,<sup>31</sup> when it was established that Article 112 could only be amended if 75% of the members of the full National Congress of the Republic supported it.<sup>32</sup>

At least 6 members of the CDSH have been denied the right to marry. This forces people to travel to Costa Rica and Mexico to get married. However, this union is not recognized upon return to Honduras. This prevents the full enjoyment of the same rights under the Covenant on Economic, Social and Cultural Rights that heterosexual couples enjoy, such as the acquisition of shared property, access to rights in the event of the death of one member of the couple, and adoption, among others. In addition, the non-recognition of equal marriage means that physical and verbal attacks between members of a same-sex couple are referred to the Criminal Court of Peace, characterizing them as misdemeanors against persons and not as domestic violence or domestic abuse.

On the issue of equal marriage,<sup>33</sup> the CDSH has filed three appeals for legal protection<sup>34</sup> and two appeals of unconstitutionality<sup>35</sup> before the Constitutional Chamber of the Supreme Court of Justice. Currently, it has a petition<sup>36</sup> before the Inter-American Commission on Human Rights (IACHR) that as of March 2024 is in the admissibility process. It should be noted that for LGBTIQ+ people there is a high emotional, laboral, and financial cost to having to initiate so many judicial actions to achieve compliance with the right to marriage.

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## **Gender Identity Law**

The legal recognition of the gender identity of transgender people in Honduras is a fundamental step to guarantee their full access to basic human rights, such as health, education, employment, and justice. The lack of reform to the RNP Law and Regulations, which would allow the rectification of name and gender in official documents, perpetuates discrimination and social exclusion, exposing this population to violence, stigmatization, and obstacles in their daily lives.

In this context, it is necessary to mention that the Inter-American Court of Human Rights (IACHR) in the 15th resolution point of the Vicky Hernandez judgment<sup>37</sup> ordered the name rectification as a fundamental right. However, despite its commitment made in the Government Plan 2022-2026, the Honduran government still has not approved the Gender Identity Law, a key regulation for the legal recognition of trans persons.

Without this recognition, transgender people face barriers in essential procedures, such as obtaining medical care, access to employment opportunities, and legal protection in cases of violence or abuse. Implementing a Gender Identity Law would not only comply with international human rights standards but also would contribute to a more just and inclusive society, where all people are recognized and respected for who they really are.

## ***"WE ARE NOT TAKEN INTO ACCOUNT AS A MARRIED COUPLE."***

LGBTIQ+ defenders Donny Reyes and Denilson Barrientos have been demanding for years that the State of Honduras recognize the right to equal marriage. Their case is currently before the Inter-American Commission on Human Rights (IACHR) and they hope that through a ruling by the Inter-American Court of Human Rights (IAC) they will finally be able to get married.

**Donny:** "We have been seeking justice for more than half a decade, first at the national level through all mechanisms until we reached the Supreme Court. And we were denied the right."

**Denilson:** "Other couples have managed to leave the country in order to get married, but Honduras does not recognize their marriage, as if it did not exist or was not valid."

**Donny:** "For more than 10 years we have been together and we want to make long-term life plans, but we are not considered a married couple: we are told that we are two friends."

**Denilson:** "We have tried, for example, to take out loans to qualify for a home of our own. That has always been denied, because we are not seen as a stable couple. It has had a lot of impact on our lives, both as a couple and personally."

**Donny:** "When our right to marriage is violated, it is not only our right to sign on paper that is violated. Our right to a full life, to guarantee a dignified old age, is violated."







## VICKY HERNÁNDEZ AND OTHERS VS. HONDURAS

On March 26, 2021, the Inter-American Court of Human Rights (IAC) held the State of Honduras responsible for the death of Vicky Hernández, a trans woman and human rights defender who was murdered on the night of June 28, 2009, in the midst of the state of emergency following the coup d'état. In the sentence, the Inter-American Court establishes that there are "strong indications of direct state involvement in the events". In addition, it concludes that "the Honduran authorities did not comply with their obligation to carry out a diligent and adequate investigation into the death of Vicky Hernández". Although the State was ordered to implement thirteen reparations measures, several of these have not yet been carried out.

In this regard, the Court obliged the State of Honduras to create within one year a system for collecting data on violence against the LGBTIQ+ community and to adopt within two years a protocol for the investigation and administration of justice in cases involving LGBTIQ+ victims of violence (see chapter 'Access to Justice'). The State was also obligated to adopt a procedure for the recognition of gender identity that allows trans persons to appear in personal records and documents in accordance with their self-perceived gender identity (see section 'Gender Identity Law'). It is worth mentioning that some measures were implemented by the State, such as the creation of an educational scholarship for trans women (see section 'Education').

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## Education

The CDSH believes harassment in educational environments is one of the main reasons for the high school dropout rate of LGBTIQ+ people. According to a study by SOMOS CDC,<sup>38</sup> inequality gaps prevail that prevent their access to or continuance in the public education system, most markedly for trans people: 22% of trans people interviewed for the study had only completed primary school. It is worth noting that 49% of the LGBTIQ+ people surveyed, 58% if focusing only on trans people, claimed to have faced discrimination, harassment, or violence in the educational system.

The Institutional Strategic Plan for the Refoundation of Education (PEI) 2023-2026<sup>39</sup> of the Ministry of Education (SEDUC) does not propose any policy aimed at LGBTIQ+ people, thus invisibilizing and accentuating the stigmatization of sexual diversity. In order to prevent school dropout, LGBTIQ+ organizations requested that the MPI prioritize the implementation of discrimination-free spaces in educational centers. However, so far there has been no progress in this regard.

The school dropout rates for transgender people mean that many of them cannot apply for the university scholarships granted in compliance with the Vicky Hernández ruling.<sup>40</sup> For those who do have the necessary previous level of education, the selection process for the scholarships is revictimizing, as it requires recounting life experiences to justify eligibility.

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## Health

The majority of CDSH and MNAJ-LGBTI people consulted in the context of this report describe mistreatment, discrimination, and denial in public health services. This causes people to choose not to attend medical check-ups appropriately.

A study by the Litos Lesbian and Bisexual Women's Association of Honduras from 2022<sup>41</sup> revealed that lesbian and bisexual women suffer violence and discrimination in the public and private health system. Even in the Sentinel Surveillance Clinics for Sexually Transmitted Infections (VICITS), discrimination

persists, hindering access to services for LGBTIQ+ people: "The relationship and manner of treatment between doctor/patient is a discriminatory constant because when they know the sexual orientation of women, they associate them with sex workers, and in the most serious case they have tried to implant female hormones in women who have a male gender expression to change their sexual orientation"<sup>42</sup>.

SESAL does not have records of differentiated attention nor does it have disaggregated data, which makes it difficult to attend to the specific needs of LGBTIQ+ persons. The CDSH does recognize the existence of the "Protocol for comprehensive care for victims/survivors of sexual violence."<sup>43</sup>

The update of the "Guide to reduce stigma and discrimination based on sexual orientation, gender identity, sex work and HIV status in health services", drafted by the CDSH in January 2024, remains unapproved. This contributes to perpetuating discriminatory actions in health services for LGBTIQ+ people. The current health guide fails to comply with at least five of the eighteen key points: training, visible information, protection laws, comprehensive service, and respect for gender identity.<sup>44</sup>

According to the CDSH, Honduras has an outdated Health Code<sup>45</sup> that does not respond to current standards of inclusion, equity, and respect for human rights, particularly in relation to LGBTIQ+ persons. This normative deficiency represents a structural barrier that limits the quality, accessibility, and cultural relevance of public health services for people with diverse sexual orientations, gender identities, and expressions. The entire current legal framework does not explicitly take into account the specific needs of these people, nor does it establish mechanisms to protect against discrimination within the health system based on sexual orientation or gender identity. As a result, LGBTIQ+ people face discriminatory practices, stigmatization, and unequal treatment by some health professionals, which discourages them from seeking timely medical attention.



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## Employment

Stigma and discrimination against LGBTIQ+ people impact their ability to access decent jobs. Although a gradual shift towards hiring people of sexual diversity has been observed in public institutions, the gap and the greatest difficulty falls on trans people. CDSH is concerned about the indifference and LGBTIQ+-phobia on the part of executive institutions when it comes to formulating employment policies for LGBTIQ+ people.

The MPI, for example, called on the Secretariat of Labor and Social Security (SETRASS) to implement labor inclusion policies, establish quotas for LGBTIQ+ people in SETRASS, SENPRENDE and INFOP employability programs, and implement certifications for inclusive businesses. No SETRASS authorities participated and the government is still in the process of reformulating hiring policies in the public and private sector.<sup>46</sup>





### **"THE LAW GOES BEYOND A NAME CHANGE."**

Trans advocates Jennifer Córdova, coordinator of the Trans Women's Collective Muñecas of Arcoíris, and Tiara Barrientos, technician of SOMOS CDC, have been demanding for years that the Honduran State recognize their gender identity and implement the Gender Identity Law.

**Jennifer:** "You arrive at a health center and the guard starts laughing. A nurse doesn't want to inject you. You come in for a test for a headache and the first thing they send you for is the HIV test."

**Tiara:** "Talking about access to health fills me with very difficult memories. Access to health is one of the rights that is generally most violated. From a very young age I started hormone replacement therapy in an empirical way, which has had various side effects. And when accessing health services in the country, I have encountered barriers, precisely because of stigma and discrimination."

**Jennifer:** "In terms of work, we submit resumes for decent jobs, but unfortunately they throw them away, because they think we are not capable. That's why the issue of sex work comes up, because we have to survive."

**Tiara:** "As trans people, we are not demanding new rights but the rights we already have as human beings in this country. The Gender Identity Law opens doors for our rights to be recognized."

**Jennifer:** "And to be able to say that Jennifer Córdova exists in the country. The law goes beyond a name change. It is the right to health, to education, to a decent job, to a fairer society without discrimination."







¡Exigimos!

Al Estado de Honduras, que realice acciones concretas para no dejar en el olvido a las personas LGTBI+ víctimas del odio y la discriminación.

**Vanessa Zuniga**

#JuzgaMenosRespetamMas



¡Exigimos!

Al Estado de Honduras, que realice acciones concretas para no dejar en el olvido a las personas LGTBI+ víctimas del odio y la discriminación.

**Armando Carrasco**

#JuzgaMenosRespetamMas

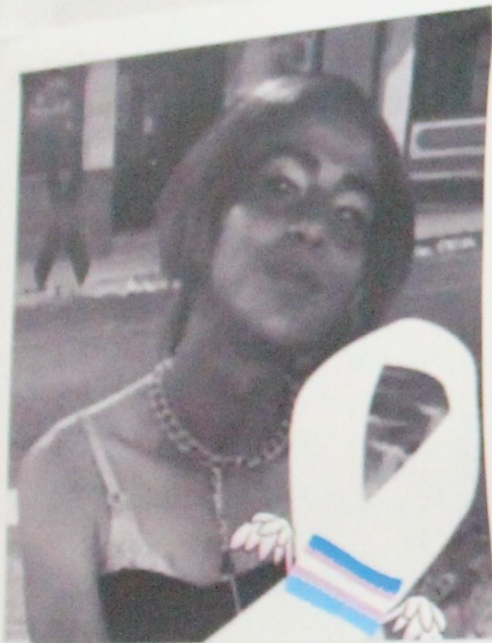


¡Exigimos!

Al Estado de Honduras, que realice acciones concretas para no dejar en el olvido a las personas LGTBI+ víctimas del odio y la discriminación.

**Vicky Hernández**

#JuzgaMenosRespetamMas



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**Luz Clarita Zuniga**



¡Exigimos!

Al Estado de Honduras, que realice acciones concretas para no dejar en el olvido a las personas LGTBI+ víctimas del odio y la discriminación.

**María Luisa Velásquez**

¡Exigimos!

Al Estado de Honduras, que realice acciones concretas para no dejar en el olvido a las personas LGTBI+ víctimas del odio y la discriminación.

**Santi Carbajal**

#JuzgaMenosRespetamMas

Al Estado de Honduras, que realice acciones concretas para no dejar en el olvido a las personas LGTBI+ víctimas del odio y la discriminación.

**Scarlett Campbell**

#JuzgaMenosRespetamMas



¡Exigimos!

Al Estado de Honduras, que realice acciones concretas para no dejar en el olvido a las personas LGTBI+ víctimas del odio y la discriminación.

**Mia Colunga**



personas LGTBI+ discriminación.

**Sherlyn Montoya**

#JuzgaMenosRespetamos



**¡Exigimos!**

Al Estado de Honduras, que realice acciones concretas para no dejar en el olvido a las personas LGTBI+ víctimas del odio y la discriminación.

**Walter Trochez**

## CHAPTER II

# ACCESS TO JUSTICE

## Access to Justice



### Austria:

Intensify efforts to promptly, effectively and impartially investigate any allegations of violence or reprisals against journalists, human rights defenders, land rights defenders, and lesbian, gay, bisexual, transgender and intersex persons, and ensure that perpetrators are held accountable for their actions.

⊗ **Not implemented**



### The Netherlands:

Collect data on violence and discrimination against lesbian, gay, bisexual, transgender and intersex persons with a view to enabling policy change, protection and access to justice.

⊗ **Not implemented**



### Norway:

Revise the ambiguous language of the Penal Code in line with the principles of the rule of law.

⊗ **Not implemented**



### Czech Republic:

Ensure prompt and effective investigation of the murders of lesbian, gay, bisexual and transgender persons and other related crimes and prosecution of those responsible.

⊗ **Not implemented**



### Israel:

Include a broad definition of "hate crime" in criminal legislation.

⊗ **Not implemented**



### Norway:

Ensure that crimes against human rights defenders, journalists, lesbian, gay, bisexual, transgender and intersex persons, indigenous people and Afro-Honduran activists are properly investigated and that those responsible are held accountable for their actions.

⊗ **Not implemented**

**UPR**  
**2020**  
UNIVERSAL PERIODIC REVIEW



The following is an analysis of access to justice for LGBTIQ+ persons in Honduras, taking into account the problems that exist with respect to the Penal Code, the collection of data on violence, the reception of complaints, and the investigation of crimes committed against LGBTIQ+ persons.

## Code Reform

Currently, hate crimes against LGBTIQ+ people are not classified as hate crimes. Although the Penal Code in Article 32 does recognize as aggravating factors of a crime premeditation, the execution of the crime through abuse of authority or trust, acting with cruelty, committing it for racist or other reasons related to sex, sexual orientation, gender identity, or gender reasons,<sup>47</sup> these aggravating factors do not correspond to the criminalization of hate requested by civil society organizations, LGBTIQ+ persons and relatives of the victims.

The shortcomings of the Penal Code,<sup>48</sup> denounced by the Committee on Sexual Diversity of Honduras (CDSH), the Inter-American Commission on Human Rights (IACHR),<sup>49</sup> and the Office of the United Nations High Commissioner for Human Rights in Honduras (OHCHR),<sup>50</sup> persist. Ambiguity in the classification of crimes such as slander, libel, public disorder, and association to commit a crime restricts citizens' freedoms. According to the people interviewed in the preparation of this report, trans persons, especially sex workers, regularly suffer attacks for circulating on public roads and are arbitrarily detained because of their appearance, identity, and gender expression. Likewise, such ambiguity confers on the National Police (PN), through the Police and Social Coexistence Law, the power to detain people to "prevent and eliminate disturbances to tranquility, public morality, and good customs".<sup>51</sup>

As previously mentioned, in October 2024, the CDSH presented a draft bill to reform the Penal Code, which also included the urgency of incorporating a hate crime classification in the section on crimes against life. To date, progress is unknown.

## Collecting data on violence against LGBTIQ+ persons

In October 2023, the Sexual Diversity Ombudsman's Office was created in the National Human Rights Commission (CONADEH) that serves LGBTIQ+ persons and has a disaggregated registry of security incidents suffered by LGBTIQ+ persons. According to available information, the National Institute of Statistics (INE), the Directorate of Forensic Medicine, the Public Prosecutor's Office (MP), and the National Registry of Persons (RNP) do not have disaggregated data on LGBTIQ+ persons.

The Vicky Hernández ruling in its numeral 17 establishes a direct reparation on the compilation and systematization of statistics related to violence against LGBTIQ+ persons, similar to the Netherlands' recommendation.<sup>52</sup> The Ministry of Social Development (SEDESOL) is creating an instrument to obtain statistical information regarding violence and discrimination against LGBTIQ+ persons.<sup>53</sup> However, to date the CDSH has not been informed of such a system. Given the State's lack of compliance, LGBTIQ+ organizations themselves continue to run their own violence observatories, including the KAI+ Observatory and the Observatory of the Catrachas Lesbian Network.

## Receipt of complaints

Regarding the difficulties that LGBTIQ+ persons perceive in filing complaints, the CDSH and the National Roundtable on Access to Justice for the LGBTIQ+ Population (MNAJ-LGBTI) state that there is a degree of discrimination on the part of the MP and the PN when LGBTIQ+ persons go to these institutions for this purpose. The people surveyed for this report who did not file a complaint after an attack, for the most part, maintain that it is out of fear and because they do not trust the judicial system. They stated, for example, that "these armed forces are not efficient in receiving complaints and the State agencies do not have the independence to deal objectively with complaints".<sup>54</sup>

Despite the difficulties, CDSH and PBI have recorded that more than half of the LGBTIQ+ people consulted for this report who were assaulted did file a

complaint. However, only one of them received a response to their case. The others are still in process, meaning that the near totality of the complaints have still not produced results, reflecting the existing and enduring impunity. One person also stated that "taking into account that the corresponding complaint was filed, it is important to mention that there was no resolution from the MP, no security measures were provided to me or anything like that: in fact, by my own decision I had to move internally on two occasions for fear of reprisals as a result of the complaint".<sup>55</sup>

LGBTIQ+ persons consulted also stated that the actions of the MP are bureaucratic and revictimizing and that there are not enough qualified personnel in the Prosecutor's Offices. According to information gathered, the Special Prosecutor's Office for the Protection of Human Rights Defenders, Journalists, Social Communicators, and Justice Operators (FEPRODDHH), for example, would use stigmatizing language towards LGBTIQ+ persons who come to its facilities.

On October 25, 2024, LGBTIQ+ organizations delivered to the Attorney General's Office the "Protocol for differentiated attention for LGBTIQ+ users of the security and justice system", whose objective to promote equitable, respectful, and discrimination-free treatment by first-contact personnel and heads of the different areas of the security and justice agencies that provide multidisciplinary attention to LGBTIQ+ people. After the delivery, two follow-up letters were presented to request the technical opinion for its

implementation. To date, however, there has been no response, according to SOMOS CDC's legal unit.

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### ***Investigation of crimes against LGBTIQ+ persons***

The CDSH was informed that in 2024 the MP had received 176 complaints filed by people identified as LGBTIQ+. The Special Prosecutor's Office for Crimes against Life (FEDCV), through the Death of Vulnerable Victims Unit, in charge of investigating deaths of LGBTIQ+ persons, registered nine violent

deaths in 2024. However, throughout 2024, there were only three convictions in favor of LGBTIQ+ persons, none for the crime of murder or homicide.<sup>56</sup>

In addition to the high rates of impunity, the State of Honduras has not yet implemented a protocol for investigation and administration of justice in criminal proceedings involving cases of LGBTIQ+ victims of violence, as established in the Vicky Hernández judgment in its numeral 16.<sup>57</sup> The CSDH has not been informed of possible advances regarding the creation of this protocol.













## CHAPTER III

# PROTECTION

# Protection



## Germany:

Substantially improve efforts to effectively protect journalists, human rights defenders and environmentalists, as well as vulnerable groups such as women, youth, lesbian, gay, bisexual, transgender and intersex persons, and indigenous people, including by effectively combating impunity.

⊗ **Not implemented**



## Switzerland:

Fund and implement an effective policy to prevent violence and acts of intimidation against the media, human rights defenders and lesbian, gay, bisexual, transgender and intersex persons, taking into account a gender perspective.

⊗ **Not implemented**



## France:

Protect lesbian, gay, bisexual, transgender and intersex persons and combat discrimination against them.

⊗ **Not implemented**



## Australia:

Increase the protection of lesbian, gay, bisexual, transgender and intersex persons, journalists and human rights defenders, including environmental human rights defenders, from threats and attacks, and fully investigate, prosecute and punish all acts of violence in accordance with the law.

⊗ **Not implemented**



## Italy:

Adopt additional measures to protect lesbian, gay, bisexual, transgender and intersex persons.

⊗ **Not implemented**



## Canada:

Strengthen measures for the prevention, investigation and punishment of all sexual and gender-based violence, including, more specifically, domestic violence and violence against lesbian, gay, bisexual, transgender and intersex persons.

⊗ **Not implemented**

# UPR 2020

UNIVERSAL PERIODIC REVIEW



The demilitarization of citizen security, contemplated in the Government Plan 2022-2026, has not been realized.<sup>58</sup> For society in general and LGBTIQ+ persons in particular, it is a major problem that the same aggressor institutions, such as the National Police (PN) and the Military Police of Public Order (PMOP), are responsible for their protection. Training of security personnel, crucial to guaranteeing protection and access to justice, has been insufficient, uneven, and affected by constant staff turnover. As a result, 67% of people consulted as part of this report perceive that the PN's treatment of LGBTIQ+ people has not improved since 2020.

In 2024, in a participatory assessment carried out by the Ministry of Social Development (SEDESOL), the Committee for Sexual Diversity (CDSH) and other LGBTIQ+ organizations pointed out the urgency of a Comprehensive LGBTIQ+ Protection Law due to the absence of comprehensive social protection measures and actions for LGBTIQ+ persons. SEDESOL has included the recommendation in the final report,<sup>59</sup> but the CDSH has not been informed of progress in this regard.

Due to the high risk faced by LGBTIQ+ defenders in Honduras, several of them have protection measures from the National Protection System for Human

Rights Defenders, Journalists, Social Communicators, and Justice Operators (SNP). According to the LGBTIQ+ persons interviewed for this report, SNP officials do not have the expertise to generate actions and/or individual and collective protection measures for LGBTIQ+ persons and do not provide the necessary, timely, and differentiated responses and measures that allow for their effectiveness.

The CDSH and PBI report the lack of access to information and statistics to be able to monitor the differentiated response that the SNP provides to LGBTIQ+ people. Also of concern is the lack of representation of sectors such as LGBTIQ+ people on the Council, since people outside the LGBTIQ+ community have to take into account the differentiated approach that does not affect them personally in order to make decisions. Moreover, the reform to the SNP Council law on February 11, 2025,<sup>60</sup> incorporating one more

representative of the State, makes the representation of civil society unequal when it comes to decision making. It is worth noting that the CDSH has not been informed about the existence of a protocol for action in times of high social conflict, such as electoral processes, coups d'état, and emblematic dates for LGBTIQ+ people, moments that can put LGBTIQ+ people who are beneficiaries of SNP measures at greater risk.

## ***THE STATE OF HONDURAS FAILED TO PROTECT SCARLETH AND SORAYA***

On July 10, 2020, Scarleth Cáceres, a trans woman human rights defender, member of the Arcoíris LGBT Association of Honduras and a beneficiary of the collective measures Arcoíris at that time had from the National Protection System (SNP), was assassinated. In November 2020, despite being in a situation of serious risk, the LGBTIQ+ organization suffered the lifting of its collective protection measures, without receiving an official document about their removal.<sup>61</sup>

Trans defender Soraya Alvarez Portillo, also a member of the Arcoíris LGBT Association of Honduras, received individual protective measures from the SNP, having witnessed the murder of trans defender Bessy Ferrera on July 8, 2019. However, her measures were suspended on September 10, 2020, shortly after the murder of Scarleth Cáceres. An appeal that was filed was declared inadmissible by the General Directorate of the Protection System in December 2020. On September 22, 2023, Soraya Alvarez was murdered, without the protection measures she needed.<sup>62</sup>



# Recommendations

## *Equality and non-discrimination*

Implement a national awareness campaign in traditional and community media with daily broadcasts, conducted and led by LGBTIQ+ people, to promote a culture of respect and non-discrimination.

Enact and approve laws that guarantee equality for and non-discrimination towards LGBTIQ+ persons, such as the Anti-Discrimination Equality Law (LIA), the Gender Identity Law, and the LGBTIQ+ Comprehensive Protection Law, and ensure effective compliance with the Vicky Hernández ruling and other rulings of the Inter-American Court.<sup>63</sup>

Implement the mandatory compliance with an educational curriculum on LGBTIQ+ rights for the personnel of public institutions, the National Congress, and the Judiciary, taking into account the participation of LGBTIQ+ organizations in its development.

Promote a communication strategy aimed at public and private media and State officials in order to prevent the promotion of discrimination, stigmatizing language, and hatred towards LGBTIQ+ people and other vulnerable populations.

Reform Article 112 of the National Constitution and effectively implement Article 60, taking into account an intersectional approach, to ensure that the National Constitution protects all people, regardless of their sexual orientation or gender identity.

Create and implement training guides for teachers that promote inclusive education and non-discrimination in order to prevent LGBTIQ+ people from dropping out of school in the public education system.

Expand the 'Vicky Hernández' university scholarship program for transgender people, including the entire education cycle in Honduras, in order to promote the completion of primary, secondary, and university education for transgender people.

Reform the Health Code to guarantee access to comprehensive and non-discriminatory health services, allowing the active participation of LGBTIQ+ people, sex workers, people with HIV, and other vulnerable sectors in the review and formulation process.

Promote differentiated care for LGBTIQ+ people in the health system, among others, by approving the "Guide to reduce stigma and discrimination based on sexual orientation, gender identity, sex work and HIV status in health services".

Implement labor inclusion policies for the hiring of LGBTIQ+ people in the public and private sector.

## *Access to justice*

Reform and revise the Penal Code containing the crime of discrimination (Art. 211, 212, and 213) and incorporate the hate crime classification in the section on crimes against life.

Reform the Police and Citizen Coexistence Law, promoting the participation of civil society in the reform process, particularly LGBTIQ+ organizations.

Implement a protocol of differentiated attention for LGBTIQ+ users of the security and justice system, ensuring that the protocol is approved by LGBTIQ+ organizations.

In a technical and financial sense, reinforce the Death of Vulnerable Victims Unit of the Special Prosecutor's Office for Crimes against Life to promote the proper investigation and prosecution of cases.



Implement protocols in the Public Prosecutor's Office for the identification and forensic investigation of crimes against LGBTIQ+ persons.

## Protection

Promote the demilitarization of society and of State institutions, eliminating Executive Decree 168-2013.<sup>64</sup>

Advance in efforts to purge the National Police in order to guarantee greater security and protection for LGBTIQ+ persons, human rights defenders, and society in general.

Decentralize and strengthen the National Protection System (SNP), providing it with the technical and financial resources necessary for an effective protection response to human rights defenders.

Increase the participation of civil society in the Council of the National Protection System (SNP) in order to contribute to improving the implementation of the Law for the Protection of Human Rights Defenders, particularly LGBTIQ+ persons.

Strengthen training and education processes for police officers who function as liaisons for beneficiaries of the National Protection System (SNP) on issues of sexual diversity, human rights, gender, and intersectionality, among others.



# List of acronyms

ADISH	Diverse Association of Southern Honduras	MP	Public Prosecutor's Office
AFET	Feminist Trans Association	MPI	Policy Roundtable for Inclusion
CDSH	Committee for Sexual Diversity of Honduras	OHCHR	Office of the United Nations High Commissioner for Human Rights
CEFI	Training and Integration Center	KAI+ Observatory	KAI+ Observatory on Violence against LGBTI+ Persons in Honduras
IACHR	Inter-American Commission on Human Rights	OPROUCE	Ceiba Pro-Union Organization
CONADEH	National Human Rights Commission	PBI	Peace Brigades International
IAC	Inter-American Court of Human Rights	PEI	Institutional Strategic Plan
HR	Human Rights	PMOP	Military Police of Public Order
DIPAMPCO	Police Directorate against Gangs and Organized Crime	PN	National Police
UPR	Universal Periodic Review	RNP	National Registry of Persons
FEDCV	Special Prosecutor's Office for Crimes against Life	SEDESOL	Secretariat of Social Development
FEPRODDHH	Special Prosecutor's Office for the Protection of Human Rights Defenders, Journalists, Social Communicators and Human Rights Defenders, Journalists, Social Communicators and Justice Operators	SEDH	Secretariat of Human Rights
		SEDUC	Secretary of Education
		SENPRENDE	National Service of Entrepreneurship and Small Businesses
		SESAL	Secretary of Health
		SETRASS	Secretary of Labor and Social Security
		SNP	National System of Protection for Human Rights Defenders, Journalists, Social Communicators, and Justice Operators
HUMAC	Human in Action Association	SOMOS CDC	Center for LGBTI Development and Cooperation - SOMOS CDC
INE	National Institute of Statistics	IPU	Inclusive Policies Unit
INFOP	National Vocational Training Institute	VICITS	Sentinel Monitoring Clinics for Sexually Transmitted Infections (STI)
LGBTIQ+	Lesbian, gay, bisexual, transgender, intersex, queer +	HIV	Human Immunodeficiency Virus
LIA	Equality and Anti-Discrimination Act		
LIE	Equality and Equity Anti-Discrimination Law		
MNAJ-LGBTI	National Roundtable on Access to Justice for LGBTI Population		



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Arcoíris LGBT Association of Honduras (LGBT Rainbow Association of Honduras)  
Equals Association  
HORUS LGBT Association  
Southern LGBT Association  
Diverse Association of the South (ADISH)  
Center for LGBTI Development and Cooperation -SOMOS CDC  
Trans Women's Collective Rainbow Dolls (Muñecas de Arcoíris )  
Pink Unity Collective  
Training and Integration Center (CEFI)  
Diamantes Limeños Collective  
Fabric Snail  
GEMAS Collective  
Trans Awilix Generation Group  
Transfenix Group  
Ceiba Pro-Union Organization (OPROUCE)

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Peace Brigades International (PBI)  
Office of the United Nations High Commissioner for Human Rights (OHCHR)  
Spanish Agency for International Development Cooperation (AECID)  
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National Human Rights Commission (CONADEH)  
Ministry of Social Development (SEDESOL)  
Secretariat of Health (SESAL)

# Quotes and References

<sup>1</sup> Report of the Working Group on the Universal Periodic Review Honduras.\* A/HRC/46/12. Cycle 3. Recommendations: 104.25 (Marshall Islands), 104.28 (Iceland), 104.29 (Israel), 104.30 (Italy), 104.31 (Montenegro and Timor-Leste), 104.32 (Netherlands), 104.33 (Spain), 104.34 (Chile), 104.35 Czech Republic), 104.92 (Norway), 104.99 (Switzerland), 104.100 (Germany), 104.102 (Australia), 104.103 (Austria), 104.176 (France) and 104.193 (Canada). <https://documents.un.org/doc/undoc/gen/g20/348/75/pdf/g2034875.pdf>

<sup>2</sup> A total of 57 people responded to the survey.

<sup>3</sup> 3 (2004), 2 (2005), 6 (2006), 10 (2007), 6 (2008), 31 (2009), 18 (2010), 34 (2011), 41 (2012), 36 (2013), 28 (2014), 37 (2015), 20 (2016), 33 (2017), 29 (2018), 40 (2019), 20 (2020), 29 (2021), 43 (2022). Observatorio de violencia hacia las personas LGBTI+ de Honduras KAI+. 'Informe Anual 2024'.

<sup>4</sup> Information shared by CONADEH in March 2025 for the preparation of this report.

<sup>5</sup> The National Roundtable for Access to Justice for the LGBTI Population (MNAJ-LGBTI) is made up of the Association of Litos Lesbian and Bisexual Women of Honduras, the Diverse Association of Southern Honduras (ADISH), the Humans in Action Association (HUMAC), the Iguales Association, the Ixchel Lesbian Bisexual Trans Feminist Association, the Horus LGBT Association, Arcoiris LGBT Association of Honduras, the Southern LGBTI Association, Tropical Mix Association, Training and Integration Center (CEFI), SOMOS CDC LGBTI Center for Development and Cooperation, GEMAS Collective, Diamantes Limeños, Caracol-Tela Human Rights Defense Organization, and Ceiba ProUnión Organization (OPROUCE).

<sup>6</sup> By means of executive decree PCM 29-2022.

<sup>7</sup> KAI+ Observatory on violence against LGBTI+ persons of Honduras, Annual Report 2024.

<sup>8</sup> CONADEH (2023). 'High levels of violence are a concern'. <https://conadeh.hn/?p=1371>

<sup>9</sup> Report of the Working Group on the Universal Periodic Review Honduras.\* A/HRC/16/10. Cycle 1, paragraph 81, recommendation 81.1 (Czech Republic); paragraph 82: recommendations 82.18 (Colombia), 82.35 (Ireland), 82.36 (United States of America), 82.38 (Brazil), paragraph 83, recommendations 83.4 (Austria) and 83.7 (Ireland). <https://documents.un.org/doc/undoc/gen/g11/100/65/pdf/g1110065.pdf>

<sup>10</sup> Report of the Working Group on the Universal Periodic Review Honduras.\* A/HRC/30/11. Cycle 2, paragraph 124: recommendation 124.6 (Argentina), 124.10 (Uruguay), 124.11 (Brazil), 124.18 (Slovenia), 124.20 (Austria), 124.44 (Lebanon), 124.45 (Norway), 124.47 (Denmark), 124.50 (Australia) and Paragraph 125: 125.11 (Colombia). <https://documents.un.org/doc/undoc/gen/g15/157/83/pdf/g1515783.pdf>

<sup>11</sup> Recommendation 81.1: Review its national legislation to ensure the full and unrestricted enjoyment of human rights by all members of society, including the most vulnerable groups, such as women, lesbian, gay, bisexual and transgender persons, and indigenous peoples (Czech Republic).

<sup>12</sup> Recommendation 83.7: Adopt a comprehensive anti-discrimination law, based on international human rights standards, that provides for gender identity, gender expression and sexual orientation, that enhances and specifies the protection provided for in Article 321 of the Penal Code, and that creates an independent body responsible for promoting non-discrimination and equality; and monitor compliance with this law by public and private actors (Ireland).

<sup>13</sup> Recommendation 83.4: Adopt a comprehensive set of anti-discrimination laws that effectively protect the human rights of persons belonging to indigenous minorities and Afro-Honduran peoples and lesbian, gay, bisexual and transgender persons, particularly with regard to violence against such persons and their access to the labor market (Austria).

<sup>14</sup> Recommendation 82.18: Continue working towards the adoption of plans and public policies for the promotion and protection of the rights of lesbian, gay, bisexual and transgender persons and other vulnerable population groups that may be victims of discrimination (Colombia).

<sup>15</sup> Recommendation 82.38: Intensify activities and adopt comprehensive measures to combat violence against women, children, youth, and lesbian, gay, bisexual, and transgender persons (Brazil).

<sup>16</sup> Recommendation 82.35 Conduct independent, impartial, and effective investigations into the unlawful use of force against lesbian, gay, bisexual and transgender activists by Honduran law enforcement officers (Ireland).

<sup>17</sup> Recommendation 82.36: Take concrete steps to ensure prompt, adequate, and transparent investigation of killings, intimidation, and other abuses committed against persons in the lesbian, gay, bisexual, and transgender community (United States).

<sup>18</sup> Recommendation 83.5: Repeal all national legal norms that are incompatible with international standards, such as laws that promote the detention of persons on the mere suspicion that they have violated the law (Haiti).

<sup>19</sup> Recommendation 126.8: Adopt a gender identity law that allows for legal recognition in the national registry of persons according to their sexual orientation and the image of the persons concerned (Madagascar).

<sup>20</sup> Recommendation 126.9: Ensure that the gender identity law currently under consideration in Congress (Denmark) is passed and implemented.

<sup>21</sup> 'Amapala Declaration'. <https://repositorio-chepes.sedesol.gob.hn/handle/123456789/215>

<sup>22</sup> Violet Collective Association, Kukulcán Association, Center for LGBTI Development and Cooperation (SOMOS CDC) et al. (2022). 'Transition Commission for Social Movements. Solidarity Government 2022-2026. LGBTIQ+ Population.' <https://repositorio-chepes.sedesol.gob.hn/server/api/core/bitstreams/4c9ef33e-1e03-45dd-93f4-612d5a6a43e9/content>

<sup>23</sup> Regarding LGBTIQ+ people, LIBRE proposes: "I. Protection law for LGBTIQ+ people that ensures inclusion policies, equal pay, respect for identity, and personal integrity, etc. II. Severely penalize hate crimes against LGBTIQ+ people. III. Creation of safe houses with primary care programs for LGBTIQ+ victims of violence and risk, including legal, medical, psychological, etc.\* IV. Investigation unit committed to the prosecution of violent hate crimes against LGBTIQ+ persons to reduce impunity. V. Public psychological care program exclusively for LGBTIQ+ persons to promote comprehensive health. VI. Approval of the gender identity law to ensure social inclusion. VII. Promote safe spaces (local, institutional, political, public) with a focus on human rights and development. \* The Coordinating Committee of the LIBRE Government Plan notes that paragraph III of numeral 15 has been removed from the Plan, as it had been deleted from the proposal received but due to an error had remained in the final version." <https://www.libre.hn/plan-de-gobierno-de-xiomara-2022-2026>

<sup>24</sup> REFUSAL TO PROVIDE A PUBLIC SERVICE DUE TO DISCRIMINATION. The public official or employee or the individual in charge of a public service who denies a person group, association, corporation or its members a benefit to which he/she/they are entitled because of their ideology, religion or beliefs, language, ethnic group or race, national origin, indigenous or Afro-descendant status, sex, sexual orientation or gender identity, marital status, family or economic situation, age, illness or disability shall be punished with imprisonment from one (1) to three (3) years, a fine of one hundred (100) to two hundred (200) days and special disqualification for public employment or position from one (1) to three (3) years. Decree No. 130-2017: [https://www.tsc.gob.hn/web/leyes/Decreto\\_130-2017.pdf](https://www.tsc.gob.hn/web/leyes/Decreto_130-2017.pdf)

<sup>25</sup> ARTICLE 212.- DENIAL OF BENEFITS IN THE EXERCISE OF PROFESSIONAL OR BUSINESS ACTIVITIES FOR REASONS OF DISCRIMINATION. Whoever in the exercise of his professional, commercial, or business activities denies a person, group, place of residence, association or corporation or its members for any of the reasons referred to in the preceding article a benefit to which they are entitled shall be punished with special disqualification from the exercise of profession, trade, industry, or commerce from one (1) to three (3) years. Decree No. 130-2017: [https://www.tsc.gob.hn/web/leyes/Decreto\\_130-2017.pdf](https://www.tsc.gob.hn/web/leyes/Decreto_130-2017.pdf)

<sup>26</sup> ARTICLE 213.- INCITEMENT TO DISCRIMINATION. Whoever engages in the following conduct shall be punished with imprisonment of one (1) to two (2) years and a fine of one hundred (100) to five hundred (500) days: (1) Anyone who directly and publicly, or through media or communication channels intended for the public, incites discrimination or any form of violence against a group, association, corporation, or part thereof, or against a specific person because of their membership in such a group, for any of the reasons mentioned in the preceding articles of this title; and 2) Anyone who injures the dignity of persons through actions or expressions, including graphic ones, that involve humiliation, contempt, or discredit of any of the groups referred to in the previous paragraph or of a part thereof, or against a specific person because of their membership in those groups, for any of the reasons mentioned in the previous articles. The prison sentence shall be increased by one third (1/3) when the acts described in the preceding paragraphs are committed by a public official or employee in the exercise of their duties, and that person shall also be subject to special disqualification from public employment or office for a period of one (1) to three (3) years. Decree No. 130-2017: [https://www.tsc.gob.hn/web/leyes/Decreto\\_130-2017.pdf](https://www.tsc.gob.hn/web/leyes/Decreto_130-2017.pdf)

<sup>27</sup> More than 40 organizations elected 8 representative members to respond to 10 points prioritized in the axes of Human Rights, Employability and Development, Comprehensive Health and Inclusive Education. The objective of the MPI is to promote dialogue and cooperation to address the needs of the LGBTIQ+ population in terms of public policies, legal framework, comprehensive development, and social protection.

<sup>28</sup> These include training provided to staff of the Escuela Hospital and Mario Mendoza Psychiatric Hospital. <https://www.>

<sup>29</sup> 150 people from the Ministry of Defense, PN, Ministry of Women's Affairs, SEDH and SEDESOL were trained.

<sup>30</sup> ARTICLE 112. The right of men and women to contract marriage is recognized, as well as the juridical equality of the spouses. Only civil marriage celebrated before a competent official and with the conditions required by law is valid. The de facto union between persons legally capable of contracting marriage is recognized. The law will indicate the conditions for the effects of civil marriage.

The right of adoption is recognized for persons united by marriage or de facto union. It is prohibited to grant children for adoption to marriages or de facto unions formed by persons of the same sex. The law shall regulate this institution.

<sup>31</sup> Decree 192-2020: <https://www.tsc.gob.hn/web/leyes/Decreto-192-2020.pdf>

<sup>32</sup> The Congress is made up of 128 deputies. Seventy-five percent consists of 96 votes.

<sup>33</sup> One could follow the examples of Mexico: On December 21, 2009 the legislative assembly of Mexico City approved same-sex marriage. [https://www.congresotamaulipas.gob.mx/Parlamentario/Archivos/Dictamenes/65-736\\_Dictamen.pdf](https://www.congresotamaulipas.gob.mx/Parlamentario/Archivos/Dictamenes/65-736_Dictamen.pdf); Argentina: On



July 15, 2010 Law 26.618 on Civil Marriage (known as the Equal Marriage Law) established that "marriage will have the same requirements and effects, regardless of whether the contracting parties are of the same or different sex". This law is the result of extensive campaigns carried out by LGBT organizations, ranging from civil union bills to a series of injunctions and court rulings. <http://servicios.infoleg.gob.ar/infolegInternet/anexos/165000-169999/169608/norma.htm>; and Costa Rica: May 26, 2020 approved equal marriage. "The Constitutional Chamber of the Supreme Court of Justice, in a ruling on August 8, 2018, in its vote 2018-012782, and invoking IACHR Advisory Opinion 24/17, declared unconstitutional the prohibition of same-sex marriage contemplated in the Family Code. In that ruling, the constitutional magistrates granted 18 months to the Legislative Assembly to regulate same-sex marriage, at the end of which time, the ban would be lifted. <https://rree.go.cr/?sec=servicios&cat=prensa&cont=593&id=5543>

<sup>34</sup> Registered under numbers SCO-869-2021, SCO-0949-2023 and SCO-1415-2024 referring to "Civil Unions between Persons of the Same Sex".

<sup>35</sup> Registered under numbers SCO-942-2018 and SCO-134-2022.

<sup>36</sup> Related to amparo appeal SCO-869-2021.

<sup>37</sup> "The State shall adopt a procedure for the recognition of gender identity that allows persons to adapt their identity data in identity documents and public records, in accordance with paragraphs 172 and 173 of this the present Judgment [https://www.corteidh.or.cr/docs/casos/articulos/seriec\\_422\\_ing.pdf](https://www.corteidh.or.cr/docs/casos/articulos/seriec_422_ing.pdf)

<sup>38</sup> SOMOS CDC (2022). 'Report on the inclusion of LGBTIQ+ people in Honduras'. <https://www.dropbox.com/scl/fi/s1tbw85zm9m1gwc6yaji/Informe-sobre-la-inclusi-n-de-personas-LGBTIQ-en-Honduras-INDEX.pdf?rlkey=9lka35y47730chj1gg4lha745&e=1&dl=0>

<sup>39</sup> Institutional Strategic Plan for the Refoundation of Education (PEI) 2023-2026 of the Ministry of Education (SEDUC): [https://www.se.gob.hn/media/files/articles/PEI\\_2023-2026\\_Digital.pdf](https://www.se.gob.hn/media/files/articles/PEI_2023-2026_Digital.pdf)

<sup>40</sup> Three scholarships were awarded, one in 2023, one in 2024, and one in 2025, according to information provided by SEDESOL for the preparation of this report.

<sup>41</sup> Litos Association of Lesbian and Bisexual Women of Honduras (2022). 'Diagnóstico Rápido Participativo de la Salud Sexual en Mujeres Lesbianas' ('Rapid Participatory Assessment of Sexual Health in Lesbian Women.')

<sup>42</sup> Ibid., page 6.

<sup>43</sup> Ministry of Health (2022). 'Protocolo de Atención Integral a Personas Víctimas/Sobrevivientes de Violencia Sexual' <https://honduras.bvsalud.org/wp-content/uploads/2024/04/PROTOCOLO-DE-ATENCION-INTEGRAL-A-PERSONAS-VICTIMAS-SOBREVIVIENTES-DE-VIOLENCIA-SEXUAL.pdf> (Protocol for the Comprehensive Care of Victims/Survivors of Sexual Violence).

<sup>44</sup> 1) train all health facility personnel on stigma and discrimination; 2) post in visible places information on stigma and discrimination and the rights of persons from priority population groups; 3) know and comply with national laws for the protection of persons with HIV and against discrimination based on sexual orientation and gender identity; 4) ensure that all personnel provide comprehensive quality service, without discrimination against persons from priority population groups; and 5) respect the gender identity and expression assumed by the user by using the names, pronouns and terminology of their preference. "Guidelines for providing health services free of stigma and discrimination to trans and intersex people, sex workers, men who have sexual relations with men, and people with HIV." Ministry of Health G06:2016, approved by resolution No. DGN of February 17, 2017.

<sup>45</sup> Decree 65-91: <https://www.acnur.org/fileadmin/Documentos/BDL/2016/10636.pdf>.

<sup>46</sup> The Ministry of Labor and Social Security will create, together with the National Autonomous University of Honduras, an Interinstitutional Committee. The objective of the Committee will be to analyze and reformulate hiring policies in the public and private sector: <https://simoreh.sedh.gob.hn/Buscador>. In response to recommendation 104.34: Strengthen the institutional human rights framework to eliminate all forms of violence and discrimination based on sexual orientation, sexual identity, and gender expression (Chile).

<sup>47</sup> Article 32. Aggravating circumstances. The following are common aggravating circumstances: 1) Executing the act with malice aforethought. There is premeditation when the guilty party commits any of the crimes against persons, using means, modes or forms in the execution, which tend directly and especially to ensure it, without risk to his person that comes from the defense that could be made by the offended party. 2) Executing the act through abuse of superiority or trust; 3) Acting with cruelty in the execution of the act, deliberately increasing the suffering of the victim; 4) Executing the act through disguise or taking advantage of the circumstances of time and place to facilitate its execution or the impunity of the offender; 5) Committing the act for a price, reward or promise of remuneration; 6) Taking advantage of the public character of the guilty party; 8) Committing the crime for racist or other reasons related to the ideology, religion or beliefs of the victim, age, language, family situation, ethnicity, race or

nation to which he/she belongs, his/her sex, sexual orientation or gender identity, reasons of gender, illness or disability; and, 9) Recidivism. There is recidivism when at the time of committing the crime, the guilty party has been sentenced for a crime of the same nature. Final sentences issued by foreign jurisdictions produce the effects of recidivism in the cases indicated by the Law. For the purposes of recidivism, criminal records that have been or should have been cancelled, or those corresponding to reckless crimes, are not computed.

<sup>48</sup> Approved by Legislative Decree 130-2017: [https://www.tsc.gob.hn/web/leyes/Decreto\\_130-2017.pdf](https://www.tsc.gob.hn/web/leyes/Decreto_130-2017.pdf)

<sup>49</sup> OHCHR (2019). 'IACHR and OHCHR express concern about provisions of the Criminal Code in Honduras and call for their review in accordance with international and Inter-American human rights standards'. <https://oacnudh.hn/cidh-y-oacnudh-expresan-preocupacion-por-disposiciones-del-codigo-penal-en-honduras-y-hacen-un-llamamiento-para-revisarlas-de-acuerdo-a-los-estandares-internacionales-e-interamericanos-en-materia-de/>

<sup>50</sup> The OHCHR warned that the Criminal Code adopted in 2019 had introduced a definition that was not in line with international standards in relation to crimes of sexual violence, which would allow such acts to be classified with other criminal offenses with lesser penalties. OHCHR (2019). 'Análisis y observaciones al Nuevo Código Penal desde una perspectiva de derechos humanos'. <https://oacnudh.hn/wp-content/uploads/2019/07/Observaciones-Co%CC%81digo-Penal-Nuevo-OACNUDH-ok.pdf> (Analysis and observations to the New Penal Code from a human rights perspective).

<sup>51</sup> Police and Social Coexistence Law: [https://www.tsc.gob.hn/web/leyes/Ley%20de%20Policia%20y%20de%20Convivencia%20Social%20\(updated-07\).pdf](https://www.tsc.gob.hn/web/leyes/Ley%20de%20Policia%20y%20de%20Convivencia%20Social%20(updated-07).pdf) (page 4, article 5, inc. 5).

<sup>52</sup> "The State shall design and implement a system for collecting data and figures linked to cases of violence against LGBTI persons, in order to accurately and uniformly assess the type, prevalence, trends, and patterns of violence and discrimination against LGBTI persons, in accordance with paragraph 179 of the judgment". [https://www.corteidh.or.cr/docs/casos/articulos/seriec\\_422\\_ing.pdf](https://www.corteidh.or.cr/docs/casos/articulos/seriec_422_ing.pdf)

<sup>53</sup> Follow-up to recommendation 104.32 of the Netherlands. The Secretariat of State in the Office of Social Development (SEDESOL), through the Social Development Observatory, is creating an instrument to obtain statistical information regarding violence and discrimination against LGBTIQ+ persons. Challenges: Creation of the instrument to obtain statistical information on violence and discrimination against LGBTIQ+ people. <https://simoreh.sedh.gob.hn/Buscador>

<sup>54</sup> Confidential testimony of a member of MNAJ-LGBTI.

<sup>55</sup> Confidential testimony of a member of MNAJ-LGBTI.

<sup>56</sup> The three convictions were for the crimes of aggravated extortion, aggravated production and use of child pornography, and discrimination and injury. See Oficio D.G.F. N° 075-2025. General Directorate of Public Prosecutors.

<sup>57</sup> "The State shall adopt a protocol for investigation and administration of justice during criminal proceedings for cases of LGBTI persons who are victims of violence, in accordance with paragraph 176 of the present Judgment." [https://www.corteidh.or.cr/docs/casos/articulos/seriec\\_422\\_ing.pdf](https://www.corteidh.or.cr/docs/casos/articulos/seriec_422_ing.pdf)

<sup>58</sup> In terms of demilitarization, LIBRE proposes: VI. Demilitarize citizen security and confirm the military's continuation in its constitutionally mandated role. Ensure the civilian management of security and defense and the clear separation of and respect for the functions of the armed forces and the police, taking as a reference point the democratic doctrine of citizen security. The guardians of the people cannot be the same as the defenders of the territory because each one is trained for its specific purpose. <https://www.libre.hn/plan-de-gobierno-de-xiomara-2022-2026>.

<sup>59</sup> "Create and approve the Law for the protection of LGBTIQ+ persons and associations that ensures inclusive policies, equal pay, respect for identity, personal integrity, and organizational sustainability." <https://repositorio-chepes.sedesol.gob.hn/server/api/core/bitstreams/4c9ef33e-1e03-45dd-93f4-612d5a6a43e9/content> (page 3).

<sup>60</sup> Regarding this reform, the Office in Honduras of the United Nations High Commissioner for Human Rights (OHCHR) also expressed concern through a communiqué published on February 21, 2025: <https://oacnudh.hn/oacnudh-la-ley-de-proteccion-para-las-y-los-defensores-de-derechos-humanos-periodistas-comunicadores-sociales-y-operadores-de-justicia/>

<sup>61</sup> File number: DGSP-2020-006/D. No. CTMP-SO-AR-146-2020.

<sup>62</sup> File number of Soraya Alvarez Portillo's protection measures: DGSP-2019-068/D

<sup>63</sup> At the time this report was prepared, the ruling of the Inter-American Court in the case of Yelaya v. Honduras, which relates to the alleged international responsibility of the State of Honduras for the death of trans woman Leonela Yelaya, was still pending: <https://www.corteidh.or.cr/docs/tramite/zelaya.pdf>

<sup>64</sup> Decree 168-2013 refers to the creation of the Law of the Military Police of Public Order (PMOP): <https://www.acnur.org/fileadmin/Documentos/BDL/2016/10608.pdf>





