WOMEN'S ECONOMIC EMPOWERMENT IN HONDURAS:
BARRIERS, OPPORTUNITIES, AND A PATH FORWARD
OCTOBER 2019
The statements and analysis contained in the report “Women’s Economic Empowerment in Honduras: Barriers, Opportunities, and a Path Forward” are the work of the Women and Girls Empowered (WAGE) consortium, led by the American Bar Association Rule of Law Initiative (ABA ROLI) in close partnership with the Center for International Private Enterprise (CIPE), Grameen Foundation, and Search for Common Ground (Search). The Board of Governors of the American Bar Association (ABA) has neither reviewed nor sanctioned its content. Accordingly, the views expressed in the report should not be construed as representing the policy of the ABA. Furthermore, nothing contained in this report is to be considered rendering legal advice for specific cases, and readers are responsible for obtaining such advice from their own legal counsel.

This publication was funded by the United States Department of State, through a grant provided to the WAGE consortium. All opinions, findings, and conclusions stated herein are those of the authors and do not necessarily reflect the view of the United States Government, WAGE, or any members of the WAGE consortium.


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Cover photo: A woman who received loans for her business through one of WAGE's local partners. Photo courtesy of Kiva.
Women and Girls Empowered (WAGE) is a global programming consortium to advance the status of women and girls, led by the American Bar Association Rule of Law Initiative (ABA ROLI) in close partnership with the Center for International Private Enterprise (CIPE), Grameen Foundation, Search for Common Ground (Search), and 43 resource partners. WAGE works to strengthen the capacity of civil society organizations (CSOs) in target countries to improve the prevention of and response to gender-based violence (GBV); advance the women, peace, and security (WPS) agenda; and support women’s economic empowerment (WEE). In this context, WAGE provides direct assistance to women and girls, including information, resources, and services they need to succeed as active and equal participants in the global economy. WAGE also engages in collaborative research and learning to build a body of evidence on relevant promising practices in these thematic areas. By using cutting-edge technological solutions, socially connected crowd-funding, and public-private partnerships, WAGE strives to create innovative opportunities for women and reach traditionally excluded populations in a highly impactful and sustainable manner. To account for the deeply interconnected nature of women’s and girls’ experiences, WAGE’s initiatives employ approaches that are highly collaborative, integrated, multidisciplinary, and inclusive. For example, the Reducing Barriers to Women’s Economic Empowerment in El Salvador and Honduras Initiative (RBI)—WAGE’s pilot project—takes a holistic view of the challenges that female entrepreneurs face in starting and growing sustainable businesses, including linkages between financial inclusion, GBV, and conflict. Together with Kiva—an online loan platform that connects lenders to indigent entrepreneurs across the globe to alleviate poverty—WAGE provides financial support to women microentrepreneurs and works with local microfinance institutions (MFIs) and CSOs to reduce legal and practical barriers that women face in the world of business. Under this initiative, a loan matching fund is set to revolve over the course of three years to match loans posted on Kiva’s platform and financed by individual lenders. Recognizing that microcredit alone is not sufficient to meet the multifaceted needs of women entrepreneurs, WAGE implements a series of technical assistance interventions, informed through this assessment, to improve women’s financial inclusion and economic participation in El Salvador and Honduras. The RBI, and other initiatives with a significant WEE component, fall under WAGE’s WE RISE brand: Women Empowered—Realizing Inclusive & Sustainable Economies. WAGE is funded by the United States (U.S.) Department of State, Office of Global Women’s Issues (S/GWI).
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INTRODUCTION

A growing body of evidence demonstrates that gender equality is not only a human rights issue, but also a business imperative. It is estimated that globally countries lose 160 trillion U.S. dollars (USD) in wealth because of the gender pay gap alone,1 while gender-based discrimination in social institutions induces a worldwide loss of up to USD 12 trillion.2 Women’s empowerment is therefore an essential element to realizing inclusive and sustainable economies. Despite significant progress towards gender equality over the past decade,3 as of 2018, at least 104 economies still had laws preventing women from working in specific jobs and 18 economies had laws giving husbands power to prohibit their wives from working at all. As a result, over 2.7 billion women were legally restricted from having the same career choices as men.4

In addition to formal restrictions, many women face significant practical challenges in the world of work and business. Even in countries where women’s legal capacities are identical to that of men, sociocultural norms frequently encourage or even require women’s obedience to male family members. Men are typically perceived as heads of households and breadwinners, while women are viewed primarily as homemakers and caregivers. Consequently, women have limited decision-making power in family settings and are often expected to ask for permission from their husbands to enter into contracts, open bank accounts, or transact in any other way. Similarly, even where the legal requirements for registering and operating business enterprises are the same regardless of gender, women experience unique barriers to launching and growing their businesses. They tend to have fewer networking and mentoring opportunities than men; more limited access to information, quality education, and training; and reduced access to public spaces and markets. In addition, women often experience significant difficulties in obtaining financing because of a lack of collateral and limited financial education. Many commercial banks view women as risky borrowers and prefer loaning to men, causing women to turn to smaller and more informal loans from family and friends or from informal lenders who sometimes resort to predatory lending practices. At the same time, working women experience occupational segregation and persistent discrimination in the workplace. Further, women face higher personal costs of doing business, often managing double or even triple working days as they balance household and caregiver duties with work. There is also frequently a trade-off between business success and family success, because income generated by women leads to shifts in power dynamics in the households. To compensate for the perceived loss of power, men may prevent women from making independent decisions about their business operations or the disposition of their income. In the most extreme cases, this may lead to increased levels of intimate partner violence (IPV).5 In turn, women who experience IPV and other forms of violence against women (VAW) in the household or community may be forced to abandon their income-generating activities, divert productive resources (including credit) toward other uses, and/or keep their businesses small and informal.6 Research illustrates that economic empowerment interventions can both lower and increase the risk of VAW.7 Approaches that are sensitive to these risks, such as an integrated financial and non-financial service provision, have been shown to mitigate and lower these risks.8

Because of this complex web of barriers, women are often clustered in poor-quality jobs, earn considerably less than men for work of equal value, own fewer formal businesses, and are less financially independent than men, resulting in the feminization of poverty.9 On average, women-owned enterprises are smaller and less profitable than men-owned businesses. Most are unregistered, which further hampers their sustainability and growth potential. It also increases their vulnerability to harassment and extortion from state and non-state actors. In 2018, the World Economic Forum warned that, at the current pace of change, the global economic opportunity gender gap will not close for another 202 years.10 As UN Women has recently stressed, we must think equal, build smart, and innovate for change to advance gender equality, empower women, and achieve Sustainable Development Goals. This requires transformative shifts, integrated approaches, and new solutions that disrupt business as usual.11 This also requires exploring and cultivating a wide range of assets that women already possess but are not always able to access. These include human, economic, and social resources, individual agency, self-confidence, resiliency, knowledge, skills, support services, and collective voices.
ASSESSING OPPORTUNITIES & BARRIERS TO WOMEN’S ECONOMIC EMPOWERMENT IN HONDURAS

Efforts to promote women’s economic empowerment yield the best results when they address a country’s challenges while capitalizing on its strengths, available resources, and women’s personal and business assets. To highlight good practices and uncover obstacles that frustrate the achievement of women’s economic rights in Honduras, the Women and Girls Empowered (WAGE) consortium conducted a multifaceted assessment of opportunities and challenges that Honduran women entrepreneurs face when launching and growing sustainable businesses. The assessment is presented in the form of a comprehensive report “Women’s Economic Empowerment in Honduras: Barriers, Opportunities, and a Path Forward.”

WAGE undertook the study in support of its pilot project, “Reducing Barriers to Women’s Economic Empowerment in El Salvador and Honduras Initiative” (RBI), led by one of its four core partners, the Grameen Foundation, and funded by the United States (U.S.) Department of State, Office of Global Women’s Issues (S/GWI). The findings of the assessment present a rigorous analysis of data on the complex interplay of national laws, policies, sociocultural norms, and practices that impact female business owners in Honduras. The assessment, based on WAGE’s “Women’s Economic Empowerment Assessment Tool,” serves as the evidence base for reform efforts and technical assistance projects aimed at empowering Honduran women entrepreneurs implemented by WAGE, its local partners, and other stakeholders.

DEFINING WOMEN’S ECONOMIC EMPOWERMENT

WAGE defines women’s economic empowerment as a process by which women increase their power to succeed as equal and active participants in the economy. This includes women’s enhanced access to and control of human, economic, and social resources (power over); individual agency to make independent decisions that benefit themselves, their families, communities, and nations (power to); personal assets, including knowledge, skills, self-confidence, resilience, and ability to take and manage risk (power within); and collective assets, such as support services and networks (power with). Women’s economic empowerment is critical to achieving gender equality, poverty reduction, economic growth, and other sustainable development goals.

WOMEN’S ECONOMIC EMPOWERMENT ASSESSMENT TOOL

The “Women’s Economic Empowerment Assessment Tool,” developed by WAGE under the leadership of ABA ROLI, is a mechanism for assessing countries’ de jure (textual) and de facto (contextual) compliance with the United Nations (UN) Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and other international and regional legal standards aimed at advancing women’s rights in economic and other spheres of life, for example the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), and conventions adopted under the auspices of the International Labor Organization (ILO). These treaties create legally binding obligations for states that ratify or accede to them to respect, protect, and promotes women’s rights, prohibit gender-based discrimination, and ensure substantive gender equality.

The assessment tool is designed to understand key barriers, assets, and opportunities associated with women’s economic lives in a particular country context and to determine possible solutions to the identified gaps and challenges. Country reports based on the tool provide key stakeholders and the general public with a wealth of

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1 In addition to this comprehensive report published online, WAGE published key findings and recommendations in print, both in English and in Spanish. See WAGE, http://www.wageglobal.org/.
hard-to-find information and include concrete, actionable program and policy recommendations. As such, country reports serve multiple purposes. First, they help with the design and prioritization of projects, reforms, and other interventions aimed at advancing women’s economic rights. Second, they serve as reference and advocacy tools that can be used to springboard community-based initiatives and government capacity-building efforts leading to countries’ enhanced compliance with international law and improved business environments. Third, they promote critical dialogue and information sharing on women’s economic empowerment issues among a diverse range of local stakeholders and the broader development community. The assessments are typically conducted to inform specific women’s economic empowerment initiatives but can also be implemented as standalone studies. In addition to WAGE and other women’s economic empowerment actors, the primary audience for the tool consists of government officials, civil society organizations (CSOs), advocates, lawyers, service providers, donors, and technical assistance implementers.

Country reports based on the tool are not intended to be scientific, statistical surveys. They are first and foremost complex legal and factual inquiries into the countries’ efforts to ensure gender equality and into the opportunities and challenges underscoring women’s economic empowerment and legal status. They draw upon a diverse pool of information and contain:

- **The de jure (textual) analysis** of pertinent laws, policies, jurisprudence, and pending draft legislation. This analysis examines national laws and policies vis-à-vis international legal standards, evaluates the degree to which these laws create opportunities or barriers for women’s economic empowerment, and seeks to determine if the country’s legal system is sufficiently robust to protect women workers and entrepreneurs from gender-based discrimination.

- **The de facto (contextual) analysis** derived from secondary materials, community-based focus groups with potential end beneficiaries of women’s economic empowerment interventions (e.g., women entrepreneurs) and their male peers, and key informant interviews with a cross-section of stakeholders. These stakeholders typically include women’s rights experts, government officials, justice system actors, representatives of international organizations, CSOs, business associations, and financial institutions, lawyers, service providers, academics, and other observers who have unique insights into policies and practices affecting women’s economic empowerment. This analysis measures the extent to which women enjoy, in practice, the rights guaranteed to them under international and domestic laws. As such, it considers the impact of laws and institutional practices as well as community and household dynamics on women’s ability to exercise these rights and examines people’s perceptions of women’s rights. The analysis also seeks to determine whether the state has committed appropriate resources and taken concrete steps to create an enabling environment for women’s economic empowerment. In addition to state measures, the analysis examines initiatives undertaken by non-state actors.

To the maximum extent possible, the implementation of the tool is envisioned to be community-driven and employ participatory research methods at all stages. The results of the analysis are presented in a comprehensive country report which undergoes a thorough peer review to ensure its accuracy, integrity, quality, diversity of perspectives, and objectivity. This analytical process draws heavily on the tested and well-respected approach of various assessment methodologies created and implemented by WAGE partners, such as the “Status of Women Assessment Tool” and the “Access to Justice Assessment Tool” produced by ABA ROLI; the “Gender Assessment Tool for Mainstream Chambers and Associations,” the “Gender Assessment Tool for Women Organizations,” and the “Needs Assessment for Women’s Programming” developed by CIPE; and the “Guidance Note on Conflict Analysis” issued by Search. In addition, the methodology draws on WAGE partners’ respective women’s empowerment frameworks, such as Grameen Foundation’s “Women’s Empowerment Framework” and “Solutions Innovations Process,” and CIPE’s framework entitled “Understanding Women’s Economic Empowerment Through Policy Gaps and Silences.”
Analytical Framework

The analytical framework of the “Women’s Economic Empowerment Assessment Tool” consists of eight sections and eight corresponding factor statements. Each factor statement summarizes applicable international standards and comparative best practices, illustrates a desired state of affairs, and serves as a measure against which researchers assess domestic laws and practices in key areas of interest for women workers and entrepreneurs. The factor statements present “ideal world” conditions, which countries should aspire and aim to achieve.

Each section contains areas of inquiry offering flexible guidance to the researchers charged with gathering and analyzing pertinent data. In addition to the analytical sections, reports based on the methodology typically contain an executive summary, recommendations, and a background chapter exploring the country’s geopolitical context, economic landscape, legal system, and vulnerable populations.
Key Opportunities and Barriers to Women’s Economic Empowerment

WAGE classifies barriers to women’s economic empowerment into six broad categories: structural, relational, material, personal, cognitive, and perceptive.

### Structural Barriers

- **Legal restrictions**, i.e., discriminatory legal provisions inhibiting women’s legal autonomy and ability to transact, e.g., by requiring wives to obey their husbands or preventing women from entering certain occupations.

- **Policy gaps and silences**, i.e., lax implementation of existing laws and policies guaranteeing gender equality, gaps in the legal and policy frameworks (such as a lack of special measures to bring women into a state of equality with men), and legal design flaws (such as a lack of attention to potentially disparate impact of laws and policies on women and men).

- **Formalization challenges**, i.e., barriers that prevent entrepreneurs from registering their businesses and moving from the informal to the formal sector, such as cumbersome regulations, bureaucracy, government corruption, high taxes, and a lack of access to legal aid or business consultancy.

- **Informality**, i.e., risks associated with operating an unregistered business, such as additional exposure to extortion, administrative fines, and inability to access markets, credit or government services.

- **Insecurity and crime**, i.e., conflict, violence (including GBV), organized crime, high levels of theft and extortion, and other safety risks that inhibit women’s freedom of movement and ability to operate businesses in public spaces.
Relational Barriers

- **Sociocultural norms**, i.e., sexism, machismo, and other manifestations of patriarchy, which relegate women to a submissive status, dictate traditional gender roles and responsibilities within and outside of households, and result in differential treatment of women and men in various aspects of life, including in business relations.

Material Barriers

- **Limited access to finance**, i.e., unavailability of appropriate financial products, predatory lending practices, strict collateral requirements, a lack of necessary documents to take out a loan, differential treatment by financial institutions, and poor financial literacy.

- **Limited access to productive resources**, i.e., unequal property and inheritance rights and limited access to utilities (such as electricity and water), raw materials, bulk products or affordable business and office space.

Personal Barriers

- **Limited access to support services and markets**, i.e., lack of family support, entrepreneurial services, value chains and markets to sell products, business networks, and business associations.

Cognitive Barriers

- **Poor education and occupational segregation**, i.e., limited access to good quality education in all sectors and at all levels (including science, technology, engineering, and math), technological marginalization, and norms dictating that certain occupations (e.g., mining or construction work) are not suitable for women.

- **Limited access to training and mentoring**, i.e., lack of access to adequate, affordable, and “women-friendly” business skills training and mentoring.

Perceptive Barriers

- **Low self-esteem**, i.e., lack of confidence in one’s entrepreneurial capabilities, often driven by external factors, such as sexist attitudes in the community, the workplace, and the business environment.

- **Risk aversion**, i.e., low likelihood of taking risks, often due to structural factors, which place women’s businesses at a market disadvantage.

Even in societies with immense structural, relational, material, personal, cognitive, and perceptive barriers, women can emerge as active, resilient, and empowered participants in local economies when equipped with adequate information, resources, and services. These services should capitalize on the assets that women already possess but might be unable to access. Therefore, in addition to measuring barriers and identifying solutions for these barriers, the “Women’s Economic Empowerment Assessment Tool” is used to analyze **assets and opportunities** for women’s economic empowerment. They include existing human, economic, and social resources, women’s personal assets and collective voices, as well as technical assistance programs, support services, and other interventions implemented by state institutions, CSOs (including women’s rights focused organizations, business associations, trade unions, and microfinance institutions (MFIs)), and international organizations.
SPECIFICS OF THE COUNTRY REPORT FOR HONDURAS

WAGE conducted the study “Women’s Economic Empowerment in Honduras: Barriers, Opportunities, and a Path Forward” between June 2018 and June 2019, through joint efforts of all core consortium partners under the leadership of ABA ROLI.1 WAGE performed the assessment in support of the RBI, its pilot project focusing on empowering women in the microenterprise sector. However, WAGE intentionally broadened the scope of the study to account for assets and barriers faced by women who wish to grow their businesses, who operate small and medium enterprises (SMEs), and who would like to move their enterprises to the formal sector.

• ABA ROLI, in close partnership with a team of pro bono attorneys from the international law firm Hogan Lovells, collected, reviewed, and analyzed pertinent laws, policies, and secondary sources vis-à-vis the factor statements grounded in international law and comparative best practices (de jure analysis). In addition, ABA ROLI hired a Spanish-speaking gender expert from Honduras to conduct 12 key informant interviews with representatives of the Honduran government agencies and CSOs (de facto analysis). ABA ROLI used qualitative methods of data collection and open-ended questions for its analyses.

• CIPE mapped business associations in Honduras and used the services of a local Spanish-speaking consultant to conduct semi-structured key informant interviews with seven leaders of Honduran business associations, including one leader representing a women’s business association (WBA) and six leaders of mainstream business associations representing entrepreneurs regardless of their gender. These associations are relatively well-established, with the oldest formed in 1958 and the youngest formed in 2005. All but one are member-based. In addition, CIPE’s consultant worked with female facilitators to conduct one focus group with eight female entrepreneurs, representing a range of micro, small, and medium enterprises (MSMEs), to assess barriers and opportunities associated with starting and growing a business. CIPE’s stakeholder-driven approach allows participants to describe the local context, define barriers, assets, and needs, and subsequently rate and prioritize these barriers, assets, and needs. This approach entails quantitative methods embedded in qualitative data collection through partially closed questions for the key informant interviews and nominal voting in the focus groups to assess the extent to which this rating and prioritization received unanimous or near-unanimous support from the participants. CIPE analyzed data from key informant interviews using SPSS Statistics.

• Grameen Foundation focused its research on one Honduran MFI, the Women’s Business Development Organization (ODEF) (Organizacion de Desarrollo Empresarial Femenino)—WAGE’s local partner under the RBI—and the communities that ODEF serves. In addition to in-depth key informant interviews with one ODEF manager and three credit officers, Grameen conducted 10 community-based focus groups stratified by gender (female and male), location (urban and rural), and relationship with ODEF (clients and non-clients). A total of 103 individuals took part in the focus groups discussions, including 69 women (six focus groups) and 34 men (four focus groups). Clients were recruited by the financial arm of ODEF, and non-clients by its non-profit arm. Grameen used facilitation methods to reach consensus on key issues within each focus group. Therefore, the data is reported as the percentage or number of focus groups in which all participants agreed on an issue.

<table>
<thead>
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<th>Focus Group Participants</th>
<th>No. of Female Groups</th>
<th>No. of Male Groups</th>
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</thead>
<tbody>
<tr>
<td>Clients in urban areas</td>
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<td>1</td>
</tr>
<tr>
<td>Clients in rural areas</td>
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<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Totals</td>
<td>6</td>
<td>4</td>
</tr>
</tbody>
</table>

1 During the same period, WAGE conducted a similar assessment in El Salvador, which is published as a separate report.
• **Search for Common Ground** conducted a conflict analysis to understand the impact of modern-day conflict in Honduras on female entrepreneurship and, more broadly, on women’s economic empowerment. This analysis is based on desk review of external conflict analyses and assessments of Honduras and the Northern Triangle region conducted within the past 5 years, as well as primary data extracted from key informant interviews and community-based focus groups facilitated by Grameen Foundation.

Once these respective analyses were completed, ABA ROLI’s Legal Advisor and Legal Analyst in the Research, Evaluation, and Learning Office compiled the information, performed additional research, and produced an integrated report, which was subsequently peer reviewed by WAGE partners and S/GWI. ABA ROLI incorporated all comments and prepared the report for publication.

The integrated report presents both positive aspects of women’s economic status and barriers to women’s economic empowerment in Honduras. The key findings are summarized in the executive summary. They are followed by recommendations, which offer remedial actions that can be undertaken by the Honduran government, civil society, international organizations, and other stakeholders to address key areas of concern, bring Honduras into compliance with international law, and proactively advance women’s economic rights. They are based on suggestions made by local and international experts. The list of recommendations is not exhaustive. Honduran and international stakeholders are encouraged to formulate and implement additional reforms, programs, and interventions to advance the status of women. WAGE chose not to prioritize these recommendations in the report in acknowledgment that various stakeholders may select different sets of priorities when designing their own interventions. For example, WAGE used the findings and recommendations to conduct reflection workshops with ODEF to decide what types of technical assistance programing would be the most suitable for implementation under the RBI.

In the report, individuals who took part in key informant interviews are referred to as “interviewees” or “respondents.” Individuals who took part in focus group sessions are referred to as “participants” or “discussants.” The term “study participants” refers to both interviewees and focus group participants. The report also uses such terms as, e.g., “female entrepreneurs,” “MFI clients,” “legal experts,” or “business association leaders” to reflect information provided by specific groups of stakeholders. Records of key informant interviews and focus groups, and confidential lists of individuals who contributed to the study, are on files in the Washington, D.C. offices of ABA ROLI, CIPE, and Grameen Foundation. These individuals are not identified in the report for safety, privacy, and confidentiality reasons.

**ACKNOWLEDGMENTS**

The report was prepared by Gowri Janakiramanan, Legal Analyst and Paulina (Paula) Rudnicka, Legal Advisor at ABA ROLI, who also led the development of the methodology, guided ABA ROLI’s research team and integrated findings from WAGE partners’ analyses prepared by Denise Baer, Barbara Langley, and Srujana Penumetcha (CIPE), Bobbi Gray and Amelia Kuklewicz (Grameen Foundation), and Marin O’Brien Belhoussein and Maria Selde (Search). Brianne (Bri) Stuart, WAGE Director and Deputy Director of ABA ROLI’s Asia Division, managed and oversaw the project with operational support provided by Shea Wilcox, ABA ROLI’s Program Officer.

WAGE wishes to cordially thank the team of *pro bono* attorneys, paralegals, and interns from Hogan Lovells, who played an instrumental role in the process of gathering and analyzing the *de jure* information for the study. WAGE received invaluable contributions from the following individuals representing Hogan Lovells: Brenda Rogel

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vi The executive summary does not include references. Sources of information are cited throughout the analytical part of this report. WAGE translated the executive summary of the report into Spanish and distributed it among key stakeholders in Honduras.
WAGE is very grateful to Claudia Herrmannsdorfer who conducted key informant interviews on behalf ABA ROLI, and Rocio Chavez who supported Grameen Foundation in conducting focus groups with MFI clients and non-clients. Further, WAGE expresses its sincere gratitude to the team representing its local MFI partner ODEF, including Miguel Navarro and Perla Rodriguez, for their support and logistical coordination of the focus groups. WAGE recognizes the contributions of Rodrigo Zogbi, who conducted the focus group and interviews on behalf of CIPE. Additionally, WAGE is appreciative of the regional expertise provided by CIPE’s staff members Martin Friedl and Mario Erpinar, and the additional support provided by John Carey. WAGE also acknowledges Hope Ann Roberts, ABA ROLI’s Outreach Associate, who developed the graphic design, and Mario A. Flores, who translated key findings and recommendations into Spanish. In addition, WAGE is very grateful for the vital support provided by a team of interns and externs, including Anna Burke, Alexandra Horn, Miranda Meyer, Zaenab Nassirou, Abril Perez, Sophia Rahman, and Christie Wan.

WAGE is extremely grateful for the time and assistance rendered by individuals who participated in the study as interviewees, focus group discussants, and peer reviewers, including civil society leaders, government officials, women’s rights experts, women entrepreneurs, and community members.

Last but not least, WAGE wishes to express its gratitude to the U.S. Department of State, Office of Global Women’s Issues for funding this analysis.
EXECUTIVE SUMMARY

Indices measuring global development classify Honduras as a lower-middle income country with medium human development. Even though the economy is deemed stable and has experienced some growth, Honduras faces the highest level of economic inequality in Latin America and one of the most unequal distributions of income and resources in the world. Honduras is also one of the poorest countries in the world and the second poorest in Central America. While most countries in the region have a large middle class, the middle class in Honduras has not grown in over a decade and is the smallest in the region. Historically dependent on the export of bananas and coffee, Honduras has diversified its economy in recent years to include clothing and specialized exports such as automobile wire harnessing. Agribusiness represents 40% of Honduran gross domestic product (GDP), while remittance inflows represent over 25% of GDP.

Study participants emphasized that the business environment in Honduras is complex and challenging for women and men alike due to government corruption, bureaucracy, informality, limited access to finance, political conflict, high levels of crime, gang violence, migration, and natural disasters. However, because of widespread social discrimination and violence against women (VAW), women's experiences are often gendered, resulting in an uneven playing ground for current and aspiring female entrepreneurs. Women with intersecting identities, including lesbian, bisexual, and transgender women, indigenous women, Afro-descendants, human rights defenders, women with disabilities, victims of human trafficking, migrants and their families, and women with medical needs are among the most vulnerable groups in Honduras, facing persistent exclusion and structural violence.

Global indicators illustrate that gender gaps in Honduras are the narrowest in health and education, substantial in economic life, and the widest in political life. The literacy rate is almost identical for women and men, and women are expected to stay slightly longer at school than men, but the female share of graduates in science, mathematics, engineering, manufacturing, and construction at the tertiary level is at a mere 8.6%. Women’s educational attainment does not translate into broader economic benefits. Men make considerably more money than women and have significantly higher labor participation rate (approximately 85–87% for males vs. 50–53% for females). Women (77.3%) are more likely to have informal jobs than men (71.1%). Approximately 41% of the female population over the age of 15 hold accounts at financial institutions or with mobile money-service providers (compared to 50% of men), falling below the average for countries in Latin America and the Caribbean (LAC) (51.3%) and for lower-middle income countries (53%).

The study “Women's Economic Empowerment in Honduras: Barriers, Opportunities, and a Path Forward” showed that enhancing women entrepreneurs’ personal and business assets can empower them, increase their resilience, and enable them to overcome adversity and better adapt to the hostile business environment they face. Personal assets can include enhanced confidence and entrepreneurial skills, while business assets can include increased financial inclusion and membership in business associations, which offer collective action and connections with other entrepreneurs. There was a strong recognition among study participants of the importance of social and support networks in advancing women’s economic empowerment. Similarly, capitalizing on existing policy and personal assets was perceived as crucial.

SECTION I: LEGAL AND INSTITUTIONAL FRAMEWORK FOR GENDER EQUALITY

Positive Findings

- The constitution of Honduras provides that all Hondurans are equal before the law and all forms of discrimination based on sex and several other grounds shall be punishable under the law.
Honduras has ratified or acceded to most pertinent human rights treaties adopted under the auspices of the United Nations (UN), the International Labour Organization (ILO), and the Organization of American States (OAS), including the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), ILO Convention No. 100 Concerning Equal Remuneration for Men and Women Workers for Work of Equal Value, and the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (Convention of Belem do Pará).

Honduras has taken several steps to align its legal framework with international women’s rights standards. It has passed the Law on Equal Opportunities for Women (2000), the National Policy on Women (2010), and two Plans for Gender Equality and Equity. The second and most recent plan was adopted in 2010 and will expire in 2022.

Although Honduras does not have a constitutional body with an exclusive mandate to protect women’s rights, the government has established the National Institute on Women (INAM) (1999) under the Secretariat of Development and Social Inclusion. INAM oversees 298 Municipal Offices for Women across Honduras, which implement municipal gender equality plans and offer integrated services to women and children through the “single window” system. Honduras also has a constitutionally created National Human Rights Commission (CONADEH).

Honduras has replicated the Woman’s City (Ciudad Mujer) program that originated in El Salvador. It is an innovative women’s empowerment initiative, which consolidates 15 state institutions under one roof and offers a wide range of specialized, holistic, and integrated services to women, including legal consultations, economic empowerment services, sexual and reproductive healthcare, and comprehensive support for survivors of VAW. The Woman’s City program operates two physical centers—one in Tegucigalpa and one in Choloma—and a mobile unit in San Pedro Sula. The program is known in Honduras but appears to have less of an impact than it does in El Salvador.

In addition to state institutions, many international and civil society organizations (CSOs) implement women’s empowerment programs in Honduras.

Key Barriers

Although Honduras has a solid legal framework for advancing the status of women, pertinent laws are not well enforced. Additionally, public awareness of these laws appears to be low.

National human rights bodies lack the resources required to perform their work efficiently. INAM is perceived to be a relatively weak institution with a small budget and limited political influence.

Honduras’ patriarchal culture, sexism, and machismo, including entrenched gender stereotypes concerning the role of men and women in the family and in society, pose significant challenges to women’s economic independence and contribute to a culture of impunity for acts of VAW. As a result, economic prospects for women, especially in the formal sector, are extremely limited.

SECTION II: CONFLICT, CRIME, AND VIOLENCE AGAINST WOMEN

Conflict in Honduras is characterized by the prevalence of violence and extortion committed by gangs (maras), which has reached pandemic proportions since the early 2010s. Honduras has some of the highest rates of homicide, femicide, and other forms of VAW in the world, and is perceived to be one of the most dangerous places to be a woman. Honduras also experiences political unrest, land conflicts, and high levels of corruption, all of which
create a debilitating environment of fear and have a detrimental impact on the country’s business climate, prosperity, and economic growth. These dynamics are also a major cause of migration and internal displacement.

**Positive Findings**

- Honduras has made efforts to create a legal framework for addressing VAW by adopting the Law against Domestic Violence (1996) and the Law against Trafficking in Persons (2012); amending the 1983 Penal Code in 2013 to establish the crime of femicide; and issuing the National Plan to Combat Violence against Women 2014-2022.

- Honduras has created the National Interinstitutional Commission for the Follow-up to Investigations of Violent Deaths of Women, the Service Center for the Protection of Women’s Rights in Tegucigalpa, the Observatories for Coexistence and Security, and other institutions and centers providing care to victims of VAW at the national and local levels. Shelters are operated by CSOs and municipal authorities.

**Key Barriers**

- Reportedly, small and medium enterprises (SMEs) pay roughly USD 200 million in extortion fees (referred to as a “war tax”) to the gangs annually. Gang members have the market objective of attacking SMEs rather than large businesses because they seek to subjugate those that have less power to react. As a result, many small businesses, including women-owned, are forced to shut down or relocate.

- Honduran gangs have substantial connections to transnational criminal networks and cartels. State institutions are reportedly too weak to address the problem beyond short-term and repressive measures, which leads to widespread impunity and instability. The government has resorted to the militarization of agencies responsible for citizen security, which is incompatible with international standards.

- Conflict, violence, and crime have a disparate impact on women’s lives and their ability to succeed professionally. If women participate in resistance efforts (e.g., to gang activity or rampant land grabbing), they are frequently attacked, killed, or stigmatized by their communities. Women suffer qualitatively different and more extreme forms of brutality, including femicide and sexual violence. They are also significantly impacted by trafficking in persons and exploitation in the service sectors and the maquila industry.

- The legal framework for addressing VAW has significant gaps and is not adequately enforced, partly due to insufficient funding. In addition, the elements legally required to support a conviction for femicide are difficult to prove. Reportedly, INAM has been working with CSOs to draft a comprehensive law on preventing VAW; however, the current status of this legislation is unknown.

- The government has not committed sufficient resources to prevent and respond to VAW. Although the justice system has developed several victim care protocols, they are neither well-distributed nor well-understood, resulting in judicial ineffectiveness and very high levels of impunity in VAW cases. Many women are unwilling to report acts of VAW because of the mistrust in the justice system, a lack of financial resources, fear reprisals, and stigma.
SECTION III: LEGAL AUTONOMY AND ABILITY TO TRANSACT

Positive Findings

• The constitution prohibits the imposition of sex-based restrictions on the exercise of civil rights and guarantees spousal equality. Women and men have equal rights to enter into marriage and initiate divorce. Both spouses can be heads of households, have equal responsibilities with respect to childcare and housework, and share the responsibility for financially maintaining their family in accordance with their economic capacity.

• There are no restrictions regarding women’s ability to obtain identity documents or register with the National Registry of Persons.

• Honduran women and men have an equal right to vote and stand for elections. The Law on Elections and Political Organizations (2004) envisions a mandatory quota for women’s political participation, which was progressively increased over the years and reached 50% before the 2017 national elections.

Key Barriers

• Honduran women are traditionally considered to be primary homemakers and caregivers even if they participate in income-generating activities. This often results in double or even triple workdays. Women also suffer from major inequalities and power imbalances within households. Domestic violence, including economic violence (e.g., confiscation of income and assets by husbands), is widespread.

• Abortion continues to be criminalized under all circumstances. The maternal mortality ratio of 129 deaths per 100,000 live births is almost double the maternal mortality ratio for the LAC region, and above the global target of less than 70 deaths. Honduras has also high rates of adolescent and single motherhood. Young and single mothers are often abandoned by their parents and have significant difficulties obtaining child support and sustaining their livelihoods.

• In practice, there is no gender parity in Honduran political life. Women remain significantly underrepresented in all areas of political and public life and are similarly excluded from leadership and decision-making positions in the private sector. Only 28% of Honduras’s formal small, medium, and large private firms have women among their top managers. Because of lengthy delays in implementing amendments to the Law on Elections and Political Organizations, women have not been effectively included in the most recent national elections.

SECTION IV: BUSINESS AND COMMERCE

Positive Findings

• According to the Commercial Code of Honduras (1950), which is gender-neutral, anyone of legal age (i.e., 21 or older) can perform acts of commerce. The Law on Administrative Simplification (2002) calls for streamlining of administrative procedures in business and other matters to create a favorable and competitive climate for investment.

• The legal requirements and procedures for the establishment, registration, licensing, and operation of enterprises in Honduras are identical for women and men.

The Honduran Council of Private Enterprise (COHEP), which is the largest business trade organization in Honduras, has established a gender unit, developed an internal gender policy, and become a great ally for INAM.

The Woman’s City’s economic autonomy module seeks to improve labor participation, financial inclusion, and income generation among Honduran women through a range of comprehensive services including training, job intermediation, market analysis, and technical support for micro, small, and medium enterprises (MSMEs).

The Ministry of Economic Development has established 16 Business Development Centers and the Office of MSMEs to promote entrepreneurship among vulnerable populations. The office collaborates with Woman’s City and has launched the MSME Brigades program.

The National Center for Employment Training (CENET), based in Comayagua, provides professional training on business and entrepreneurship to unemployed and underemployed populations, primarily young people and rural women.

The Ministry of Agriculture and Livestock has gender units and several agricultural development programs targeting rural and indigenous women and young people in rural areas.

The Chamber of Commerce and Industry of Tegucigalpa has created the Francisco Morazán Women Entrepreneurship Program.

**Key Barriers**

Despite solid legal protections and guarantees of equality, Honduran women face an array of structural, relational, material, personal, cognitive, and perceptive barriers to entrepreneurship, which were discussed in detail by study participants.

**Policy gaps and silences.** Study participants did not identify any formal legal restrictions that would limit women’s ability to launch and grow a business but stressed that Honduran laws and policies fail to account for the multifaced nature of women’s lives and work, in particular their unpaid caretaking burdens, limited mobility, and VAW. They acknowledged the existence of various projects to strengthen female entrepreneurship, but observed that they are not sufficient, coordinated or grounded in a strong and sustainable development strategy, particularly in the context of business growth and expansion. This is an important gap because mere subsistence projects will not lift people out of poverty. Other persistent policy gaps and silences exacerbating gender inequality in Honduras include lax implementation of laws, social discrimination and a lack of political will to address it, and institutional weaknesses. For example, CONAMIPYME is reportedly not fully functional and COHEP has not been able to advance its gendered programming in practice. Business associations and microfinance institutions (MFIs) constitute major policy assets for current and aspiring women entrepreneurs, but they lack the capacity and expertise to offer services and products adaptable to the needs of female members and clients. Study participants emphasized
that it is important to invest in innovative entrepreneurship projects that will generate employment and wealth, rather than simply help families survive.

- **Formalization challenges.** Interviewees stressed that government corruption is a pervasive problem in Honduras and a major barrier for women entrepreneurs seeking to formalize their businesses. This was closely followed by cumbersome regulations, bureaucratic incompetence, red tape, crime, insecurity, and a lack of access to finance and electricity. Focus group participants also noted that taxes posed survival problems for MSMEs. Assisting women in starting a new business and gaining stability constitutes a very large need.

- **Informality.** Many women-owned businesses remain trapped in the informal sector. The costs of informality include the payment of fines upon detection, inability to access public goods and services provided by the government (including the justice system), insecurity over the rights of ownership of capital and products, a lack of collateral, and higher costs of accessing credit. Helping women move from the informal to the formal sector is a large need.

- **Insecurity and crime.** Honduran women and their businesses are adversely affected by insecurity and crime, including VAW, gang violence, and extortion. Because women face significant personal safety threats in public spaces (including public transportation), they have difficulty operating public-facing enterprises and accessing business opportunities that require greater mobility. As a result, many feel compelled to close their businesses and/or migrate to protect their lives and their families.

- **Sociocultural norms.** Study participants noted that women face a more hostile business environment than men because of the pervasive nature of sexism and machismo, which permeate Hondurans’ private and public lives. Although machismo is most frequently cited in the context of intrafamily violence and unequal power dynamics within households, it also emerged as a major challenge for women in their public and business lives. Reportedly, machismo affects women’s business relationships with vendors, suppliers, and peer entrepreneurs. Women are often discounted in their business roles for non-business reasons, not taken seriously, and treated unequally. This includes sexual harassment and sextortion. Interestingly, many male focus group participants recognized that women’s empowerment is key to community development and improving the quality of life. Yet, men feel the need to control women and keep them at home. This was particularly deeply felt in rural areas.

- **Limited access to finance.** Study participants stressed that limited access to economic resources, especially finance, is a gendered problem and one the most significant barriers to business in Honduras. Women often lack assets to guarantee loans and many are compelled to use family resources to finance their enterprises. High interest rates, iv bad customer service, inconvenient hours of operation, and cumbersome

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iv Many study participants mentioned high interest rates as a barrier to accessing credit, which is a frequently reported concern in many economies, regardless of the interest rate itself. This topic is highly debated in the financial sector, particularly as it relates to government regulations and issues of interest rate transparency. On the one hand, some believe that lower interest rates will increase financial inclusion by attracting more clients and improving their chances to repay the loans in a timely manner. On the other hand, lending to the poor is an expensive proposition and financial institutions, including banks and MFIs, must find ways to balance both cost-recovery and profit with attractive product designs and impact of their services on their clients’ well-being. While government regulations can be used to protect people from predatory lending, interest rate caps can also be detrimental to the sustainability of the very organizations who aim to provide financial products to underserved populations. For low-income people and microbusinesses, any interest rate can be perceived as challenging. But if financial institutions do not have the capacity to offer credit to them at all, the alternative is often to turn to loan sharks or moneylenders who can be more opportunistic and predatory than a regulated financial institution. It is important to note that interest rates charged by MFIs in developing countries with unstable economies are often higher due to high rates of inflation, which leads to a high depreciation of cash by the time repayment is completed. In addition, the risks associated with serving borrowers who do not have collateral or credit histories are higher than serving borrowers who can guarantee their loans. Finally, the costs of servicing numerous microloans can
documentation required by banks were also mentioned as major issues. Further, many women-owned SMEs face a finance-oriented policy gap because they are too large for microfinance but too small to benefit from investors and bank loans. These findings illustrate a dire need both for a greater diversity of financial products tailored to the unique needs of women and for policy reforms stimulating greater financial inclusion of women.

- **Limited access to productive resources.** Study participants discussed limited access to material resources primarily in the context of collateral. Further, a lack of access to electricity and land was noted as a major barrier to entrepreneurship.

- **Limited access to support services.** For cultural and religious reasons, families and society at large see women primarily as wives, mothers, and caregivers, and are therefore more likely to invest in men and boys who are, or wish to become, business owners. Single mothers and young pregnant women are particularly disadvantaged and discriminated against as they often lack access to childcare, child support, and employment opportunities.

- **Poor education and occupational segregation.** Sociocultural norms dictate Honduran women to pursue education and work only in certain sectors, such as food or textile industries. Several interviewees emphasized that it is important to break these prevailing patterns by providing women with more diverse training and economic opportunities so that they can pursue careers in fields traditionally dominated by men, such as engineering, science, or construction.

- **Limited access to training and mentoring.** Study participants felt that the lack of business knowledge is one of the key barriers to entrepreneurship. Women entrepreneurs noted that they have to learn by doing and they would welcome “women-friendly” business skills and financial trainings, mentoring, and business association member services. At least some of the trainings should be sector-specific.

- **Low self-esteem and motivation.** Study participants noted that machismo and the environment of fear have a detrimental impact on women’s self-esteem. Many women feel indifferent and are not motivated to join business associations. Notably, women who participated in the focus groups appeared to have considerable confidence, entrepreneurial mindset, and passion for their business ideas. Yet it was clear that they faced gendered barriers, which placed their businesses at a market disadvantage.

- **Risk aversion.** Study participants perceived businesswomen to be less likely to take risks than businessmen. However, similarly to the finding about low self-esteem, this appears to be interrelated with structural and relational barriers discussed above.

Findings from the focus groups indicate that some barriers, such as machismo, insecurity, and a lack of access to financing, are deeply felt by women entrepreneurs regardless of the size of their businesses. In addition, age discrimination and low self-esteem, tied to fear and structural barriers, emerged as important themes. For female micro-entrepreneurs, a lack of knowledge and training was also one of the most significant challenges, while women SME owners had a greater tendency to mention barriers to operating formal businesses, such as government corruption, bureaucracy, and taxation.

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SECTION V: PROPERTY AND ASSETS

Positive Findings

• The constitution guarantees men and women equal rights to property and possession, and expressly prohibits arbitrary deprivation of property by the state. Men, women, boys, and girls have equal inheritance rights under the Honduran law.

• The Law on the Modernization and Development of the Agricultural Sector (1992) granted women the right to receive land titles in their own names regardless of marital status, overturning previous legislation that had permitted only widows and single women to hold land titles. Pursuant to the Law on Equal Opportunities for Women, the benefits conferred upon peasants by the Agrarian Reform Law must be equally applied to women.

• The procedures for registering property are identical for women and men.

Key Barriers

• Despite legal guarantees of equality, women face significant barriers to land ownership. Men own approximately 85.6% of agricultural land, which leaves women at a significant disadvantage in accessing credit due to a lack of collateral. Indigenous women face particular discrimination in the realm of land rights.

• While the Law on the Modernization and Development of the Agricultural Sector permits women to receive land titles in their own names regardless of their marital status, land titles may only be jointly issued to a couple upon both partners’ request. The fact that women carry the burden of demanding the right to a joint title is problematic in the context of cultural norms that place women in a dependent status vis-à-vis their husbands.

SECTION VI: BANKING AND FINANCE

Positive Findings

• Honduran law does not contain any gender-based restrictions in access to financial services. Accordingly, women can open a bank account and access credit on an equal basis with men. This includes equal credit requirements.

• Honduras has adopted several laws to enhance economic and financial inclusion in the country, including the Law on the National Solidarity Credit Program for Rural Women (CREDIMUJER) (2015) and the Law on Secured Transactions (2009). The latter served as a basis for the establishment of the Collateral Registry for Movable Assets, which began operations in 2011 under the management of the Chamber of Commerce and Industry in Tegucigalpa. The registry benefits primarily micro and small business owners who do not have real estate assets to provide as collateral.

• The Office of the President has launched the Solidarity Credit program. Reportedly, 80% of the beneficiaries of this program are women.

• The Banking and Insurance Commission, which is the country’s financial oversight body, reportedly has a gender unit that is trained and evaluated by INAM.
• In addition to state initiatives, efforts to promote financial inclusion in Honduras have been undertaken by international organizations, CSOs, and MFIs. Honduras has the largest number of affiliated MFIs in the Central American and Caribbean Microfinance Network (Redcamif). Many Honduran MFIs have also joined the Microfinance Network of Honduras (Redmicroh).

**Key Barriers**

• Despite legal guarantees of equality, gender disparities in access to finance are widespread because many women are unable to prove their creditworthiness and are viewed as less “bankable.” According to the 2017 Global Findex Database, there is a 9% gender gap between men and women in account ownership: only 41% of Honduran women have an account vs. 50% of men. Unlike men, women saw declines in savings between 2014 and 2017. In 2017, 7% of women reported having asked for a loan to open, grow, or expand a business, compared with 6% of women in 2014. This indicates that there has not been much progress in the use of loans to operate businesses.

• The Law on the National Solidarity Credit Program for Rural Women appears to be the only law specifically dedicated to increasing women’s financial inclusion. There were significant delays in committing funding required to implement the law.

• The Central American Bank for Economic Integration has established the Regional Financing Program for Women Entrepreneurs (FEM). Reportedly, FEM funds have been disbursed in all countries of Central America except Honduras.

• Honduran MFIs do not appear to have gender-focused policies, strategies, or tools, including those aimed at preventing or mitigating potential negative consequences of microfinance on women. They also do not offer loans that adapt to the needs of female borrowers and at least some require spousal approval for loan requests, purportedly, to decrease the risk of household conflicts and violence. This approach is, however, questionable, because it affects women’s individual decision-making and autonomy. Interviewed MFI credit officers acknowledged that sometimes men do not allow their wives to take out loans in an effort to maintain control over them. In addition, some husbands convince their wives to take out loans on their behalf, especially if they do not have a good credit score. This poses risks to women who are building their credit histories and could result in financial abuse.

Honduran women entrepreneurs operate in a challenging environment. While it is not expected that financial service providers become a one-stop shop for support, these institutions can design gender-responsive products and collaborate with other stakeholders in financial and non-financial sectors to offer more integrated services to female clients. Given that MFIs have a close proximity to women, they are a fundamental piece of the puzzle in promoting their economic empowerment and independence, with due attention to gender and conflict dynamics, including VAW, present in the communities they serve.

**SECTION VII: LABOR, EMPLOYMENT, AND SOCIAL SECURITY**

**Positive Findings**

• The constitution guarantees every person the right to work under equitable and satisfactory working conditions, including the right to equal pay for equal work as well as maternity leave and job security for mothers before and after childbirth.
Although the Labor Code is largely gender-neutral, the Law on Equal Opportunities for Women explicitly prohibits sexual harassment and sex-based discrimination in employment and training. It further requires employers to provide equal opportunities to women with respect to assignment of work, promotions, and professional development. It is unlawful for employers to demand a proof of pregnancy from women during the employment process.

Employers and employees have a constitutional right to freedom of association.

The Law on the Protection of Benefits and Regularization of Informal Activity (2014) established a certification system that permits informal sector employees to obtain access to formal credit sources, bank accounts, and social security benefits. It is unclear, however, whether informal sector employees may use the certificate to gain access to the social security scheme, or if the scheme is reserved for those who start or run their own enterprises.

The Regulation on the Special Status of Domestic Workers and Progressive Affiliation to the Security System (2008) permits employers to provide domestic workers, who are by and large women, with health benefits, but it appears to be a voluntary system.

INAM coordinates the Gender Equity Management System, which consists of measures adopted by public and private organizations to increase gender equality and equity in employment.

The Municipal Offices for Women provide job training, organize information campaigns on labor and economic rights, and serve as a forum to file labor-related complaints.

Key Barriers

Women’s labor participation rate remains consistently low. In 2018, it was merely at 50-53% compared to 86-87% among men in the same age group (15+ years of age). On average, women are paid 60-67% of the wage earned by men. Interviewees reported that women face employment and wage discrimination because of both gender and age. They also noted that women are more susceptible than men to workplace harassment.

Many sectors are perceived as “masculinized,” and jobs in those sectors are viewed as unsuitable for women. Sectors that are viewed as appropriate for women, e.g., domestic work and small-scale self-employment, often have limited growth opportunities, and are not well regulated. Most Honduran women work in the informal sector where labor protections are minimal.

The Labor Code states that children under the age of 16 and women may not perform work designated as unhealthy or dangerous. While protecting children from unhealthy and dangerous working conditions is reasonable, applying the same standard to adult women is discriminatory. It reflects a protectionist approach to gender difference, in which women are understood as in need of special care and protection, thus reinforcing gender stereotypes.

The social security system is not gender-sensitive, illustrating little reflection or analysis in the area. The retirement age is 65 for men and 60 for women.
SECTION VIII: ACCESS TO JUSTICE

Justice in Honduras is administered through formal institutions, including the Supreme Court of Justice, courts of appeal, and trial courts (courts of first instance). In some jurisdictions, single appellate courts hear all types of cases, i.e., juvenile, civil, criminal, and labor. Larger jurisdictions, like San Pedro Sula, have dedicated chambers for each of these areas. In addition, at least two justices of the peace must be present in every municipality with more than 4,000 people.

Positive Findings

• The constitution contains basic fair trial provisions, including an inviolable right to defense and a right to legal aid in all cases involving violations of personal liberty and other rights.

• The judicial branch has had a gender unit since 2011. The unit is charged with implementing both an overarching institutional gender policy within the judicial system and specific gender initiatives. One study participant noted that gender bias in the justice system has been decreasing.

• The most efficient method of dispute resolution in labor, economic, business, commercial, or property cases appears to be under the Arbitration and Conciliation Act (2000). Administered through the Conciliation and Arbitration Centre of the Chamber of Commerce and Industry of Tegucigalpa, the arbitration process is reportedly faster and allows for more flexibility than a court procedure.

Key Barriers

• The justice sector’s institutional gender policy has not been adopted yet and reportedly, there is little interest from the bench in approving one.

• Access to justice in Honduras is hampered by corruption and inefficiency, which are observed throughout all levels of the judicial system. In domestic violence cases, justices of the peace reportedly use improper conciliation procedures or decline to take such cases altogether. Because victims do not feel supported by peace court judges, they sometimes move their cases to the formal courts in Tegucigalpa or other urban centers. This poses an obstacle to women’s access to justice, especially if they are single mothers or sole breadwinners and have to travel long distances to the nearest court. In addition, there are lengthy delays in the formal system, which may cause women to drop their cases or suffer from more violence until hearings are held.

• Although legal aid is constitutionally required beyond representation in criminal matters, the Public Defender’s Office reportedly rarely takes on non-criminal matters. Some universities, for example the Legal Office of the National Autonomous University of Honduras, offer free legal services, but they are usually limited to family matters. There are no free consultation services available to advise women on how to launch or operate their businesses.
RECOMMENDATIONS

TAILORED SERVICES FOR WOMEN ENTREPRENEURS

Establish and/or build the capacity of stationary or mobile legal clinics, women’s and mainstream business associations, business resource centers, MFIs, CSOs, information hubs, and training institutions offering aspiring and established women entrepreneurs free or low-cost trainings, mentorship opportunities, individual consultations, and legal aid to:

- Increase their personal and business resilience to constant shocks and stresses, including conflict, crime, VAW, natural disasters, and health problems (both mental and physical).
- Educate them on business registration, licensing, and management; tax requirements and incentives; financial literacy and management (both at the household and enterprise level); sector-specific business matters; crisis budgeting and planning; risk management; market research and analysis; and conflict and dispute resolution.
- Help them develop personalized business plans, safety and risk management plans, and business continuity plans in case of a crisis or an emergency (e.g., theft, threats, violence, illness, death or natural disaster).
- Provide them with quality technical and vocational training that expands their participation in male-dominated sectors (e.g., engineering or construction) and does not reinforce gender stereotypes by merely teaching them skills in jewelry or food production.
- Enhance their access to culturally-acceptable networking opportunities.
- Increase their confidence as well as leadership, negotiation, and marketing skills.
- Assist them in legal matters related to family, property, labor, and commercial law.
- Offer them referrals to essential psychosocial, medical, and legal services, including when they experience an emergency, high level of stress, VAW, or workplace discrimination.
- Expand their access to markets (e.g., through trade fairs).
- Assist them in discharging their caregiving and homemaking responsibilities.
- Increase their access to peer support (self-help) groups and safe physical spaces where they can learn and work together to develop their full potential.

Use modern technology (mobile phones and internet) to expand these services to hard-to-reach populations and young people, e.g., through webinars, online training platforms, hotlines, and text message helplines.

CIVIC EDUCATION AND PUBLIC AWARENESS CAMPAIGNS

Implement national and local civic education and public awareness campaigns (including, where appropriate, gender dialogues at the community level and street law courses for the youth) to:

- Educate communities about laws and policies aimed at advancing the status of women and girls.
- Demonstrate the vital role that women play in community and national economies.
- Promote women’s decision-making powers, including in economic matters.
- Challenge traditional gender norms and cultural perceptions of women’s roles and responsibilities within families, communities, the private sector, and society at large.
- Challenge machismo. Promote the concepts of positive masculinity and of equal sharing of responsibilities between women and men, including breadwinning and caregiving.
- Engage men, including women’s partners and spouses, in women’s economic empowerment interventions, considering the highly detrimental impact of machismo and toxic household dynamics on women’s ability to succeed as active participants in the economy.
• Conduct conflict sensitivity trainings and promote peaceful conflict resolution through “common ground” approaches.

• Raise public awareness about the nature, forms, and consequences of VAW (including economic costs); applicable laws and policies; and services available to victims.

• Educate the public about potential unintended negative consequences of women’s economic empowerment efforts, such as increased risk of VAW at home and in the community.

• Enhance civic engagement among women, including their meaningful participation in advocacy and community organizing efforts, civil society groups, business associations and networks, and trade unions.

LEGAL AND POLICY REFORM

Support a consultative process among legislators, government officials, the legal community, the private sector, and civil society to:

• Amend gender equality laws, including those aimed at addressing VAW, to eliminate design flaws resulting in women’s limited access to justice and essential services, and to better account for the unequal distribution of household duties as a barrier to women’s economic participation.

• Ensure sufficient allocation of financial and human resources needed to implement gender equality laws, including specific measures for promoting women’s economic empowerment and addressing VAW, including workplace harassment.

• Further support the development and sustainability of women-owned enterprises, for example through simplified registration procedures, tax incentives, and enhanced access to finance.

• Ensure that any policies or strategies for women’s economic empowerment delineate specialized approaches to women in rural, urban or peri-urban areas.

• Strengthen the regulatory framework for banking and finance to promote fairer and more inclusive lending practices for women, including by lowering interest rates, relaxing overly strict collateral requirements, developing more diverse and tailored financial and non-financial products, and offering co-financing and loan guarantee programs.

• Improve women’s access to, ownership of, and control over land.

• Improve transparency and accountability in all government operations to reduce the negative impact of corruption and red tape on women’s participation in the economy.

INSTITUTIONAL CAPACITY BUILDING

Support and strengthen the capacity of:

• **Government agencies** to: 1) proactively empower women entrepreneurs and improve their financial inclusion through better implementation of laws and policies and enhanced inter-agency and multi-sectoral collaboration with civil society and the private sector; 2) maintain commitment to preventative and restorative initiatives as ways to address conflict and violence; 3) effectively respond to VAW in a trauma-informed and victim-centered manner; and 4) eliminate prevalent institutional gender biases.

• **Financial institutions** to: 1) conduct gender analyses and develop gender action plans for greater financial inclusion of women; 2) design and offer a wide range of tailored financial and non-financial products so that women can create assets (savings), make investments (credit), and protect themselves against losses
and crises (insurance, emergency loans); and 3) accept lawful alternatives for collateral and, in general, engage in fairer and more inclusive lending practices.\(^v\)

- **Microfinance institutions** to: 1) improve their social performance management and offer a greater range of financial and non-financial services (e.g., financial literacy or nutrition trainings) adapted to the holistic needs of women and aimed at helping women build resilient lives and resilient businesses; 2) increase their knowledge of, and sensitivity to, conflict, gender power dynamics within households and communities, and the unique needs and barriers that their female clients face, such as caretaking responsibilities, limited mobility, extortion, loan-taking under coercion from abusive partners or gang members, and high rates of VAW; 3) enable effective client segmentation and development of services tailored to the needs of women operating new, growing, and mature businesses; 4) sensitize them to the potential unintended negative consequences of women’s economic empowerment; 5) ensure that their services adhere to the highest ethical standards and “do no harm” principles; and 6) develop linkages and referral mechanisms with CSOs and other institutions (e.g., Woman’s City centers and business associations) providing training and direct support services to women, including victims of VAW.

- **Civil society organizations** (including business associations, legal aid providers, and women’s rights organizations) to: 1) better engage with pertinent government agencies and successfully advocate for gender-transformative legal reforms and implementation of gender equality provisions; 2) offer referrals (e.g., to MFIs) and more holistic services to women.

- **Organizations and institutions** which are working on advancing the status of women entrepreneurs to invest in innovative and sustainable economic empowerment projects that will generate employment and wealth, rather than simply help families survive.

- **Female business leaders** to: 1) guide and participate in reform efforts; and 2) mentor and serve as role models for less experienced female entrepreneurs.

- **Private sector firms** to: 1) deconstruct sexist thinking that prevails in workplaces; 2) eliminate occupational segregation by challenging stereotypes dictating that women are not equally competent to thrive in certain jobs or access better paid positions; 3) decrease gender bias, discrimination, and violence in the workplace; 4) grant women greater flexibility in their work arrangements to ensure work-life balance; and 5) provide reasonable accommodations and service referrals to employees facing VAW and other shocks and stresses; and 6) encourage leadership and equitable representation of women at all levels of the corporate structures.

- **Legal profession** to offer quality *pro bono* legal advice and representation to women entrepreneurs who cannot afford to hire an attorney (e.g., through legal clinics, travelling lawyer programs, and online or phone consultations).

- **Justice sector and alternative dispute mechanisms** to: 1) reduce gender bias; and 2) resolve cases filed by women in a timely, fair, and gender-sensitive manner.

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\(^v\) Honduran stakeholders emphasized the need for special financial products for vulnerable groups that start with small loans and low interest rates, which are then progressively increased until a particular group of people develops solid credit histories and becomes “bankable.”
PARTNERSHIPS AND NETWORK-BUILDING

- Establish loan guarantee programs, funds, and institutions to assist female entrepreneurs who lack collateral and link them with financial institutions, including MFIs.
- Facilitate networking and referrals among MFIs, business associations, women’s rights CSOs, and government institutions offering services to women, including victims of VAW. Develop and distribute referral tools and shared training materials.
- Facilitate strategic partnerships and multi-sectoral coalitions to advocate for a more enabling legal and institutional environment for women in business and the labor market.
- Create and boost networks of women entrepreneurs to facilitate peer learning, peer support, and mentoring (e.g. women’s chambers of commerce).
- Develop linkages between investors, particularly angel investors, and the MSME sector.

Honduran stakeholders emphasized that women’s economic empowerment initiatives cannot be implemented in isolation. They need to have a clear vision and be well-coordinated. The international aid community should align its projects with the national development plans and any investments must be locally sustainable. Women must be included as active participants of, and decision-makers in, local economic development projects. To this end, it is crucial to increase their agency, promote their human rights, and improve their leadership skills.
COUNTRY BACKGROUND

GEOPOLITICAL CONTEXT

Geography

The Republic of Honduras, with Tegucigalpa as the capital and Spanish as the official language, is the second largest country in Central America. It borders the Caribbean Sea, the Pacific Ocean, Nicaragua, El Salvador, and Guatemala, and is located in the region referred to as the Northern Triangle. More than three-fourths of Honduras’s land is mountainous and two-fifths is covered by forests, making forest products a large source of national income. Honduras is susceptible to violent tropical weather patterns, including hurricanes, and other environmental hazards such as deforestation, land degradation, and soil erosion.16

Demographic Profile

Honduras has a population of roughly 9.1 million, with a nearly even female-to-male ratio.17 About 46% of Hondurans live in rural settings, primarily in the mountainous western half of the country. The urban population (about 54%) is distributed between two cities—Tegucigalpa and San Pedro Sula.18 In the early 20th century, many Hondurans moved from the country’s interior to the northern coast in search for new employment opportunities, leading to a dramatic population shift. However, by the mid-20th century, a population boom caused employment and housing opportunities to decline.19 The rate of population growth has slowed in the last two decades (from approximately 2.9% in 1990 to 1.6% in 2018),20 but remained above the world average as of 2017. In 2018, Honduras’s Human Development Index (HDI) score was 0.617, ranking the country 133 out of 189 countries and territories. Per HDI, Honduras is categorized as a country with medium human development.21

Hondurans are largely ethnically homogeneous. Over 90% of the population is mestizo (people of mixed ancestry) which is the result of intermarriage between indigenous peoples and Spanish settlers.22 The remainder of the population consists of indigenous people and other small groups. The indigenous population is estimated at 7–9%, with the three main indigenous groups being the Lenca, Miskito, and Garifuna.23 About 87% of Hondurans are Christian, mostly Roman Catholic.24

History

The area of modern Honduras was occupied by a variety of indigenous peoples before the Spanish conquest, which began in 1524 and resulted in the establishment of colonial rule over the territory as part of New Spain. Following multiple uprisings across New Spain, Honduras declared independence from Spain in 1821 and from Mexico in 1823. Between 1823 and 1838, Honduras was part of the United Provinces of Central America (also known as the Federal Republic of Central America). Beginning in 1838, the federation slid into civil war and dissolved over the next few years, and Honduras again declared independence. In 1841, the first Honduran President, conservative Francisco Ferrera, took power. With the liberal shift—which installed Marco Aurelio Soto, a liberal, as President in 1876—came a new constitution and moving the capital from Comayagua to Tegucigalpa in 1880. Liberals preserved power well into the 20th century, encouraging foreign investment and economic growth. During this time, the rapidly growing banana industry transformed the country into a plantation economy dominated by several United States (U.S.) corporations, which consolidated large landholdings. These corporations successfully lobbied the U.S. government to send armed forces to protect their investments. Conflicts over land and peasants’ rights, U.S. military incursions, internal rebellions, and military coups during much of the 20th century had a detrimental impact on the Honduran economy. In 1969, Honduras engaged in a brief but costly “Soccer War” with El Salvador (also known as the Football War or the 100 Hour War), which claimed nearly 4,000 lives and put further dents in the ailing economies of both countries.25 The country remains the poorest state among its neighbors.
In 1981, after 17 years of almost continuous military rule, Honduras elected a civilian government led by the centrist Liberal Party of Honduras. However, General Gustavo Álvarez Martínez, the chief of the Honduran armed forces, retained considerable power. The country became involved in several regional conflicts, particularly in Nicaragua. Following the Nicaraguan Revolution in 1979, which ended 46 years of dictatorship by the Somoza family, Honduran border areas were used by U.S.-backed Nicaraguan contras as bases for attacks against Nicaragua’s new government led by the left-wing Sandinista National Liberation Front (Frente Sandinista de Liberación Nacional). At the same time, Honduras itself faced serious political unrest which General Alvarez responded to by detaining trade union activists and left-wing sympathizers and using death squads to eliminate subversive elements. Alvarez was assassinated in 1989. At a summit in El Salvador soon after, Central American presidents agreed to demobilize Nicaraguan contras based in Honduras. The 1990s were marked by demilitarization efforts and the devastating impact of Hurricane Mitch in 1998. n 2009 Honduras underwent yet another military coup, which ousted President Manuel Zelaya of the Liberal Party. The coup was condemned by the international community and resulted in the suspension of Honduras’ right of participate in the Organization of American States (OAS) between 2009 and 2011. The current President is Juan Orlando Hernández of the conservative National Party, who took power in 2014 and started his second term in 2018, after a highly contested election, widespread accusations of fraud, and protests resulting in fatal violence. 26

Since the early 2010s, gang violence has reached pandemic proportions in Honduras, which continues to have some of the highest homicide rates in the world. In 2011, the government issued an emergency decree granting the military broad police powers to curtail organized crime and address police corruption. In 2013, Mara Salvatrucha (MS-13) and the 18th Street Gang (Barrio 18)—the two most notorious street gangs in Honduras—agreed to a truce. In reality, however, the violence continues. 27

**Government and the Rule of Law**

Honduras is a presidential republic with a democratic, representative political system. CONSTITUTION OF THE REPUBLIC OF HONDURAS art. 4 (adopted 1982, as amended 2013) [hereinafter CONST.]. The President, elected by simple majority for a 4-year term and supported by three Vice Presidents, forms the Council of Ministers that leads the executive branch. The National Congress holds legislative power and has 128 members, each elected by direct vote for a 4-year term. The judicial branch consists of the Supreme Court, Appellate Courts, Courts of First Instance, and Courts of Peace. Id. arts. 189, 196, 202, 235, 237, 247, 252, 303. The territory of Honduras is divided into 18 departments: Atlantida, Choluteca, Colon, Comayagua, Copan, Cortes, El Paraiso, Francisco Morazan, Gracias a Dios, Intibuca, Islad de la Bahia, La Paz, Lempira, Ocotepeque, Olancho, Santa Barbara, Valle, and Yoro. 28 The central district is an additional municipality made up of Tegucigalpa and Comayagua. There are no political or administrative powers at the regional level. Each department has a governor appointed by the executive branch. The departments are divided into 298 municipalities governed by popularly elected mayors. Id. arts. 294–95.

**GLOBAL INSIGHTS**

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<td>Rule of Law Index 2019</td>
<td>In 2018–19, Honduras had an overall score of 0.40 (on a 0 “worst”—1 “best” scale) in the World Justice Project’s (WJP) Rule of Law Index. 29 The score ranks Honduras at 28 out of 30 measured countries in Latin America and the Caribbean (LAC) and 24 out of 30 among measured lower-middle income countries. 30 “Significant trends included an improvement in order and security.” 31</td>
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<td>Freedom in the World 2019</td>
<td>In 2019, Freedom House gave Honduras a freedom rating of 4 (on a 1 “free”—7 “not free” scale) and marked it as a partly free country. 32 In the 2018 report, Freedom House noted that institutional weaknesses, corruption, and violence all affect Honduras’ overall stability. 33 Violent crime remains a problem, and victims are often journalists, political activists, and</td>
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ECONOMIC LANDSCAPE

With a gross domestic product (GDP) of 22.98 billion U.S. dollars (USD), a real GDP growth rate of 4.8%, and a gross national income (GNI) per capita of USD 2,250 in 2017, Honduras is considered a lower-middle income country according to the World Bank’s rankings. Historically dependent on banana and coffee exports, Honduras has diversified its economy in recent years to include clothing and specialized exports such as automobile wire harnessing. Activities that contribute most significantly to the GDP include financial services, communications, manufacturing, commerce, agriculture, livestock, silviculture, and fishing. Agribusiness represents 40% of Honduran GDP. Honduras serves as a platform for distribution to the regional markets of Central America, with logistics costs that are among the lowest in the region.35 The U.S. is Honduras’ largest trade and economic partner, accounting for 61% of all imports.36 Honduras is also the fastest growing remittance destination in the region: remittance inflows reportedly represent over a quarter of the country’s GDP, which is equivalent to nearly three-quarters of its exports.37

Despite an increase in the growth levels, Honduras faces the highest level of economic inequality in Latin America, has one of the most unequal distributions of income and resources in the world, and is one of the poorest countries in the world and the second poorest in Central America. Its overall poverty levels increased from 60.0% in 2010 to 64.3% in 2017, and extreme poverty rose from 15% to 16% over the same period. Poverty is particularly high in rural areas,38 and as many as one in three Hondurans experience underemployment.
Out of the ten indicators used to measure the ease of doing business around the world, Honduras received the highest scores for getting credit (85.00 with a high 12th rank), and starting a business (77.06, with a low 154th rank). The lowest scores were recorded for protecting minority investors (41.67, with a rank of 140) and resolving insolvency (32.09, 143rd rank). Scores for other relevant factors showed marginal increases since 2018; dealing with construction permits rose 0.66% from 65.44 to 66.10 DTF, as did access to electricity, which increased by 0.17% from 53.61 to 53.78 DTF.

LEGAL SYSTEM

The legal system in Honduras is based on civil law. The constitution, adopted in 1982 and amended in 2013, is the highest law of the land, prevailing over all laws and regulations. CONST. art 3. Title III of the constitution (122 articles) is devoted to “Declarations, Rights, and Guarantees,” with separate chapters dedicated to “individual rights,” “social rights,” “rights of the child,” “labor,” “social security,” “health,” “education and culture,” and “housing.” Id. arts. 65–181. The constitution also mandated the creation of the National Commissioner of Human Rights. Id. art. 59. There is, however, no constitutional body with an exclusive mandate to protect the rights of women.

In line with a monist tradition, international treaties ratified or otherwise acceded to by Honduras are considered “part of the domestic law as soon as they enter into force” if they comply with the constitution. Id. art. 18. They apply directly and have supremacy over national laws in case of a conflict. Id. Honduras has ratified or acceded to most pertinent treaties adopted under the auspices of the United Nations (UN), the International Labour Organization (ILO), and the OAS, including:

- International Covenant on Civil and Political Rights (ICCPR)
- International Covenant on Economic, Social and Cultural Rights (ICESCR)
- Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)
- Convention on the Rights of the Child (CRC) and its two Optional Protocols
- Convention No. 29 Concerning Forced or Compulsory Labor
- Convention No. 100 Concerning Equal Remuneration for Men and Women Workers for Work of Equal Value
- Convention No. 105 Concerning the Abolition of Forced Labor
- Convention No. 111 Concerning Discrimination in Respect of Employment and Occupation
- Convention No. 182 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor
- American Convention on Human Rights (Pact of San Jose, Costa Rica) and its two Additional Protocols
- Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (Convention of Belem do Pará).

These and other international human rights treaties create legally-binding obligations for states that ratify or accede to them—including Honduras—to respect, protect, and promote women’s rights, prohibit gender-based discrimination, and ensure substantive gender equality.

VULNERABLE POPULATIONS

According to the Inter-American Commission on Human Rights (IACHR), lesbian, gay, bisexual, transgender, and intersex (LGBTI) people, human rights defenders, indigenous peoples, Afro-descendants, children and adolescents, people with disabilities, victims of human trafficking, migrants and their families, and people with medical needs are among the most vulnerable groups in Honduras, facing persistent discrimination, exclusion, and structural violence.
Indigenous and Afro-Descendant Peoples

As noted above, indigenous peoples make up an estimated 7–9% of Honduras’s population. The three main minorities and indigenous peoples are the Lenca, Miskito, and Garifuna. These groups, along with English-speaking Afro-Hondurans, constitute the poorest segments of Honduran society and have limited access to basic services such as health care, sanitation, and education. The Garifuna people, who “have preserved their own cultural forms, organizations, and social and cultural institutions,” constitute a unique ethnic and linguistic group, “whose members share characteristics not found in other sectors of Honduran society, particularly the special relationship with the land they occupied historically, as well as their collective notion of ancestral property.” In addition to socio-economic exclusion, they face persistent racial discrimination and have some of the highest rates of human immunodeficiency virus (HIV), putting the community in a particularly vulnerable situation. The Miskito people, particularly the divers engaged in the seafood industry in the impoverished and remote region of Mosquitia, are also uniquely vulnerable.

About 19% of indigenous people are illiterate, a higher rate than that of the general population (13%). Only about 23% of indigenous populations live in urban areas. Land tenure remains a contested issue, and only about 10% of indigenous peoples have a government-accredited land title.

Honduras is a signatory to the ILO’s 1989 Convention No. 169 Concerning Indigenous and Tribal Peoples in Independent Countries. However, Honduras did not ratify the ILO 1959 Convention No. 107 Concerning the Protection and Integration of Indigenous and Other Tribal and Semi-Tribal Populations in Independent Countries. The Honduran constitution calls for the state to “adopt measures to protect the rights and interests of the indigenous communities in the country, especially of the lands and forests in which they are settled.”

People with Disabilities

Honduras is a party to the UN Convention on the Rights of Persons with Disabilities (CRPD). The constitution does not explicitly prohibit discrimination based on disability or health status, but does include “any other reason
prejudicial to human dignity” as a prohibited ground of discrimination. Id. art. 60. People with disabilities have a constitutional right to social welfare protections if they are unable to obtain remunerated employment. Id. art. 142. Disability-based discrimination is penalized by the Penal Code but, reportedly, “there are no accessible mechanisms for reporting cases” and obtaining redress.57 PENAL CODE art. 321 (adopted 1983, as amended).

Honduras has adopted the following laws and policies to facilitate inclusion of persons with disabilities:58

- **Law on the Rehabilitation of Persons with Disabilities** (Ley de Habilitación y Rehabilitación de la Persona Minusválida) (Decree No. 184-87, adopted 1987), which obligates the state to guarantee rights and ensure equal opportunities for persons with disabilities. The law created the Honduran Institute of Rehabilitation of Handicapped Persons, which was later transferred to the Ministry of Health under the Division of Integral Rehabilitation.

- **Law on the Promotion of Employment for Persons with Disabilities** (Ley de Promoción de Empleos para Personas Minusválidas) (Decree No. 17-91, adopted 1999), which aims to integrate persons with disabilities into the workforce. Among other functions, it establishes hiring quotas and provides for special subsidies and loans to facilitate work for persons with disabilities.

- **Law on Equity and Integral Development for Persons with Disabilities** (Ley de Equidad y Desarrollo Integral Para las Personas Con Discapacidad) (Decree no. 160-2005, adopted 2005), which aims to create an inclusive environment where people with disabilities have equal access to healthcare, education, and other essential services.

- **Law on the Honduran Sign Language** (Ley de la Lengua de Señas Hondureña) (Decree No. 321-2013, adopted 2014).

- **Honduras for All** (Honduras para Todos), which is a presidential initiative commenced in 2016 by the Secretariat of Development and Social Inclusion (Secretaría de Desarrollo e Inclusión Social), to create an integrated system of social protection for people with disabilities, promote their productive inclusion, and empower them to participate in their own development.

The UN Committee on the Rights of Persons with Disabilities has expressed concern that Honduran legislation, public policies, and programs do not comply with the human rights model of disability established by international law. For example, the legislation “does not recognize multiple and intersectional discrimination and does not consider the denial of reasonable accommodation to be a form of discrimination against persons with disabilities (especially persons with intellectual and psychosocial disabilities, children, Afro-Hondurans, women and indigenous people) in areas other than employment.”59 The country also lacks policies and strategies to prevent and punish violence against women and girls with disabilities, which is troubling given the unique vulnerability of Honduran women to physical and psychological ill-treatment, sexual violence, and exploitation, including for the purpose of begging.60 According to the National Federation of Organizations of People with Disabilities of Honduras (La Federación Nacional de Organismos de Personas Con Discapacidad de Honduras), Honduran women with disabilities suffer double discrimination due to the patriarchal nature of the society, and are essentially confined to their homes and families. Yet gender dimensions of disability are not addressed by the state.61

**LGBTI People**

The constitution of Honduras strictly prohibits both marriage and de facto unions between persons of the same sex, as well as recognition of same sex marriages or unions recognized under laws of other countries. Similarly, the constitution bans adoption of children by same sex couples. Id. art. 112, 116. In 2013, Honduras adopted several
amendments to the Penal Code to address bias-motivated crimes based on sexual orientation and gender identity. Nonetheless, violence and discrimination against LGBTI people is rampant, including by security and police forces. Civil society organizations (CSOs) and IACHR report that the Honduran police has used the Law on Police and Social Coexistence (Ley de Policía y de Convivencia Social) (Decree No. 226-2001, adopted 2002)—under which anyone can be arrested for “immoral behavior”—to abuse and arbitrarily detain transgender persons, particularly transgender women. According to the government, the Unit on Deaths with a High Social Impact, part of the Office of the Public Prosecutor for Crimes against Life, is investigating killings of LGBTI people; but, in reality, these crimes tend to go unpunished. Between 2009 and 2017, 277 LGBTI people were killed in Honduras, including 34 killings in 2017.

**Human Rights Defenders**

In 2015, Honduras adopted the Law on the Protection for Human Rights Defenders, Journalists, Social Communicators and Justice Workers (Ley de Protección de Defensores y Defensoras de Derechos Humanos, Periodistas, Comunicadores Sociales y Operadores de Justicia) (Decree No. 34-2015). The law established the National Council for the Protection of Human Rights Defenders and outlined a range of protective measures, including rapid proceedings to protect journalists who face imminent risk of serious injury. Although it is a positive step, Honduras continues to be one of the most dangerous countries in the Americas for activists, especially land rights and environmental activists. Honduran social leaders, journalists, and human rights defenders continue to face persistent attacks, harassment, criminalization, enforced disappearances, torture, and extrajudicial killings perpetrated by state security forces, gangs, and private companies. Front Line Defenders documented the deaths of 64 human rights activists between 2014 and 2017. In 2017, Global Witness estimated even higher figures, noting that “more than 120 people have died since 2010 (…) and it is believed they were murdered by state forces, security guards or hired assassins.” Between 2001 and August 2017, the National Human Rights Commission (Comisionado Nacional de los Derechos Humanos) (CONADEH) recorded the violent deaths of 70 media professionals. In only six of these cases the perpetrator was convicted, meaning that 91% of cases remain unresolved.

In 2016, the UN Committee on the Elimination of Discrimination against Women (UN CEDAW Committee) expressed concern about Honduras’s “increasingly repressive measures, attacks, sexual violence, harassment, intimidation, reprisals and defamation campaigns against women human rights defenders, especially in contexts of land development projects, advocacy for environmental protection and the defense of the human rights of women from indigenous communities and from communities of African descent.” The Committee noted that the Honduran state has not only failed to punish these crimes, but has also resorted to the criminalization of social protest and placing restrictions on the right to peaceful assembly of women human rights defenders.
ANALYSIS

SECTION I: LEGAL AND INSTITUTIONAL FRAMEWORK FOR GENDER EQUALITY

**Factor Statement:** Women are equal with men before the law. The legal and policy framework prohibits discrimination against women and provides for temporary special measures aimed at accelerating the de facto equality between women and men. The state takes all appropriate measures to modify legal, social, and cultural norms based on the idea of the inferiority or the superiority of either gender or on stereotyped roles for women and men. State policies promote women’s civil, political, economic, social, and cultural rights.

**Gender Data**

Global indicators measuring human development illustrate that gender gaps in Honduras are the narrowest in health and education, substantial in economic life, and the widest in political life. Honduran women are likely to live longer and have a considerably lower adult mortality rate than men. However, the maternal mortality ratio of 129 deaths per 100,000 live births is almost double the maternal mortality ratio for the LAC region, and above the global target of less than 70 deaths. The literacy rate is almost identical for females and males (approximately 89%), but women are expected to stay in school slightly longer (10.7 years vs. 9.8 years for men). Women are also more likely to enroll in secondary (48.4%) and tertiary (24.0%) education than men. Nevertheless, female share of graduates in science, mathematics, engineering, manufacturing, and construction at the tertiary level is at a mere 8.6%. Women’s educational attainment does not appear to translate into broader economic benefits; men make considerably more money as women do (due, in part, to a wide gender pay gap) and have significantly higher labor participation rate (approximately 85–87% for males vs. 50–53% for females). Women (77.3%) are more likely to have informal jobs than men (71.1%). Approximately 41% of the female population over the age of 15 hold accounts at financial institutions or with mobile money-service providers (compared to 50% of men), falling below the average for countries in LAC (51.3%) and for lower-middle income countries (53%).

**GLOBAL INSIGHTS**

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<td>Gender Inequality Index (GII) 2017</td>
<td>In 2017, Honduras had a GII score of 0.461 (on a 0 “best”—1 “worst” scale) and was ranked 109 out of 160 countries. In comparison, El Salvador was ranked 91.</td>
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<td>Gender Development Index (GDI) 2018</td>
<td>A GDI value of 0.978 placed Honduras in the GDI group no. 1, which means that its absolute deviation from gender parity in HDI values is less than 2.5%. As such, Honduras is considered a country with “high equality” in HDI achievements.</td>
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<td>Global Gender Gap (GGG) Index 2018</td>
<td>With a score of 0.706 (on a 0.00 “imparity”— 1.00 “parity” scale), Honduras ranked 68 out of 149 countries in the 2018 edition of the WEF’s GGG Index. Broken down by the four thematic dimensions assessed by the index, Honduras received the highest scores for educational achievement (1.000) and the lowest for political empowerment (0.176). The score for economic participation was 0.673—somewhat above average.</td>
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<tr>
<td>Social Institutions and Gender Index (SIGI) 2019</td>
<td>According to the 2019 SIGI, published the Organization for Economic Cooperation and Development (OECD), Honduras has a SIGI value of 23%. While the country has relatively low levels of gender discrimination in terms of civil liberties (15%), women face substantially higher levels of inequality in terms of family discrimination (25%) and physical integrity (25%).</td>
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<tr>
<td>Women, Business and the Law 2019</td>
<td>Honduras had a score of 75 in the 2019 edition of the World Bank’s Women, Business and the Law report, which is marginally above the global average (74.71). Its indicator-level scores were the highest for going places, starting a job, running a business, and managing assets (at 100,</td>
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which is the highest possible score); however, in terms of having children (20), getting paid (50), and getting a pension (50), Honduras’ scores were low. 29

Legal and Policy Framework

The constitution of Honduras provides that all Hondurans are equal before the law and states that all forms of discrimination based on “sex, race, class, or any other reason prejudicial to human dignity” should be punishable under the law. CONST. art. 60. Gender or gender identity are not explicitly mentioned as prohibited grounds of discrimination. In addition, the constitution provides for the legal equality of spouses and guarantees new mothers job security and leave before and after childbirth “without loss of employment or wages.” Id. arts. 112, 128. New mothers are also entitled to a rest period each day for nursing their children. Id. art. 128. The constitution is largely gender neutral, often referring to “every person” or “all Hondurans;” interestingly, the anti-discrimination provision states that “[a]ll men are born free and equal in rights” (emphasis added). The provision then adds that “[t]here are no privileged classes in Honduras” and that “[a]ll Hondurans are equal before the law.” Id. art. 60.

Since ratifying CEDAW in 1980, Honduras has taken several steps to align its legal and institutional frameworks with international women’s rights standards. It has created the National Institute on Women (Instituto Nacional de la Mujer) (INAM) in 1999, passed the Law on Equal Opportunities for Women (2000) and the National Policy on Women (2010), and issued plans for gender equality and equity. The current framework aimed at advancing the status of women consists of the following laws and policies:

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<th>Law on Equal Opportunities for Women (Ley de Igualdad de Oportunidades para la Mujer) (adopted 2000) [hereinafter LIOM]</th>
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<td>LIOM reiterates that women and men are born free and with equal rights. It directs the state to implement the principle of gender equality in all its public policies to end discrimination against women throughout the country. Under the law, spouses have equal rights and the state has an affirmative obligation to promote the distribution of family responsibilities between women and men. In addition, the law provides for equal opportunities for women and men in education, employment (including equal pay), participation and decision-making within power structures, land ownership, and access to credit and housing. Women who are heads of households are entitled to preferential treatment in house financing.</td>
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<td>The plan focuses on six sets of rights, one of which aims at promoting and protecting women’s economic, labor, and employment rights as well as their access to, use, and control of resources. Among other initiatives, the plan envisions strengthening the country’s legal and institutional mechanisms to ensure compliance with ILO’s conventions concerning equal remuneration and discrimination in employment and occupation. The plan also discusses reforming the Labor Code with a gender perspective and features measures aimed at achieving substantive equality in the use and management of natural resources, such as by promoting women’s employment and involvement in production activities and startups related to natural resource use or recycling.</td>
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Notably, the policy on indigenous peoples and Afro-descendants of 2016 requires the state to act affirmatively to promote non-discrimination against indigenous and Afro-descendant women. See PUBLIC POLICY AGAINST RACISM AND DISCRIMINATION FOR INTEGRAL DEVELOPMENT OF INDIGENOUS AND AFRO-HONDURAN PEOPLES (Política Pública contra el Racismo y Discriminación para el Desarrollo Integral de los Pueblos Indígenas y Afrohondureños). In 2012, amendments to the Act on Elections and Political Organizations increased the mandatory quota for women’s political participation from 30 to 40% for elections held in 2013 and required an increase to 50% in subsequent general elections.
Nonetheless, the Honduran legislative framework has some concerning limitations. First, it equates women with minors by restricting the performance of unhealthy or dangerous work to the exclusion of minors under the age of 16 and women. LABOR CODE arts. 92(n), 128 (Código del Trabajo de Honduras) (Decree No. 189-59, adopted 1959, s amended). This reflects a protectionist approach to gender difference, in which women are understood as needing special care and protection, thus reinforcing stereotypical attitudes toward women. Additionally, in spite of substantial Penal Code reforms in 2017, abortion continues to be criminalized under all circumstances. A woman who obtains an abortion could face a penalty of up to six years in jail. Honduras is also reportedly the only country in Latin America where emergency contraception is completely banned.

**Institutional Framework**

Although Honduras has no constitutionally established body to protect women’s rights, the government established INAM in 1999 under the Secretariat of Development and Social Inclusion. See LAW ON THE NATIONAL INSTITUTE FOR WOMEN (Ley del Instituto Nacional de la Mujer) (adopted 1998). INAM is “the central body responsible for the implementation of the country’s obligations with regard to women’s rights, and its gender policy.” Its core objective is to stimulate the full integration of women in the economic, political, and social development of Honduras, including by fostering their economic independence. INAM has “set up a permanent coordination mechanism which included 140 State institutions and ministries” and implemented other measures “to move from policy to practice, in cooperation with civil society.” INAM oversees 298 Municipal Offices for Women across Honduras, which influence and monitor municipal policies, implement municipal gender equality plans, and offer integrated services to women and children through the “single window” system. These offices also serve important access to justice functions, such as the facilitation of labor complaint filings. Additionally, they provide links between local civil society groups and municipal governments, and are useful forums for local women to raise areas of interest or concern.

The National Human Rights Commission (CONADEH) is Honduras’ independent national human rights body, established under the Constitution. CONST. art 59. CONADEH has a substantial presence in all 18 of the country’s departments, and is responsible for accepting, reporting on, and investigating human rights complaints.

The Woman’s City (Ciudad Mujer) program is an innovative women’s empowerment program that originated in El Salvador and was subsequently replicated in other parts of the region. In Honduras, Woman’s City operates two physical centers—one in Tegucigalpa and one in Choloma—and a mobile unit in San Pedro Sula. Reportedly, the government is expected to open new physical centers in San Pedro Sula, La Ceiba, Choluteca, and Juticalpa. These centers consolidate 15 state institutions under one roof and offer a wide range of specialized, holistic, and integrated services to women, including legal consultations. The services are organized into five modules: 1) sexual and reproductive healthcare; 2) comprehensive care for survivors of violence against women (VAW) with free legal aid offered in collaboration with the National Autonomous University of Honduras; 3) strengthening of women’s economic autonomy; 4) community education; and 5) childcare. In addition, Woman’s City has a mobile app and offers personal assistance through a WhatsApp Call Center. Woman’s City serves teenage girls and adult women and coordinates its activities with a wide range of actors including INAM, line ministries, and the private sector.

Finally, there are many non-governmental organizations in Honduras which implement women’s empowerment strategies. For example:

- Collective of Honduran Women (Colectiva de Mujeres Hondureñas) is a grassroots women’s movement which focuses on occupational health, particularly in the labor context.
- Municipal Networks of Women (Redes Municipales de la Mujer) are “networks of community-based women’s groups that work together to advocate for women’s needs at the municipal level.”

10
Situational Analysis

Although Honduras has ratified or acceded to most key international human rights and women’s rights instruments and has a solid domestic legal framework for advancing the status of women, pertinent laws are not always well enforced. In addition, public awareness of these laws appears to be low. Several participants noted that there are laws to protect women, but they were not sure what these laws entail and how they are implemented to improve women’s lives.

National human rights bodies seem to lack the resources required to perform their work efficiently. Although INAM has many long-time employees who have accumulated substantial knowledge and experience in their respective areas of focus, one respondent asserted that it is a “very weak institution.” According to the IACHR, INAM has a small budget and limited political influence. Furthermore, although the decentralization of the Municipal Offices for Women provides them with a level of flexibility needed to accommodate local priorities, it negatively impacts the country’s ability to mainstream national gender equality policies across all regions. Additionally, confusion about roles and responsibilities within these offices decrease their efficacy.

Honduras’ patriarchal culture, poverty, and violence exacerbate adverse conditions for women. In particular, entrenched discriminatory stereotypes concerning the role of men and women in the family and in society pose significant challenges to women’s economic independence and contribute to a culture of impunity for acts of VAW. As a result, economic prospects for women, especially in the formal sector, are extremely limited.
SECTION II: CONFLICT, CRIME, AND VIOLENCE AGAINST WOMEN

Conflict and Crime

Conflict in Honduras is characterized by the prevalence of violence committed by gangs (maras) and other groups linked to international drug trafficking, political unrest, social movements, land conflicts, and violence against social leaders and human rights defenders. Honduras also experiences high levels of corruption, including within the police force and the judiciary, which is a serious impediment to business.101

Crime and violence, often perpetrated by gangs and international criminal networks, have a detrimental impact on Honduras’ business climate, investments, and overall economic growth. They are also a major cause of migration and internal displacement. In 2016, the UN CEDAW committee expressed concern about the situation of children, particularly girls, left behind in Honduras by migrant family members and “about the situation of women in the corridor of drugs and violence along the border region.”102

The government’s response to conflict and crime is coordinated through the National Citizen Security Policy, the Inter-Institutional Security Strategy and Comprehensive Governmental Response to Special Security, and a flagship Safer Municipalities Program, which aims to reduce violence through a combination of the traditional focus on control and enforcement and a new emphasis on prevention. However, institutions responsible for implementing these policies and programs are reportedly too weak to address the problem beyond “short-term and repressive measures to show quick wins.”103 Notably, Honduras has resorted to the militarization of agencies responsible for citizen security, “despite international standards indicating that citizen security should be the exclusive jurisdiction of a civilian police force, one that is respectful of human rights.”104 The IACHR reports that the Honduran army not only actively participates in citizen security responsibilities through specialized forces such as the “military police,” but is also involved in matters related to the civic education and training of children at “social risk” through the “Guardians of the Nation” program. To this end, in 2013, Honduras adopted the Law on Military Police of Public Order (Ley de Policía Militar de Orden Público) and established special hybrid military-police units called Intelligence Troop and Special Security Response Groups (Tropa de Inteligencia y Grupos de Respuesta Especial de Seguridad) (TIGRES).105

GLOBAL INSIGHTS

<table>
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<th>Report</th>
<th>Key Data</th>
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<tr>
<td>Fragile States Index (FSI) 2019</td>
<td>With a score of 77.8 (on a 0 “best”—120 “worst” scale), Honduras ranked 64 out of 178 countries in the 2019 edition of the FSI.106</td>
</tr>
<tr>
<td>Corruption Perceptions Index 2018</td>
<td>A score of 29 (on a 0 “highly corrupt”—100 “very clean” scale) placed the country at 132 out of 180 countries.107</td>
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| Global Corruption Barometer 2018| In 2018, Transparency International reported that although 54% of Honduras surveyed thought the government was doing well in combating corruption, 33% still reported having paid bribes when accessing basic services.108 Among the six key public services accessed in the Global Corruption Barometer of 2018, Honduras had the highest bribery rates for courts (51%+) as well as public schools, hospitals, and institutions issuing
Gang Violence

According to external studies, “[b]etween 1998 and 2005, the United States deported nearly 46,000 convicted felons to Central America, in addition to another 160,000 undocumented immigrants.” Among those deported were individuals that later created the gangs Mara Salvatrucha (MS-13), Barrio 18, the Mau Mau, and the Vatos Locos. Towards the early 2000s, these maras radicalized and turned more violent, using guns as a means to dispute areas of influence. At the same time, the government’s Iron Fist (mano dura) plan led to higher rates of incarceration, which in turn led to more sophisticated organizational strategies by these criminal gangs inside Honduran prisons.

Most territories with little to no government involvement are controlled by Honduras’ two major gangs: MS-13 and Barrio 18. To keep control of territory, gangs recruit teen boys, usually under the threat of death, while teenage girls are pressured to become “girlfriends” of gang members under the threat of rape or murder. High rates of gang recruitment through violent force have contributed to mass migration of Honduran youth, including to the U.S.

During the 1980s, amidst guerrilla warfare in Honduras’ neighboring countries, “Honduras was used as a trampoline for the movement of all types of illicit goods, from drugs to weapons and contraband—even after the wars ended these trafficking routes would remain.” According to the World Bank, “the dismantling of the Cali and Medellín drug cartels in Colombia led to dispersed competition for control of transit routes with a consequent impact on several countries in the region.” Honduras was no exception. In the early 2000s, Mexican cartels increased their operation through distribution channels established along Central America. This strengthened Honduran criminal groups like Los Cachiros and Los Valle, which operate in the northeastern Caribbean coastal department of Colón and the western border province of Copán, respectively.

Both maras, MS-13 and Barrio 18, have a nominal hierarchy. The nature of their operations is primarily horizontal, especially for local leaders of Barrio 18. Both maras “operate mainly in urban areas—the capital Tegucigalpa, the economic hub of San Pedro Sula, and the Caribbean coastal city of La Ceiba—and subsist largely through extortion and local drug dealing.”

- Barrio 18 relies on extortion within their areas of influence, which is turning the population against them. They seek territory as they are looking for more control of the criminal economy; as a result, they tend to clash with security forces that enter their territory. Honduran authorities believe that the battle for the famous "corner" is motivating much of the violence in the areas where both Barrio 18 and MS-13 operate. That said, there is little evidence that Barrio 18 has developed or is developing close relationships with drug trafficking organizations.

- MS-13 has a policy of not resorting to extortion within their own communities. They are dependent on retail selling, and typically do not resist security forces that enter their territory. This difference in their approach compared to that of Barrio 18 could be the basis of their ability to corrupt security forces. Authorities believe that the leaders of the MS-13 in both El Salvador and Honduras have their sights set on becoming a transnational criminal organization, which would result in even greater influence and potential for violence, as well as the perpetuation of corruption and impunity.

- Other cartels are involved in organized crime outside the urban areas of Tegucigalpa, San Pedro Sula, and La Ceiba, especially in rural areas and coastlines. The northeastern regions and islands off the Caribbean coast have been a gateway for drugs from Colombia into Mexico and the U.S. The border region between
Honduras and Guatemala is mostly unmanned, and thus is another area prone to drug trafficking operations.

Recent high-level arrests and extraditions to the U.S. have helped dismantle some major criminal organizations, lessening impunity for violent crimes and VAW. However, local media report that despite these arrests, some of these cartels continue their operations.

**Political Conflict**

In 2009, then President José Manuel Zelaya Rosales attempted to pave the way for his reelection by holding a popular referendum to convene a National Constituent Assembly that would draft a new constitution. The Supreme Court and the Congress of Representatives claimed that the referendum would be illegal and unconstitutional. In June 2009, Zelaya was ousted in a military coup and Roberto Micheletti, president of the National Congress, was named interim President of the Republic. Anti-Zelaya Hondurans took the streets in support of the coup, and Zelaya supporters also started to protest and confront the army on the streets. In response, the police and the military reportedly exercised “increasingly disproportionate and excessive use of force (...) to repress legitimate and peaceful protests across the country.” The military and the police were further accused of committing killings, possible disappearances, sexual violence, and arbitrary detentions. Zelaya supporters also committed violence and vandalism. Criminal groups took advantage of the resulting political turmoil, and levels of corruption rose within the country’s security forces and elite class. Additionally, political violence and instability deepened divisions between an increasingly militarized state and civil society actors that had been mobilizing to resist it.

In November 2017, violence re-erupted over the reelection of President Juan Orlando Hernandez, who first won the general election in 2013. Opponents of President Hernandez, including candidate Salvador Nasralla, denounced the newly-elected leader as a fraud. Protests against the election results were met with “indiscriminate and excessive use of force.” Twenty two civilians and a police officer were killed during the protests. According to the OHCHR, at least 16 of these victims, including 2 women and 2 children, were shot dead by security forces.

**Social Movements and Land Disputes**

Land disputes are a serious problem in Honduras, particularly in the northern Bajo Aguán region. After the Agricultural Modernization Law, passed in 1992, 70% of peasant lands in Bajo Aguán became the property of powerful landowners. The situation worsened in 2009, when the World Bank approved a USD 30 million loan for Dinant Corporation to run plantations in Bajo Aguán. “[F]armer groups argue[d] that the purchases were illegal because they were tricked by their leaders or signed deals they did not understand in other cases.” Consequently, thousands of farmers began to occupy land controlled by the corporation, and thus live their daily lives in fear of eviction and death. Land disputes have particularly negative impacts on women. At the same time, women play a significant role in resisting the rampant land grabbing through advocacy, negotiations, and demands for the recognition of their right to own land. Oftentimes, women participating in these resistance efforts are stigmatized by their community.

**Root Causes and Nature of Conflict**

Inequality and poverty are significant drivers of conflict in Honduras. By comparing the rural and urban poverty gaps of Honduras with those of other countries in the region, the magnitude of the problem becomes clearer. In 2014, the urban poverty gap at national poverty lines was 47.7% for Honduras, while the same gap was considerably lower in in Bolivia (10.5%), Colombia (9.1%), Costa Rica (7.5%), and Peru (3.3%). In that same year, the rural poverty gap was 51.1% for Honduras, and 30.5%, 16.6%, 12.3%, and 13.7% for those same countries, respectively.
Precarious working conditions and high unemployment rates contribute to gang participation. Youth unemployment, in particular, “is consistently cited in citizen perception surveys as a motive for joining both rebel movements and urban gangs.” In turn, high rates of gang participation exacerbate violence within communities and VAW. According to the Economic Commission for Latin America and the Caribbean (ECLAC), the national unemployment rate was 8.7% in 2017. This figure dropped to 6.7% in 2018; however, the underemployment rate in 2012—the most recent year for which data is available—was 54.1%. Employment in the informal sectors as a percentage of total non-agricultural employment increased from 61.9% in 2007 to 73.8% in 2016. Between the average monthly income of USD 120 and the fact that most Hondurans work in the informal sector where labor protections are minimal, the Honduran labor market has created a system that only benefits elite minorities with powerful political and economic ties. While most countries in the region have become middle class heavy, the middle class in Honduras has not grown in over a decade and is the smallest in the region.

Honduras also suffers from widespread impunity for crime and weak governance, which further perpetuate corruption, extortion, and violence. Prosecutors in Honduras have provided a range of explanations for the lack of investigations into violent crime: a dearth of personnel and critical resources, resistance from police to carrying out investigations, and distrust from witnesses. While these obstacles pose a real impediment to investigations, in 2014 Human Rights Watch found that in the vast majority of cases, police did not perform even the most basic investigative steps necessary to identifying suspects and bringing them to justice. Notably, many of the guns used in crimes come from Honduran military and police stockpiles, confirming that “where states, markets, and social institutions fail to provide basic security, justice, and economic opportunities for citizens, conflict can escalate.”

Impacts of Conflict and Crime

- **Violence and insecurity.** In some areas of Honduras, primarily in urban centers and surrounding villages (e.g., Tegucigalpa, San Pedro Sula, and Chamelecón), women are significantly impacted by high levels of insecurity and the “war tax” (impuesto de guerra) charged by gangs. Several interviewees stated that rural areas are less affected by these dynamics. Trafficking in persons is also a significant problem that particularly impacts impoverished women and children. Often, they are tricked or forced into commercial sexual exploitation or servitude, either through gang involvement or because they are fleeing other forms of violence. They are frequently deceived by false promises of well-paying jobs in service sectors and the maquila industry, but then are forced to work under inhumane conditions and threats of incarceration, physical and emotional abuse, and violence.

- **Economic impacts.** According to one interviewee, the political conflict following the highly contested presidential elections in 2017 has had a highly detrimental impact on development activities in Honduras, in part because the funds were frozen for some time, which “paralyzed all activity.” Reportedly, small and medium enterprises (SMEs) pay roughly USD 200 million in extortion fees to the maras annually. Gang competition for territory, coupled with gang and organized crime influence in business and politics, create further economic inequality across the country.

“*The maras or gangs are a problem because their activities practically destroy women’s companies and enterprises. Gangs pressure women through extortion. Many women fear for their lives and they have to [migrate] to protect their lives and their families.*”

Interviewee
**Gender Dynamics of Conflict**

Although poverty, conflict, and marginality affect everyone in the country, these conditions impact women and men differently, highlighting the need to apply a gender lens to conflict analysis. Both women and men are robbed, extorted, and killed. However, women suffer qualitatively different and more extreme forms of brutality, including femicide and sexual violence.

In Honduras, gangs allow women to join and move up in gangs, which is not the case in other Northern Triangle countries. While women who are gang-involved are often victims of sexual violence, they also take part in gang activity. There are projects to prevent women’s involvement in gangs, but interviewees report that the impact of these interventions is low because it is difficult to address this problem.

Focus groups with clients and non-clients of the MFIs in Honduras revealed that attitudes of machismo and intolerance drive violent conflict.

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**FOCUS GROUP INSIGHTS: PERCEPTIONS OF CONFLICT**

Focus groups with MFI clients and non-clients revealed that men and women, both clients and non-clients, had different perceptions of the nature and impact of the conflict in Honduras. When asked about roles men and women play in the conflict and the influence they possess, the majority of non-clients (female and male) described women as being more passive. Women (both clients and non-clients) and male clients (in both urban and rural areas) believed men had more influence. When asked about the effects of conflict, male clients and non-clients cited the diminishing of business. An environment of fear also ranked high among client men, followed by insecurity. The majority of non-client women cited emotional and psychological damage as an outcome of the conflict. This response was not as common among women clients, who mostly noted diminishing business and an environment of fear.

The problem of gangs is complex and often starts at an early age at home, particularly in families pulled apart by migration and other reasons. Many young people leave school, enter the streets, and join the gangs to make easy money and gain power. Given their anger and resentment, they subsequently abuse their own families, causing the cycle of violence to become even more persistent. Violence and the environment of fear cause emotional and psychological damage and have a detrimental impact on the business climate. Participants emphasized the inhibiting nature of extortion, particularly the infamous “war tax.” “War tax” is an expensive payment that gangs demand from business owners, essentially forcing them to share profits and hindering their growth and stability. If entrepreneurs refuse pay, they put themselves and their families at risk of being killed. In fact, many microentrepreneurs opt to close their businesses, preferring to live a simpler but more peaceful life. One particularity is that gang members have the market objective of attacking small and medium-sized businesses rather than large ones, with the goal of subjugating those that have less power to react. Some discussants remarked that men suffer from the presence of gangs more than women, because they are more likely to establish businesses and be stronger (and perhaps more profitable) businesspersons. Women suffer less by not establishing businesses as frequently. Alternately, some women look for safer areas to sell their products, but this too presents challenges because they have limited access to safe transportation.

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*Machismo* is a particular brand of Latin American patriarchy rooted the culture of male dominance, which dictates that a man’s responsibility is to provide for, protect, and defend his family, and a woman’s responsibility is to take care of him and their family. Machismo has also been defined as “a particularly aggressive manifestation of patriarchy characterized by hypermasculinity (...). [M]achismo has been described as ‘an understanding of accepted masculine behavior ... which emphasizes control, physical force and the treatment of women as possessions lacking rights of their own.” See Karen Musalo, *El Salvador—A Peace Worse Than War: Violence, Gender, and Failed Legal Response*, 30 *Yale J.L. & Feminism* 3 at 11–12 (2018).
Implications of Conflict for Programming

The contemporary conflict in Honduras is complex and its nuances, including gender dynamics and perceptions of conflict, need to be considered when addressing conflict and implementing women’s empowerment interventions.

- Conflict, violence, and crime have a unique impact on women’s ability to succeed in their personal and professional lives.

- Men and women understand, experience, and view conflict differently. It is vital to design specific interventions to address the different concerns held by women and men.

- Women and men in rural areas identified a lack of information as a key driver of conflicts related to land rights. There needs to be a concerted effort to craft programming that specifically addresses the needs of rural communities.

- Honduran gang activity has substantial connections to transnational crime networks and cartels. Interventions should take into consideration the broader implications of organized crime.

Violence against Women

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<tr>
<th>Law against Domestic Violence (Ley contra la Violencia Domestica con sus Reformas) (adopted 1996, as amended 2005) [hereinafter LVD]</th>
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<tr>
<td>The LVD uses a broad definition of violence that includes psychological, sexual, patrimonial, and economic violence. LVD art. 5. The law introduces the concept of protective orders, outlines several security measures that may be imposed by courts, and provides that if a protective order is issued, the perpetrator may not possess weapons. Id. art. 6. Although the LVD does not criminalize specific acts that would constitute domestic violence, it does criminalize violations of protective orders. Id. art. 7. However, the penalties for protective order violations do not appear to include jail time. Id. art. 7. Although the LVD itself appears to envision mediation as a possible means of dispute resolution for domestic violence, mediation is prohibited under the Honduran Criminal Procedure Code. CRIMINAL PROCEDURE CODE art. 45 (Código de procedimiento penal) (adopted 1999, as amended).</td>
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<tr>
<th>Penal Code (Código Penal) (adopted 1983, as amended)</th>
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<td>The LVD does not criminalize domestic violence, but amendments to the Penal Code impose criminal sanctions on intrafamilial violence. PENAL CODE arts. 179-A-B. Specifically, the Penal Code prohibits force, intimidation, or persecution in order to cause physical or emotional harm or damage to property against spouses, ex-spouses, a person with whom one has a child in common, or a person with whom one “lives or has maintained a concubinary relationship.” Id. art. 179-A. The penalty for such an offense is 1–3 years in prison. Although the law criminalizes rape as a public crime, it “does not grant the same status to spousal rape, which is evaluated on a case-by-case basis.” Id. art. 140–43.</td>
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The 2013 amendments to the Penal Code established the crime of femicide, defined as a man’s act of killing a woman because of her gender, committed with “hatred and disdain” for her because she is a woman. Id. art. 118-A. In addition to the mens rea requirement, the act of killing a woman will not be considered femicide unless there is a sentimental relationship (regardless of cohabitation), a history of intrafamilial violence, a death that occurs during sexual violence, or commission with malice. Id. The penalty for femicide is 30–40 years’ imprisonment. In spite of these heavy penalties, the elements required to support a conviction are difficult to prove; even where evidence of the predicate acts is available, it is challenging to prove a defendant’s state of mind.150
Honduras has one of the highest rates of VAW in the world. According to an external study, the femicide rate in 2015 was 10.9 femicides per 100,000 women.\textsuperscript{152} Between 2006 and 2016, approximately 4,787 women died in violent circumstances and 389 were killed in 2017 alone.\textsuperscript{153}

### Legal and Policy Framework

Honduras has made efforts to create a legal and policy framework for addressing VAW. However, there are gaps in the legal framework itself, and funding is insufficient to ensure adequate enforcement. INAM has been working with CSOs to draft a comprehensive law on preventing violence against women;\textsuperscript{154} however, the current status of this legislation is unknown.\textsuperscript{151} Additionally, Honduras has completely banned child marriages under the age of eighteen.\textsuperscript{155}

### Institutional Framework

The government of Honduras has taken the following actions to execute its obligations under the legal and policy framework addressing VAW:

- **Honduras has created the National Interinstitutional Commission for the Follow-up to Investigations of Violent Deaths of Women.**\textsuperscript{156} In addition, some “[i]nstitutional protocols had been set up, particularly in the police and the judiciary, concerning the follow-up of cases of violence against women and follow-up of cases of violent deaths of women.”\textsuperscript{157}

- **Honduras has created a Service Center for the Protection of Women’s Rights (Centro de Atención de los Derechos de las Mujeres) (CAPRODEM) in Tegucigalpa.**\textsuperscript{158} CAPRODEM is a comprehensive care unit that provides legal assistance to victims of domestic and intrafamilial violence, and also conducts forensic exams and provides psychological and social assistance.\textsuperscript{159} It is anticipated that the CAPRODEM project will be replicated elsewhere in Honduras.\textsuperscript{160}

- **Honduras has set up Observatories for Coexistence and Security** “to help decision making to prevent and reduce violence in 30 municipalities at a high risk of violence, where municipal action plans for the eradication of violence against women had also been created.”\textsuperscript{161}
• As of 2016, Honduras had at least 64 institutions and centers providing care to victims of VAW, including shelters run by CSOs and municipal authorities.\textsuperscript{162}

Despite this institutional framework, both the UN CEDAW Committee and the IACHR have noted that there are issues with resource allocation in the government’s efforts to combat VAW. Further, not all judicial procedures have protocols to address VAW,\textsuperscript{163} resulting in judicial ineffectiveness in VAW cases, which “creates a climate conducive to violence and discrimination against women.”\textsuperscript{164} Similarly, although the Public Prosecutor’s Office created a special unit for the investigation of women’s violent deaths and femicide, the IACHR noted that this office is seriously understaffed.\textsuperscript{165} Further, prosecutors in the unit are reportedly not trained to investigate crimes with a gender perspective.\textsuperscript{166}

For these and other reasons, many women are unwilling to report acts of VAW\textsuperscript{167} and even when they do, most of the violent crimes against them go unpunished. In 2013, there were over 600 open cases of femicide, and in 2015, the IACHR observed a 95% impunity rate for VAW.\textsuperscript{168} Experts have attributed these high impunity levels in Honduras to socio-economic inequity and an “unspoken cultural acceptance of violence against women.”\textsuperscript{169} In addition, many victims “withdraw their complaint because they lack financial resources, fear reprisals, feel ashamed or are afraid of what their family, friends and the general public will say.”\textsuperscript{170} A lack of state resources for the protection of victims and “close collaborations between state authorities and members of criminal groups” further decrease the likelihood of reporting.\textsuperscript{171} As a result, Honduras is “one of the most dangerous places to be a woman.”\textsuperscript{172}
SECTION III: LEGAL AUTONOMY AND ABILITY TO TRANSACT

**Factor Statement:** Women’s legal capacity is identical to that of men and women have the same opportunities to exercise that capacity. In particular, women have the power and agency to independently, and on an equal basis with men, make and act on decisions, conclude contracts, perform transactions, and interact with public and private institutions. Women enjoy freedom of movement, can make autonomous choices about where and how to live, and have meaningful voice in the processes that shape their families, businesses, communities, nations, and international affairs.

**Legal Identity and Capacity**

The constitution prohibits the imposition of sex-based restrictions on the exercise of civil rights and guarantees spousal equality. CONST. arts. 60, 112. Legal age is acquired by individuals when they turn 21 years old, regardless of their gender. FAMILY CODE art. 16 (Código de Familia) (adopted 1984, as amended). Minors over the age of 18 are permitted to engage in acts of commerce if they have been emancipated, or if they are acting under the authority of their parents or legal guardians. However, such authorizations must be recorded in the Public Registry of Commerce. COMMERCIAL CODE OF HONDURAS art. 6 (Código de Comercio) (adopted 1950); CIVIL CODE art. 269 (Código Civil) (adopted 1906, as amended).

The Law on the National Registry of Persons established the National Registry of Persons, which is the central authority in charge of issuing National Identity Cards (Tarjeta de Identidad). LAW ON THE NATIONAL REGISTRY OF PERSONS art. 27 (Ley del Registro Nacional de Personas) (adopted 2004). The identity card is an official and mandatory document which allows Honduran citizens to exercise their political and socioeconomic rights. Id. art. 88. It is issued free of charge to all persons registered in the National Registry of Persons who are over the age of 18. Id. arts. 37, 88. There do not appear to be any restrictions regarding women’s ability to obtain identity documents or register with the National Registry of Persons.

Either a mother or a father may register the birth of their child. Id. art. 55. If a parent is not available to register a child’s birth, their legal representatives, relatives who share their home and have knowledge of the birth, the individual(s) who attended the delivery, or a representative of the care institution responsible for custody of the newborn may do so. Id. The National Registry of Persons works with its mobile units to ensure the birth registration of all newborns. In addition, the government has set up a task force to facilitate the access of returning migrants to services delivered by the state, including birth registration and issuance of identity documents.173 In 2016, the UN CEDAW Committee commended Honduras for its efforts to register births, but expressed concern about “the persisting barriers to birth registration, especially in rural areas and among indigenous communities and communities of African descent,” and about “the lack of information provided on the steps taken to ensure that children in border areas and children in a migratory situation, including unaccompanied children participating in return programmes, have access to birth registration and personal documents.”174

Both men and women can confer Honduran citizenship to their children. CONST. art. 23. Honduran citizenship is acquired at birth if either parent carries Honduran citizenship or if the child is born within Honduran territory. Furthermore, both men and women who are Hondurans by birth (rather than by naturalization) may pass Honduran citizenship to their spouses. CONST. art. 24(6).

**Family Life**

Under Honduran law, women and men who have reached 18 years of age can enter into marriage freely without any gendered distinctions, which had existed in the case of minors before the country banned child marriage under any circumstances in 2017. See FAMILY CODE arts. 16–17. In Honduras, spouses are equal under the law, and women and men have equal rights to enter into marriage and initiate divorce. CONST. art. 112; FAMILY CODE, arts. 2, 11, 40,
The Family Code provides that spouses must treat each other with consideration and respect. FAMILY CODE art. 41. Further, both spouses can be heads of households, both have equal responsibilities with respect to childcare and housework, and both share the responsibility for financially maintaining their family in accordance with their economic capacity. Id. art. 42. If one spouse contributes exclusively through homemaking and childcare, the other must take care of financial maintenance of the family, although this does not absolve the income-generating spouse of household obligations. Id. Each spouse has preferential rights to the other’s salary for amounts necessary to maintain themselves and their children. Id. art. 44.

The Family Code recognizes and protects non-matrimonial unions, but property and inheritance rights attached to such unions can only be claimed if the union is registered before a notary, the Mayor of the Central District, and the Municipal Mayor. FAMILY CODE art. 49. Same-sex couples are not permitted to marry or register their unions.175

Study participants reported that Honduran women suffer from major inequalities that stem from cultural norms and power imbalances within households. Although women are ostensibly entitled to their own earnings, many men confiscate income generated by their wives. VAW, specifically domestic violence, then arises if women do not deliver the money. Because women are traditionally considered to be primary homemakers and caregivers, they reportedly have very little time for rest and leisure activities. Interviewees noted that there needs to be greater sharing of household duties between men and women. Furthermore, limited access to sexual and reproductive health education and services negatively impacts women’s economic autonomy. Honduras reportedly has high rates of adolescent and single motherhood, and young and single mothers are often abandoned by their parents and have difficulties obtaining child support.

Public Life

The constitution guarantees every person the right to enter, leave, remain, and move freely within the national territory of Honduras. CONST. art. 81. Additionally, no person may be compelled to change their residence, unless provided by law. Id. Honduran citizens have a duty to exercise the right to vote and women and men have an equal right to vote and stand for elections. Id. art. 40. The Law on Elections and Political Organizations requires political parties to “create the material conditions that allow the real incorporation of women into all aspects of party life.” LAW ON ELECTIONS AND POLITICAL ORGANIZATIONS art. 103 (Ley Electoral y de las Organizaciones Políticas) (adopted 2004, as amended 2012). To that end, political parties that discriminate on the basis of gender may suffer sanctions. Furthermore, the law imposed a 30% quota requirement for women’s political participation. Id. art. 105. This quota requirement was increased to 50% for the 2017 elections.176

Despite these legal provisions, there is no gender parity in Honduran political life. Women—especially those from marginalized and disadvantaged groups—“remain significantly underrepresented in all areas of political and public life.”177 Because of lengthy delays in implementing amendments to the Law on Elections and Political Organizations, women have not been effectively included in the most recent national elections.178 In 2018, women held 27 of 128 seats in the country’s unicameral National Congress. In 2019, Honduras held the 94th rank out of 193 countries in the Inter-Parliamentary Union’s world classification of women in national parliaments.179 Reportedly, women are even less represented in municipal governments, with only 6.3% of municipal seats being filled by women. Interviewees observed that women are similarly excluded from leadership and decision-making positions in the private sector, although some private companies have made commitments to hire women in the southern part of the country.
SECTION IV: BUSINESS AND COMMERCE

Starting and Growing a Business

Pursuant to the constitution, “[t]he state recognizes, guarantees, and promotes freedom of consumption, savings, investment, employment, initiative, commerce, industry, contract, [and] business” unless “the exercise of these freedoms [is] contrary to the social interest or harmful to morals, health, or public security.” CONST. art. 331. Commercial companies are under the control and supervision of an Office of the Superintendent of Companies. Id. art. 334. Small-scale industry and commerce are within the purview of Honduran nationals and benefit from the special protection of the law. Id. art. 337. The constitution recognizes and promotes the establishment of cooperatives. Id. arts. 334, 338.

According to the Commercial Code of Honduras, which is gender-neutral, anyone of legal age (i.e., 21 or older) can perform acts of commerce. These acts can also be performed by minors between 18 and 21 years of age who have been emancipated or received authorization from their guardians. COMMERCIAL CODE art. 6; CIVIL CODE art. 269. Starting a formal business requires registration of the company with the Public Commercial Registry Office, obtaining a Taxpayer’s Identification Number, and receiving an operating permit from the municipal authorities, among other procedures.180 Business formalization is also governed by several special laws, including the Law on the Protection, Benefits, and Regularization of the Informal Activity (Ley para la Protección de Beneficios y Regularización de Actividad Informal) (adopted 2014) and the Law on the Generation of Employment, Promotion of Business Initiatives, and Protection of the Rights of Investors (Ley para la Generación de Empleo, fomento a la Iniciativa Empresarial, Formalización de Negocios y Protección a los derechos de los Inversionistas) (adopted 2014). The latter enables e-registration through the portal “My Company Online” (Mi Empresa en Línea).181

The Law on Administrative Simplification, which reformed several articles of the Commercial Code, calls for the simplification and streamlining of administrative procedures in business and other matters to create a favorable and competitive climate for investment. LAW ON ADMINISTRATIVE SIMPLIFICATION arts. 1, 8–9 (Ley de Simplificación Administrativa) (adopted 2002).

Further, the Law on the Social Sector of the Economy aims to harmonize the social and economic development of Honduras in accordance with the principles of productive efficiency, social justice in the distribution of wealth and national income, and democratic and harmonious coexistence of diverse forms of property and enterprises. LAW ON THE SOCIAL SECTOR OF THE ECONOMY art. 1 (Ley del Sector Social de la Economía) (adopted 1985). Under this law, the Directorate of the Social Sector of the Economy (Dirección General del Sector Social de la Economía), under the Ministry of Economic Development, facilitates the development of social enterprises (e.g., rural savings banks) through streamlined registration procedures, technical advice, training, access to financing, and the establishment of strategic alliances among public and private institutions and cooperation agencies.182 This work is supported by the Honduran Council of the Social Sector of the Economy (Consejo Hondureño del Sector Social de la Economía) established in 2001.183

Finally, the Law on Cooperatives (Ley de Cooperativas de Honduras) (adopted 1987, as amended 2013) regulates and promotes cooperatives as institutions which strive to bring economic development to Honduras. According to one respondent, this law has a gender perspective because Honduran women are very active in cooperatives; in fact, “it’s a women’s field.” The implementation of the law is vested in the National Supervising Council for
Cooperatives (Consejo Nacional Supervisor de Cooperativas), which is mandated to oversee all cooperative institutions in the country and provide services that respond to their needs.

Gender Profile of the Private Sector

The legal requirements and procedures for the establishment and operation of enterprises in Honduras are the same for women and men. There are no existing legal barriers that limit a woman’s ability to secure necessary permits, licenses, and authorizations for business operations.

GLOBAL INSIGHTS

<table>
<thead>
<tr>
<th>Report</th>
<th>Key Data</th>
</tr>
</thead>
<tbody>
<tr>
<td>Enterprise Survey 2016</td>
<td>The World Bank’s 2016 Enterprise Survey found that women constitute 33% of employees in Honduras’s formal small, medium, and large private firms outside of the agricultural sector. Only 28% of these firms have women among their top managers and 55% of them have women participating in firm ownership. The last two percentages are higher than equivalent percentages for the LAC region and for economies with similar lower-middle income level, but still indicate a low level of female inclusion in the country’s formal economic activity. 184</td>
</tr>
<tr>
<td>Doing Business 2019</td>
<td>Honduras received a 77.06 DTF score and rather low 155th rank for starting a business in the World Bank’s Doing Business 2019 report. It takes approximately 13 days and 11 procedures to start up and formally operate a private limited liability company in Honduras’ capital Tegucigalpa, which is relatively short in comparison to the regional average in LAC (28.5 days). There is no paid-in minimum capital requirement. The procedures, timeline, and costs of starting a business in Honduras are identical for women and men. The same is true for other relevant procedures, such as getting construction permits and electricity or registering property. Accordingly, Honduran women are not required to obtain any gender-specific authorizations that could impact the registration or operations of their companies. 185</td>
</tr>
</tbody>
</table>

Key Barriers to Entrepreneurship

Despite solid legal protections and guarantees of equality, Honduran women face an array of practical barriers to entrepreneurship, which were discussed in detail by study participants. These barriers can be classified into the following categories: structural, relational, material, personal, cognitive, and perceptive. Interviewees and focus group discussants emphasized that the business environment in Honduras is complex and challenging for women and men alike due to government corruption, bureaucracy, and high levels of crime and insecurity. However, women’s experiences are often gendered, resulting in an uneven playing ground for current and aspiring female entrepreneurs.

Structural Barriers

- **Policy gaps and silences.** Study participants did not identify any formal legal restrictions that would limit women’s ability to launch and grow a business. They did, however, observe persistent policy gaps and silences exacerbating gender inequality in Honduras. The government has not adequately enforced laws that guarantee equality between women and men, and 86% of interviewed business association leaders mentioned lax implementation of laws and policies as a major or debilitating barrier to female entrepreneurship. Women face discrimination in many facets of life, and there is reportedly a lack of political will to address it. Nearly half of interviewed business association leaders believed that this is the

> “Government doesn’t help us. They don’t create good policies.”

Female entrepreneur
most significant barrier to female entrepreneurship (followed by a lack of access to finance and corruption combined with insecurity). Study participants also asserted that laws and policies fail to account for the multifaceted nature of women’s lives and work, in particular their unpaid caretaking burdens, limited mobility, and GBV. Study participants further noted that women face a more hostile business environment than men because of the pervasive nature of sexism and machismo which permeates Hondurans’ private and public lives. The need to work with men on gender equality issues was also brought up.

• **Formalization challenges.** All interviewed business association leaders agreed that government corruption is a pervasive problem in Honduras and a major or debilitating barrier for women entrepreneurs seeking to formalize their businesses. This was closely followed by cumbersome regulations, bureaucratic incompetence, red tape, crime, insecurity, and a lack of access to finance and electricity. Focus group participants also noted that taxes posed survival problems for MSMEs. The majority of association leaders stressed that assisting women in starting a new business and gaining stability constitutes a very large need.

• **Informality.** Because of the policy silences and lack of support with business formalization mentioned above, many women-owned businesses remain trapped in informality. The costs of remaining in the informal sector include the payment of fines upon detection, inability to access public goods and services provided by the government (including the justice system), insecurity over the rights of ownership of capital and products, a lack of collateral, and higher costs of accessing credit. Most business association leaders agreed that helping women move from the informal to the formal sector is either a very large or large need.

• **Insecurity and crime.** Honduran women and their businesses are adversely affected by insecurity and crime, including GBV, gang violence, and extortion (“war tax”). Because women face significant personal safety threats in public spaces (including public transportation), they have difficulty operating public-facing businesses and accessing business opportunities that require greater mobility. As a result, many feel compelled to close their businesses and/or migrate in order to protect their lives and their families. Crime, disorder, insecurity, and impunity were mentioned as major or debilitating barriers to female entrepreneurship by 86% of interviewed business association leaders.

**Relational Barriers**

• **Sociocultural norms.** Focus group participants found machismo to be one of the most inhibiting barriers to female entrepreneurship, next to limited access to economic resources (especially finance) and a lack of knowledge and training. Sexism and machismo are persistent in Honduras. Although machismo is most frequently cited in the context of intrafamily violence and unequal power dynamics within households, it also emerged as a major challenge for women in their public and business lives. Study participants stressed that machismo affects women’s business relationships with vendors, suppliers, and peer entrepreneurs. Women are often discounted in their business roles for non-business reasons, not taken seriously, and treated unequally. This includes sexual harassment and sextortion, i.e., demands for sex in exchange for access to business services and financing. Some participants stated that men’s resistance to progress toward gender equality has led to more machismo,
particularly in urban areas of Honduras. Interestingly, many male focus group participants recognized that women’s empowerment is key to community development and improving the quality of life. Yet, men feel the need to control women and keep them at home. These findings suggest that working with men on gender equality issues is critical.

Material Barriers

• **Limited access to finance.** Interviewees and focus group participants stressed that limited access to economic resources, especially finance, is a gendered problem and one of the most significant barriers to business in Honduras. Women often lack assets to guarantee loans and many are compelled to use family resources to finance their enterprises. High interest rates, bad customer service, inconvenient hours of operation, and cumbersome documentation required by banks were also mentioned as major issues. Even seemingly neutral bank policies can have a gendered impact. For example, one business association leader noted that “banks have reduced their support for rural loans, which benefit women.” Further, women-owned SMEs face a finance-oriented policy gap because they are too large for microfinance and too small to benefit from investors and bank loans. These findings illustrate a dire need both for a greater diversity of financial products tailored to the unique needs of women and for policy reforms stimulating greater financial inclusion of women, which would allow them to expand their businesses, go beyond subsistence living, and even create jobs in their communities.

• **Limited access to productive resources.** Study participants discussed limited access to material resources primarily in the context of collateral. Further, a lack of access to electricity was noted as a major barrier by six out of seven interviewed association leaders. Only about half of the association leaders flagged a lack of access to land as major or debilitating barrier.

Personal Barriers

• **Limited access to support services.** For cultural and religious reasons, families and society at large see women primarily as wives, mothers, and caregivers, and are more likely to invest in men and boys who are, or wish to become, business owners. Single mothers and young pregnant women are particularly disadvantaged and discriminated against, including by educational institutions. They often lack access to child support and employment opportunities. The government reportedly does not address these issues, even in terms of preventing unwanted pregnancies through sex education, which is not a part of school curricula. One interviewee emphasized that many women have a double or triple workday, which is exhausting. Therefore, interventions aimed at empowering women economically should contemplate the need for leisure and rest.

Cognitive Barriers

• **Poor education and occupational segregation.** Sociocultural norms dictate Honduran women to pursue education and work only in certain sectors, such as food or textile industry. Several interviewees emphasized that it is important to break these prevailing patterns by providing women with more diverse training and economic opportunities to that they can pursue careers in fields traditionally dominated by men, such as engineering, sciences, or construction.

“*We are asking and asking for financing. They said no because we need a guarantee.*”
Female entrepreneur

“*What does the National Vocational Training Institute offer to women? Crafts! It cannot be! All women are doing crafts!*”
Interviewee
• **Limited access to training and mentoring.** Participants in all focus groups felt that the lack of business education is one of the key barriers to entrepreneurship. Women entrepreneurs noted that they have to learn by doing and they would welcome business skills training, mentoring, and business association member services (e.g., business fairs and networking events) to support growth of their businesses and help them identify new opportunities. These services need to be women-friendly in terms of logistics and the type of training, offer child care, and be provided at no or low cost. At least some of the trainings should also be sector-specific. Most association leaders perceived businesswomen to have equal or greater entrepreneurial skills than businessmen, but the overwhelming majority felt that women are less likely to have awareness of business opportunities, membership in business associations, or access to bank financing. A majority of association leaders also observed that women entrepreneurs are less likely to take risks or have access to investors. Of course, these perceptions are largely limited to women entrepreneurs who interact, in some ways, with business associations. Therefore, these findings cannot be generalized.

**Perceptive Barriers**

• **Low self-esteem and motivation.** Study participants noted that machismo and the environment of fear have a detrimental impact on women's self-esteem. In this context, one association leader brought up the murder of a prominent Honduran feminist, environmental rights activist, and leader of the indigenous Lenca people Berta Cáceres in 2016, which resulted in widespread protests and is considered emblematic of the impunity for VAW in Honduras. Another leader asserted that it is difficult to recruit female members to business associations because they are “indifferent” and they have “no motivation to be part of the chambers.” Notably, women who participated in the focus group with MSME owners appeared to have considerable confidence, “entrepreneurial mindset,” and passion for their business ideas. They thought they had better skills than their male peers. They were enthusiastic about discussing entrepreneurship in a setting with other businesswomen and some brought their products to share. Yet it was clear that they faced gendered barriers, which placed their businesses at a market disadvantage. They all admitted that women’s low self-esteem is one of the most inhibiting barriers to starting or growing businesses in Honduras.

• **Risk aversion.** Study participants perceived businesswomen to be less likely to take risks than businessmen. However, similarly to the finding about low self-esteem, this appears to be interrelated with structural and relational barriers discussed above.

**INSIGHTS FROM BUSINESS ASSOCIATION LEADERS**

**FIGURE 1:** What are the major or debilitating barriers to business?

<table>
<thead>
<tr>
<th>Major or Debilitating Barriers</th>
<th>Percentage of Business Association Leaders</th>
</tr>
</thead>
<tbody>
<tr>
<td>Government corruption</td>
<td>100%</td>
</tr>
<tr>
<td>Cumbersome regulations, bureaucracy, red tape</td>
<td></td>
</tr>
<tr>
<td>Lax implementation of laws and policies</td>
<td></td>
</tr>
<tr>
<td>Crime, disorder, insecurity, impunity</td>
<td>86%</td>
</tr>
<tr>
<td>Lack of access to finance</td>
<td></td>
</tr>
<tr>
<td>Lack of access to electricity</td>
<td></td>
</tr>
<tr>
<td>Lack of access to land</td>
<td>40%</td>
</tr>
</tbody>
</table>
FIGURE 2: What is the most significant barrier to business?

<table>
<thead>
<tr>
<th>Most Significant Barrier</th>
<th>Percentage of Business Association Leaders</th>
</tr>
</thead>
<tbody>
<tr>
<td>Discrimination against women and lack of political will to address it</td>
<td>43%</td>
</tr>
<tr>
<td>Lack of access to finance</td>
<td></td>
</tr>
<tr>
<td>Government corruption combined with insecurity</td>
<td>29%</td>
</tr>
</tbody>
</table>

FOCUS GROUP INSIGHTS

Focus Groups with Women MSME Owners

Women MSME owners argued that the four top barriers to entrepreneurship were gendered and included a lack of access to financing, age discrimination, machismo, and low self-esteem. They also discussed insecurity, government corruption, taxation, bureaucracy, red tape, and a lack of access to land.

FIGURE 3: Which barriers are most inhibiting to starting or growing businesses in Honduras?

<table>
<thead>
<tr>
<th>Barriers</th>
<th>Rating (No. of Participants)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lack of access to financing</td>
<td>High (8) [100%]</td>
</tr>
<tr>
<td>Machismo</td>
<td>High (8)</td>
</tr>
<tr>
<td>Age discrimination</td>
<td>High (8)</td>
</tr>
<tr>
<td>Low self-esteem</td>
<td>High (8)</td>
</tr>
<tr>
<td>Lack of access to land</td>
<td>High (7) [Medium (1)]</td>
</tr>
<tr>
<td>Insecurity</td>
<td>High (7) [Medium (1)]</td>
</tr>
<tr>
<td>Government corruption</td>
<td>High (6) [Medium (2)]</td>
</tr>
<tr>
<td>Taxes</td>
<td>High (5) [Medium (3)]</td>
</tr>
<tr>
<td>Bureaucracy, red tape</td>
<td>High (3) [Medium (5)]</td>
</tr>
</tbody>
</table>

The facilitator used the nominal voting technique to arrive at these ratings.
Focus Groups with MFI Clients and Non-Clients

Participants of focus groups with MFI clients and non-clients identified five key barriers to entrepreneurship in Honduras: 1) a lack of economic resources; 2) a lack of knowledge and training; 3) sexism and machismo; 4) fear of crime and violence; and 5) low self-esteem (negative attitude). Some participants also noted declining sales, interest rates, and a lack of financial products that meet the needs of women in terms of requirements, processes, and guarantors. Finally, participants discussed age as an important consideration. They observed that on the one hand, maturity is an important characteristic determining business success, but on the other hand, young age helps women adapt to change and modern world more efficiently, and they may achieve more with catalogue or internet sales businesses. That said, young women may be more easily influenced in their decision-making by others.

Lack of economic resources. A lack of economic resources emerged as a top barrier to entrepreneurship among female clients and non-clients, and as one of the two primary barriers among male non-clients (along with a lack of knowledge and training). The issue was deeply felt in both urban and rural areas.

Lack of knowledge and training. Participants in all focus groups, but particularly in urban areas, felt that the lack of business education is one of the key barriers to entrepreneurship. They did not feel that they necessarily need a university degree, but stressed the desire for training on essential business topics (e.g., marketing, customer service, administration, and finance) and educational modules tailored to the needs of the sector they work in. For example, a person starting a clothing business would like to be able to learn about the various types of fabric, designs, colors, and combinations that would allow their business to provide better services to customers. The participants also emphasized the need for continuous follow-up services, offered by MFIs and other institutions, in support of their day-to-day business operations and professionalization.

Sexism and machismo. Participants asserted that sexism and machismo are persistent in Honduras. Men view themselves as superior, are fearful of losing their female partners, and want to control women, e.g., by preventing them from leaving the house or taking out a loan. The perceptions of machismo varied within the study. For example, participants in urban areas felt that women are progressively more able to pursue their business goals so long as they do not neglect their responsibilities at home. They noted, however, that the resulting lack of time, coupled with a lack of childcare, often hamper women’s ability to put in practice their innovative ideas and even to study. Further, some sectors, e.g., construction and high-risk occupations, are viewed as more suitable for men given the need for physical strength. MFI clients observed lower levels of sexist attitudes than non-clients thanks to the courses they are offered that encourage change. Non-clients felt that machismo is still very much present in their communities.

Fear of crime and violence. As noted in the chapter, “Conflict, Crime, and Violence against Women,” participants emphasized that the presence of gangs, which are difficult to control, is a major impediment to entrepreneurship in Honduras, although fear of crime and violence was chosen as a top barrier only by two client focus groups (one male and one female).

Low self-esteem (negative attitude). Participants, especially in rural areas, discussed negative attitude as a barrier. They noted that rural women are much more restricted by their husbands than women in urban settings, which affects their self-esteem and makes them feel that they cannot succeed.

FIGURE 4: What are the key barriers to starting or growing businesses in Honduras?\textsuperscript{viii}

<table>
<thead>
<tr>
<th>Key Barriers</th>
<th>Women</th>
<th></th>
<th>Men</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Clients</td>
<td>Non-Clients</td>
<td>Clients</td>
</tr>
<tr>
<td>Lack of knowledge and training</td>
<td>33% (2 groups)</td>
<td>33% (1 group)</td>
<td>33% (1 group)</td>
</tr>
<tr>
<td>Lack of economic resources</td>
<td>50% (3 groups)</td>
<td>67% (2 groups)</td>
<td>33% (1 group)</td>
</tr>
<tr>
<td>Fear of crime and violence</td>
<td>17% (1 group)</td>
<td>0% (0 groups)</td>
<td>33% (1 group)</td>
</tr>
</tbody>
</table>

\textsuperscript{viii} Results illustrate a percentage or number of focus groups in which participants agreed that a particular barrier is most inhibiting.
<table>
<thead>
<tr>
<th>Key Barriers</th>
<th>Urban</th>
<th>Rural</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lack of knowledge and training</td>
<td>43% (3 groups)</td>
<td>33% (3 groups)</td>
</tr>
<tr>
<td>Lack of economic resources</td>
<td>43% (3 groups)</td>
<td>56% (5 groups)</td>
</tr>
<tr>
<td>Fear of crime and violence</td>
<td>14% (1 group)</td>
<td>11% (1 group)</td>
</tr>
</tbody>
</table>

Findings from the focus groups indicate that some barriers, such as machismo, insecurity, and a lack of access to material resources (particularly financing) are deeply felt by women entrepreneurs regardless of the size of their businesses. In addition, age discrimination and low self-esteem, tied to fear and structural barriers, emerged as important themes. For female micro-entrepreneurs, a lack of knowledge and training was also one of the most significant challenges, while women SME owners had a greater tendency to mention barriers to operating formal businesses, such as government corruption, bureaucracy, and taxation.

**Promoting Entrepreneurship**

The government has adopted several laws and policies aimed at promoting entrepreneurship and economic growth in Honduras. Some of them are gender-neutral while others are gender-inclusive.


Honduras’ national development plans view gender equality as one of the guiding principles of development, and essential to overcoming hunger and poverty. Among other initiatives, the plans direct the National Council for Competitiveness and Innovation (Consejo Nacional de Competitividad e Innovación) to design programs and policies to expand women’s access to productive resources and ensure better integration of women into labor markets.

### Law on the Promotion and Development of the Competitiveness of Micro, Small and Medium Enterprises (Ley para la Promoción y Desarrollo de la Competitividad de la Micro, Pequeña y Mediana Empresa) (adopted 2008) [hereinafter MIPYME]

MIPYME aims to support the micro, small, and medium enterprise (MSME) sector in increasing employment and social and economic welfare of Hondurans. It calls for the development and implementation of policies and programs that offer MSEs financing, technological support, training, and greater access to markets. The law emphasizes the importance of gender equality and equal access to productive resources. Further, the law defines the mandate of the National Council of the National Commission of Micro and Small Enterprises (CONAMIPYME) (Consejo Nacional de la Comisión Nacional de la Micro Pequeña y Mediana Empresa), which is required to promote the participation of women in the business sector. CONAMIPYME’s board of directors must include a representative of INAM.

### Law on the Support of Micro and Small Enterprises (Ley de Apoyo a la Micro y Pequeña Empresa) (adopted 2018)

The law offers tax incentives to officially registered companies that meet prescribed requirements.

As noted above, Honduras has also promulgated several laws to incentivize and streamline the formalization of companies. To discharge the legal obligations set out above, the government has established several institutions and programs to promote entrepreneurship and women’s economic empowerment.

- Within the framework of the Second Plan on Gender Equality and Equity of Honduras 2010–2022, which addresses women’s access to resources and productive assets, INAM has worked with the private sector (including large corporations such as Walmart and Coca-Cola), financial institutions, and business associations to empower women economically. For example, INAM has collaborated with the Honduran Council of Private Enterprise (COHEP) (Consejo Hondureño de la Empresa Privada) and the Honduran Association of Banking Institutions (AHIBA) (Asociación Hondureña de Instituciones Bancarias) to implement the international Gender Equality Seal program operated by the UN Development Programme (UNDP). The program provides certifications to public and private institutions, including businesses, which
support a more efficient and equitable workplace by eliminating gender-based pay gaps, increasing women’s roles in decision-making, promoting work-life balance, enhancing women’s access to non-traditional jobs, eradicating sexual harassment at work, and using inclusive, non-sexist communication. The intention was to promote gender certification among companies and banks affiliated with COHEP. To this end, COHEP’s affiliates underwent a training and began developing gender-sensitive institutional policies. Although the certification process was ultimately not completed, the program raised awareness among the companies about the importance of gender equality. Notably, COHEP, which is the largest business trade organization in Honduras with a quasi-governmental status, has established a gender unit, developed an internal gender policy, and become a great ally for INAM. In April 2018, COHEP published a study on the status of women in the private sector to promote affirmative action and women’s inclusion in corporate decision-making and leadership positions. Interviewed business association leaders noted, however, that COHEP has not been able to expand its inclusion of women leaders or to advance gendered programming in practice. Reportedly, the certification process for banking institutions, spearheaded by INAM and AHIBA, was also not finalized.

- The Woman’s City’s economic autonomy module seeks to improve labor participation, financial inclusion, and income generation among Honduran women through a range of comprehensive services including vocational and life skills training, formal education, job intermediation, technical support for MSMEs, courses in entrepreneurship and financial literacy, market analysis, and assistance in obtaining birth certificates and identity cards. The module approaches women’s economic empowerment as key in reducing poverty, discrimination, and VAW. One of its main objectives is the diversification of economic opportunities for women, e.g., through education in non-traditional fields, such as construction, which is meant to ensure that Woman’s City’s interventions do not reproduce traditional gender roles. One interviewee emphasized how crucial this approach is to changing attitudes deeply rooted in cultural norms, where “women do not see themselves doing things other than those they already know.” To accomplish its goals within this module, the Woman’s City collaborates with a variety of public and private institutions, including the National Employment Service of Honduras, the National Commission on Banking and Insurance, COHEP, INFOP, the Business Development Centers, the Chamber of Commerce and Industries, Secretariat of Infrastructure and Public Services, and the Honduran Institute of Transportation. The entire module is coordinated by the Ministry of Economic Development’s Office of MSMEs (Secretaría de Desarrollo Económico, Despacho de Micro, Pequeña y Mediana Empresa).

- Pursuant to MIPYME, Honduras has established CONAMIPYME to implement programs aimed at the development of the MSME sector. However, it appears that the institution is not fully functional. One respondent stated that the council “does not even meet.”

- The Ministry of Economic Development has established the Office of MSMEs to oversee the sector and promote entrepreneurship among vulnerable populations. The office collaborates with the Woman’s City and, in January 2019, launched the MSME Brigades program. The brigades are multi-institutional mobile units, which will travel around the country to deliver holistic services—covering areas such as business development, health, tax, legal, financial, technical, educational, and communications—to entrepreneurs who wish to formalize their businesses. The Ministry of Economic Development has also created 16 Business Development Centers (Centros de Desarrollo Empresarial), which provide space for entrepreneurs to access resources and technical assistance related to business matters. According to one respondent, five of these centers have been trained on gender and are considering developing more holistic approaches to serving women. Another respondent added that several centers have gender advisors specializing in female entrepreneurship. Reportedly, more than 50% of the centers’ beneficiaries are women. Currently, the Business Development Centers serve primarily urban locations, but the Ministry plans to expand their coverage to rural areas. They offer neither access to financing nor services related to VAW.
• The National Center for Employment Training (CENET) (Centro Nacional de Educación para el Trabajo), based in Comayagua, is a semi-autonomous institution established by law in 2001, initially under the Ministry of Education and currently under the Ministry of Economic Development. CENET provides professional training on business and entrepreneurship to unemployed and underemployed populations, primarily young people and rural women. At the core of CENET’s training approach is an Entrepreneurial Leadership Module. CENET is also in the process of developing the concept of Municipal Schools of Entrepreneurship. Over 50% of CENET’s trainees are women and the center employs gender-sensitive approaches, for example through flexible training schedules, nursery spaces, and a code of ethics that covers prevention of VAW.

• The Ministry of Agriculture and Livestock has gender units and several agricultural development programs targeting rural and indigenous women and young people in rural areas. For example, the project Pro-Lenca supports small agricultural producers, poor rural artisans, rural micro-entrepreneurs, and small-scale merchants. Many beneficiaries of Pro-Lenca are indigenous women, and the project employs a gender-sensitive approach. Another example is the Agricultural Education, Training, and Agribusiness Development Service (Servicio de Educación Agrícola, Capacitación y Desarrollo Agro-empresarial) (SEDUCA), implemented in coordination with the Ministry of Education and with funding from the U.S. Department of Agriculture. SEDUCA has established “field schools” in eight departments of Honduras in the drought corridor. These schools educate young people to improve agrobusinesses operated by their families. SEDUCA also works directly with single women as well as farmers’ wives and partners, for example to create family gardens or manage yard animals and, thus, improve the families’ productivity and food security. Furthermore, the Ministry has a cooperative agreement with the Woman’s City to strengthen women’s productive capacities through training, business intelligence, and support for the formalization of rural savings banks.

• The Chamber of Commerce and Industry of Tegucigalpa (Cámara de Comercio e Industria de Tegucigalpa) has created the Francisco Morazán Women Entrepreneurship Program (Programa Emprendimiento de Mujeres Francisco Morazán), which offers training, technical advice, and education programs for women entrepreneurs in the Francisco Morazán Department.

• At the regional level, the Council of Women Ministers from Central America of the Central American Integration System (Consejo de Ministras de la Mujer de Centroamérica-Sistema de Integración Centroamericana) has implemented women’s economic empowerment policies. In addition, the governments of Guatemala, Honduras, Nicaragua, and El Salvador have established a joint Women and Local Economic Development Program (Programa Mujeres y Desarrollo Económico Local) to create a strategy focused on empowering women in the Central American region.

Despite these achievements, many respondents asserted that Honduras has not adopted sufficient measures (such as subsidies or incentives) in support of women’s entrepreneurship, particularly in the context of business growth and expansion. One interviewee noted that this is an important gap because mere subsistence projects will not lift people out of poverty. He added that it is important to invest in innovative and sustainable entrepreneurship projects that will generate employment and wealth, rather than simply help families survive. Another respondent remarked that, in this context, it is crucial to provide MSMEs with the training and technical assistance needed to enter value chains and markets. Interviewees acknowledged the existence of various projects to strengthen female entrepreneurship but observed that they are not coordinated or grounded in a strong and sustainable development strategy. One respondent asserted that women’s economic empowerment is simply not a priority for the Honduran government.

“I have not seen a family that comes out of poverty with a family garden.”

Interviewee
and suggested that Honduran civil society groups and the private sector need to lead the charge and advocate for
greater attention from the government on these issues. Otherwise, women will continue to migrate for economic
reasons. In 2016, the UN CEDAW Committee expressed concern that Honduras’ “piecemeal approach to social
development and protection and poverty reduction programmes has not been effective for the sustainable
economic empowerment of women.”

The study showed that enhancing women entrepreneurs’ personal and business assets can empower them,
increase their resilience, and enable them to overcome adversity and better adapt to the hostile business
environment they face. Personal assets can include enhanced confidence and entrepreneurial skills, while business
assets can include increased financial inclusion and membership in business associations, which offer collective
action and connections with other entrepreneurs. There was a strong recognition among study participants of the
importance of social and support networks, in advancing women’s economic empowerment. Similarly, capitalizing
on existing policy and personal assets was perceived as crucial. Focus group participants suggested the following
actions to create a more enabling environment for women business owners:

- Policy advocacy and collective action around tax reform, financial inclusion, and business registration and
  licensing
- Development of diverse financing products with low interest rates and/or loan guarantee programs
- Low or no-cost, “women-friendly” trainings on business skills, financing, and taxes
- Business fairs, networking events, and similar services offered, e.g., by business associations
- One-stop-shop window services for business needs.

**STATUS AND ROLE OF WOMEN’S BUSINESS ASSOCIATIONS**

Business associations, including women’s business associations (WBAs), constitute a major policy asset for current
and aspiring women entrepreneurs in Honduras. They provide member services (e.g., information on trade fairs,
conferences, and business and investment opportunities; business development and management trainings; legal
services; and safe spaces for networking) and facilitate collective action and advocacy for policy reform, which are
all necessary for creating a more enabling environment for business. They work with a variety of community and
sector leaders, including COHEP, and they support both small and large enterprises. However, they lack capacity,
particularly in terms of member services, and expertise in gender programming. Business association leaders
further reported a lack of support by the government and a difficulty recruiting female members due to insecurity
and a perceived lack of motivation among women entrepreneurs. They expressed considerable interest in
technical assistance, including research (association diagnostics) and gender sensitivity training, to: 1) better
support and grow their membership; and 2) to develop women-specific agendas and programming.
Both female and male business owners benefit from microcredit in Honduras. The study showed that female MFI clients tend to borrow 1-3 times in their lifetime and invest primarily in commerce, clothing, and food businesses. Male MFI clients tend to take out microloans averaging USD 1,000 3-6 times in their lifetime and invest primarily in livestock and agricultural production. On the one hand, both female and male MFI clients reported accessing credit without any problems and being treated with kindness by MFI staff. On the other hand, the study showed that in many cases, the MFIs do not offer loans that adapt to the needs of female borrowers, who often do not have income, collateral or credit histories to guarantee their loans. If adequate products (e.g., special lines of credit) do exist, they are not sufficiently promoted. Furthermore, MFIs require spousal approval for taking out a loan. For these reasons, male participants perceived that it was easier for them to obtain credit than for their female counterparts, even though the formal credit requirements are the same for women and men.

The focus groups revealed that many Honduran women and men perceive empowerment differently. Female participants defined empowerment primarily as having the capacity for self-fulfillment, having ideas, taking risks, and having economic independence. Male participants discussed empowerment more in terms of having ideas and taking risks, but they also viewed empowerment as having economic independence and positive, optimistic attitude. Interestingly, male participants were more convinced that female participants that women’s empowerment is key to community development and improving the quality of life. Yet the culture of machismo that stifles progress for women continues to be strong in Honduras, and men feel the need to control women.

Participants in all six female focus groups and in one male focus group agreed that women are provided with at least some level of community support when they choose to establish and manage a business. Only one group (male) arrived at a conclusion that such support does not exist. Female participants noted that the support is directed primarily toward women who are heads of household and/or single mothers; notably, they did not believe women are being prioritized in access to opportunities, while one male focus group concluded that that there is much more prioritization and additional support given to women around labor issues than to men.

All focus group participants affirmed that Honduras has laws protecting women. Based on the focus group discussions, the Woman’s City is known in Honduras but appears to have less of an impact than it does in El Salvador, where the program has originated.

Female participants felt it was important for businesswomen to motivate and support other women and to serve as role models. Some participants noted, however, that sometimes, this leads to the duplication of business models and greater competition.
SECTION V: PROPERTY AND ASSETS

Legal and Policy Framework

The constitution guarantees men and women equal rights to property and possession, and expressly prohibits arbitrary deprivation of property by the state. CONST. arts. 61, 108. There are certain kinds of land in Honduras that may only be owned by native-born Hondurans, voluntary associations made up only of Hondurans, or the government. Id. art. 107.

Since the passage of the Agrarian Reform Law (Ley de Reforma Agraria) of 1972, Honduran law envisions four main land ownership regimes: state land (baldio), private ownership, communal holdings (ejidal), and “reform” grant land.189 State land is generally described as land which is owned, by constitutional mandate, by the government of Honduras.190 Ejidal land is communally held by municipalities or indigenous communities for the use of those who live in the jurisdiction.191 Reform grant land is land that was re-allocated during the agrarian reforms of the 1960s and 1970s. This latter type is occasionally privately owned, but frequently communally held.192 Generally speaking, state, ejidal, and reform grant lands may not be sold or leased on the open market.193 The Agrarian Reform Law was intended to ensure the redistribution of land to peasants (campesinos) and smallholder farmers.194

LIOM provides that the benefits conferred upon peasants by the Agrarian Reform Law must be equally applied to women. LIOM art. 74. Additionally, the Law on the Modernization and Development of the Agricultural Sector (Ley para la Modernizacion y del Desarrollo del Sector Agricola) [hereinafter LMDSA] of 1992 granted women the right to receive land titles in their own names regardless of marital status, overturning previous legislation that had permitted only widows and single women to hold land titles.195

Honduras received an above-average (DTF 63.43) score and 95th rank for registering property in the World Bank’s Doing Business 2019 report, which is comparable to other countries in the LAC region. It takes approximately 29 days to complete the 6 procedures required to register property. The report does not note any gender differences in this regard.196

Men, women, boys, and girls have equal inheritance rights to land under Honduran law. CIVIL CODE arts. 960–1156. If a person dies intestate, the Civil Code provides that property will transfer to heirs in the following order: 1) equally amongst children, regardless of gender; 2) parents; 3) siblings; 4) surviving spouse; and 5) the municipality. Id. A spouse may not automatically claim the conjugal portion of a property without a will.197

In 1984, Honduras modernized its family law and introduced three voluntary marital property regimes intended to promote more equal rights between men and women: 1) separate property (separation of assets) (separacion de bienes); 2) partnership (sociedad ganancial); and (3) community property (community of assets) (comunidad de bienes). Future spouses may choose one of these three property regimes, with community of assets being Honduras’ default marital property regime. FAMILY CODE arts. 64, 68. Marital property agreements may be altered after marriage, provided that such alterations are not prejudicial to third parties. FAMILY CODE, art. 67.

- Under the separate property regime, each spouse remains the owner of any property acquired by them before or during marriage and may freely dispose of those assets.198 CIVIL CODE art. 169. Regardless of what regime is selected by the couple, there are certain kinds of property that will remain solely-owned even if...
acquired during the marriage, including property acquired for free, property acquired through inheritance, property intended for personal use by one spouse, and property that is indispensable to one’s trade (as long as such property is not an integral part of business or property that is common to both spouses). FAMILY CODE art. 70-A. Additionally, even if a couple opts for the separate property regime, each spouse is still obligated under law to pay for a share of household expenses, as well as for food and education for any children from the marriage. Id. art. 71.

- Under the partnership regime, all property acquired by the spouses during marriage is to be equally distributed amongst them upon its dissolution, except for property that is shown to be separate, as well as household goods, which will become the property of the woman. FAMILY CODE arts. 70 and 70-B. Profits obtained through the work of either spouse, rent or interest from jointly-owned property, and profits from entities founded during the marriage are also considered joint property. Id. art. 70-B.

- The law does not appear to lay out any specific rights or responsibilities for the community property regime. However, it does state that the regime will expire when: 1) the marriage is dissolved; 2) the goods are separated; or 3) one spouse is convicted of a crime against the other. Id. art. 77.

**Situational Analysis**

Studies indicate that although there are many legal guarantees of equality in Honduran law, women still face significant barriers to land ownership. Reportedly, men own approximately 85.6% of agricultural land, which leaves women at a significant disadvantage in accessing credit due to a lack of collateral. Additionally, while the agrarian reform programs of the late 20th century were intended to target the campesino community, they do not appear to have fully considered women’s rights to land ownership as they intersect with marital property rights. For instance, while the LMDSA does permit women to receive land titles in their own names regardless of marital status, land titles may only be jointly issued to a couple upon both partners’ request. LMDSA art. 97. Thus, in practice, women carry the burden of demanding the right to a joint title, which can be problematic in the context of cultural norms that “place women in a dependent status vis-à-vis their husbands.”

Indigenous women face particular discrimination in the realm of land rights. Collective property ownership is reportedly the most widely recognized form of land ownership in indigenous communities and, according to one interviewee, is a major part of indigenous women’s access to land. Policies which focus on increasing individual land titling do not consider traditional practices in land ownership, and thereby hamper indigenous women’s access to resources. This further undermines tenure security among indigenous groups, whose land often suffers from “encroachment and expropriation attempts by nonindigenous landless farmers, powerful business interests and government elites (...).” Finally, large-scale development, tourism, and agro-industrial projects carried out by foreign investors and private enterprises often fail to include meaningful consultations with indigenous and rural women.

Respondents also noted the limited information about women’s property rights in Honduras. Reportedly, the Property Institute (Instituto de la Propriedad) is gathering data on this issue at the request of INAM, but the scope of this research is unknown.
SECTION VI: BANKING AND FINANCE

Legal and Institutional Framework

The legal framework for banking and finance in Honduras consists of the following core laws. According to legal experts, these laws are gender-neutral and do not contain any specific protections or incentives for women.

- **Law on the Financial System** (Ley del Sistema Financiero) *(adopted 1980, as amended)* regulates the creation, operation, transformation, and liquidation of financial entities, including savings and loans associations.
- **Law on Credit Cards** (Ley de Tarjetas de Crédito) *(adopted 2006)* regulates companies that are authorized to issue credit cards and the relationship between these companies, credit card users, and establishments that accept credit cards. It also regulates interest rates and prohibits establishments that accept credit cards from charging extra costs to compensate for the commissions charged by the issuers of the cards. Under the law, the National Commission of Banks and Insurance Companies is mandated to ensure the rights of all participants in the credit card usage.
- **Regulatory Law on Credit Card Transactions of Banking Institutions, Commercial Establishments or Other Money Obligations** (Ley Reguladora para las Operaciones de Tarjetas de Crédito de Instituciones Bancarias, Establecimientos Comerciales u Otras Obligaciones en Dinero) *(adopted 1998)*.
- **Law on the Optional Program for the Debt Consolidation of the Honduran Worker** (Ley del Programa Opcional para la Consolidación de Deudas del Trabajador Hondureño) *(adopted 2013)* provides mechanisms to enable certain Hondurans (e.g., public employees, retired individuals, and some private sector employees that register with a special fund) to consolidate credit card debt that has become unsustainable and improve their ability to repay.
- **Law on Financial Equilibrium and Social Protection** (Ley de Equilibrio Financiero y la Protección Social) *(adopted 2002)*.
- **Law on the Deposit Insurance in Financial System Institutions** (Ley de Seguros de Depósitos en Instituciones del Sistema Financiero).
- **Law of the Securities Market** (Ley del Mercado de Valores) *(adopted 2001, as amended)*.
- **Law on Usurious Credits** (Ley de Créditos Usurarios) *(adopted 1973)*.
- **Law on Insurance and Reinsurance Institutions** (Ley de Instituciones de Seguros y Reaseguros) *(adopted 2001)*.
- **Law on the Central Bank of Honduras** (Ley del Banco Central de Honduras) *(adopted 1950, as amended)*.
- **Law Regulating Private Development Organizations Conducting Financial Activities** (Ley Reguladora de las Organizaciones Privadas de Desarrollo que se dedican a Actividades Financieras) *(adopted 2005)*.
- **Law on the National Banking and Insurance Commission** (Ley de la Comisión Nacional de Bancos y Seguros) *(adopted 2000)*.

As of 2017, Honduras had 15 banks, including private and state-owned banks, commercial banking services, savings, and loan institutions. The banking system is also comprised of financial intermediaries, including brokerages, credit operators, and one securities exchange. In addition to the country’s several public and private credit bureaus, the U.S. company Central Risk *(Central de Riesgos)* has been working since 2011 to develop customer credit...
management through the development and delivery of credit reports. One interviewee mentioned that the firm is routinely consulted by banks, cooperatives, and even some businesses. Honduras is the fastest growing remittance destination in the region: remittance inflows reportedly represent over a quarter of the country’s GDP, which is equivalent to nearly three-quarters of its exports.\(^{205}\)

Honduras has the largest number of affiliated MFIs in the Central American and Caribbean Microfinance Network (Red Centroamericana y del Caribe de Microfinanzas) (Redcamif)—20 compared to 12 in El Salvador. Among the Honduran affiliates, 40% are large MFIs, 35% are medium, and the remaining are small. According to Redcamif, Honduran microfinance sector has shown sustained growth in the past few years and as of June 2019, had a loan portfolio totalling USD 441.6 million.\(^{206}\) WAGE’s MFI partner Women’s Business Development Organization (Organizacion de Desarrollo Empresarial Femenino) (ODEF) has the largest microcredit portfolio in Honduras (19% of the total microcredit portfolio), followed by Fundevi (15.9%) and Banco Popular (15.4%).\(^{207}\) Many Honduran MFIs have joined the Microfinance Network of Honduras (Red de Microfinancieras de Honduras) (Redmicroh)—a labor union, which as of June 2015 had 26 affiliated institutions and 249 agencies. In total, the organization serves more than 200,000 clients, of which around 56.4% are women.

**PARTNER SPOTLIGHT: ODEF**

ODEF Financiera SA (ODEF) is an MFI that serves micro and small enterprises throughout the Northwest and the Atlantic Coast of Honduras. It focuses on women in rural and marginal urban areas. ODEF targets low-income clients, stresses poverty reduction, and focuses on sustainability and environmentally-friendly products. Because its staff and board are trained in social performance, ODEF is able to focus on these areas of interest. To ensure self-sustainability among its borrowers, the organization offers financial literacy education. In 2005, ODEF introduced a technical assistance, social impact branch of its organization called Private Financial Development Organization (Organización Privada de Desarrollo Financiero) (ODEF-OPDF). OPDF specializes in a more hands-on, educational approach to assist borrowers in self-sufficiency and community development. ODEF has 31 branches and more than 25,000 clients.

Source: KIVA.

Interviewees reported that the Banking and Insurance Commission (Comision Nacional de Bancos y Seguros de Honduras), which is the country’s financial oversight body, has a Gender Unit that is trained and evaluated by INAM. Reportedly, the commission has requested a Canadian organization to carry out a financial system analysis that includes a gender analysis. It is unclear if this analysis has been completed.

**Financial Inclusion and Fair Lending**

**Legal and Policy Framework**

Honduran law does not contain gender-based restrictions or limitations on access to financial services. Under the law, women can open a bank account and access credit on an equal basis with men. Discrimination against women as consumers of financial institutions is prohibited under the constitution, the LIOM, and the Consumer Protection Act, which prohibits any discrimination and provides for equal treatment. CONSUMER PROTECTION ACT art. 9 (Ley de Protección de al Consumidor) (adopted 2008, as amended). Honduras has adopted the following laws to enhance economic and financial inclusion in the country. Some of these laws are gender-inclusive.

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<tr>
<th>Law on the Rural Land Reform (Ley de Reforma Agraria) (adopted 1972, as amended)</th>
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<tbody>
<tr>
<td>Title II, Chapter 5 provides for equal opportunities in access to credit and housing, including preferential treatment for women heads of household, in access to housing financing.</td>
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<td>Law on Secured Transactions (Ley de Garantías Mobiliarias) (adopted 2009)</td>
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<td>This law provides for greater and easier use of movable property (such as equipment, shop inventory, future crops, tractors, supply contracts, accounts receivable, and other non-real property) as security for loans. The law served as a basis for the establishment of the Collateral Registry for Movable Assets (Registro de Garantías Mobiliarias), which began operations in 2011 under the management of the Chamber of Commerce and Industry in Tegucigalpa. The registry “is linked to an existing land registry system that holds information on real estate and mortgages, which expands the pool of collateral available to borrowers and makes it easier for bankers to collect on loans.” This law particularly benefits micro and small business owners who may not have real estate assets to provide as collateral.</td>
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<tr>
<th>Law on the Reciprocal Guarantee Fund System for the Promotion of MSMEs, Social Housing, and Technical-Vocational Education (Ley del Sistema de Fondos de Garantía Recíproca para la Promoción de las MIPYMES, Vivienda Social y Educación Técnica-Profesional) (adopted 2011, as amended)</th>
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<tr>
<td>This law provides financial incentives and improved access to credit for MSMEs, low income housing, and access to education. It does not appear to contain special provisions for women’s access to credit.</td>
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<tr>
<th>Law on the National Fund for Production and Housing (Ley del Fondo Nacional para la Producción y la Vivienda) (adopted 1997)</th>
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<tr>
<td>This law provides for longer-term and preferential (below market) interest rate financing for persons involved in the production of basic grains, the acquisition of agricultural machinery and equipment, the modernization or construction of risk control systems, and for financing low income housing and small and micro business enterprises.</td>
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<tr>
<th>Law on the Honduran Bank for Production and Housing (Ley del Banco Hondureño para la Producción y la Vivienda) (adopted 2005)</th>
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<tr>
<td>This law establishes the Honduran Bank for Production and Housing, and provides it with a mandate to use up to 20% of its capital reserves to finance housing and micro and small businesses in the agricultural sector, with specific protections for vulnerable populations such as orphans, widows, the elderly, and the disabled.</td>
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<tr>
<td>This law provides for financial benefits, such as lower interest rates and deferred payment plans, for persons working in the agricultural sector. The creation of these benefits was motivated by natural disasters that have affected the sector. Other laws applicable to this sector include:</td>
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<tr>
<td>• Law on the Financial Strengthening of the Agricultural Producer (Ley de Fortalecimiento Financiero del Productor Agropecuario) (adopted 2003)</td>
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<tr>
<td>• Law on the Solidarity with the Agricultural Producer (Ley de Solidaridad con el Productor Agropecuario) (adopted 2002)</td>
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The only law specifically dedicated to increasing women’s financial inclusion is the Law on the National Solidarity Credit Program for Rural Women (Ley para el Programa Nacional de Crédito Solidario para la Mujer Rural) (adopted 2015) [hereinafter CREDIMUJER]. This law is intended to satisfy multiple objectives, including reducing women’s vulnerabilities in social and economic spheres; establishing credit programs that guarantee low interest rates, favourable repayment periods, and other conditions that facilitate women’s access to credit; establish technical assistance programs that improve women’s business management skills and knowledge of new technologies; establish a support and research network to strengthen a culture of entrepreneurship and innovation amongst women; and improve coordination mechanisms with other government agencies, NGOs, and private institutions to support these efforts. CREDIMUJER art. 3. Under the law and its accompanying regulations, loans and technical assistance shall be provided as a priority to communities with the highest poverty levels, and interventions should
be prioritized particularly for victims of violence, poverty, food insecurity, and ecological and environmental insecurity. Regulation on the Law on the National Solidarity Credit Program for Rural Women art. 8 (Reglamento de la Ley para el Programa Nacional de Crédito Solidario para la Mujer Rura) (adopted 2018). Activities that may be funded by the CREDIMUJER program include agricultural production (agriculture, aquaculture, and livestock), forestry, formal or informal commerce, and services, crafts, and tourism. Id. art. 7. Rural women entrepreneurs do not need to be landowners to benefit from CREDIMUJER funding, which is intended to enhance the economic autonomy of the most vulnerable groups. By providing sizeable, low-interest loans and lengthier repayment periods to women who have low capacity to provide collateral, CREDIMUJER attempts to support women who wish to engage in more significant economic activities. There were significant delays in committing the funding required to implement the law, was the program has been launched.

In October 2018, President Juan Orlando Hernández, supported by cooperatives, rural banks, microenterprises, and the Honduran Private Enterprise Council, proposed a new Law on the Financial Support for the Productive Sectors of Honduras (Ley de Apoyo Financiero para los Sectores Productivos de Honduras), which is estimated to generate between 100,000 and 300,000 new jobs in Honduras. The law aims to strengthen credit flows through microfinance institutions, cooperatives, rural savings banks, and other non-traditional financial institutions; simplify and streamline administrative procedures required for the registration of MSMEs; and offer tax incentives for newly registered companies. The current law was adopted in 2009 and amended in 2016.

Institutional Framework

The following institutions and programs have been put in place to promote financial and economic inclusion in Honduras:

- The Central American Bank for Economic Integration (Banco Centroamericano de Integración Económica) (CABEI), headquartered in Honduras, works with 90 banks, financial institutions, and cooperatives in the region. It has adopted the Gender Equity Policy, which seeks to increase women’s access to credit and promote women’s empowerment. One of CABEI’s signature interventions is the Regional Financing Program for Women Entrepreneurs (Financiamiento Empresarial para Mujeres) (FEM), which is supported by the Central American Integration System’s Council of Women’s Affairs Ministers, the Center for the Promotion of Micro and Small Enterprises in Central America, UN Women, and the Central American and Caribbean Microfinance Network. FEM provides the intermediary financial institutions in CABEI’s member countries with the resources to offer special lines of credit to women who wish to start businesses or already own MSMEs, and to MSMEs in which over 50% of employees are women. In addition, CABEI is planning to generate non-reimbursable funds for the FEM program to offer non-financial services, e.g., financial education for women. Reportedly, FEM funds have been disbursed in all countries of the Central American region except Honduras. According to one interviewee, Honduran banks resist this program because gender integration is not encouraged in the country’s banking system. The interviewee asserted that CABEI has visited Honduran banks to promote the program but none of them have expressed interest in using FEM funds. She concluded that Honduran banks need to be sensitized about the importance of women’s financial inclusion. Another respondent observed that the FEM program has generated positive results in El Salvador, which has stronger institutions.

- The Office of the President has initiated the Solidarity Credit (Crédito Solidario) program, which promotes a socially-inclusive economy by providing loans to urban and rural microentrepreneurs who have credit needs ranging from 1,500 to 300,000 lempiras (approximately USD 60 to11,981). Reportedly, 80% of the beneficiaries of this program are women, and the initiative employs special measures to conduct outreach to female entrepreneurs. The program collaborates with Woman’s City.
Recently, key actors in the business and financial sectors, including COHEP and the Banking and Insurance Commission, established gender units. The Banking and Insurance Commission’s gender unit staff have reportedly been trained by INAM.

In addition to state agencies, efforts to promote financial inclusion in Honduras have been undertaken by international organizations and institutions, including USAID, the U.S. Department of State (through WAGE), International Finance Corporation, Inter-American Development Bank, the World Bank, and the Central American Bank for Economic Integration (Banco Centroamericano de Integración Económica).

**Situational Analysis**

**GLOBAL INSIGHTS**

<table>
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<tr>
<th>Report</th>
<th>Key Data</th>
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<tr>
<td>Doing Business 2019</td>
<td>Honduras received a relatively high score (85.00 DTF) and rank (12th) for getting credit in the World Bank’s Doing Business 2019 report, prevailing over neighboring El Salvador (80.00 DTF and 22nd rank) but falling behind Colombia (95.00 DTF and 3rd rank).</td>
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| Global Findex Database  | • According to the 2017 Global Findex Database, which is the world’s most comprehensive data set on how adults save, borrow, make payments, and manage risk, 45.3% of Honduran adults have an account with a financial institution (e.g., a bank, credit union, microfinance institution, cooperative, or post office). This is below the regional LAC average of 53.5%, but shows a marked improvement since 2011, when only 20.5% of adult Hondurans had an account. Both men and women have experienced these increases, but there is still a 9% gender gap between men and women in account ownership: only 41% of Honduran women have an account (vs. 50% of men), which falls behind the regional LAC average of 51.3%.
 | 2017                     | • An estimated 37.2% of Hondurans make or receive digital payments, but only 8.1% use a mobile phone or the Internet to access financial accounts.
 |                          | • While approximately 41.7% of Hondurans save at least some money, only 14.6% save using financial institutions and 6% use savings clubs or persons outside the family. Unlike men, women saw declines in savings between 2014 and 2017.
 |                          | • In 2017, 7% of women reported having asked for a loan to open, grow, or expand a business, compared with 6% of women in 2014, indicating that there has not been much progress in the use of loans to operate businesses. Notably, there was a backsliding among men in this regard (10% in 2014 vs. 6% in 2017).
 |                          | • In 2017, fewer women believed it was possible to come up with emergency funds than in 2014 (46% vs. 41%). Men appear to be more optimistic in this regard (59% in 2014 and 61% in 2017).                                                                                                                      |

Under Honduran law, women and men have equal access to financial services. Interviews with MFI staff confirmed that this includes equal credit requirements. In practice, however, gender disparities in access to finance continue to be widespread, because many women are unable to prove their creditworthiness, largely due to social discrimination against them. First, many women do not have formal income and if they do, they usually receive 10–30% less salary than men for the same job. Second, respondents observed that property is often registered under men’s names and women often do not have control over their assets and resources. Men own almost 85.6%
of agricultural land and as a result, women often lack collateral. Third, women are frequently unable to develop credit histories and have limited access to financial education, all of which make them less “bankable.” As a result, women are more likely than men to indicate that it is difficult to obtain credit, that a request for a loan has been rejected, or that a guarantee was needed to obtain credit.

In 2017, a study by the Central Bank of Honduras revealed that among individuals accessing credit portfolios, only 40% are female and 60% are male, despite positive trends reported in 2016 by the Honduran National Bank and Insurance Commission. The Commission’s Financial Inclusion Report for 2016 highlighted a significant increase in women’s use of financial products and services: 1) of 5,532,306 savings accounts, 47% belonged to women; 2) of 242,361 checking accounts, 30% belonged to women; 3) of 95,402 deposit certificates issued, 39% were held by women; and 4) of 1,778,896 consolidated loans, women received 40.3%.

While many banks in the Central American region already have gender policies and are interested in projects that include specific credit lines for women, this appears not to be the case in Honduras. One interviewee observed that “there are no programs, exclusive regulations or initiatives for women’s financial inclusion with the exception of CREDIMUJER.” Several interviewees mentioned that the most important and successful financing mechanisms in Honduras are available through cooperatives like rural savings banks (cajas rurales), many of which are established by women. Cooperatives that are formalized under the Law on the Social Sector of the Economy can access financing from corporate banks. In this context, the financial sector would benefit from gender analyses and gender action plans for greater financial inclusion of women.

ROLE OF MFIs IN COMMUNITIES THEY SERVE

Focus Groups with MFI Clients and Non-Clients & Interviews with MFI Staff

While male MFI clients and non-clients strongly believed that the primary role of MFIs in the communities they serve is to provide economic support through loans, female clients and non-clients thought that the MFIs’ role should extend beyond financial service provision. They felt that MFIs should encourage the concept of “yes I can” among women and offer them the necessary training, support, and follow-up, which are key to women’s empowerment, sustainable business growth, community development, and overcoming challenges, including domestic violence. If women do not have this necessary support, they may incur excessive debt, their businesses may fail, and they may default on loans, which in turn creates credit risks for the MFIs. Accordingly, MFIs’ staff should be sensitized on gender issues, including GBV, to better understand barriers and risks faced by women (at home and beyond) and to develop more gender-responsive financial and non-financial products.

MFI staff members exhibited low awareness about the legal and institutional framework aimed at empowering Honduran women with the exception of Woman’s City. They acknowledged that their institution does not have any gender-focused policies, strategies, or tools, including those aimed at preventing or mitigating potential negative consequences of microfinance on women. Nonetheless, the MFI carries out some trainings to increase women’s self-esteem, has some lines of credit for women (such as the KIVA product), and is considering integrating gender into their annual operating plans. There is also some awareness regarding VAW. In fact, ODEF requires spousal approval for loan taking purportedly to decrease the risk of household conflicts and violence. This approach is, however, questionable, because it affects women’s individual decision-making and autonomy. Indeed, MFI credit assessors acknowledged that sometimes men do not allow their wives to take out loans in an effort to maintain control over them. In addition, some husbands convince their wives to take our loans on their behalf, especially if they do not have a good credit score. This poses risks to women who are building their credit histories. If men mismanage the borrowed money (which is not unusual according to respondents), then women become less creditworthy.

“It is always ideal if the spouse is in agreement [to take out a loan].”

“Husbands do not approve of credit for their wives.”

MFI credit officers
FIGURE 6: What is the primary role of MFIs in the community?

<table>
<thead>
<tr>
<th>Role of MFIs</th>
<th>Women</th>
<th>Men</th>
</tr>
</thead>
<tbody>
<tr>
<td>Achieving equality between women and men</td>
<td>25% 33%</td>
<td>0% 0%</td>
</tr>
<tr>
<td>Economic support (primarily loans)</td>
<td>75% 67%</td>
<td>100% 100%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Role of MFIs</th>
<th>Urban</th>
<th>Rural</th>
</tr>
</thead>
<tbody>
<tr>
<td>Achieving equality between women and men</td>
<td>33%</td>
<td>0%</td>
</tr>
<tr>
<td>Economic support (primarily loans)</td>
<td>67%</td>
<td>100%</td>
</tr>
</tbody>
</table>

Honduran women entrepreneurs operate in a challenging environment. While it is not expected that financial service providers become a one-stop shop for support, these institutions can design gender-responsive products and collaborate with other stakeholders in financial and non-financial sectors to offer more integrated services to female clients, including training, follow-up, and ongoing support to their business ventures. Given that MFIs have a close proximity to women, they are a fundamental piece of the puzzle in promoting their economic empowerment and independence, with due attention to gender and conflict dynamics, including GBV, present in the communities they serve.
SECTION VII: LABOR, EMPLOYMENT, AND SOCIAL SECURITY

Factor Statement: Women enjoy equal rights to work in public and private sectors, just conditions of work, and freedom to form and join trade unions. The state promotes decent work for all and takes all appropriate measures to eliminate discrimination against women in employment. Women have an equal access to social protection and material assistance in the event of unemployment, sickness, and disability, and are afforded special accommodations during pregnancy and the postnatal period.

Legal and Institutional Framework

The constitution guarantees every person the “right to work under equitable and satisfactory working conditions.” CONST. art. 127. It also guarantees equal pay for equal work as long as “the position, the working hours, the conditions of efficiency, and the time of service are also equal.” Id. art. 128(3). Chapter 5 of the constitution lays out a number of other legal protections to improve workers’ rights, including:

- Working hours limitations;223
- The right to a minimum wage;224
- The right to a safe working environment;225
- Minimum working age requirements;226
- Guaranteed paid leave and maternity leave;227
- Access to legal proceedings in the event of labor rights violations;228 and
- The establishment of social security services.229

As noted above, the constitution criminalizes “all forms of discrimination on account of sex, race, class, or any other reason prejudicial to human dignity,” and requires the state to promulgate a law establishing penalties for violators of this provision, which applies in all contexts, including workplace discrimination. Id. art 60. The state is constitutionally obligated to protect the rights of workers and promote their vocational and technical training. Id. arts. 135, 140. Domestic workers are protected by social security legislation and homeworkers “have a legal status analogous to that of other workers, with due consideration for the peculiarities of their work.” Id. arts. 130–31. All legal disputes arising from relations between employers and workers are subject to labor jurisdiction. Id. art. 134. The state must “promote, organize and regulate conciliation and arbitration procedures for the peaceful settlement of labor disputes.” Id. art. 139.

While the Labor Code of Honduras contains a general anti-discrimination provision, it only prohibits discrimination on the basis of race, religion, political belief, and economic situation. There is no mention of either sex- or gender-based discrimination. LABOR CODE art. 12. However, LIOM specifically prohibits sex-based discrimination in employment or training and requires employers to provide equal opportunities to women with respect to assignment of work, promotions, education, and training. LIOM art. 46, 48. The Labor Code and LIOM mirror the constitution’s qualifying language regarding equal pay, but the Labor Code specifically prohibits salary differences that are based on sex. CONST. art. 128(3); LABOR CODE art. 347. Notably, the salary discrimination provision appears to be the only one in the Labor Code that specifically protects against discrimination on the basis of sex.

Acts of workplace discrimination, including wrongful termination of pregnant employees, may be reported by any citizen. LABOR CODE art. 148. Legal representation for such claims is provided by the Office of the Labor Defense Attorney (La Procuraduría del Trabajo) under the Ministry of Labor and Social Security (Secretaría de Trabajo y Previsión Social). Id. arts. 635, 641.
Sexual harassment is not mentioned in the Labor Code but is prohibited under LIOM. LIOM art. 60. Under LIOM, sexual harassment committed by an employer against an employee entitles the employee to terminate the relationship without notice or liability and entitles the employee to the same benefits that they would acquire in the case of unfair dismissal. Id. Sexual harassment committed by one employee against another results in an automatic dismissal of the perpetrator without any further liability accruing to the employer. Id. Sexual harassment committed by an individual who has a position of hierarchical authority may additionally constitute a criminal act under the Penal Code. PENAL CODE art. 147. However, it appears that no criminal liability can attach to an act of sexual harassment unless it causes some actual prejudice to the survivor, such as retaliation or failure to obtain a promotion, and the survivor has “timely” informed labor authorities or their union. Id.

The Labor Code does not govern all employment areas. With the exception of the wage provisions in Title V, it does not apply to agricultural or livestock holdings that employ ten or fewer permanent workers, or to public employees who are otherwise governed by the civil service law. LABOR CODE art. 2. Further, the Law on Temporary Work (Ley de Trabajo Temporal) of 2010 permits companies to hire up to 40% of their payroll as hourly or temporary workers. These workers are not entitled to the protections otherwise envisioned by the Labor Code.

In line with the constitution, the Labor Code and the Code on Childhood and Adolescence generally prohibit the employment of minors under 14, and minors under 18 may not perform hazardous work. CONST. art. 124; LABOR CODE art. 32; CODE ON CHILDHOOD AND ADOLESCENCE arts. 1, 120, 122 (Código de la Niñez y la Adolescencia) (adopted 1996). The Labor Code further provides that women and children under the age of 16 may not perform work designated unhealthy or dangerous. LABOR CODE arts. 92(n), 128. While protecting children from unhealthy and dangerous working conditions is reasonable, applying the same standard to adult women is discriminatory. As noted above, it reflects a protectionist approach to gender difference, in which women are understood as in need of special care and protection, thus reinforcing gender stereotypes.

Title V of the Labor Code lays out basic occupational health and safety standards and mandates the General Labor Inspectorate (Inspección General del Trabajo) to review the hygiene and safety regulations of firms with more than ten employees. LABOR CODE art. 391, 397. However, these health and safety protections do not seem to apply to women who work in high-risk sectors, including farm workers on farms that do not permanently employ more than ten workers and domestic workers.

In 2014, Honduras passed a new law intended to provide informal sector workers with access to benefits. The Law on the Protection of Benefits and Regularization of Informal Activity establishes a certification system that permits informal sector employees to obtain access to formal credit sources, bank accounts, and social security benefits. LAW FOR THE PROTECTION OF BENEFITS AND REGULARIZATION OF INFORMAL ACTIVITY art. 5 (Ley Para la Protección Beneficios y Regularización de la Actividad Informal) (adopted 2014). These certificates must be free and made available at any place that might be frequented by informal sector workers, including cooperatives, community associations, unions, banks, and churches. Id. art. 4. It is unclear, however, whether informal sector employees may use the certificate to gain access to the social security scheme, or if the scheme is reserved for those who start or run their own enterprises. The Regulation on the Special Status of Domestic Workers and Progressive Affiliation to the Security System (Reglamento del Régimen Especial de Afiliación Progresiva de los(as) Trabajadores(as) Domésticos(as)) of 2008 permits employers to provide domestic workers, who are by and large women, with health benefits.

It is unlawful for employers to demand a proof of pregnancy from women during the employment process. LIOM art. 46. Pregnant women may not perform high-intensity work or work night shifts that exceed five hours in duration. LABOR CODE art. 147.
Working women are constitutionally entitled to job security and paid leave before and after childbirth. CONST. art. 142. The Labor Code entitles women to 4 weeks of maternity leave prior to delivery, and 6 weeks afterward. LABOR CODE art. 135. Women may take additional unpaid leave exceeding three months for medical necessities that arise out of pregnancy or childbirth without detriment to their employment contracts. Id. art. 138. Neither pregnant women nor breastfeeding mothers may be terminated from employment for those reasons; if termination of a woman’s employment contract occurs during pregnancy or within three months of delivery, the law presumes that pregnancy is the cause. Id. arts. 124, 144. There do not appear to be any legal provisions, however, that grant men paternity leave, illustrating that societal expectations for new fathers and new mothers are very different in Honduras.

Employers who have more than 20 women workers must provide a space for working mothers to safely feed children under the age of three. Furthermore, breastfeeding mothers are entitled to two 30-minute breaks daily to feed their children until the children turn 6 months old. LABOR CODE arts. 140, 142. Employers who employ more than 30 women workers must establish, maintain, and staff childcare centers for children under the age of 7. LIOM art. 59. It is unclear, however, how such centers are funded. While the LIOM itself seems to suggest that households must contribute financially in proportion to their economic capacity, the LIOM Regulations of 2008 seem to suggest that employers must pay for such centers. Childcare centers must be staffed by qualified workers and may be inspected by INAM without notice at any time during the workday.

Employers and employees have a constitutional right to freedom of association to the extent that it is “exclusively related to their economic-social activities.” CONST. art. 128(4). The Labor Code does not restrict women from participating equally in trade unions, union leadership, or union activities, although certain public officials and employees may be barred from union participation. See, e.g., LABOR CODE art. 319.

Full pension benefits vest at different ages in Honduras: 65 for men and 60 for women. See GENERAL REGULATION OF THE SOCIAL SECURITY LAW art. 116 (Reglamento General de la Ley del Seguro Social) (adopted 2005). Access to unemployment, survivorship, and disability benefits is otherwise identical. Informal sector employees who have the requisite certificates may be able to gain access to the national social security scheme although, as discussed above, it is possible that the scheme is reserved for those who start or run their own enterprises. LAW ON THE PROTECTION OF BENEFITS AND REGULARIZATION OF INFORMAL ACTIVITY art. 5(1).

INAM has been involved in reforming the social security scheme to cover paid domestic workers, who previously had not been eligible to access benefits. INAM also coordinates the Woman’s City program, which—through its economic autonomy module—provides vocational workshops, job orientation services, and greater access to the National Employment Service of Honduras (Servicio Nacional de Empleo de Honduras). This program is described by the Honduran government as an “inclusive, nationwide job-search mechanism (...)” INAM also coordinates the Gender Equity Management System (Sistema de Gestion de la Equidad de Genero), which consists of measures adopted by public and private organizations to increase gender equality and equity in employment. Although participation in the system is voluntary, organizations that successfully develop gender equity plans may receive the Gender Equality Seal certification through the UNDP. Further, Honduras’s 298 Municipal Offices for Women provide job training, organize information campaigns on labor and economic rights, and serve as a forum to file labor-related complaints.

Situational Analysis

Despite women’s attainment in the educational realm, their labor participation rate remains consistently low. In 2018, it was merely at 50-53% compared to 86-87% among men in the same age group (15+ years of age). On average, women are paid 60-67% of the wage earned by men. These disparities are attributed to deeply rooted biases in Honduran society, where women are primarily perceived as child bearers and homemakers.
Interviewees reported that women face employment and wage discrimination because of both gender and age. Although it is prohibited by law, many employers take the potential costs associated with pregnancy, maternity leave, and breastfeeding into consideration during the hiring process. One interviewee stated, “in Honduras there is no work being done to reconcile the employment of women with family life.” For example, even though the Labor Code includes the obligation to establish daycare centers, there are barely 7 or 8 in the country. Interviewees also noted that women are more susceptible than men to workplace harassment.

Additionally, while there are few legal provisions restricting women’s employment, interviewees stressed that many sectors are perceived as “masculinized,” and jobs in those sectors are viewed as unsuitable for women. Jobs that are viewed as suitable for women, e.g., domestic work and small-scale self-employment, are in sectors that are often riskier, poorly regulated, and have limited growth opportunities. For these reasons, interviewees identified the lack of access to formal work as a specific problem.

However, even in the formal sector, industries where women work—particularly the maquiladora industry, which is made up of textile assembly and manufacturing plants for the export market—“tend to be less subject to regulation.” Many of maquilas are located within Honduras’ export processing zones (EPZs). As of 2010, over 100,000 people were employed in various EPZ industries. Of these, 78.5% of workers were employed in garment factories, and more than half of those workers were women. Companies located in EPZs reportedly operate continuously, have astronomically high production quotas, and workers are paid not at an hourly rate, but rather by piece. Reportedly, maquila workers’ minimum wage is less than USD 0.70 per hour. It is also widely reported that maquila workers are forced to work long hours without rest, and frequently face musculoskeletal and other disorders as a result of their forced postures and repetitive work. Maquila workers are regularly hired under temporary contracts, which prevents women in the sector from enjoying the same legal provisions as other formal-sector workers. Finally, female workers in some export-oriented industries and in the agricultural industry report being required to take pregnancy tests as a condition of employment, despite the legal prohibition against it.

On the one hand, local CSOs suggest that the Honduran government does little to prevent abuses in the maquila sector. On the other hand, the U.S. Department of Labor reported in October 2018 that, pursuant to the U.S.—Honduras Labor Rights Monitoring and Action Plan, “working conditions are improving in the maquila sector [and] due to improved dialogue between workers and employers, the number of collective bargaining agreements in the sector has more than doubled.” While greater union participation is valuable, most maquiladora management positions are held by men, which may inhibit the scope of possible change.

Women domestic workers face similar problems as maquila workers. The fact that their work is carried out primarily in personal rather than public spaces renders them especially vulnerable to abuse and exploitation. Although the Regulation on the Special Status of Domestic Workers and Progressive Affiliation to the Security System permits employers to provide domestic employees with health benefits, it does appear to be a voluntary system. Other legislative initiatives that are intended to provide greater protections for domestic workers fail to provide for minimum wage requirements or establish social security provisions. Generally, the social security system is not gender-sensitive, illustrating little reflection or analysis in the area.
SECTION VIII: ACCESS TO JUSTICE

Factor Statement: Women enjoy the rights to an effective legal remedy, equal protection of the law, and fair trial, including in cases of gender-based discrimination. The state takes all appropriate measures to ensure full equality of women before forums administering justice and effective enforcement of judgments for all. Women have equitable access to legal information, advice, and representation.

Justice System

Justice in Honduras is administered through formal institutions, including the Supreme Court of Justice, courts of appeal, and trial courts (courts of first instance). CONST. art. 303. The Supreme Court is comprised of 15 members and has the authority to conduct judicial review, appoint lower judges and prosecutors, and try high-ranking officials when the National Congress has found grounds for impeachment.260 Id. art. 308. The Supreme Court has four chambers: criminal, civil, labor-administrative, and constitutional.261 The jurisdiction of appellate courts is largely geographically defined.262 In some jurisdictions, single appellate courts hear all types of cases, i.e., juvenile, civil, criminal, and labor. Larger jurisdictions, like San Pedro Sula, have dedicated chambers for each of these areas.263 Cases are initially tried in the courts of first instance. Most of these trial courts are concentrated in the country’s largest cities of Tegucigalpa and San Pedro Sula. While the majority hear civil and criminal cases, a few have jurisdiction over labor cases.264 Finally, at least two justices of the peace must be present in every municipality with more than 4,000 people. These justices act as investigating magistrates and are ostensibly more accessible for minor cases.265 However, justices of the peace generally only handle criminal and civil cases, and labor grievances must be brought to the trial courts.266

The constitution contains basic fair trial provisions, including the right against self-incrimination, the presumption of innocence, the right to bail, protections against double jeopardy, and the right of habeas corpus. Id. arts. 88, 89, 93, 95, 182. The constitution does not establish an explicit right to equality before tribunals. However, all persons are deemed equal before the law, and equality of access to justice is promoted by the constitutional guarantee of free access to courts. Id. arts. 60, 82.

The Honduran judicial branch has had a gender unit since 2011.267 The unit is charged with implementing both an overarching institutional gender policy within the judicial system and specific gender initiatives.268 Some of these initiatives have included the development of a comprehensive care protocol for victims of sexual and gender-based violence and the preparation of instructions for the use of Gesell Dome cameras to prevent re-victimization during interviews.269 However, the institutional gender policy has not been adopted yet and, reportedly, there is little interest from the bench in approving one. Furthermore, the victim protocols are neither well-distributed nor well-understood, and are thus not fully implemented.270

Further, access to justice in Honduras is hampered by corruption and inefficiency, which are observed throughout all levels of the judicial system.271 Judges are often appointed because of political influence, rather than their qualifications or experience. Because the executive branch controls Supreme Court appointments, there is frequent turnover and a weak sense of judicial independence.272 In domestic violence cases, justices of the peace reportedly use improper conciliation procedures or decline to take such cases altogether. Because victims do not feel supported by peace court judges, they sometimes move their cases to the formal courts in Tegucigalpa or other urban centers. This poses an obstacle to women’s access to justice, especially if they are single mothers or sole breadwinners and have to travel long distances to the nearest court. In addition, there are lengthy delays in the formal system,273 which may cause women to drop their cases or suffer from more violence until hearings are held.274 Furthermore, there are concerns regarding the enforcement of judgments: in courts where there are no
sentence enforcement judges present, penalties “are rarely applied.” Interviewees reported that this has a particularly adverse impact on non-criminal cases. While there is a degree of efficiency in the execution of criminal penalties, favorable judgments for women in civil contexts are rarely enforced. That said, one interviewee stated that women usually do not experience differential treatment in courts. She asserted that “judges have changed a lot, especially in urban areas,” and that there have been advancements among family court judges who are increasingly resolving cases in a gender-sensitive manner. Notably, the National Commission for Access to Justice, which is grounded in the Brasilia Regulations Regarding Access to Justice for Vulnerable People, has developed some measures to enhance access to justice for vulnerable people, including special accommodations for the elderly, disabled, and pregnant women accessing family courts.

Various organizations have attempted to increase access to justice, particularly in rural areas. For instance, a mobile peace court project funded by the World Bank was designed to reduce case resolution times in non-criminal cases and improve access to the justice of peace courts. While average length-of-case resolution in such cases dropped to 612 days from 1,251 days between 2004 and 2011, and court access did increase, these courts reportedly only dealt with smaller civil claims not exceeding 50,000 lempiras (approximately USD 1,997).

**Alternative Dispute Resolution (ADR)**

The most efficient method of dispute resolution in labor, economic, business, commercial, or property cases is through the Arbitration and Conciliation Act of 2000. Administered through the Conciliation and Arbitration Centre of the Chamber of Commerce and Industry of Tegucigalpa, the arbitration process is reportedly faster and allows for more flexibility than a court procedure. See [Arbitration and Conciliation Act (Ley de Conciliación y Arbitraje) (adopted 2000)](https://example.com). Centers for Conciliation and Arbitration are located throughout the country, and many have comprehensive websites offering insight into the arbitration process, information on relevant domestic and international laws, as well as occasional business development training opportunities.

**Legal Aid and Human Rights Mechanisms**

The constitution establishes an inviolable right to defense and a right to legal aid in all cases involving violations of personal liberty and other rights. The state is obligated to “appoint a counselor to defend the poor and to protect the persons and interests of minors and the incompetent.” Public defenders in Honduras are appointed by the judiciary, which also allocates the public defender service’s budget. Other agencies involved in providing legal services to women include:

- **INAM**, which operates a legal unit for the prevention and reduction of VAW. The unit provides legal assistance in domestic violence cases.
- **Woman’s City centers**.
- **Office of the Labor Defense Attorney (La Procuraduría del Trabajo) under the Ministry of Labor and Social Security (Secretaría de Trabajo y Previsión Social)**, which provides legal representation in cases relating to workplace discrimination.
- **CONADEH**, which allows women to file complaints about rights violations via phone, the Internet, or through mobile units. CONADEH may refer complaints to the judicial branch or to the prosecutorial service.
- **Municipal Offices for Women**, which serve as a forum to file labor-related complaints.
Although legal aid is constitutionally required beyond representation in criminal matters, interviewees reported that, in practice, the Public Defender’s Office rarely takes on non-criminal matters. Some universities, for example the Legal Office of the National Autonomous University of Honduras, offer free legal services, but they are usually limited to family matters. There are no free services available to advise women on how to launch or operate their businesses. One interviewee noted that “if [a woman’s] case is urgent, she ends up hiring a private lawyer who will charge her at least half of what she earns.”

Access to justice in the economic empowerment context is limited not only on the transactional side but continues to fall short even after rights violations have occurred. In the employment context, the Secretariat of Labor and Social Services is charged with investigating employee complaints, but there are no rules regarding investigatory timeframes and companies often refuse to submit to investigations, or simply ignore summons to reconcile with complainants. Women who file complaints or even serve as witnesses often suffer reprisals: many lose their jobs and risk being placed on future employment blacklists. It is reported that even when women have access to legal resources, they rarely report rights violations because they do not recognize that violations have occurred.

With respect to gender inequality within the legal profession, women lawyers are paid less than men in comparable positions. The Bar Association of Honduras is the only association of lawyers in the country, and affiliation is required in order to practice law. Recently, a woman has been elected as chair of the association, and she has declared her commitment to women’s rights.
### APPENDICES

#### APPENDIX I: PERTINENT HUMAN DEVELOPMENT INDICATORS FOR HONDURAS

<table>
<thead>
<tr>
<th>Indicator</th>
<th>Female</th>
<th>Male</th>
</tr>
</thead>
<tbody>
<tr>
<td>Life expectancy at birth (years)*</td>
<td>76.3</td>
<td>71.2</td>
</tr>
<tr>
<td>Adult mortality rate (per 1,000 people)*</td>
<td>119</td>
<td>172</td>
</tr>
<tr>
<td>Maternal mortality ratio (deaths per 100,000 live births)*</td>
<td>129</td>
<td></td>
</tr>
<tr>
<td>Proportion of births attended by skilled health personnel (%)*</td>
<td>82.8</td>
<td></td>
</tr>
<tr>
<td>Contraceptive prevalence, any method (% of married or in-union women of reproductive age, 15–49 years)*</td>
<td>73.2</td>
<td></td>
</tr>
<tr>
<td>Literacy rate (% ages 15 and over)**</td>
<td>88.9</td>
<td>89.0</td>
</tr>
<tr>
<td>Enrolment in primary education (%)**</td>
<td>84.0</td>
<td>82.6</td>
</tr>
<tr>
<td>Enrolment in secondary education (%)**</td>
<td>48.4</td>
<td>42.6</td>
</tr>
<tr>
<td>Enrolment in tertiary education (%)**</td>
<td>24.0</td>
<td>17.6</td>
</tr>
<tr>
<td>Expected years of schooling (years)*</td>
<td>10.7</td>
<td>9.8</td>
</tr>
<tr>
<td>Mean years of schooling (years)*</td>
<td>6.6</td>
<td>6.5</td>
</tr>
<tr>
<td>Population with at least some secondary education (% ages 25 and older)</td>
<td>36.8</td>
<td>33.5</td>
</tr>
<tr>
<td>Child marriage, women married by age 18 (% of women ages 20–24 years who are married or in union)</td>
<td>34</td>
<td></td>
</tr>
<tr>
<td>Share of seats in parliament (%)**</td>
<td>21.1</td>
<td>78.9</td>
</tr>
<tr>
<td>Women in ministerial positions (%)**</td>
<td>27.3</td>
<td>72.7</td>
</tr>
<tr>
<td>Estimated gross national income (GNI) per capita (USD)*</td>
<td>3,277</td>
<td>5,159</td>
</tr>
<tr>
<td>Estimated earned income (female-to-male ratio)**</td>
<td>0.53</td>
<td></td>
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<tr>
<td>Wage equality for similar work (survey, female-to-male ratio)**</td>
<td>0.59</td>
<td></td>
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<tr>
<td>Labor force participation rate (% ages 15 and older)*</td>
<td>50.9</td>
<td>85.8</td>
</tr>
<tr>
<td>Labor force participation rate, age 15-64 (%)**</td>
<td>52.9</td>
<td>86.9</td>
</tr>
<tr>
<td>Female share of employment in senior and middle management (%)</td>
<td>41.1</td>
<td></td>
</tr>
<tr>
<td>Female share of graduates in science, mathematics, engineering, manufacturing and construction at tertiary level (%)</td>
<td>8.6</td>
<td></td>
</tr>
<tr>
<td>Share of employment in non-agriculture, female (% of total employment in non-agriculture)*</td>
<td>48.0</td>
<td></td>
</tr>
<tr>
<td>Workers in informal employment (as % of total female, male employment)**</td>
<td>77.3</td>
<td>71.1</td>
</tr>
<tr>
<td>Total unemployment rate (female to male ratio)*</td>
<td>1.38</td>
<td></td>
</tr>
<tr>
<td>Women with account at financial institution or with mobile money-service provider (% of female population ages 15 and older)*</td>
<td>41.0</td>
<td></td>
</tr>
</tbody>
</table>


**APPENDIX II: LIST OF CORE INTERNATIONAL HUMAN RIGHTS TREATIES**

<table>
<thead>
<tr>
<th>Treaty</th>
<th>Date&lt;sup&gt;a&lt;/sup&gt;</th>
</tr>
</thead>
<tbody>
<tr>
<td>Optional Protocol to the International Covenant on Civil and Political Rights <em>(adopted</em> Dec. 19, 1966 by UN G.A. Res. 2200A (XXII))</td>
<td>n/a</td>
</tr>
<tr>
<td>Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty <em>(adopted</em> Dec. 15, 1989 by UN G.A. Res. 44/128)</td>
<td>Apr. 1, 2008 (R)</td>
</tr>
<tr>
<td>Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) <em>(adopted</em> Dec. 10, 1984 by UN G.A. Res. 39/46)</td>
<td>Dec. 5, 1996 (A)</td>
</tr>
<tr>
<td>Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment <em>(adopted</em> Dec. 18, 2002 by UN G.A. Res. A/RES/57/199)</td>
<td>May 23, 2006 (R)</td>
</tr>
<tr>
<td>Convention on the Nationality of Married Women <em>(adopted</em> January 29, 1957 by UN G.A. Res. 1040 (XI))</td>
<td>n/a</td>
</tr>
<tr>
<td>Convention on the Political Rights of Women <em>(adopted</em> Dec. 20, 1952 by UN G.A. Res. 640 (VII))</td>
<td>n/a</td>
</tr>
<tr>
<td>Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages <em>(adopted</em> Nov. 7, 1962 by UN G.A. Res. 1763 (XVII))</td>
<td>n/a</td>
</tr>
</tbody>
</table>

<sup>a</sup> Date of ratification (R) or accession (A) by Honduras.
<table>
<thead>
<tr>
<th>Treaty</th>
<th>Date&lt;sup&gt;ix&lt;/sup&gt;</th>
</tr>
</thead>
<tbody>
<tr>
<td>Convention No. 29 Concerning Forced or Compulsory Labor (<em>adopted</em> June 28, 1930 by International Labor Organization)</td>
<td>Feb. 21, 1957 (R)</td>
</tr>
<tr>
<td>Convention No. 100 Concerning Equal Remuneration for Men and Women Workers for Work of Equal Value (<em>adopted</em> June 1951 by International Labor Organization)</td>
<td>Aug. 9, 1956 (R)</td>
</tr>
<tr>
<td>Convention No. 182 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor (<em>adopted</em> June 17, 1999 by International Labor Organization)</td>
<td>Oct. 25, 2001 (R)</td>
</tr>
<tr>
<td>Inter-American Convention Against All Forms of Discrimination and Intolerance (<em>adopted</em> Jun. 5, 2013 by Organization of American States)</td>
<td></td>
</tr>
<tr>
<td>Inter-American Convention Against Racism, Racial Discrimination, and Related Forms of Intolerance (<em>adopted</em> Jun. 5, 2013 by Organization of American States)</td>
<td></td>
</tr>
<tr>
<td>Treaty</td>
<td>Date</td>
</tr>
<tr>
<td>---------------------------------------------------------------</td>
<td>-------------------------------------</td>
</tr>
<tr>
<td>Inter-American Convention to Prevent and Punish Torture (adopted Dec. 9, 1985 by Organization of American States)</td>
<td></td>
</tr>
</tbody>
</table>
### APPENDIX III: LIST OF PERTINENT NATIONAL LAWS & POLICIES

<table>
<thead>
<tr>
<th>Laws and Policies</th>
<th>Titles in Spanish</th>
<th>Date*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Act on Elections and Political Organizations</td>
<td>Ley Electoral y de las Organizaciones Políticas</td>
<td>2004</td>
</tr>
<tr>
<td>Agrarian Reform Law</td>
<td>Ley de Reforma Agraria</td>
<td>1962</td>
</tr>
<tr>
<td>Arbitration and Conciliation Act</td>
<td>Ley de Conciliación y Arbitraje</td>
<td>2001</td>
</tr>
<tr>
<td>Code on Childhood and Adolescence</td>
<td>Código de la Niñez y la Adolescencia</td>
<td>1996</td>
</tr>
<tr>
<td>Commercial Code</td>
<td>Código de Comercio</td>
<td>1950</td>
</tr>
<tr>
<td>Consumer Protection Act</td>
<td>Ley de Protección al Consumidor</td>
<td>2008</td>
</tr>
<tr>
<td>Criminal Procedure Code</td>
<td>Código Procesal Penal</td>
<td>1999</td>
</tr>
<tr>
<td>Family Code</td>
<td>Código de Familia</td>
<td>1984</td>
</tr>
<tr>
<td>General Regulation of the Social Security Law</td>
<td>General Regulation of the Social Security Law</td>
<td>2005</td>
</tr>
<tr>
<td>Honduras for All</td>
<td>Honduras para Todos</td>
<td>2016</td>
</tr>
<tr>
<td>Labor Code</td>
<td>Código del Trabajo de Honduras</td>
<td>1959</td>
</tr>
<tr>
<td>Law on Administrative Simplification</td>
<td>Ley de Simplificación Administrativa</td>
<td>2002</td>
</tr>
<tr>
<td>Law Against Domestic Violence</td>
<td>Ley contra la Violencia Domestica con sus Reformas</td>
<td>1996</td>
</tr>
<tr>
<td>Law Against Trafficking in Persons</td>
<td>Ley contra la Trata de Personas</td>
<td>2012</td>
</tr>
<tr>
<td>Law on the Central Bank of Honduras</td>
<td>Ley del Banco Central de Honduras</td>
<td>1950</td>
</tr>
<tr>
<td>Law on Cooperatives</td>
<td>Ley de Cooperativas de Honduras</td>
<td>1987</td>
</tr>
<tr>
<td>Law on Credit Cards</td>
<td>Ley de Tarjetas de Crédito</td>
<td>2006</td>
</tr>
<tr>
<td>Law on the Deposit Insurance in Financial System Institutions</td>
<td>Ley de Seguros de Depósitos en Instituciones del Sistema Financiero</td>
<td>2001</td>
</tr>
<tr>
<td>Law on Equity and Integral Development for Persons with Disabilities</td>
<td>Ley de Equidad y Desarrollo Integral Para las Personas con Discapacidad</td>
<td>2005</td>
</tr>
<tr>
<td>Law on Equal Opportunities for Women</td>
<td>Ley de Igualdad de Oportunidades para la Mujer (LIOM)</td>
<td>2000</td>
</tr>
<tr>
<td>Law on Financial Equilibrium and Social Protection</td>
<td>Ley de Equilibrio Financiero y la Protección Social</td>
<td>2002</td>
</tr>
<tr>
<td>Law on the Financial Strengthening of the Agricultural Producer</td>
<td>Ley de Fortalecimiento Financiero del Productor Agropecuario</td>
<td>2003</td>
</tr>
<tr>
<td>Law on the Financial Support for the Productive Sectors of Honduras</td>
<td>Ley de Apoyo Financiero para los Sectores Productivos de Honduras</td>
<td>2009</td>
</tr>
<tr>
<td>Law on the Financial System</td>
<td>Ley del Sistema Financiero</td>
<td>1980</td>
</tr>
<tr>
<td>Law on the Generation of Employment, Promotion of Business Initiatives, and Protection of the Rights of Investors</td>
<td>Ley para la Generación de Empleo, fomento a la Iniciativa Empresarial, Formalización de Negocios y Protección a los derechos de los Inversionistas</td>
<td>2014</td>
</tr>
<tr>
<td>Law on the Honduran Bank for Production and Housing</td>
<td>Ley del Banco Hondureño para la Producción y la Vivienda</td>
<td>2005</td>
</tr>
<tr>
<td>Law on the Honduran Sign Language</td>
<td>Ley de la Lengua de Señas Hondureña</td>
<td>2013</td>
</tr>
<tr>
<td>Law on Insurance and Reinsurance Institutions</td>
<td>Ley de Instituciones de Seguros y Reaseguros</td>
<td>2001</td>
</tr>
<tr>
<td>Law on the Modernization and Development of the Agricultural Sector</td>
<td>Ley para la Modernización del Desarrollo del Sector Agrícola</td>
<td>1992</td>
</tr>
<tr>
<td>Law on the National Agricultural Development Bank</td>
<td>Ley del Banco Nacional de Desarrollo Agrícola</td>
<td>1972</td>
</tr>
<tr>
<td>Law on the National Banking and Insurance Commission</td>
<td>Ley de la Comisión Nacional de Bancos y Seguros</td>
<td>2000</td>
</tr>
<tr>
<td>Law on the National Fund for Production and Housing</td>
<td>Ley del Fondo Nacional para la Producción y la Vivienda</td>
<td>1997</td>
</tr>
<tr>
<td>Law on the National Institute for Women</td>
<td>Ley del Instituto Nacional de la Mujer</td>
<td>1998</td>
</tr>
<tr>
<td>Law on the National Registry of Persons</td>
<td>Ley del Registro Nacional de Personas</td>
<td>2004</td>
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</tbody>
</table>

* Year of adoption. Many of these laws have been amended.
<table>
<thead>
<tr>
<th>Laws and Policies</th>
<th>Titles in Spanish</th>
<th>Date*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Law on the National Solidarity Credit Program for Rural Women</td>
<td>Ley para el Programa Nacional de Crédito Solidario para la Mujer Rural (CREDIMUJER)</td>
<td>2015</td>
</tr>
<tr>
<td>Law on the Optional Program for the Debt Consolidation of the Honduran Worker</td>
<td>Ley del Programa Opcional para la Consolidación de Deudas del Trabajador Hondureño</td>
<td>2013</td>
</tr>
<tr>
<td>Law on Police and Social Coexistence</td>
<td>Ley de Policía y de Convivencia Social</td>
<td>2001</td>
</tr>
<tr>
<td>Law on the Promotion and Development of the Competitiveness of Micro, Small, and</td>
<td>Ley para la Promoción y Desarrollo de la Competitividad de la Micro, Pequeña y Mediana Empresa (MIPYME)</td>
<td>2008</td>
</tr>
<tr>
<td>Medium Enterprises</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Law on the Promotion of Employment for Persons with Disabilities</td>
<td>Ley de Promoción de Empleos para Personas Menosvalidadas</td>
<td>1999</td>
</tr>
<tr>
<td>Law on the Protection for Human Rights Defenders, Journalists, Social Communicators and Justice Workers</td>
<td>Ley de Protección de Defensores y Defensoras de Derechos Humanos, Periodistas, Comunicadores Sociales y Operadores de Justicia</td>
<td>2015</td>
</tr>
<tr>
<td>Law on the Reciprocal Guarantee Fund System for the Promotion of MSMEs, Social Housing, and Technical-Vocational Education</td>
<td>Ley del Sistema de Fondos de Garantía Recíproca para la Promoción de las MIPYMES, Vivienda Social y Educación Técnica-Profesional</td>
<td>2011</td>
</tr>
<tr>
<td>Law Regulating Private Development Organizations Conducting Financial Activities</td>
<td>Ley Reguladora de las Organizaciones Privadas de Desarrollo que se dedican a Actividades Financieras</td>
<td>2005</td>
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<tr>
<td>Law on the Rehabilitation of Persons with Disabilities</td>
<td>Ley de Habilitación y Rehabilitación de la Persona Menosvalida</td>
<td>1987</td>
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<tr>
<td>Law on the Rural Land Reform</td>
<td>Ley de Reforma Agraria</td>
<td>1972</td>
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<tr>
<td>Law of the Securities Market</td>
<td>Ley del Mercado de Valores</td>
<td>2001</td>
</tr>
<tr>
<td>Law on Secured Transactions</td>
<td>Ley de Garantías Mobiliarias</td>
<td>2009</td>
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<tr>
<td>Law on the Social Sector of the Economy</td>
<td>Ley del Sector Social de la Economía</td>
<td>1985</td>
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<tr>
<td>Law on the Solidarity with the Agricultural Producer</td>
<td>Ley de Solidaridad con el Productor Agropecuario</td>
<td>2002</td>
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<td>Law on the Support of Micro and Small Enterprises</td>
<td>Ley de Apoyo a la Micro y Pequeña Empresa</td>
<td>2018</td>
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<td>Law on Temporary Work</td>
<td>Ley de Trabajo Temporal</td>
<td>2010</td>
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<td>Law on Usurious Credits</td>
<td>Ley de Créditos Usurarios</td>
<td>1973</td>
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<td>National Policy on Women</td>
<td>Política Nacional de la Mujer</td>
<td>2010</td>
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<td>Penal Code</td>
<td>Código Penal</td>
<td>1983</td>
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<td>Public Policy against Racism and Discrimination for Integral Development of Indigenous and Afro-Honduran Peoples</td>
<td>Política Pública contra el Racismo y Discriminación para el Desarrollo Integral de los Pueblos Indígenas y Afrohondureños</td>
<td>2016</td>
</tr>
<tr>
<td>Regulation on the Law on the National Solidarity Credit Program for Rural Women</td>
<td>Reglamento de la Ley para el Programa Nacional de Crédito Solidario para la Mujer Rura</td>
<td>2018</td>
</tr>
<tr>
<td>Regulation on the Special Status of Domestic Workers and Progressive Affiliation to the Security System</td>
<td>Reglamento del Régimen Especial de Afiliación Progressiva de los(as) Trabajadores(as) Domésticos(as)</td>
<td>2008</td>
</tr>
<tr>
<td>Regulatory Law on Credit Card Transactions of Banking Institutions, Commercial Establishments or Other Money Obligations</td>
<td>Ley Reguladora para las Operaciones de Tarjetas de Crédito de Instituciones Bancarias, Establecimientos Comerciales u Otras Obligaciones en Dinero</td>
<td>1998</td>
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<tr>
<td>Second Plan on Gender Equality and Equity of Honduras 2010–2022</td>
<td>II Plan de Igualdad y Equidad de Género de Honduras 2010–2022</td>
<td>2010</td>
</tr>
<tr>
<td>Vision for Country 2010-2038</td>
<td>Visión de País 2010-2038</td>
<td>2010</td>
</tr>
<tr>
<td>Acronym</td>
<td>Description</td>
<td></td>
</tr>
<tr>
<td>---------</td>
<td>-------------</td>
<td></td>
</tr>
<tr>
<td>ABA</td>
<td>American Bar Association</td>
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</tr>
<tr>
<td>ABA ROLI</td>
<td>ABA Rule of Law Initiative</td>
<td></td>
</tr>
<tr>
<td>ACHR</td>
<td>American Convention on Human Rights</td>
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<tr>
<td>ADR</td>
<td>Alternative Dispute Resolution</td>
<td></td>
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<tr>
<td>AHIBA</td>
<td>Honduran Association of Banking Institutions (Asociación Hondureña de Instituciones Bancarias)</td>
<td></td>
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<tr>
<td>CABEI</td>
<td>Central American Bank for Economic Integration (Banco Centroamericano de Integración Económica)</td>
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<tr>
<td>CAPRODEM</td>
<td>Service Center for the Protection of Women’s Rights (Centro de Atención de los Derechos de las Mujeres)</td>
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<tr>
<td>CEDAW</td>
<td>Convention on the Elimination of All Forms of Discrimination Against Women</td>
<td></td>
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<tr>
<td>CENET</td>
<td>National Center for Employment Training (Centro Nacional de Educación para el Trabajo)</td>
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<tr>
<td>CIPE</td>
<td>Center for International Private Enterprise</td>
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<td>COHEP</td>
<td>Honduran Council of Private Enterprise (Consejo Hondureño de la Empresa Privada)</td>
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<td>CONADEH</td>
<td>National Human Rights Commission (Comisión Nacional de los Derechos Humanos)</td>
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<tr>
<td>CONAMIPYME</td>
<td>National Council of the National Commission of Micro and Small Enterprises (Consejo Nacional de la Comisión Nacional de la Micro Pequeña y Mediana Empresa)</td>
<td></td>
</tr>
<tr>
<td>COPINH</td>
<td>Civic Council of Popular and Indigenous Organizations (Consejo Cívico de Organizaciones Populares e Indígenas de Honduras)</td>
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<tr>
<td>CRPD</td>
<td>Convention on the Rights of Persons with Disabilities</td>
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<td>CRC</td>
<td>Convention on the Rights of the Child</td>
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</tr>
<tr>
<td>CREDIMUJER</td>
<td>Law on the National Solidarity Credit Program for Rural Women (Ley para el Programa Nacional de Crédito Solidario para la Mujer Rural)</td>
<td></td>
</tr>
<tr>
<td>CSO</td>
<td>Civil Society Organization</td>
<td></td>
</tr>
<tr>
<td>DTF</td>
<td>Distance to Frontier</td>
<td></td>
</tr>
<tr>
<td>ECLAC</td>
<td>Economic Commission for Latin America and the Caribbean</td>
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</tr>
<tr>
<td>EPZs</td>
<td>Export Processing Zones</td>
<td></td>
</tr>
<tr>
<td>FEM</td>
<td>Financing Program for Women Entrepreneurs (Financiamiento Empresarial para Mujeres)</td>
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</tr>
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<td>FSI</td>
<td>Fragile States Index</td>
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</tr>
<tr>
<td>GBV</td>
<td>Gender-Based Violence</td>
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<tr>
<td>GCR</td>
<td>Global Competitiveness Report</td>
<td></td>
</tr>
<tr>
<td>GDI</td>
<td>Gender Development Index</td>
<td></td>
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<tr>
<td>GDP</td>
<td>Gross Domestic Product</td>
<td></td>
</tr>
<tr>
<td>GGG</td>
<td>Global Gender Gap</td>
<td></td>
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<td>GII</td>
<td>Gender Inequality Index</td>
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<tr>
<td>GNI</td>
<td>Gross National Income</td>
<td></td>
</tr>
<tr>
<td>HDI</td>
<td>Human Development Index</td>
<td></td>
</tr>
<tr>
<td>HIV</td>
<td>Human Immunodeficiency Virus</td>
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<tr>
<td>IACHR</td>
<td>Inter-American Commission on Human Rights</td>
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</tr>
<tr>
<td>IADB</td>
<td>Inter-American Development Bank</td>
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</tr>
<tr>
<td>ICCPR</td>
<td>International Covenant on Civil and Political Rights</td>
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</tr>
<tr>
<td>ICESCR</td>
<td>International Covenant on Economic, Social and Cultural Rights</td>
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</tr>
<tr>
<td>ICRMW</td>
<td>International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families</td>
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</tr>
<tr>
<td>ICT</td>
<td>Information and Communication Technology</td>
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</tr>
<tr>
<td>ID</td>
<td>Identification Document</td>
<td></td>
</tr>
<tr>
<td>IDI</td>
<td>Inclusive Development Index</td>
<td></td>
</tr>
<tr>
<td>IGDR</td>
<td>Inclusive Growth and Development Report</td>
<td></td>
</tr>
<tr>
<td>ILO</td>
<td>International Labor Organization</td>
<td></td>
</tr>
<tr>
<td>IPV</td>
<td>Intimate Partner Violence</td>
<td></td>
</tr>
<tr>
<td>LAC</td>
<td>Latin America and the Caribbean</td>
<td></td>
</tr>
<tr>
<td>LGBTI</td>
<td>Lesbian, Gay, Bisexual, Transgender, and Intersex</td>
<td></td>
</tr>
</tbody>
</table>
LIOM
Law on Equal Opportunities for Women *(Ley de Igualdad de Oportunidades para la Mujer)*

LVD
Law against Domestic Violence *(Ley contra la Violencia Domestica con sus Reformas)*

MFI
Microfinance Institution

MIPYME
Law on the Promotion and Development of the Competitiveness of Micro, Small and Medium Enterprises *(Ley para la Promoción y Desarrollo de la Competitividad de la Micro, Pequeña y Mediana Empresa)*

MSEs
Micro and Small Enterprises

MSMEs
Micro, Small, and Medium Enterprises

OAS
Organization of American States

ODEF
Women's Business Development Organization *(Organizacion de Desarrollo Empresarial Femenino)*

OPDF
Private Financial Development Organization *(Organización Privada de Desarrollo Financiero)*

RBI
Reducing Barriers to Women’s Economic Empowerment in El Salvador and Honduras Initiative

Redcamif
Central American and Caribbean Microfinance Network *(Red Centroamericana y del Caribe de Microfinanzas)*

Redmicroh
Microfinance Network of Honduras *(Red de Microfinancieras de Honduras)*

S/GWI
U.S. Department of State, Office of Global Women’s Issues

Search
Search for Common Ground

SICA
Central American Integration System *(Sistema de la Integración Centroamericana)*

SIGI
Social Institutions and Gender Index

SMEs
Small and Medium Enterprises

Tigres
Intelligence Troop and Special Security Response Groups *(Tropa de Inteligencia y Grupos de Respuesta Especial de Seguridad)*

UN
United Nations

UNDP
UN Development Programme

U.S.
United States

USAID
United States Agency for International Development

USD
U.S. Dollars

VAW
Violence against Women

WAGE
Women and Girls Empowered

WBA
Women’s Business Association

WEE
Women’s Economic Empowerment

WEF
World Economic Forum

WJP
World Justice Project

WPS
Women, Peace, and Security


19. CLEGERN ET AL., supra note 16.

Honduras Ranked 103 out of 113 on Rule of Law, Dropping One Position, (Jan. 31, 2018).


“HDI” is a composite statistic used to rank countries by level of human development using such indicators as life expectancy, literacy, educational attainment, income, and standard of living. HDI is featured in the Human Development Report—an independent publication commissioned by the United Nations Development Programme (UNDP). The rankings are as follows: 1–58 (very high human development), 59–112 (high), 113–151 (medium), and 152–189 (low). See UNDP, Human Development Indices and Indicators: 2018 Statistical Update (2018), http://hdr.undp.org/en/2018-update.

CIA WORLD FACTBOOK, supra note 18.


CIA WORLD FACTBOOK, supra note 18.


CIA WORLD FACTBOOK, supra note 18.

The World Justice Project’s Rule of Law Index 2018 – 2019 is the 8th report in an annual series measuring adherence to the rule of law worldwide, based on over 120,000 household surveys and 3,800 expert surveys in 126 countries and jurisdictions. The scores and rankings are based on eight factors: constraints on government powers, absence of corruption, open government, fundamental rights, order and security, regulatory enforcement, civil justice, and criminal justice. The scores range from 0 to 1, with 1 signifying the highest possible score (high adherence to rule of law) and 0 signifying the lowest possible score (low adherence to rule of law). See WORLD JUSTICE PROJECT, RULE OF LAW INDEX 2019 (2019), https://worldjusticeproject.org/sites/default/files/documents/WJP-ROLI-2019-Single%20Page%20View-Reduced_0.pdf.

Id. at 17–18, 20.


Id.

Freedom in the World is Freedom House’s flagship annual report, assessing the condition of political rights and civil liberties around the world. It is composed of numerical ratings and supporting descriptive texts for 195 countries and 14 territories. The rating system is based on 25 indicators grouped into two categories—political rights and civil liberties. The average of a country or territory’s political rights and civil liberties ratings is its freedom rating, and this figure determines the country or territory’s status of free (1.0–2.5), partly free (3.0–5.0), or not free (5.5–7.0). Freedom House, Freedom in the World 2018: Honduras (2018), https://freedomhouse.org/report/freedom-world/2018/honduras (last visited June 26, 2019).


The World Economic Forum’s (WEF) Inclusive Development Index (IDI) is an annual assessment of 103 countries’ economic performance that measures how countries perform on 11 dimensions of economic progress, in addition to GDP. Accordingly, IDI considers not only the aggregate amount of goods and services produced in an economy, but also changes in citizens’ standard of living (e.g., income, employment opportunity, economic security, and quality of life). IDI ranks economies in two groups—advanced (29 countries) and emerging (74 countries). IDI scores are based on a 1–7 scale: 1 (worst) and 7 (best). See World Economic Forum,


46 Id.

47 Please see Appendix II for a more comprehensive list of human rights treaties ratified by Honduras.


50 Inter-American Commission on Human Rights, Situation of Human Rights in Honduras, supra note 48, at 159–63.

51 Id.

52 Id.


54 Inter-American Commission on Human Rights, Situation of Human Rights in Honduras, supra note 48, at 159–63.

55 Id. at 138.


60 Id.


Observations 2016 [hereinafter U.N. CEDAW Committee, Concluding Observations on the Combined Seventh and Eighth Periodic Reports of Honduras 2016], note 65

The Killings, supra note 17; UNDP, Honduras, supra note 17.

The Gender Inequality Index (GII), calculated by UNDP for 164 countries, measures gender gaps in human development achievements by accounting for disparities between women and men on three basic dimensions of human development—health, knowledge and living standards—using the same component indicators as in the HDI. The GDI represents the ratio of female HDI to male HDI, showing the degree to which women lag behind their male counterparts and by what amount women need to catch up along each dimension of human development. Countries are classified into five GDI groups based on the absolute deviation of GDI from gender parity.


The Social Institutions and Gender Index (SIGI), published by the Organization for Economic Co-operation and Development (OECD), measures gender discrimination in social institutions restricting women’s access to opportunities, resources, and power. The 2019 SIGI focuses on four dimensions of discrimination: 1) discrimination in the family; 2) restricted physical integrity; 3) restricted access to productive and financial resources; and 4) restricted civil liberties. It is based on comprehensive qualitative and quantitative information on formal and informal laws, social norms, and practices that discriminate against women and girls in their overall life cycle. Percentages range from 0 to 100, while legal variables are categorized as 0, 0.25, 0.5, 0.75 or 1. Higher values indicate higher inequality. The 2019 SIGI scores 120 countries and classifies them into five groups: countries having very low, low, medium, high, and very high levels of gender discrimination in social institutions. OECD, Social Institutions and Gender Index (2019), https://www.genderindex.org/

“Women, Business and the Law 2019: A Decade of Reform” employs eight indicators that are structured around women’s interactions with the law as they begin, progress through and end their careers. The eight indicators are Going Places, Starting a Job, Getting Paid, Getting Married, Having Children, Running a Business, Managing Assets and Getting a Pension. Thirty-five data points are scored across 8 indicators based on 4 or 5 binary questions, with each indicator representing a different phase of a woman’s career. Indicator-level scores are calculated by scaling the unweighted average

82 Inter-American Commission on Human Rights, Situation of Human Rights in Honduras, supra note 48, at 135.
89 Inter-American Commission on Human Rights, Situation of Human Rights in Honduras, supra note 48, at 159.
90 See, e.g., the discussion of the relationships between Municipal Women’s Groups (redes municipales de la mujer) and the municipal offices for women in Western Honduras at Lutheran World Relief, Gender in Agriculture from Policy to Practice, https://genderinagriculture.org/chapter-1/.
92 Lutheran World Relief, Gender in Agriculture, supra note 90.
95 Inter-American Commission on Human Rights, Situation of Human Rights in Honduras, supra note 48, at 134.
97 Id.
98 Id. at 6.
99 Id.
100 See, e.g., U.S. Agency for International Development, Honduras Workforce Development Activity, supra note 94, at 11.
105 Id.
106 The Fragile States Index (FSI), produced by the Fund for Peace, is an annual ranking of 178 nations based on their levels of stability and the pressures they face. The
The six key public services assessed included public schools, hospitals, institutions issuing IDs, utility providers, the police, and the courts. The 12 conflict indicators (e.g., state legitimacy and economic decline) are grouped into four categories: 1) cohesion, 2) political, 3) economic, and 4) social and cross-cutting. Fund for Peace, *Fragile States Index 2018*, (2019), https://fragilestatesindex.org/.

The Corruption Perceptions Index, published by Transparency International, ranks 180 countries and territories by their perceived levels of public sector corruption according to experts and businesspeople. It uses a scale of 0 to 100, where 0 is highly corrupt and 100 is very clean. Transparency International, *Corruption Perceptions Index 2017* (2018), https://www.transparency.org/news/feature/corruption_perceptions_index_2017.

The six key public services assessed included public schools, hospitals, institutions issuing IDs, utility providers, the police, and the courts. *Id.*


InSight Crime, *Maras y pandillas en Honduras*, supra note 111.

InSight Crime, *Honduras Profile*, supra note 114.

Id.


InSight Crime, *Honduras Profile*, supra note 114.

Id.


Id.

Id.


According to the World Bank, urban poverty gap at national poverty lines is the urban population’s mean shortfall from the poverty lines (counting the nonpoor as having zero shortfall) as a percentage of the poverty lines. This measure reflects the depth of poverty as well as its incidence. World Bank, *Urban Poverty Gap at National Poverty Lines (%) – Honduras, Chile, Bolivia, Haiti, Colombia, Costa Rica, Peru, Uruguay* (last visited Oct. 3, 2019), https://data.worldbank.org/indicator/SI.POV.URGP?locations=HN-CL-BO-HT-CR-PE-UY.

Id.

World Bank, *Rural Poverty Gap at National Poverty Lines (%) – Honduras, Chile, Bolivia, Haiti, Colombia, Costa Rica, Peru, Uruguay* (last visited Oct. 3, 2019),
There are no investigations here: Impunity for Killings and Other Abuses in Bajo Aguan, Honduras, HUMAN RIGHTS WATCH (Feb. 12, 2014), https://www.hrw.org/report/2014/02/12/there-are-no-investigations-here/impunity-killings-and-other-abuses-

Id. at 28.


138 Id.


143 Id. at 28.


148 Id.

149 Id.

150 Id.


153 Front Line Defenders, Stop the Killings, supra note 65.

154 Office of the High Commissioner for Human Rights, Committee on the Elimination of Discrimination against Women Considers the Reports of Honduras, supra note 82.


156 Office of the High Commissioner for Human Rights, Committee on the Elimination of Discrimination against Women Considers the Reports of Honduras, supra note 82.

157 Id.


159 Id. at 2.


161 Office of the High Commissioner for Human Rights, Committee on the Elimination of Discrimination against Women Considers the Reports of Honduras, supra note 82.
Women Considers the Reports of Honduras, supra note 82.

Id.

Id.


Id.

Id.

Menjivar & Walsh, supra note 149, at 229.


Cynthia Alberto & Mariana Chilton, Transnational Violence Against Asylum-Seeking Women and Children: Honduras and the United States-Mexico Border, 20 HUM. RTS. REV. 205, 213 (2019); see also Menjivar & Walsh, supra note 149, at 221–222.

Menjivar & Walsh, supra note 149, at 229.

Id.


Office of the High Commissioner on Human Rights, Committee on the Elimination of Discrimination against Women Considers the Reports of Honduras, supra note 82.


Id. at 16.

UN Committee on the Eliminations of Racial Discrimination, Combined Sixth to Eighth Periodic Reports Submitted by Honduras under Article 9 of the Convention, U.N. Doc. CERD/C/HND/608 at 36 (Nov. 10, 2017), http://docstore.ohchr.org/FieldsServices/FilesHandler.axd?enc=6QkG1d%2FPPrIcAqhKb7yhyrsyCSwE1zhG5y1dtW1QsJlj6NRcxiLcvTk9a9MA72hJt0lRdOc1bg99ng%2fOipb0pm2CI0lfNn2r4jdDPKl36DUZvCET6zlZ4yadaaejZ.


Id.


Consejo Hondureño del Sector Social de la Economía (COHDESSE), Platfroma Centroamericana de Economía Solidaria, http://www.ppecosol.org/organizacion/consejo-hondure%C3%B1o-del-sector-social-de-la-econom%3C%3AD-cohdesse (last visited June 26, 2019).


Id.

Nelson, supra note 189, at 2.

Id. at 2–3.


Nelson, supra note 189, at 16.


62/Inclusion%20financiera%20de%20las%20mujeres%20en%20America%20Latina.%20Situation%20actual%20y%20recomendaciones%20de%20politica.pdf?sequence=1&isAllowed=y.


201 Id.


219 More than 60% of MSMEs are led by Women, LA PRENSA (Mar. 08 2016), http://www.laprensa.hn/honduras/937895-410/m%C3%A1s-del-60-de-mipymes-son-lideradas-por-mujeres.

220 CAF Development Bank of Latin America, supra note 199.


222 Id.

223 CONST. arts. 128(1)–(2).

224 Id. art. 128(5).

225 Id. art. 128(6), (12).

226 Id. arts. 124, 128(7).

227 Id. art. 128(8), (11).

228 Id. arts. 128, 134, 139.

229 Id. art. 142.


27. Id.


31. Id.

32. Id.


40. Id.

260 José Miguel Álvarez & Jessica Ramos, Update: Guide to Legal Research in Honduras §3.3, NYU HAUSER GLOBAL LAW SCHOOL PROGRAM (June 2012), http://www.nyulawglobal.org/globalex/Honduras1.html#judicialbranch.


263 Id. at 12.

264 Id. at 31.


269 USAID, Gender-Based Violence Analysis for USAID/Honduras, supra note 268, at 46.

270 Id.


274 USAID, Gender-Based Violence Analysis for USAID/Honduras, supra note 268, at 46.

275 Id.

276 The Regulations Regarding Access to Justice for Vulnerable People have been approved by the XIV Ibero-American Judicial Summit held in Brasilia on March 4–6, 2008.

277 World Bank, Strengthening the Justice Sector in Honduras, supra note 266.

278 Id.

279 Honduran lempiras have been converted to United States dollars (USD) at a rate of conversion at the time when the report was being written, i.e., September 2019.


282 Immigration and Refugee Board of Canada, supra note 239.


284 LABOR CODE arts. 641, 635.

285 Immigration and Refugee Board of Canada, supra note 239.

286 Inter-American Commission on Human Rights, Situation of Human Rights in Honduras, supra note 48, at 159; Immigration and Refugee Board of Canada, supra note 239.


288 Id.

289 Oxfam, A Life With Dignity, supra note 91, at 3.
Women Empowered-Realizing Inclusive & Sustainable Economies is a women’s economic empowerment (WEE) initiative under Women & Girls Empowered (WAGE), a U.S. Department of State-funded global programming consortium to advance the status of women and girls, led by the American Bar Association Rule of Law Initiative (ABA ROLI) in close partnership with the Center for International Private Enterprise (CIPE), Grameen Foundation, and Search for Common Ground (Search). To account for the deeply interconnected nature of women’s experiences, WE RISE programs employ approaches that are highly collaborative, integrated, multidisciplinary, and inclusive, addressing WEE in the context of legal and practical barriers such as gender-based violence (GBV), conflict, and insecurity.