

2011 Trafficking in Persons Report Honduras (TIER 2)

Honduras is principally a source and transit country for men, women, and children subjected to sex trafficking and forced labor. Honduran victims are often recruited from rural areas with promises of employment and later subjected to forced prostitution in urban and tourist centers, such as Tegucigalpa, San Pedro Sula, and the Bay Islands. Honduran women and children are found in conditions of sex trafficking in Guatemala, El Salvador, Mexico, Belize, and the United States. To a lesser extent, women and girls from neighboring countries, including Guatemala and Mexico, are subjected to sexual servitude in Honduras. In addition to anecdotal reports of incidents in the Bay Islands, Honduran authorities identified child sex tourists in La Ceiba, San Pedro Sula, and Siguatepeque during the year. There have also been reports of rural families selling their children who ultimately end up subject to forced labor and commercial sexual exploitation in urban areas. NGOs reported incidents of forced labor in Honduras in agriculture and domestic service. Honduran men, women, and children are also subjected to forced labor in other countries, particularly in Guatemala, Mexico, and the United States; some of these migrants are exploited en route to or within the United States. Officials, NGOs, and the media reported that there was an increase in cases in which young males in urban areas were coerced and threatened by gang members in order to traffic drugs.

The Government of Honduras does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. These efforts included sustained, modest law enforcement efforts against child sex traffickers, the creation of a draft comprehensive anti-trafficking law, and the launching of an anti-trafficking hotline. However, government services for trafficking victims remained limited, laws failed to prohibit trafficking for the purposes of forced labor, and authorities did not employ proactive methods to identify trafficking victims among vulnerable populations.

Recommendations for Honduras: Pass a comprehensive anti-trafficking law that prohibits forced labor; increase efforts to investigate and prosecute all trafficking offenses, including forced labor crimes and forced prostitution of adult victims, and convict and sentence trafficking offenders; ensure that specialized services and shelter are available to trafficking victims through increased funding, either to government entities or civil society organizations; increase resources and staff for the dedicated police and prosecutorial units; develop formal procedures for identifying victims among vulnerable populations; increase training on victim identification and assistance, including for victims of forced labor, for local immigration, law enforcement, and judicial officials; enhance government planning and coordination mechanisms, perhaps through passing a national plan or increased committee action; and continue to raise awareness about all forms of human trafficking.

PROSECUTION

The Honduran government maintained efforts to investigate and punish sex trafficking crimes involving children over the reporting period, though it did not make serious and sustained

efforts against trafficking crimes involving forced labor or the forced prostitution of adults. Honduras prohibits forced prostitution through aggravated circumstances contained in Article 149 of its penal code, enacted in 2006, but does not specifically prohibit forced labor. For sex trafficking offenses, Article 149 prescribes penalties ranging from 12 to 19.5 years' imprisonment. Such punishments are commensurate with those prescribed for other serious crimes, such as rape. While officials reported their drafting of a new comprehensive anti-trafficking law, no draft law was submitted to Congress during the reporting period. The government maintained a law enforcement unit dedicated to investigating human trafficking and human smuggling crimes; this unit consisted of 10 investigative officers, all based in the capital. The Office of the Special Prosecutor for Children handles all trafficking cases, including those involving adults; however, this unit's effectiveness was hampered by limited staff and funding.

There were 106 pending investigations into human trafficking complaints during the reporting period. Authorities prosecuted seven cases of sex trafficking of children, as well as one case of forced labor using a financial exploitation law. The government obtained three convictions, with convicted offenders given sentences ranging from 10 to 19.5 years' imprisonment. In comparison, authorities prosecuted 26 trafficking cases and obtained five convictions during the previous year. The lack of specific prohibitions against forced labor remained a significant impediment in law enforcement efforts. The government did not report any investigations, prosecutions, convictions, or sentences of public officials for complicity in human trafficking. There were no confirmed allegations of trafficking-related corruption during the year. Honduran authorities collaborated with Guatemalan and Mexican officials on two investigations during the reporting period. NGOs and international organizations continued to deliver most of the anti-trafficking training available to government officials.

PROTECTION

The Honduran government provided minimal services to trafficking victims during the year, but referred victims to NGOs to receive care services. There continue to be no formal procedures employed by officials to identify trafficking victims among vulnerable populations, such as women and girls in prostitution. The government did not fund dedicated shelters or services for trafficking victims. Child victims could receive limited medical and psychological assistance at three government shelters for at-risk children, one of which opened in San Pedro Sula in December 2010. Officials did not record the number of child trafficking victims who received services at these facilities. Honduran officials generally coordinated with NGOs to refer trafficking victims to receive care services. One partner NGO provided the majority of victim care for children and received no direct funding from the government. While NGOs have provided services to adult victims of trafficking in Honduras, including repatriated Honduran victims, government funding for adult victim services was practically nonexistent. The only government-provided shelter accessible to adult male victims is the migrant detention center, which is not appropriate for victims of trafficking. Government-funded victim services were largely limited to the delivery of basic medical, psychological, and dentistry services to some victims at government health facilities; these services are available to all Honduran citizens. A

network of NGOs reported identifying over 300 victims during the reporting period. Honduran diplomats abroad reported assisting Honduran victims in other countries. Victims were encouraged to assist in the investigation and prosecution of trafficking offenders, and some did so during the reporting period. Some trafficking victims declined to cooperate, however, due to distrust in the judicial system, particularly its ability to ensure their personal safety, as victim protection services are lacking. There were no reports of identified victims being penalized for unlawful acts committed as a result of their being trafficked. The government did not report systematically offering foreign victims legal alternatives to their removal to countries where they may face hardship or retribution, though authorities reported that there were no known cases of trafficking victims being deported.

PREVENTION

The government enhanced efforts to prevent human trafficking during the reporting period through partnerships with civil society organizations. The Inter-Institutional Commission on the Commercial Sexual Exploitation and Trafficking of Children, which is composed of government agencies, NGOs, and international organizations, served as the interagency coordinating body, and met eight times during the year. Most of the commission's efforts focused on child prostitution. Transparency in the government's anti-trafficking measures was limited; while authorities shared statistics on anti-trafficking efforts on request, the government did not publicly report on the effectiveness of its own efforts during the year. In September 2010, the government launched a national hotline for trafficking victims to obtain information and assistance, with the support of an international organization, the NGO community, and a foreign government; the hotline was administered by the anti-trafficking police unit. With the support of an international organization, officials hosted a bilateral working group with Colombian officials on best practices in fighting trafficking. Authorities continued to partner with the country's private tourism board, which worked with hotels and other tourist businesses to promote a code of conduct prohibiting the commercial sexual exploitation of children; 182 additional hotels and resorts signed during the reporting period for a total of 416 participating businesses. Authorities reported fining and closing two hotels for a week for permitting the sexual exploitation of children, in addition to fining seven bars and nightclubs for permitting sexual exploitation of children. The government investigated three child sex tourists from the United States and one from Honduras during 2010 but reported no prosecutions or convictions of child sex tourists. Authorities reported training almost 2,000 vulnerable children on how to recognize and report trafficking crimes and how not to be a victim. The government did not report efforts to reduce the demand for forced labor.