Human Rights crisis during the COVID-19 pandemic
Human Rights

crisis during the COVID-19 pandemic
REPORT | HUMAN RIGHTS CRISIS DURING THE COVID-19 PANDEMIC

Comité de Familiares Detenidos Desaparecidos - COFADEH
Texts: Team COFADEH
Design and layout: >eRo
Photographs: Image Bank of COFADEH
Cover page: https://www.freepik.es/
2020

Partial or total reproduction of this text is allowed provided that the copyright and other exclusive credits of the body that owns the intellectual property of this material are respected and mentioned.
# Index

<table>
<thead>
<tr>
<th>I. Introduction</th>
<th>7</th>
</tr>
</thead>
<tbody>
<tr>
<td>II. Context</td>
<td>9</td>
</tr>
<tr>
<td>III. Methodology</td>
<td>12</td>
</tr>
<tr>
<td>IV. Conceptual Framework of economic, social and cultural rights</td>
<td>12</td>
</tr>
<tr>
<td>V. Impact on the rights of people</td>
<td>15</td>
</tr>
<tr>
<td>VI. Statistical Summary</td>
<td>36</td>
</tr>
<tr>
<td>VII. Conclusions</td>
<td>37</td>
</tr>
<tr>
<td>VIII. Recommendations</td>
<td>38</td>
</tr>
<tr>
<td>IX. Annexes</td>
<td></td>
</tr>
<tr>
<td>- Executive Order PCM-021-2020</td>
<td>39</td>
</tr>
<tr>
<td>- Public manifesto of the organizations</td>
<td>44</td>
</tr>
<tr>
<td>- social</td>
<td></td>
</tr>
</tbody>
</table>
The people of Honduras who have permanently confronted the unresolved institutional crisis since 2009, aggravated electoral fraud in 2013 and then tensed to the maximum in 2017 with the unconstitutional presidential re-election, is now suffering an enormous dilemma:

- To obey a total quarantine in their homes due to the mortal risk of the Covid-19 pandemic, in compliance with an illegal and illegitimate regime that has destroyed the social contract between society and the State...

- Or to disobey the same violent actors of the past who today are today's managers of the health emergency with roadblocks, curfews, national media chains, executive decrees that restrict and repress individual and collective rights and provide sacks of food that are distributed according to the dictator's electoral map.

What a dilemma for the country with the greatest inequality in the continent, that confronts a viral monster with a health system that has been looted by corruption, weakened by the neoliberal strategy of privatization and with military managers armed with religious fundamentalism, and without scientific or medical professionals as it should be!

The Committee of the Families of the Detained and Disappeared in Honduras (COFADEH) presents this preliminary report of events registered in the midst of the emergency still in course, knowing that its evolution is surging rapidly.

Clearly, the objective of this document is not to repeat health instructions as important as they may be, nor to quantify the pandemic in course, rather the logic is to focus on the Honduran context in which this national commotion is occurring and its effects on human rights at the national level.

We owe the ability to produce this document, to the women and men, most of them young people, who are members of the human rights networks that monitor the reality of the communities in which they live, work and study.

We also owe the content of this report to the selfless work of the COFADEH team that remains attentive 24 hours of every day, making decisions, producing images, content, creative ideas and actions on behalf of those whose rights are being limited, restricted or violated.

To provide a global framework in which to understand the national situation, this report includes an introduction that lays out the principles of international law that apply to human, social and cultural rights as well as civil and political rights. It also summarizes some important factors prior to the arrival of the coronavirus in the country.

In reality, this monitoring effort places emphasis on the situation of social and economic rights in the framework of the current health crisis and focuses attention on the actors that are managing it.
The document reports on the dangerous management of the pandemic by the regime’s military forces and the party structure that controls the state, in contrast to forms of collective care and self-protection that many communities develop through grassroots organizing.

It is a warning that the military is at the center in the current context, as enforcers of the curfew, transporters and distributors of food and repressors of those who express discontent; an absolute militarization of the quarantine.

The omnipresence of those in uniform has produced, as would be expected in the Honduran context, excessive discretion at the moment of enforcing the obligatory measures of control and suspension of Constitutional Guarantees. An arbitrariness between the relative and the absolute, between the needs of the market economy and the interests of the population in general, has confused and impacted the population in the majority of the departments throughout the country. It results in conflicting orders being issued at the central and local levels during the quarantine, impacting personal freedoms including, physical integrity and movement but particularly social and economic rights: to health, social security, income and food.

Over one thousand people have been arbitrarily detained in Honduras, and in some cases submitted to cruel and inhumane treatment. Thousands of workers are panicked in the face of private sector employers that are considering mass firings during and after the emergency, the duration of which is unknown. This private sector which has always demanded special considerations, pardon of debt and legal tax evasion, now turns its back on employees in the manufacturing, agroindustry and services sectors; requiring quarantine to be taken as vacation days and considering the closure of businesses.

In many regions, the population is anxious, does not agree with measures and is mobilizing with increased intensity. There are many situations that require people to leave self-confinement, not only running out of food or the risk of losing sources of income. People cite the lack of medicine and doctors, even the police lack bio sanitary protection when they approach the population. People cite the presence outbreaks of contagion in their communities which are not monitored, that politicians renowned in the art of bad administration are directing the distribution of supplies and that the military attends to lists of electoral fidelity rather than the map of national misery.

At the end of the report, are conclusions and recommendations to actors in the central apparatus and local governments that are under the vigilant gaze of the population via networks of human rights defenders at the national level, monitoring actions taken and not taken, and the management of emergency funds that are transferred. We also call out to the World Health Organization at this time.

We place this information in your hands for discussion and distribution, trusting that we can offer new, systematized information from the perspective of an organization that promotes and defends fundamental rights, accompanies the people in social isolation as a preventative measure and provides defense in response to excesses, abuses and crimes committed by state agents invested with authority.
For decades, Honduras has suffered inequality and social exclusion as a consequence of political and economic decisions taken by the most insensitive dominant sectors in the region, with Haiti and Bolivia being the only countries comparable to our humanitarian catastrophe.

All indicators for the so called Human Development paradigm (access to health, potable water and food, education and income) have remained in the red; in other words, approximately 75% of the total population has no access to them in a direct, sufficient or permanent manner.

The majority of families crushed by this ultra-neoliberal system which concentrates wealth, cannot withstand the everyday illnesses of these “shithole countries,” as the president of the United States referred to countries like Honduras, that expel their population through forced migration.

In the current context, vulnerable families are even more paralyzed economically, without work or income, with no “tele-work” option, as there is in wealthy countries. They confront shortages of food and hygiene products necessary to survive the disease.

In its most recent evaluation of Honduras, the United Nations Committee for Economic, Social and Cultural Rights (CESCR), noted this. In its report, it observed the persistence of high rates of poverty and misery, with the heaviest impact on indigenous people, afro-descendants and the rural populations in the country.

The Inter-American Commission on Human Rights, during its 2018 visit, also documented the disturbing situation of inequality and social exclusion in Honduras, observing great difficulties in the fulfillment of social rights for large percentages of the population.

In 2017 report, the Office of the United Nations High Commissioner for Human Rights in Honduras, OHCHR documented the high levels of poverty affecting over 60% of the population, 38% of which live in conditions of misery. “This situation – it noted – points toward regression in the struggle against poverty since between 2001 and 2016 the number of families in this condition has increased by 63%, in other words 5.3 million people in a population of 8.7 million”.

In December of 2019 scientists informed that a new strain of coronavirus that emerged in Wuhan, China, like other coronavirus strains, causes respiratory problems and can lead to death in the elderly and in those with pre-existing health conditions: Corona Virus Disease – 2019, COVID-19.

As would be expected, the virus crossed borders during the first two months of 2020. The World Health Organization (WHO) declared it a pandemic on March 11, 2020 calling on states to follow recommendations of scientists and health professionals. As of that moment, governments began to

---

1) Comité DESC. Observaciones finales sobre el segundo informe periódico de Honduras, 11 de julio de 2016, párr. 39.
3) Oficina del Alto Comisionado de las Naciones Unidas para los Derechos Humanos, Informe Anual 2017 sobre la situación de los derechos humanos en Honduras. 20 de marzo de 2018, párr. 7. 215 Oficina del Alto Comisionado de las Naciones Unidas para los Derechos Humanos, Informe Anual 2017 sobre la situación de los derechos humanos en Honduras. 20 de marzo de 2018, párr. 7-8.
take diverse measures to control the spread of the virus.

On February 10, 2020 the National Congress approved, in silence, a budget of 110 million Lempiras to prevent the spread of Covid-19 and dengue\(^5\). However, it did not implement a prevention campaign despite the fact that Executive Decree PCM-005-2020\(^6\) had been published.

Likewise, the Secretary for Economic Development (SDE) emitted ministerial agreement 018-2020 to stabilize the prices of medicine and supplies to prevent dengue and coronavirus\(^7\).

On March 13th, the National Congress approved the Special Law for Economic Acceleration and Social Protection in response to the effects of the coronavirus. According to public information, the objective of the law is to authorize of sanitary actions that include an increase in the health budget and activation of the economy to confront the worldwide effects of the pandemic.

According to the government, the decree would strengthen the health care system with the construction of hospital infrastructure, contracts for emergency personnel and an efficient, modern electrical platform to improve health communication. Supposedly 94 health centers were to be constructed throughout the country and 11 hospitals, to be ready in 6 months and 12 months, respectively\(^8\).

However, on March 25th, 12 days after the announcement of this law, Health Secretary, Alba Consuelo Flores\(^9\), assured that conditions did not exist to build hospitals to help with the containment of Covid-19.

One week after confirming the first positive case\(^10\), the unconstitutional government suspended constitutional guarantees with Executive Decree PCM-021-2020\(^11\) and declared a State of Emergency. This decision has directly impacted the exercise and respect for the rights to freedom, mobility, inviolability of the home and private property, as well as economic, social and cultural rights, especially the right to work, health and food.

The total militarization of sanitary measures together with the politicization of the distribution of food rations to affected families has generated diverse reactions at the national level.

On March 26th a group of 15 social organizations demanded, in a public declaration, that the Medical College of Honduras assume management of the health emergency\(^12\), because no integral plan exists to assure the transparency of approved funds and the reduction of the impact of the pandemic on

---

5) El decreto de emergencia sanitaria a nivel nacional, aprobado por el Gobierno, fue publicado en el diario oficial La Gaceta el 10 de febrero y en el mismo se autoriza un presupuesto de 110 millones de Lempiras. Ver Gaceta 35,171
6) https://www.latribuna.hn/2020/03/12/honduras-define-estrategia-de-combate-contra-el-covid-19/
9) http://primiciahonduras.hn/ministra-de-salud-no-estamos-en-condicion-para-construir-hospitales/
10) El día siguiente, 12 de marzo de 2020, el gobierno de Honduras registró oficialmente el primer brote de coronavirus en el territorio nacional. Hasta antes de ese día no había campañas de prevención ni se habían tomado medidas de seguridad en las aduanas fronterizas ni en aeropuertos.
12) https://radioprogresohn.net/noticias-nacionales/organizaciones-sociales-demandan-que-colegio-medico-asuma-conduccion-de-la-emergencia-en-salud/
The general population. The fact that the management of the emergency has been assigned to the military and politicians with no medical experience, with no independent oversight, elevates the levels of risk in a country already made vulnerable.

The Medical College also demanded the transparent transmission of information to the population regarding the advance of the coronavirus and proposed that national television and radio stations be informative and provide orientation, rather than outlets for terrifying discourse and much less instruments for demagoguery to profile electoral aspirations of public functionaries. The medical union advised that FOSDEH and the College of Economists of Honduras should assume financial oversight of the emergency. The declaration asked for respect for work and salary stability in all public and private businesses in the country, and legislation to assure that no one is fired and that salaries are not reduced during, nor after the emergency.

It reiterated that the priority should be the supply of medicine and medical teams and health personnel throughout the health care system and permanent access to potable water. Signers suggested a request for support from the government of Cuba to assist with specialized medical personnel if the Medical College considered it necessary.

The social organizations ended by calling for “a food assistance system at the national level, coordinated by municipalities and diverse local organizations, to guarantee that distribution is not politicized, to eradicate proselytizing propaganda in the distribution and to assure that food assistance is not linked to the militarization of society.”
III. Methodology

COFADEH usually centers its reports on the impact of policies and government decisions related to civil and political rights.

On this occasion we focus on the impacts on economic and social rights during the current health emergency.

IV. Conceptual Framework of economic, social and cultural rights

ECONOMIC, SOCIAL AND CULTURAL RIGHTS:

Economic, social and cultural rights (ESCR) are all those human rights linked to the living conditions (social and economic) that permit people to have a dignified life. Although economic, social and cultural rights can be expressed in different ways according to countries and instruments, there is a basic list: workers' rights; right to social security and social protection; family protection and assistance; the right to an adequate level of living conditions (including the right to housing, food, water and clothing); the right to health; the right to education; cultural rights.

In articles 111 thru 181 of the Constitution, Honduras recognizes these economic, social and cultural rights.

These clearly identified rights constitute human rights obligations in article 1° of the International Covenant on Economic, Social and Cultural Rights (ICESCR), which establishes that States have the obligation to take progressive action "with the maximum of available resources" to achieve complete fulfillment of ESCR. Specifically, States assume three types of obligations linked to ESCR:

- **The Obligation to Respect**: States should refrain from violating ESCR.
- **The Obligation to Protect**: States should prevent other actors (not necessarily state actors but also private actors) from violating ESCR.
- **The Obligation to Fulfill**: States should take measures necessary to guarantee full realization of ESCR. For example, implement legislation or assign budget.

RIGHT TO WORK:

The right to work is addressed in articles 6° - 8° of the ICESCR, which includes the prohibition on forced labor, the right to freely choose or accept a work, fair wages and equal remuneration for work of equal value, the enjoyment of free time and reasonable limitations on work hours, safe and healthy conditions in the workplace, the right to create and join unions and to strike.19

The right to social security and social protection includes the right to not be denied social security coverage in an arbitrary or unreasonable manner, the right to equality in protection in the case of unemployment, sickness, old age or lack of means of subsistence beyond the control of a person. 20

In General Observation N° 18, the Committee on Economic, Social and Cultural Rights (CESCR) outlines the following characteristics of work:

- **Availability:** States should provide specialized services to support individuals in finding available jobs and to apply for them.

- **Accessibility:** Access to work has three dimensions: non-discrimination, physical accessibility (work places should be accessible to any person) and access to information (every person has the right to search for, obtain and share information related to work opportunities).

- **Acceptability and Quality:** This includes the right to accept employment that has fair and safe conditions and the right to form and join unions.21

RIGHT TO HEALTH:

The right to health has two dimensions. On the one hand, article 12° of the ICESCR recognizes the right to the highest level of physical and mental health which means that every person has the right to access medical services to assure the highest level of physical and mental health; on the other hand, the State has the obligation to provide healthcare at this level of quality.

In General Observation N° 14, the Committee on Economic, Social and Cultural Rights (CESCR) established that the right to health has 4 fundamental characteristics:

- **Availability:** The State should provide a sufficient number of public health establishments, goods and services as well as health programs.

- **Accessibility:** The State should assure that health establishments, goods and services are accessible to all. This implies non-discrimination, physical accessibility (that no physical limitations exist for people), economic accessibility (that services are affordable for all and that the poorest do not carry an excessive financial burden) and accessibility to information (everyone has the right to seek, obtain and share medical information as long as it does not contravene a medical confidentiality).

- **Acceptability:** The State should assure that all health establishments, goods and services respect medical ethics, are culturally appropriate and sensitive to the needs of all sexes and life stages.

22) https://www.ohchr.org/Documents/Publications/FS33_sp.pdf
• **Quality:** The State should assure that health establishments, goods and services are appropriate from a scientific and medical perspective and of good quality.\(^{23}\)

The concept of “highest possible level of health” referenced in paragraph 1 of article 12 takes into account the essential biological and socio-economic conditions of the person and the resources of the State.\(^{24}\)

**RIGHT TO FOOD:**

“The right to adequate food is realized when every man, woman and child, alone or in community with others, has physical and economic access at all times to adequate food or means for its procurement.”\(^{25}\)

It is a human right of every woman, man and child and should be fulfilled through appropriate actions on the part of state and non-state actors.

For the Special Rapporteur, the right to food is the right to have regular, permanent, unrestricted access to food, whether directly or through purchasing, at a sufficient and adequate level in qualitative and quantitative terms, corresponding to the cultural traditions of the population of which the consumer is part, and guaranteeing a psychic, physical, individual, collective, satisfactory, dignified life that is free of fear.\(^{26}\)

General Observation No. 12 of the United Nations Committee on Economic, Social and Cultural Rights establishes: “The right to adequate food is realized when every man, woman and child, alone or in community with others, has physical and economic access at all times to adequate food or means for its procurement. The right to adequate food therefore should not be interpreted in a narrow or restrictive manner, equating it as a combination of calories, proteins and other concrete nutritional elements. The right to adequate nutrition is to be achieved progressively. However, States have the basic obligation to adopt the measures necessary to mitigate and alleviate hunger, including in the case of natural or other types of disasters.”\(^{27}\)

The CESC R defines obligations of States Parties to the Covenant to assure the right to adequate food at the national level. These obligations are the following:

- The obligation to **respect access** to adequate food requires that States not adopt measures that result in impeding this access;
- The obligation to **protect** requires States to adopt measures to assure that businesses nor individuals deny people access to adequate food;
- The obligation to fulfill means that States should initiate activities to strengthen the populations access and utilization of resources and means to assure livelihoods, including food.
- When and individual or group is not capable, for reasons beyond their control and with the means available to them, of exercising the right to adequate food, the States have an obligation to fulfill this right directly. This obligation also applies to people who are victims of natural or other types of catastrophes.

^{26}\) [https://www.ohchr.org/SP/Issues/Food/Pages/FoodIndex.aspx](https://www.ohchr.org/SP/Issues/Food/Pages/FoodIndex.aspx)  
^{27}\) [https://www.ohchr.org/SP/Issues/Food/Pages/FoodIndex.aspx](https://www.ohchr.org/SP/Issues/Food/Pages/FoodIndex.aspx)
Impact on the Right to Work

The measures implemented by the State during the current COVID-19 national emergency have a direct impact on the right to work. The illegitimate and unconstitutional nature of the regime that administers the emergency has consequently led to authoritarian measures.

First, the regime declared a curfew to force the population’s confinement creating a general effect on the possibility of working, but at the same time, it created an obligatory category of jobs considered “essential” that require the physical presence of the workers on the job, for example, those persons who work as cleaners at hospitals or street cleaners, trash collectors, those who distribute beverages and food, dispatchers for delivery orders, cashiers, and gas station attendants, among others.

The State must guarantee that conditions for all of these jobs meet the minimum requirements for safety and hygiene, thus all the workers must have the N95 masks suggested by the WHO or the N99 as demanded by the Honduran College of Physicians, gloves to avoid contagion and the basic supplies for hand hygiene.

In the case of public enterprises and other government administered entities, the State has the obligation to fulfill quality requirements related to the right to work; being the direct employer it must offer its workers (e.g. medical personnel, nursing personnel, cleaning staff, trash collectors) the minimum required protection. There are formal complaints that these are not being provided.

In the private sector they have the responsibility for offering workers the masks, gloves and other necessities for safety and hygiene and the State has to comply with its obligation to protect the quality of the right to work. It is important that the government carries out inspections through the Department of Labor to assure that workers performing essential work have the minimally required protection to avoid the risk of infection.
The State is not fulfilling this obligation: on March 18, two days after the absolute curfew was implemented, the Union of Workers in the Beverage and Similar Products Industry (STIBYS) issued a communique denouncing the fact that the State of Honduras was not guaranteeing the rights of more than 6 thousand workers in that industry who are exposed to the risk of contracting COVID-19 because the transnational companies Abin Bev; Coca Cola Co. and PepsiCo were continuing to operate without implementing health precautions and were requiring their workers to work in crowded work spaces and to service more than 50,000 businesses in the country every day, taking advantage of the above mentioned Decree and to avoid paying salaries.

The Union holds the State responsible for the possible infection of employees. STIBYS demands the workers’ right to stop working to guarantee the right to life and health for six thousand workers. On March 22, the beer company Cervecería Hondureña S.A. issued a communique with the information that one of its employee had been infected with COVID-19 since March 19, 2020 and was in self-isolation.

On March 17, 2020 the presidents of 18 unions in the maquiladora industry and the President of the Honduran Association of Maquiladoras announced the suspension of work for 165,000 employees with their salaries guaranteed for the seven day closure during which time, according to the agreement between the unions and maquilas, the only employees who would be working would be those making medical equipment or supplies.

Despite this agreement, on March 23, 2020, Joel Almendares of the Unified Confederation of Honduran Workers (CUTH) complained that the maquiladora companies Southern Apparel and New Holland began a process to suspend the contracts of their employees, without pay, for four months because of the health crises. According to the union leader this action would leave 9000 workers without employment, if the closure is approved by the Secretary of Labor. Similar complaints were made by the President for the Maquila workers in the Villanueva area who proposed that the pension fund from the Honduran Social Security Institute be used to pay one month’s salary as a guarantee of the health of the workers. Similarly, the maquila harness manufacturer Empire Electronic Honduras suspended the contracts of 4000 employees for 120 days beginning March 30.

Meanwhile, on March 16, 2020 initially, the company Grupo INTUR forced its employees to take vacation for one week, and after that, via electronic notification dated March 16, 2020 and sent out during the night that same date, it suspended the contract for its employees for 120 days, affecting more than 7000 hourly workers. The email notifications were not on official company letterhead and the signatures are illegible.

As this was happening, the president of the Chamber of Commerce and Industry in Cortés (CCIC) Pedro Barquero declared on March 25, 2020 that the priority for the company owners should be first, to pay the salaries of its employees and second to pay taxes and public services fees to the Government. This declaration worried the business sector because the State has usually been permissive with the powerful economic elites in relation to their tax obligations, and in many cases it has even dispensed with those obligations.

Despite these effects, we are not seeing direct measures taken for workers, such as the right to subsidies or assistance in the case of being unemployed in order to avoid that this number of families are put at risk for poverty in the current context of additional emergency.

28) https://defensoresenlinea.com/stibys-denuncia-ante-el-gobierno/
31) Burger King, Little Caesars, Church’s Chicken, Popeyes, Dunking, Campero, Chilís, Circle K y Baskin Robbins;
32) http://www.radiamerica.hn/pedro-barquero/
Informal workers

The situation of informal workers is much more complicated since there is no recognition of the existence of an employment relationship without the provision of tasks and without wages. A year ago, in March 2019, the Secretary of Labor recognized the fact that in Honduras 70% of the economically active population is in the informal economy.33

For many of these workers, the problem is concretely a question of life or death: if they comply with the quarantine they risk not being able to provide food for their households due to lack of income, and if they go out “to scavenge” in the streets they risk their own and others’ health. However, besides this large sector of people who work in the street “day by day” like the people who sell tortillas, fruit, chewing gum, baleadas, popsicles and bobbins among others, are those who are self-employed and charge for services. This includes agricultural day laborers, fishermen, painters, bricklayers, carpenters, shoeshiners, hair stylists, seamstresses, electricians, small business owners, and independent professionals. There are also those who consider themselves to be middle class, among which are journalists, “free-lance” photographers and videographers, editors, playwrights, and graphic designers with small independent businesses; producers of cultural events, musicians, technicians, and theater workers — all affected in the same manner. Employees in public transportation like taxi drivers, fare collectors, truck drivers, and the employees in hotels and tourist resorts, all of whom are paid by the job are also affected.

The implementation of the curfew, with the suspension of article 103 of the constitution34, affects private property in that police authorities confiscate in an arbitrary manner, vehicles, permits for driving, car keys and any other mechanical or electrical apparatus that is necessary for the functioning of the vehicle. No information is given to drivers about how to reclaim their property, no receipt for the confiscated property is given and in the majority of the cases the drivers were detained and transferred to the police stations. The main victims have been taxi drivers.

Authorities do not respect the official permits that authorize some people to circulate. There is documentation that 442 vehicles, 350 licenses, 6 three-wheel motorcycles, 96 regular motorcycles and 5 boats have been confiscated.35 Of these vehicles 67 are taxis. The supposed violators of the curfew, that according to government records total 1075 people, were taken to irregular detention centers, for example, soccer fields and stadiums, without specifying how long they would be held in detention. The Military Police claim that the suspension of Article 71 of the Constitution follows from Decree PCM-02102020.36

33) Candido Ordóñez, Director del Mercado Laboral de la STSS. https://www.latribuna.hn/2019/03/24/secretaria-de-trabajo-informalidad-concentra-el-70-de-los-empleos/
34) Artículo 103. El Estado reconoce, fomenta y garantiza la existencia de la propiedad privada en su más amplio concepto de función social y sin más limitaciones que aquellas que por motivos de necesidad o de interés público establezca la Ley.
35) Monitoreo Propio.
36) Artículo 71. Ninguna persona puede ser detenida ni incomunicada por más de veinticuatro (24) horas posteriores a su detención, sin ser puesta en libertad o a la orden de la autoridad competente para iniciar su proceso de juzgamiento. Excepcionalmente este plazo lo extenderá la autoridad competente hasta cuarenta y ocho (48) horas, cuando se trate de delitos de investigación compleja, a causa de la multiplicidad de los hechos relacionados, dificultad en la obtención de pruebas o por el elevado número de imputado o víctimas. La medida de excepcionalidad debe ser desarrollada en el Código Procesal Penal. La detención judicial para inquirir no podrá exceder de seis (6) días contados desde el momento en que se produzca la misma.
Impact on the Right to Health

As of now the following locations have been prepared as alternative spaces to treat persons infected with COVID-19: Olympic Stadium in San Pedro Sula and the La Villa Olímpica athletic center in Tegucigalpa. But, the State must ensure that with the quantity of economic resources it has set aside, the other, existing hospitals receive all needed supplies, not only in large urban centers, but also in the interior of the country.

Furthermore, it is vital to reduce waiting time for results from the tests to detect COVID-19 so that rapid, timely treatment can be given and the loss of life due to a lack of medical attention can be avoided.

“There must be no exceptions made when someone ill with COVID-19 needs health services to save their life,” stated UN human rights experts, adding that, “the crisis caused by the corona virus needs to be addressed respecting all the fundamental guarantees, including those of all groups: older adults, minorities, indigenous peoples, displaced persons, poor people, prisoners, the indigent, migrants, drug addicts and LGTBI persons.”

The Secretary of Health initially stated that there were 18 hospital units ready, however, the population in those regions has reported that their community health centers lack basic equipment.

The pandemic has shown us that public health services are not accessible even though they are funded by taxes paid by the population, and that the private health system is not supplementing public health.

Community Health Centers have a high level of vulnerability because they are not given supplies, and don’t have the personnel or medication to treat all illnesses. “There are certain illnesses that cannot be treated in the territories. People who are ill have to travel to large urban centers and that is not unusual.”

Long before this emergency, a privatization offensive against public health services was being carried out through neoliberal policies adopted in 1990, then intensified by the war economy of the post-coup State beginning in 2009 and the theft of millions from 2013 to the present.

The inequalities observed in recent days directly affect patients with chronic diseases, impacting people who are at greater risk in the face of the current coronavirus crisis. These social groups already had very limited access to the health system and with the emergence of coronavirus the situation of patients with chronic diseases will worsen even more. The pandemic therefore presents an enormous challenge to the health system. Among the challenges are:

The Network of Defenders in Lempira reports that diabetic patients from La Unión need doses of insulin, but due to the closure of the municipality’s borders and the impossibility of travel, they do not have access to the medication. This makes them highly vulnerable to the virus. They belong to the highest risk population for Coronavirus.38

The lack of plans and strategies to restrict free movement is also undermining the security and life in this sector of the population that needs better care and attention based on the fact it has three cases of confirmed infection as of this date.

The imposed logic that infected people must stay at home requires a strong level of social welfare, but the conditions for such public well-being don’t exist in the municipalities in the interior of the country; basic necessities coupled with a lack of information complicate the health of the communities.

In La Unión, the family of the first infected person took care of the patient at home. All of the household self-isolated as did all people who had contact with the patient, but the Department of Health did not provide sanitation supplies or instructions, nor did it make sure that the family could provide the basic sanitary conditions to take care of the patient and avoid contagions, which according to a special protocol includes that the sick person should not use the same bathroom. This is impossible in the poor municipalities in the western part of the country where also people are not accustomed to treating waste39. Of the 95 confirmed cases only 39 are hospitalized.

The Network of Defenders in the Southern Region (REDHSUR) of the country report that in the municipalities of Ojojona and Santa Ana the community health centers are closed. There are no healthcare personnel to care for common emergencies which forces the population to go to the only hospital in the area. Despite the fact that this is a tourism zone and that the municipalities of Ojojona and Sabana Grande have confirmed 20 cases of infection, the curfew is only in effect after 3pm.40

REDHSUR has also documented bad management of patients in Choluteca, the inability to identify symptoms of COVID-19 and mistaken diagnoses that contribute to stigmatizing people and generating unnecessary expenses because they are transferred to Tegucigalpa by ambulance that must be paid for by the patient. At the same time there is testimony that there is a lack of tests in the hospitals and a shortage of required biosecurity equipment for medical personnel and healthcare workers in the region. New personnel have been hired, especially from the School of Nursing; they are not provided with the biosecurity equipment necessary for them to do their work.41

In the Department of Valle the situation is no different, defenders have verified inefficient procedures, patients suspected of infection who arrive at the very few health centers that are functioning or to private clinics are taken by Red Cross or Fire Department ambulances to the San Lorenzo Hospital. There, tests are done and sent to the Virology Laboratory in Tegucigalpa where results take over 24 hours. Meanwhile the patient remains in isolation in the hospital without any other measures being taken, and at the same time, no preventative measures are implemented in the community where the patients and their companions are from.42

The networks of Defenders in the Department of La Paz (REDHIL) reported that the challenge for that province with its high concentration of a Lenca indigenous population is the supply of medications and integral health care for patients who are permanently on medications, among these are people with disabilities, diabetics, people with high blood pressure and with epilepsy. Why doesn’t the public health system provide these medications? And at the same time, restrictions on movement keep the patients from getting the medications themselves. The health situation for indigenous people related to infectious diseases is serious given the lack of health services in their territories. At present, the Government has not presented a plan that responds to the situation of indigenous people facing the pandemic, especially given their extreme vulnerability. According to the United Nations the indigenous population over the age of 35 suffers from type 2 diabetes, a disease that is vulnerable to COVID-19 infection.

REDHIL made an emergency appeal for the population to take health and sanitation precautions and to develop contingency plans according to the specific situation of indigenous peoples. They denounce the fact that no information or protocols exist for this population who in their majority do not know how to read or write, lack drinking water and basic sanitation services.

The organization in coordination with the Indigenous Lenca Environmental Council (CILAH called on people to protect themselves given the absence of State action and implemented strict controls over those entering and exiting of indigenous territories, especially for people who do not belong to these communities. The measure resulted in physical and psychological insecurity for the indigenous communities due to the intolerance of neighboring non-indigenous peoples. Several people were verbally assaulted.

The Network of Defenders of El Paraíso is monitoring the situation affecting migrants who enter the country through the customs checkpoint in Las Manos on the border with Nicaragua. The migrants are being secluded in a shelter where they remain in overcrowded conditions for long periods of time, sleeping on pallets on the ground in the open air.

On March 25, 2020 45 people were being held in quarantine while the shelter only has conditions to accommodate 20 people. According to the information documented by the Network of Defenders no precise information is being given to the migrants about how long they will be held in the shelter, what kind of tests they will be given, and they don’t have disinfectants or other sanitation supplies.
Impact on the Right to Food

As a consequence of the absolute curfew and obligatory quarantine, the prices of consumer goods and food have been rising, making the social crises even worse.

The preventive measures required throughout the country are perceived as exaggerated, removed from the economic context of the country and as having a class bias which has hardly been addressed in official discussions.

Our monitoring and that of local human rights organizations reveal the precarious situation of the rural population and neighborhoods where working class people live, especially informal workers who live by working to get their food on a day to day basis.

In the face of the current crisis, the vulnerable social situation has already provoked frequent social protests. Cities now fear looting, political instability and a deepening of the institutional crises created by the 2009 coup d’état and 2017 electoral fraud.

To smooth over the situation, the unconstitutional Government announced that it would donate food to 800,000 poor families in what it calls “Operation Honduras Solidarity”, popularly known as the “solidarity sack”. 46

Distribution began March 25, 2020, ten days after the beginning of the curfew, with broad press coverage by communication media in the Capital Central District. At that time there had already been public protests in different cities, some initiated by transportation workers, others by street vendors, residents in the El Chile neighborhood, residents of Las Tapias and two neighborhoods adjacent to La Laguna. There were also protests by street vendors in the Medina Concepcion Market in San Pedro Sula and in the Dandy Market, and by people living in Tamara, Choloma and Comayagua who blocked Highway C4. The common demand in all of protests was for food. A resident of Las Tapias stated: “We are in a famine; our children are asking for food”. 47 “Today we are tired of complaining to the news media and no one has shown up.”48

The security forces, especially the National Police and the Military Police, have responded with repression, launching tear gas that immediately causes irritation to eyes, nose, mouth and skin in general. Protesters demand that after ten days without work, they be allowed to work to get food for their families. This was the same demand made by the shoe shiners of the Central Park in the city of Tegucigalpa.

46) http://www.radioamerica.hn/entrega-de-sacos-alimenticios-debe-manejarse-de-manera-transparente-y-sin-tendencias-politicas-presidente-hernandez/
48) Comunicado de la Red Nacional de Defensoras 27 de marzo de 2020
The National Network of Women Defenders denounced the fact that in the case of the three days of protests in Támara, police threatened to shoot to kill.49

On March 28, protests continued. Residents of Cerro Juana Laínz took over Suyapa Boulevard in Tegucigalpa demanding food, water and medicines. The exit to the southern highway from the Central District of the capital was also blockaded for the same reason.50 At the highway exit for Olancho, families of the trash pickers took over the highway demanding food. There were also protests in the neighborhoods of Hato de en Medio and in Villanueva. In Sabana Grande, people took over the highway.51 In general, the Police dispersed protests, in some cases with repression, negotiations and promises of food distribution.52

As of the writing of this report, protests continue in San Pedro Sula; the residents of La Sabana and Los Angeles took over part of the Boulevard in front of the Education Department facilities demanding food. They are also asking that the regime do something in the poor neighborhoods in the north, not only in Tegucigalpa. The police repressed them.

In the capital of Tegucigalpa in the Colonia Villa Vieja neighborhood, Military Police and the National Police used tear gas to disperse families demanding food.

In a statement to the media, the president of the Association of Municipalities of Honduras (AMHON), Carlos Cano, said that the distribution of food was occurring very slowly and had not involved the Municipal governments which could help make the process more efficient; in four days only 3,000 food rations had been distributed.53

In a society as unequal as that of Honduras, the right to food has to do with access to food, not to the availability of food. There are severe difficulties for access to food that is safe and nutritionally adequate to meet family necessities because people lack a way to buy food. The official basic “food basket” in Honduras has 30 products and costs the equivalent of one minimum wage salary, without including any cleaning, hygiene and personal care products.

The pandemic crisis has laid bare these difficulties that add to the unresolved political crisis and traditional partisan sectarianism. The 800 thousand food rations seem to not be distributed to those who most need them but rather to the political clients of the unconstitutional President.


51) https://criterio.hn/pobladores-con-hambre-se-toman-carretera-a-olancho/
52) https://criterio.hn/pobladores-con-hambre-se-toman-carretera-a-olancho/
53) https://proceso.hn/actualidad/7-actualidad/muy-lenta-la-distribucion-de-alimentos-por-parte-del-gobierno-cuestiona-titular-de-la-amhon.html
In Santa Bárbara, human rights defenders denounce the fact that agricultural day laborers, the artisans, those who sell prepared food, and laborers who grind corn, all paid for daily work, are in a disastrous domestic situation. They do not have the resources to obtain food and even those persons who do have some cash to buy products are not being allowed to shop in grocery stores because they don’t have masks. The masks, besides being out of stock, cannot be purchased because the stores that do sell them are closed.

The regime is using pre-existing lists of families from different municipalities aligned with the National Party to distribute food. Solidarity sacks are distributed to these families and not to families that need it due to lack of income or isolation.

The regime has an army of blue vests, and they have a list of people from their party and that is who they are going to deliver to. Exclusion is already in existence in some municipalities where they are helping only their own party.

The defenders in Lempira, La Paz, El Paraíso, Santa Bárbara and the country’s southern zone have received credible information from villages and rural settlements that the National Party is only providing food to its followers. They are receiving text messages such as these:

“We are in a food crisis”; “There is total desperation”; “many families already have nothing to eat”; “in La Union, Lempira we had to do collect money donations to try to buy food, we collected 70,000 Lempira, but that lasted only a short time”; “bags of food did not arrive for the community”; “the only thing that is known is that the mayor had the food sacks two days ago but no one in the community has received anything”; “the solidarity sacks are for just a few people”.

The reality revealed by the communities shows that a network of intermediaries associated with the National Party controls the distribution of food and that is why they are projecting a different image to the population at large. In reality, shipments are taken by the military to the municipalities that voted for the Party of the unconstitutional president Juan Orlando Hernández and to a few of the municipalities of his Liberal Party associates.

Emergency solidarity initiatives, like those implemented by neighborhood solidarity networks in La Union, Lempira in collaboration with the communal organizations, to provide food for the residents in precarious conditions due to isolation and a lack of income, are not looked upon favorably by the military and police authorities.

54) Bety del Carmen Vásquez, Coordinadora del Movimiento Ambientalista de Santa Bárbara.
56) Información transmitida por Defensora de Santa Bárbara.
Restrictions on mobility have affected the agricultural sector. Small producers and campesino cooperatives have complained that they are not able to get their products to market because public plazas are shut down; only the big grocery chain stores that use corporate suppliers are open. This drives down the prices for their products and they are not able to recuperate their costs. The only producers authorized to move about are producers of milk products and eggs.

The defenders in Santa Bárbara and La Paz report that there is no water for human consumption and that crops are being lost because they are not being harvested due to the curfew, particularly affected are delicate fruits and vegetables: strawberries, tomatoes, yuca and potatoes, lettuce and cabbage. Agricultural products were not declared to be essential in the emergency decree or the decree suspending constitutional guarantees.

"We cannot go into the fields to work on our plots of land. We are totally paralyzed by an order from Officer Sandoval."

The defenders also complain that the lack of clear information is producing confusion about the curfew which is understood to be absolute and as partial by the communities, with the police applying restrictions in an arbitrary manner that restrict the movement of people trying to find food.

In the Sensenti Valley, a municipal decree authorized farmers and ranchers to circulate during the curfew that is in effect only during the night. The farming and ranching sector resumed work because last week they observed that the animals were not being cared for and some were ill. However this municipality is not exempt from social and political divisions; food has not been distributed to families classified as opposing the regime.

The State takes advantage of the war strategy used to confront the COVID-19 health crisis to exercise authoritarian control over the population, increase violence against human rights and to divide the communities. In Santa Bárbara some municipalities have blocked the main roads with rocks, impeding residents from accessing food supplies that still exist in the department. An example is the case of the Jicatuyo Bridge that connects Santa Bárbara and Colinas. A blockade made of rocks keeps the communities of Santa Bárbara and Celilac from going to Colinas to the health center or to access the food supplies, directly affecting the Lenca indigenous communities.

Authoritarian measures that keep the population from getting access to food also exist in the Municipality of Opatoro in the Department of La Paz. On March 16, 2020 the Municipal Government, which is presided over by Mrs. Dunia Patricia Martínez, emitted the first ordinance establishing a State of Emergency and Vigilance based on Decree PCM 005-2020, suspending all public and private activities except for convenience stores, small markets and gas stations.

---

59) Red de Defensores de Ocotepeque.
60) Red de Defensores de Ocotepeque.
61) Movimiento Ambientalista de Santa Bárbara.
However, the next week new orders were published: the full text of which contains more restrictive measures that conflict with human rights:

“To all our inhabitants in the municipality of Opatoro, we bring to your attention the following ordinances ratified today in a meeting with all the authorities:

1. Any person found circulating without justification after 6pm will be detained by the Vigilance Committee, taken to the police station and penalized.
2. Citizens performing the service of working at the checkpoints must be respected, anyone attempting to pass through the checkpoint by force will be detained and penalized.
3. Anyone needing to travel due to an emergency must apply for a safe conduct permit at the Florida Health Center to allow them to pass through the checkpoint.
4. The population is obligated to report all persons that try to enter the zone through unprotected blind spots and come from the big cities where there are cases of corona virus, to health personnel. All blind spots are being watched 24 hours a day.
5. Anyone transporting people to or going to any of the swimming locales in our area will be taken into custody by the police.
6. Those who gather on soccer fields or any group that gathers together will be taken into custody by the police.

Land defenders denounce the fact that these new measures increase the situation of food scarcity that is already critical. Implementation of municipal ordinances and other discretionary measures impede distribution trucks from moving between the municipality center and its settlements. Douglas Hernández complains that on the days that they have permission to circulate to go to the bank, gas station, pharmacy or market in the municipality of Marcala, there is a difference in how some vehicles are treated by authorities, especially those that belong to the ruling party.

Interruptions in the food supply chain have existed for only a few days but have already created challenges in terms of logistics, distribution and donations for the whole territory. Food must be provided without restrictions while complying with the required actions to protect the population’s health.

Foto 14.- Policias con mascarillas  | Foto 15.- Militares entregando alimento

Impact on Civil and Political Rights

The International Agreement on Civil and Political Rights (ICCPR) establishes potential restrictions on freedom of movement for which specific exceptions are foreseen in the law, in this particular case in order to protect public health. During quarantines, furthermore, international human rights norms demand that the right of people in quarantine must be respected and protected and their basic necessities must be satisfied.

Initially, on March 16, 2020, Honduras suspended for a term of 7 days, constitutional guarantees specified in Articles 69, 71, 72, 78, 81, 84, 93, 99 and 103. It gave broad powers to the Armed Forces (National Police, National Bureau of Investigation and Intelligence, National Inter-Institutional Force (FUSINA) and the National Anti-Gang Force) allegedly to support the Health Department in carrying out the necessary emergency and sanitary plans to maintain order and, above all, maintain public health with the goal of avoiding propagation of the virus.

The response to corona virus has simultaneously involved mobilization of public health resources, modification of the budget, mobilization of security forces including the Military and the National Bureau of Investigation with broad and discretionary powers such as we have seen used in the last 10 years. These actions may be inevitable but they present challenges due to their effect on the protection of citizens’ liberties and the maintenance of legal limits.

Human rights organizations and COFADEH in particular consider that during this crisis more than ever, it is necessary for mechanisms that control the security forces function because once again extraordinary powers have been given to the operators of official violence. And, as has been shown in Honduras, the loss of liberties is not transitory but leaves permanent consequences for institutions and the political culture.

Honduras suffers from an historic deficit, inherited from the National Security doctrine, the violent context of the Coup d’état, social struggles against fraud, demands for the right to health by medical personnel and teachers’ struggles to win back free public education. In the context of these struggles, the authoritarian, criminal and disproportionate actions by the armed forces are well documented. Any complaint or actions against those forces has been called “complicity with communists” or with “those opposed to democracy”.

In the present moment, there are reasonable indications that police and military overseeing the quarantine confinement are responsible for abuses of power that are not isolated instances. The social networks are sharing videos and testimony that document police excesses against people who “violate” the state of emergency. The return of neighborhood informants encouraged by the Ordinances from local governments is provoking discrimination against people considered to be foreign to the municipalities and even against people’s neighbors if they show any suspicious signs of infection.

The public discourse of panic lends itself to stigmatization and violent reactions against shelters and spaces created to attend to those suspected of being infected, and it is even worse against people identified as having the virus.

In Sabá, a municipality in the Department of Colon, a motel that just hours before was designated as a shelter for suspected patients was suspiciously burnt down.
On March 18, in the neighborhood of Villa Olímpica in Tegucigalpa protests broke out by neighbors who believed that conditions did not exist to convert the Simón Azcona” Olympic Center into a shelter. In Choloma, Department of Cortes, neighbors used dirt to block off a pre-school that had announced it would be converted to a shelter. In Marcala, residents threw rocks to attack the residence of a family who supposedly had a patient with COVID-19.

A twisted view of risk is being imposed on the municipalities, as the product of a discourse based on terror, communities arbitrarily close off entrance and exit points of the communities with all kinds of obstacles and stigmatize those suspected of infection, as well as attacking Human Rights defenders and social leaders who try to bring a holistic vision to the crisis. The security forces also are taking advantage of the opportunity to detain anyone that in the past has denounced their abuse of power.

“We are officially under the control of a political-military system that enables the possible perpetuation of the regime in addition to the armed forces, and the “better life army” and all of these together are exercising control and surveillance especially of those of us who are against this”.

The coronavirus pandemic crisis has created the perfect scenario to link a post-neoliberal economic program with an intelligence program against political opponents and with collective fear. The country in quarantine looks a lot the same as it did in the situation suffered during the National Security Doctrine and the Post-coup State: The Army in the streets, political calls for national unity, radio and television chains echoing the message; the use of neighborhood lists, a flood of evangelical oils running through the streets to attack the virus and the image of the Virgen of Suyapa on the Armed Forces’ helicopters all over the country, with no respect for the right to private worship and the Secular State. Religious fundamentalism together with military forces has become a characteristic of the last 10 years to finance the unconstitutional electoral continuation of the regime and now, the management of the health crisis.

68) Movimiento Ambientalista de Santa Bárbara.
**Attacks on Defenders**

When the curfew began on March 17, the rights defender Aleyda Huete, a member of the social movement called “Bastion of the South” in the City of Choluteca was detained by a Police operation of disproportionate force, taken before a judge and accused of procession of weapons and explosives. Although in that hearing the judge set bail and conditions for release instead of jail, the security forces in the area organized repeated surveillance operations, following her during her daily routine. ON March 18th, vehicles belonging to the Bureau of Police Investigation (DIPOL) were stationed outside her house.

In December 2019 Aleyda had received confidential information about death threats made against her by police officers who were repressing a protest.

The National Network of Women Defenders denounced that a human rights defender who is a member of the Defenders Network of Ojona, Evelyn Johana Castillo, was detained on March 24, 2020 and locked in a cell at the police station for more than 24 hours, under constant harassment by a policewoman.

According to the analysis of the Network, a police officer in this zone stopped her as a punishment for her having defended a woman street vendor when the same security agent intimidated the vendor and stopped her from continuing to sell in the Municipal Park. The police log book states that the Defender violated the curfew.69

The indigenous Lenca community of Taragual, has taken preventative measures on its own given the absence of the government. The Indigenous Councils decided to stop police from entering their community because the police were not using any preventative safeguards, this has created confrontations and friction with the police authorities.

The Mayors of various municipalities have also issued municipal ordinances for curfews, but without supervision these have been interpreted in an arbitrary manner and affect other rights such as freedom of expression and information.

In Santa Bárbara, the Municipal Ordinance imposes an absolute curfew that includes activities by local journalists and social communicators, violating the free diffusion of information by media that has a broad audience and it puts at risk the general population that also faces an emergency due to dengue cases. A little girl died recently due to hemorrhagic dengue.70 Transportation is paralyzed between the territories and municipalities in the interior of the country, and telephone and internet communication is difficult.

In the municipality of Oporto in the Department of La Paz, the ordinances and discreional measures taken to contain the propagation of the Corona Virus have gone even further: The National Network of Defenders of the Land and Territory (RENADETT) denounces that its members are being obligated

---

70) Movimiento Ambientalista de Santa Bárbara.
by the Municipal Director of Justice in Opatore, Celin Napoleón López, to stand guard at the entrance to the Municipality or be punished with fines.

Social leaders in the villages of Mercedes, Jardines and Valle de Ángeles, were called together by the municipal health promoters, Dennis Gerardo Pineda and Carlos Vidal Rodríguez, backed up by the Legislator Oneyda Rodríguez and told to close off access to the municipality, accompanied by a police officer. Neither the police officer nor the social leaders and human rights leaders were given biosecurity protections like gloves, antibacterial soap, N95 masks, alcohol nor any information about Coronavirus. Their guard shifts were set at 12 hours and once relieved by the next group they had to sleep on rocks in the inclement conditions.

Apolinario Hernández, who is part of the group of guards stated: “It’s that Coronavirus is invisible and we have no way to detect it or to protect ourselves, we run the risk of becoming sick and making the community sick, because we are here in Cruce del Llano Grande”.

RENADETT also says that they are victims of surveillance and of being profiled from the residence of Mrs. Basilia Benítez, which makes them fear for their lives. Juan Alfonso Martínez explained that in his work defending rights he has participated in mass community meetings and openly stated his opposition to mining extraction; the community won the issue of protecting public natural resources from being sold, furthermore recently they were able to win the building of a plaza for the Valle de Ángeles School, a school in a neglected indigenous community.

A Defender of Environmental Rights, Marlon Calles, who is also a Councilman on the Municipal Corporation of Márcala was ordered by the Police Judge to present himself to authorities on March 19 at 4:30 pm. Various authorities from the zone were present at the meeting and they reprimanded him for having spoken out about the situation in the country and for inciting people to take to the streets, all because he had published posts in his social media network stating that the government doesn't have the medical equipment to fight the pandemic and that the authorities in Marcala were not taking any preventative actions. They prohibited him from speaking or sharing his opinions about public affairs.

Detentions for Violation of Curfew

Security forces detained people who they claim violated the absolute curfew, even though in many cases the people were authorized to circulate in public to look for food and to buy medicine. A total of 1,115 people have been recorded as detained:

Detainees in Tegucigalpa are taken to the ball park “Lempira Reyna”. Police Sub-Inspector, Dania Cruz, explained to the press that in some cases people would remain in isolation for up to 15 days to guarantee that they don’t infect other persons if they are contagious with COVID-19.

Many of the detained persons perform social labor and are freed within 24 hours after detention, but there are complaints in the social networks that some were forced to perform physical exercises 75 similar to the cruel and inhuman treatment that occurred in a police station in Tegucigalpa. This extremism constitutes Abuse of Authority. It is unknown if the Attorney General has initiated any inquiry and assignment of responsibility.

According to the police, in cases of residents showing aggression towards authorities, they were taken to the Prosecutor on duty to have more severe measures applied.

In the case of La Ceiba, 100 people were locked up in the soccer field and 10 were transferred to the Prosecutor.

These actions by police authorities are abusive and excessive because the victims have not committed any crime. In the majority of cases, due to the absence of the State or a lack of effective, sufficient information, they were looking for food due to necessity or to generate income to provide their family with food.

These measures are discriminatory, in that they have only detained citizens on foot, street vendors or unemployed people and not others who are out in public but have rank or positions. No investigative process is followed to discover the reasons that they have left quarantine at home and are circulating in their area.

In none of the cases were the objective or subjective requirements met for such a prolonged detention of those deprived of liberty even if the suspension of article 71 of the Constitution was invoked.

And even when the infraction of disobedience is applied, the authorities have the power to prosecute a person only, when and if, they are proven to be violating the emergency orders and putting the health of others at risk.

Human rights experts with the United Nations (ONU) urged governments on March 16, 2020 to avoid “overreaching with security measures in responding to the outbreak of the coronavirus COVID-19” and
it reminds them that extraordinary powers in an emergency situation must not be utilized to “cancel dissent” or “attack particular groups, minorities or individuals”. The UN believes that protection of health must not function as “repressive action, nor must it be used to silence the work of those who defend human rights.”

Abuse of Authority

- Abuse of Authority is one of the systematic methods used to violate human rights in Honduras. On March 27, 2020 at approximately 7:35pm, National Police based in San Antonio del Norte, La Paz, detained Erasmo Fúnez Alvarenga for the crime of domestic violence. On March 28, 2020 at 5:30pm the police reported that his body was found without life in the cell at the municipal jail, supposedly with signs of asphyxiation by suspension. He was transferred to the forensic medicine unit for an autopsy.

- On March 15, 2020 at 6:30 pm agents of the Military Police for Public Order identified as Jefrín, Palma, and Ramos, based in Marcala, acting without any court order or arrest warrant, raided the home of Felipe Pérez (41) a member of the National Center of Rural Workers (CNTC), La Paz Region. They broke down the door of the house, detaining him along with this three sons: Danilo (22), Santos Hedilberto (21) and Jairo Saúl Pérez González (19) of the community Rancho 04 de Octubre in the municipality of Chinacla, La Paz.

- Dedan Daniel Espinoza García denounced the fact that police identified as having the last names: Chávez, Hernández and Domínguez and others who were not identified, assigned to the police department in San José Comayagua, came to his residence and without any justification he was captured and taken to the police station where he was locked in a cell for almost 4 hours. He states that if anything happens to him or to his family the police authorities will be the ones responsible.

Detention of those suspected of having coronavirus

On March 16, 2020, a group of 12 people entered the country at the customs station of Las Manos coming from a religious camp in Costa Rica. Honduras had closed its borders and an absolute curfew, quarantine and suspension of Constitutional Guarantees were in effect. The group had rented a micro bus in Costa Rica to return by land due to flight cancelations. In Costa Rica and in Nicaragua they passed sanitary checks but at the Honduran border, they were held in observation for eight hours without explanation until they were finally permitted to enter Danli at night where they slept in a hostel. The next day, a police patrol transferred them to Tegucigalpa where they were told that the police would take them to their houses and where they were to be in strict quarantine; however, they were taken to the Villa Vieja police station where they spent the night, with no explanation of why there were at this station and with no access to food or water. On March 18, 2020 they were transferred with their luggage to the Temporary Isolation Center “Simón Azcona”, better known as the Villa Olímpica. They were presented to the media as having come from South Africa and Columbia, and stated that they had been tested, which was not the case. They were taken to the Olympic stadium by the Military Police of the Public Order and were released through a Habeas Corpus Action.

This process had an emotional impact on the people; they were stigmatized even by their own families who considered them to be potential carriers of the virus.

Journalists under assault

Coverage of Corona virus -19, the hegemonic news story in the last months, is the new battlefield between journalists and Police. On March 23, 2020 Channel 6 based in San Pedro Sula denounced aggression by the National Police against a team of journalists reporting from a pedestrian street in Tegucigalpa. The team said it was covering the illegal detention of two youths by the M1-1-18 police patrol. The complaint was made by journalists Lily Valladares and Paola Cobos, with their respective cameramen. The police officers threw their equipment against the ground.

75) https://www.elheraldo.hn/fotogalerias/1365063-468/traslado-primeros-hondure%C3%B1os-aislados-villa-olimpica?mainImg=15
76) Denuncia ante el COFADEH.
77) https://www.facebook.com/canal6hn/videos/polit%C3%ADa-agred-e-a-equipo-de-canal-6/1192965031037602/?__so__=permalink&__rv__=related_videos
Situation of those imprisoned

On March 5th, 2020, the Social Pastorate of Caritas, of the San Pedro Sula Diocese, the Committee of the Families of the Detained and Disappeared in Honduras, (COFADEH) and the Coalition Against Impunity, participated in the most recent public hearing of the Inter American Commission on Human Rights, to present findings on the “Violation of the human rights of those imprisoned in Honduras”.

On this occasion we presented to the IACHR before the State, the structural deficiencies that violate the human rights of those imprisoned including the Penitentiary System with more than 22 thousand incarcerated and an overpopulation of more than 73%, having forgotten as of years ago, that the primordial objective of incarceration is: the rehabilitation and re-insertion of detainees. One of the principle concerns presented was the situation of overcrowding, which according to official statistics as of July 2019, was over 21,610 prisoners held in 28 detention centers at the national level, including battalions. Of the total national penitentiary population, 11,798 are prosecuted and 9,598 convicted. In January 2017, the imprisoned population was 18,601, indicating a substantial increment in one and half years.

In terms of overcrowding, the capacity of penitentiary centers was under 11,000 spaces in 2018, indicating almost a doubling of the population in terms of capacity resulting in severe and generalized overcrowding. This continues to endanger the physical safety of those imprisoned, with extreme cases such as La Esperanza prison, department of Intibuca at 587 % of its capacity. A similar situation is observed in Progreso Yoro, where capacity has collapsed. To reverse the situation of overcrowding in this center, Judges in Progreso Yoro, Cortés issued judicial resolutions prohibiting the admittance of additional prisoners. They warned of the danger of riots due to the precarious detention conditions. The construction of three new penal centers known as mega prisons, has not alleviated the deficit of space to absorb the consequences of the application of severe laws: aggressive application is a determinate factor in the rise in incarceration rates and the situation of overcrowding in detention centers.

Another concern regarding overcrowding are the arbitrary measures of the National Penitentiary Institute (INP), which under the argument of “guaranteeing the security of the population” has made excessive and arbitrary use of transfers to prisons with maximum security units in Támara, Moroceli, Llama and El Porvenir. In Támara, for example, overcrowding went from 137% to 169% between January and December 2019. Meanwhile, 57.5% of the total prison population is concentrated in the central region No 7 and the east No 5.

As of December 17 2019, a total of 3,500 prisoners had been transferred in 27 military operations, reaching a total of 10,058 transfers between 2017 and 2019, (46.5% of the total population). In some cases, arbitrary transfers have constituted forced disappearances. They also produce overcrowding in the penal centers receiving the transfers.

Prisoners have never been at greater risk due to overcrowding and strict rules regulating the admission of supplies. No one can see the coronavirus, no one knows where it is or if it is in the prisons. Frequent hand washing with soap and water is the best form of prevention, both of which are difficult to find.

---

78) Primer Batallón de Infantería, Segundo Batallón de Infantería Táctico, Tercer Batallón de Infantería –, en las que, a julio de 2019, había 70 personas rechazadas. Asimismo, el Centro Preventivo los Cobras, también una instalación militar, está destinado a alojar a menores infractores.
79) Contribución escrita de la Organización Mundial Contra la Tortura (OMCT) y el Centro de Prevención, Tratamiento y Rehabilitación de Víctimas de la Tortura y sus Familiares (CPTRT) para el 3r Ciclo del Examen Periódico Universal (EPU) de Honduras (mayo 2020)
80) Se adjunta Mapa con Establecimientos y población Penitenciaria.
82) Supra. Ref.2.
in the prisons of Honduras. Social distancing between people is not possible in confinement. The first measure taken by prison authorities to prohibit visits to all prisons was not the best due to the emotional impact on prisoners and because it cuts off their access to essential items including safe food and potable water brought by family members as a response to the poor quality of food in prisons.

The INP also informed the media that “those in detention, operational and administrative staff have been given talks on prevention, management and tracking of covid-19 on a permanent basis\(^{83}\)” and it assured that masks had been provided to all penitentiary centers. It was not specified if masks were for staff or prisoners, and it has not been possible to confirm how many were actually proportioned.

They did not say if trained staff would take the temperature of prisoners, if toilet paper and disinfectants would be supplied, or if fumigations would be carried out in prisons or other measures to decongest overcrowding to achieve recommended social distancing.

Neither did they report on measures to isolate those over 60 years of age with chronic illness requiring adequate medical treatment, or those with HIV or tuberculosis who are highly vulnerable to the virus.

The United Nations High Commissioner for Human Rights, Pope Francis, WHO, and the UN Sub-Committee on the Prevention of Torture have issued specific recommendations for guaranteeing the life and health of those in prison in the world. The High Commissioner issued a special call to free political prisoners, those accused without charges, those unjustly accused, the vulnerable and all those who are not dangerous. Malcolm Evans, president of SPT, in his March 30th communication to States, recommended the following:

“Governments must take necessary precautionary measures to avoid the expansion of the contagion, implement emergency measures to assure that the detained have Access to appropriate levels of medical attention and can maintain contact with their families and the outside world.”\(^{84}\)

On March 24, 2020, COFADEH and the Group of Litigants against Torture and Impunity for Latin America and the World Organization against Torture (OMTC) filed an Action of Corrective Habeas Corpus in the Constitutional Chamber of the Supreme Court of Honduras (CSJ), with the objective that the State substitute preventive incarceration with an alternative measure to prison for 12 social leaders that are in prison in different penal centers, internment centers for minors and a psychiatric hospital in order to guarantee their right to health and life due to the threat of the coronavirus.

The potential victims are José Daniel Márquez, Kelvin Alejandro Romero, José Abelino Cedillo, Porfirio Sorto Cedillo, Ewer Alexander Cedillo, Orbin Nahúm Hernández and Arnold Javier Alemán held in the Penal Center of Olanchito and Ceiba respectively; Felipe Esquivel and Víctor Castillo, prisoners in the penal center of Choluteca; the youth Carlos Daniel Tinoco, who is detained at the Centro de Reclusión de Menores in Jalteva, Francisco Morazán, and teacher Rommel Baldemar Herrera Portillo, held at the Mario Mendoza Psychiatric Hospital in Tegucigalpa.

Although a Judge was named and the Habeas Corpus requires immediate action, at this time the decision of the Constitutional Chamber is unknown.

Other Vulnerable Groups

“Governments should assure that their response to the coronavirus pandemic does not contribute to xenophobia and racial discrimination, stated E. Tendayi Achiume, Special Rapporteur on racism, citing recent declarations by the President of the United States, Donald Trump.”

The current pandemic has reactivated xenophobic attitudes of individuals, authorities and the communication media. When isolation centers were inaugurated on March 18, 2020 the media published photographs of the first people to enter the shelters and reported that they came from South Africa when in reality they came from Costa Rica; the media associated the disease to a region and to a race.

In some regions there have been incidents of racism linked to xenophobia. The National Network of Human Rights Defenders denounced that about 60 people including children and pregnant women originally from Haiti and Africa, were evicted from the houses they rented in Buenos Aires neighborhood of the city of Choluteca by the National Preventive Police on March 30, 2020. According to reports, the events took place at 3:00 p.m., leaving the victims without shelter, food, water, biosecurity measures or access to bathrooms and under permanent police surveillance.

These events occurred in a context of quarantine and obligatory social isolation in effect by executive decree.

COFADEH rejects discriminatory attitudes towards those in special conditions, especially those directed at migrants or those from other countries. We also propose the exercise of reflection on prejudices, stereotypes and the effects they produce in society and that come from state agents.

85) https://www.aa.com.tr/es/mundo/oni-rechaza-declaraciones-que-expresen-xenofobia-y-discriminaci%C3%B3n-por-coronavirus/
86) #AlertaDefensorasHN / FAMILIAS MIGRANTES DE ORIGEN HAITIANO Y AFRICANO ECHADAS A LA CALLE EN LA CIUDAD DE CHOLUTEC – IM-Defensoras
VI. Statistical Summary

<table>
<thead>
<tr>
<th>Type of Violation</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Illegal Detentions</td>
<td>1,115</td>
</tr>
<tr>
<td>Cruel Treatment</td>
<td>20</td>
</tr>
<tr>
<td>Aggression targeting defenders</td>
<td>32</td>
</tr>
<tr>
<td>Worker lay-offs</td>
<td>20,000</td>
</tr>
<tr>
<td>Removal and repression of Protestors</td>
<td>16</td>
</tr>
<tr>
<td>Eviction due to discrimination</td>
<td>60</td>
</tr>
<tr>
<td>Violation of the right to private property and seizure of goods</td>
<td>899</td>
</tr>
<tr>
<td>Vehicles: 442</td>
<td></td>
</tr>
<tr>
<td>Licenses: 350</td>
<td></td>
</tr>
<tr>
<td>Motor cycles: 96</td>
<td></td>
</tr>
<tr>
<td>Three-wheelers: 6</td>
<td></td>
</tr>
<tr>
<td>Boats: 5</td>
<td></td>
</tr>
<tr>
<td>House Searches</td>
<td>2</td>
</tr>
<tr>
<td>Suspicious death</td>
<td>1</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>22,145</strong></td>
</tr>
</tbody>
</table>
VII. Conclusions

- It is obvious that in Honduras, with its weak health care system gripped by factors related to the power structures, public health does not have the human and material resources that are necessary to confront the current emergency, nor are effective measures being taken to guarantee the safety of healthcare professionals in the face of the potential danger of infection by COVID-19. Not all people who work in health services have protective equipment or supplies and access to tests that detect the corona virus in a timely and accurate manner.

- The imposition of a prolonged militarized quarantine did not take into consideration the human rights of the population, especially its social security. The regime does not feel obligated to guarantee access to food, water, medical care and care for special vulnerable populations, (people in prison; older adults; people with disabilities who are in institutions; indigenous people; and workers in the informal sector), and it only reacted to these issues when protests for food grew at the national level.

- The response in terms of political, military and governmental strategic intelligence services is disproportionate, arbitrary and abusive in the face of needs for food, medicine, water, products for personal hygiene and cleaning, as well as complaints about sectarian distribution. The attitude of the repressive forces is the same as has been observed during the peaceful protests during the last 10 years during the institutional emergency caused by the coup d' etat of 2009.

- Measures taken against the corona virus by the Armed Forces without the participation of the College of Medicine of Honduras, which was excluded based on political criteria of not being aligned with the regimen, not only generates distrust, rejection and civil disobedience in response to public health precautions due to fear created by the pre-existing authoritarianism, but also increases the risks that the valid civil and political rights of those who are illegally detained, human rights defenders, political opponents of the government, political prisoners and the general population, will not be upheld.

- Food rations being distributed in a manner that was delayed, partial, sectarian and focused on populations aligned with the regime, not to the most impoverished, is opening an enormous door for electoral manipulation, corruption and dangerously, to a social explosion of unthinkable proportions due to hunger.

- We have observed that at the same time that a collective panic about COVID-19 is growing there is increasing violence against civil and political rights and a growing wave of discrimination and xenophobia that is beginning to threaten the rights of migrants and minorities who transit the national territory en route to the United States. We are documenting racist and xenophobic actions that are affecting the most vulnerable: pregnant women, migrants and children.
VIII. Recommendations

- The priority for a response to the corona virus pandemic must be rooted in the immediate guarantee of basic social security for the entire population, without partisan political or religious biases. This guaranteed security would allow for successful home-based quarantine without leaving the whole population to our own self-defense or leading to a new confrontation with the military apparatus due to social unrest because the mortal risk from COVID-19 is being badly managed.

- The distribution of direct aid to communities, without political, religious, police or military intermediaries, must be a planned activity with the participation of non-uniformed personnel and respecting the dynamics of the grassroots local organizations every step of the way.

- The Armed Forces should withdraw completely from activities against COVID-19 and provision of social aid as well as from the management of the shelters and isolation centers, including the hospitals. The military, in the Honduran context of a continuing institutional crises, is a risk for the spread of other viruses that are equally pernicious, or worse, than coronavirus. It would be desirable for the World Health Organization to understand this, and demand it.

- A guarantee to comply with the fundamental provisions of international labor standards related to health and safety, in all sectors and types of work, must be a priority. The governmental decree that suspended constitutional guarantees and the Emergency Decree, in particular for the workers in the beverage industry, must be revised. All workers have the right to remove themselves from a work situation, or to stop working when the motive for doing so is that they reasonably believe that there is an imminent and serious danger to their life or health. When an employee exercises this right, they must be protected from unjustified consequences in compliance with the norms of the International Labor Organization (ILO)

- The guarantee of labor rights for workers who have been suspended from their jobs in the framework of the Decree (PCM 021-2002) is both an ethical obligation and a claimable legal right.

- It is urgent that the Special Prosecutor for Human Rights organizes permanent monitoring teams to guarantee the human rights of the migrant population and to penalize private citizens or authorities who commit racist or xenophobic crimes.

- We share the demands of Honduran Social Organizations:
  - Transparency in purchases and contracts during the emergency.
  - The creation of platforms to provide information about the goods and services that are acquired through contracts, including information about the technical specifications, quantity and quality of the goods.
  - Participation in a public oversight processes.
DECRETO EJECUTIVO NÚMERO PCM-021-2020

EL PRESIDENTE CONSTITUCIONAL DE LA REPÚBLICA EN CONSEJO DE SECRETARIOS DE ESTADOS,

CONSIDERANDO: Que la persona humana es el fin supremo de la sociedad y del Estado y, conforme al Artículo 62 de nuestra Constitución de la República los derechos de cada hombre están limitados por los derechos de los demás.

CONSIDERANDO: Que la Constitución de la República establece en el Artículo 187 que: “El ejercicio de los derechos establecidos en los artículos 69, 71, 72, 78, 81, 84, 93, 99 y 103, podrán suspenderse en caso de: Invasión del territorio nacional, perturbación grave de la paz, de epidemia o de cualquier otra calamidad general, por el Presidente de la República en Consejo de Ministros, por medio de un Decreto que contendrá: 1. Los motivos que lo justifiquen; 2. La garantía o garantías que se restrinjan; 3. El territorio que afectará la restricción; y, 4. El tiempo que durará ésta. Además, se convocará en el mismo Decreto al Congreso Nacional para que dentro del plazo de treinta (30) días, conozca de dicho decreto y lo ratifique, modifique o impruebe. En caso de que estuviere reunido, conocerá inmediatamente del Decreto. La restricción de garantías no podrá exceder de un plazo de cuarenta y cinco (45) días por cada vez que se decrete.

CONSIDERANDO: Que la Constitución de la República en el Artículo 245 numerales 4, 7 y 16 expresa: “El Presidente de la República tiene a su cargo la Administración General de Estado, son atribuciones: Restringir o suspender el ejercicio de derechos en Consejo de Ministros, con sujición a lo establecido en esta Constitución...Ejercer el mando en Jefe de las Fuerzas Armadas en su carácter de Comandante General y adoptar las medidas necesarias para la defensa de la República”.

CONSIDERANDO: Que de conformidad con el Artículo 11 de la Ley General de la Administración Pública, el Presidente de la República tiene a su cargo la suprema dirección y coordinación de la Administración Pública Centralizada y Descentralizada, pudiendo en el ejercicio de sus funciones, actuar por sí o en Consejo de Secretarios de Estado.

CONSIDERANDO: Que mediante Decreto Ejecutivo PCM-005-2020 de fecha 10 de febrero de 2020, se declaró ESTADO DE EMERGENCIA SANITARIA, en todo el territorio nacional, con el propósito de continuar y fortalecer las acciones de vigilancia, prevención, control y garantizar la atención a las personas ante la ocurrencia de infección por coronavirus (COVID-19).

CONSIDERANDO: Que a la fecha el Sistema de Vigilancia Epidemiológica de la Secretaría de Estado en el Despacho de Salud, por medio del Laboratorio Nacional de Virología confirmó mediante examen de laboratorio que llevamos seis (6) casos confirmados de COVID-19, y que estas medidas extraordinarias se hacen necesarias para la contención a nivel nacional para contener la propagación y mitigar los impactos negativos en la salud de las personas, y salvar vidas.
CONSIDERANDO: Que es deber ineludible del Presidente de la República, en Consejo de Ministros, tomar las acciones necesarias para mantener el orden en la Nación, la cual puede ser seriamente afectada por la contaminación del virus COVID-19.

POR TANTO;
En uso de las facultades contenidas en los Artículos 59, 65, 69, 71, 72, 78, 81, 93, 99, 103, 145, 187, 245 numerales 2, 11, 29 y 32, Artículo 252, 321, 323 de la Constitución de la República, Artículo 9 de la Ley de Contratación del Estado; Artículos 7, 11, 17, 18, 20, 22 numerales 9, 116 y 117 de la Ley General de la Administración Pública y sus reformas según Decreto Legislativo Número 266-2013; Artículo 5 de la Ley del Sistema Nacional de Gestión de Riesgos (SINAGER); y Decreto Ejecutivo Número PCM-005-2020.

DECRETA:
ARTÍCULO 1.- Quedan restringidas, por un plazo de siete (7) días a partir de la aprobación y publicación de este Decreto Ejecutivo las garantías constitucionales establecidas en los artículos 69, 71, 72, 78, 81, 84, 93, 99, y 103 de la Constitución de la República.

ARTÍCULO 2.- PROHIBICIONES ESPECÍFICAS:
Se suspenden labores en el Sector Público y Privado durante el tiempo de excepción;
Se prohíben eventos de todo tipo y número de personas;
Suspensión del funcionamiento del transporte público;
Se ordena la suspensión de celebraciones religiosas presenciales;
Se prohíbe el funcionamiento de los negocios incluyendo centros comerciales;
Se ordena el cierre de todas las fronteras aéreas, terrestres y marítimas en el territorio nacional.

ARTÍCULO 3.- La restricción a las garantías constitucionales enumeradas en el Artículo Uno del presente Decreto Ejecutivo tiene las siguientes excepciones:

EXCEPCIONES A LA RESTRICCION AL DERECHO DE LIBRE CIRCULACION DE PERSONAS:
Las personas únicamente podrán circular por las vías de uso público para la realización de las siguientes actividades:

1) Adquisición de alimentos, productos farmacéuticos y de primera necesidad;
2) Asistencia a centros, servicios y establecimientos sanitarios;
3) Desplazamiento al lugar de trabajo para efectuar su prestación laboral, profesional o empresarial a las industrias autorizadas en este mismo Decreto;
4) Retorno al lugar de residencia habitual;
5) Personal de la salud que asista o cuide a mayores, menores, dependientes, personas con discapacidad o personas especialmente vulnerables;
6) Desplazamiento a entidades financieras, cooperativas y de seguros;

Igualmente, se permitirá la circulación de vehículos particulares por las vías de uso público para la realización de las actividades referidas en el apartado anterior o para el abastecimiento de combustible. En todo caso, en cualquier desplazamiento deben respetar las recomendaciones y obligaciones dictadas por las autoridades sanitarias.

La Secretaría de Estado en el Despacho Seguridad, podrá acordar el cierre a la circulación de carreteras o tramos de ellas por razones de salud pública, seguridad o fluidez del tráfico o la restricción en ellas del acceso de determinados vehículos por los mismos motivos.
En los mismos términos podrá imponerse la realización de prestaciones personales obligatorias, en caso de ser imprescindible para la consecución de los fines del presente Decreto Ejecutivo.

EXCEPCIONES A LA CIRCULACION DE FUNCIONARIOS PUBLICOS:
Pueden circular las personas que integran las instituciones que forman parte del Sistema Nacional de Riesgo (SINAGER), el personal médico y de enfermería, de regulación sanitaria, entes de socorro y emergencia acreditados por su Institución publica o privada, las ambulancias, los miembros de los cuerpos de seguridad y justicia y altos funcionarios del Estado debidamente identificados; Los Magistrados de la Corte Suprema de Justicia, el Fiscal General y Fiscal Adjunto, el Presidente y Junta Directiva del Congreso Nacional, el Comisionado Nacional de Derechos Humanos o su personal asignado y el personal debidamente autorizado por la Secretaría de Estado en el Despacho de Salud y otros Altos Funcionarios de las Instituciones del Centralizadas y Descentralizadas.

ARTÍCULO 4.- Excepciones específicas relacionadas al comercio e industria:
- Se exceptúa del cierre de fronteras, el ingreso de hondureños, residentes permanentes y temporales, así como cuerpo diplomático acreditado en el país el cual entrará en cuarentena obligatoria de manera inmediata a su ingreso de acuerdo a los lineamientos de la Secretaria de Salud.
- Se exceptúan de los empleados públicos, al personal incorporado para atender esta emergencia, altos funcionarios, personal de salud, socorro, seguridad y defensa nacional, la Dirección de Protección al Consumidor, personal de aduanas, migración, puertos y aeropuertos u otro servicio publico indispensable.
- Hospitales, centros de atención médica, laboratorios médicos y veterinarias.
- Industria farmacéutica, farmacias, droguerías y empresas dedicadas a la producción de desinfectantes y productos de higiene.
- Transporte público por motivo de salud y el contratado por las empresas dentro de estas excepciones para movilizar a sus trabajadores.
- Gasolineras.
- Mercados, supermercados, mercaditos, pulperías y abarroterías.
- Restaurantes con autoservicio quienes podrán brindar atención únicamente por ventanilla.
- Cociunas de restaurantes que tengan servicio a domicilio y empresas que se dediquen al servicio a domicilio.
- Hoteles para alojamiento y alimentación a la habitación de sus huéspedes.
- Empresas de seguridad y transporte de valores.
- Bancos y cooperativas de ahorro y crédito.
- Tren de aseo.
- Industria agroalimentaria incluidos centros de distribución de alimentos y bebidas.
- Industria agropecuaria, labores agrícolas de recolección y empresas de agro químicos.
- Industria dedicada a la producción de energía.
- Las telecomunicaciones, empresas proveedoras de internet y los medios de comunicación incluyendo radio, televisión, diarios y cableras.
- La industria de carga aérea, marítima y terrestre de importación, exportación, suministros y puertos.
- Transporte humanitario y suministros de agua.

ARTÍCULO 5. Las Fuerzas Armadas y la Policía Nacional y Dirección Nacional de Investigación e Inteligencia, la Fuerza Nacional Interinstitucional (FUSINA) y la Fuerza Nacional Anti Maras y Pandillas, apoyaran a la Secretaría de Estado en el Despacho de Salud para poner en ejecución los planes de emergencia y sanitarios necesarios para mantener el orden y sobre todo la salud a fin de evitar la propagación del virus.
ARTÍCULO 6. Las autoridades competentes deben:

1. Detener a toda persona encontrada circulando fuera de las excepciones establecidas. A todo detenido se le leerán sus derechos, asimismo se debe llevar un registro en cada retén, posta o recinto policial y militar del país, con los datos de identificación de toda persona detenida, motivos, hora de detención, ingreso y salida de la posta o recinto policial o militar, haciendo constar el estado físico del detenido;

2. Toda persona detenida debe permanecer recluida, por los términos que establece la Constitución y la Ley y serán puestos a la orden de la Fiscalía General de la República cuando corresponda;

3. Todas las Secretarías de Estado, Instituciones descentralizadas, instituciones desconcentradas y demás órganos del Poder Ejecutivo, deben poner a disposición de la Secretaría de Salud, personal clave y de apoyo así como su equipo logístico como vehículos, edificios, instalaciones, y los que sean requeridos por la Secretaría de Salud en esta emergencia sanitaria.

ARTÍCULO 7.- El presente Decreto Ejecutivo entra en vigencia el día de su publicación en el Diario Oficial de la República “La Gaceta” y debe remitirse a la Secretaría del Congreso Nacional para los efectos de Ley.

Dado en Casa Presidencial en la ciudad de Tegucigalpa, municipio del Distrito Central, a los quince (15) días del mes de marzo del año dos mil veinte (2020).

COMUNÍQUESE y PUBLÍQUESE.

JUAN ORLANDO HERNANDEZ ALVARADO
PRESIDENTE CONSTITUCIONAL DE LA REPUBLICA

MARTHA VICENTA DOBLADO ANDARA
SECRETARIA DE ESTADO EN EL DESPACHO DE COORDINACIÓN GENERAL DE GOBIERNO, POR LEY.

EBAL JAIR DÍAZ LUPIAN
SECRETARIO DE ESTADO EN EL DESPACHO DE LA PRESIDENCIA.

HECTOR LEONEL AYALA ALVARENGA
SECRETARIO DE ESTADO EN LOS DESPACHOS DE GOBERNACIÓN, JUSTICIA Y DESCENTRALIZACIÓN.

LISANDRO ROSALES BANEGRAS
SECRETARIO DE ESTADO EN LOS DESPACHOS DE RELACIONES EXTERIORES Y COOPERACIÓN INTERNACIONAL.

REINALDO ANTONIO SÁNCHEZ RIVERA
SECRETARIO DE ESTADO EN LOS DESPACHOS DE DESARROLLO E INCLUSIÓN SOCIAL.

MARÍA ANTONIA RIVERA
SECRETARIA DE ESTADO EN EL DESPACHO DE DESARROLLO ECONÓMICO

ROBERTO ANTONIO PINEDA RODRÍGUEZ
SECRETARIO DE ESTADO EN LOS DESPACHOS DE INFRAESTRUCTURA Y SERVICIOS PÚBLICOS.

JULIAN PACHECO TINOCO
SECRETARIO DE ESTADO EN EL DESPACHO DE SEGURIDAD NACIONAL.
FREDY SANTIAGO DIAZ ZELAYA
SECRETARIO DE ESTADO EN EL DESPACHO DE DEFENSA NACIONAL.
ALBA CONSUELO FLORES
SECRETARIA DE ESTADO EN EL DESPACHO DE SALUD
ARNALDO BUESO HERNÁNDEZ
SECRETARIO DE ESTADO EN EL DESPACHO DE EDUCACIÓN.
CARLOS ALBERTO MADERO ERAZO
SECRETARIO DE ESTADO EN LOS DESPACHOS DE TRABAJO Y SEGURIDAD SOCIAL.
MAURICIO GUEVARA PINTO
SECRETARIO DE ESTADO EN LOS DESPACHOS DE AGRICULTURA Y GANADERIA
JOSÉ ANTONIO GALDAMES FUENTES
SECRETARIO DE ESTADO EN LOS DESPACHOS DE RECURSOS NATURALES Y AMBIENTE
ROCIO IZABEL TABORA MORALES
SECRETARIA DE ESTADO EN EL DESPACHO DE FINANZAS
KARLA EUGENIA CUEVA AGUILAR
SECRETARIA DE ESTADO EN EL DESPACHO DE DERECHOS HUMANOS.
ROBERTO ANTONIO ORDOÑEZ WOLFOVICH
SECRETARIO DE ESTADO EN EL DESPACHO DE ENERGÍA.
NICOLE MARRDER AGUILAR
SECRETARIA DE ESTADO EN EL DESPACHO DE TURISMO.
NELSÓN JAVIER MARQUEZ EUCEDA
SECRETARIO DE ESTADO EN LOS DESPACHOS DE DESARROLLO COMUNITARIO, AGUA Y SANEAMIENTO (SEDECOAS)
GABRIEL ALFREDO RUBÍ PAREDES
SECRETARÍA DE ESTADO EN LOS DESPACHOS DE GESTIÓN DE RIESGOS Y CONTINGENCIAS NACIONALES
Frente al escenario actual de crisis en Honduras, provocada por el ingreso del COVID-19, nosotras y nosotros: Movimientos sociales, nos expresamos por segunda ocasión para expresar las siguientes demandas, en función de aportar en la solvencia de esta emergencia, con el fin de salvaguardar la vida de ciudadanos y ciudadanas.

- Ratificamos nuestra demanda, de que se extienda la participación a los sectores profesionales en la solvencia de la actual crisis; que el Colegio Médico de Honduras asuma la conducción de la emergencia en salud. Necesitamos información transparente del avance del Coronavirus, y que las cadenas nacionales sean informativas y orientadoras y no sirvan para demagogias y elevar perfiles de funcionarios.

- Ratificar que FOSDEH y el Colegio de Economistas de Honduras, asuman responsabilidad de proponer un sistema de transparencia de rendición de cuentas, para que toda la población acceda de manera libre a esta información.

- Exigir estabilidad laboral y salarial a nivel nacional en todas las empresas públicas y privadas. Que el Congreso Nacional, decrete que nadie será despedido ni su salario será reducido ni durante el período de emergencia ni después de finalizado el mismo.

- Que la prioridad sea el abastecimiento de medicamentos, equipo médico y personal de salud, suficientemente equipados, en todo el sistema de salud correspondiente, así como la dotación de agua permanente a los mismos. Si el Colegio Médico así lo valora, solicitar apoyo al gobierno de Cuba para el auxilio con personal médico especializado.

- Crear un sistema de atención alimenticia a nivel nacional y coordinado a nivel de los municipios por las diversas organizaciones locales, que garantice que la entrega no se politice, que se erradique cualquier propaganda proselitista en ninguna de las entregas, ni las mismas estén vinculadas con la militarización de la sociedad.

- Exigir salvoconducto a defensores de DDHH para movilizarse por todo el territorio nacional para procurar que funcionarios se abstengan de violar los derechos de la ciudadanía.

Honduras – 26 de marzo 2020