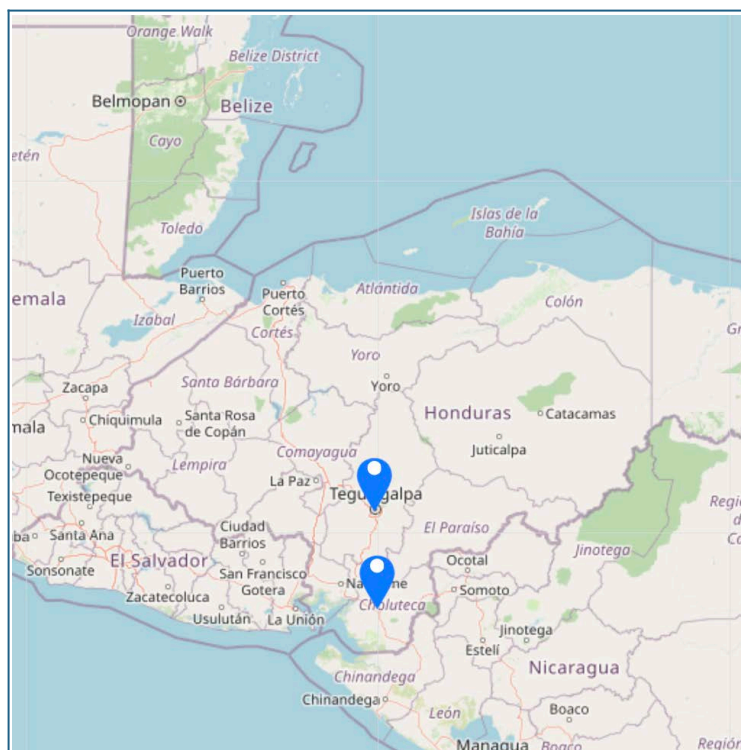


# Honduras Immigration Detention Data Profile



Quick Facts	
Immigration detainees (2018)	4,000
Detained minors (2017)	Not Available
Immigration detention capacity (2015)	40
International migrants (2019)	38,933
New asylum applications (2019)	104

## NOTES ON USING THIS PROFILE

- Sources for the data provided in this report are available online at: <https://www.globaldetentionproject.org/countries/americas/honduras>
- "Observation Dates" indicate the timeframe statistical data correspond to or other data were last validated. More than one statistical entry for a year indicates contrasting reports.

# STATISTICS

## Detention, expulsion, and incarceration statistics

		Observation Date			Observation Date
Total number of immigration detainees by year	4,000	2018	Total number of detained minors	Not Available	2017
	2,526	2013			
	1,198	2012			
Immigration detainees as a percentage of total international migrant population	9.2	2013	Estimated total immigration detention capacity	40	2015
Number of dedicated long-term immigration detention centres	2	2015	Estimated capacity of dedicated long-term immigration detention centres	40	2015
Criminal prison population	17,253	2016	Percentage of foreign prisoners	1.3	2011
	12,969	2013		1.2	2010
	12,336	2011			
	10,809	2008			
	11,589	2005			
	11,502	2002			
	9,551	1998			
	8,933	1995			
	5,717	1992			
Prison population rate (per 100,000 of national population)	200	2016			
	160	2013			
	159	2011			
	148	2008			
	167	2005			
	176	2002			
	160	1998			
	158	1995			
	109	1992			

## Demographics and immigration-related statistics

		Observation Date			Observation Date
Population	9,900,000	2020	International migrants	38,933	2019
	8,075,000	2015		28,100	2015
	7,900,000	2012		27,500	2013

International migrants as a percentage of the population	0.3	2015	Refugees	75	2019
	0.3	2013		27	2018
				25	2017
				11	2016
				30	2015
				16	2014
Total number of new asylum applications	104	2019	Refugee recognition rate	100	2014
	9	2016			
	11	2014			
	9	2012			

DOMESTIC LAW				
<b>LEGAL TRADITION</b>				
Legal tradition	Name		Observation Date	
	Civil law			
<b>LAWS AND REGULATIONS</b>				
Constitutional guarantees?	Yes/No	Constitution and Articles	Year Adopted	Last Year Amended
	Yes	Political Constitution, articles 69, 71, and 84	2005	2005
<b>LAWS AND REGULATIONS</b>				
Core pieces of national legislation	Name		Year Adopted	Last Year Amended
	Ley de Migración y Extranjería, Decree 208-2003		2003	
<b>LAWS AND REGULATIONS</b>				
Regulations, standards, guidelines	Name		Year Published	
	REGLAMENTO DE LA LEY DE MIGRACIÓN Y EXTRANJERÍA		2004	
<b>GROUND FOR ADMINISTRATIVE IMMIGRATION-RELATED DETENTION</b>				
Immigration-status-related grounds	Name		Observation Date	
	Detention to effect removal		2015	
	Detention to establish/verify identity and nationality		2015	
	Detention for unauthorised entry or stay		2015	
Detention for unauthorized stay resulting from criminal conviction		2015		
<b>LENGTH OF DETENTION</b>				
Average length of detention	Number of Days		Observation Date	
	21		2014	

**PROCEDURAL STANDARDS**

<b>Provision of basic procedural standards</b>	<b>Name</b>	<b>In Law</b>	<b>In Practice</b>	<b>Observation Date</b>
	Information to detainees	No	Yes	2015
	Right to legal counsel	No	Yes	2015
	Access to free interpretation services	No	No	2015
	Independent review of detention	No	No	2015

**NON-CUSTODIAL MEASURES (ALTERNATIVES TO DETENTION)**

<b>Impact of alternatives</b>	<b>Name</b>	<b>Impact of Nature</b>	<b>Observation Date</b>
	Not applicable	There are no alternatives	2015

**VULNERABLE PERSONS**

<b>Is the detention of vulnerable persons provided in law? Are they detained in practice?</b>	<b>Name</b>	<b>In Law</b>	<b>In Practice</b>	<b>Observation Date</b>
	Unaccompanied minors	Not mentioned	No	2015

## COVID-19 UPDATES

	Update Status	Observation Date
<p><b>Latest Update</b></p>	<p>As of early May, Honduras continued to receive some 100 returned men and women from the United States every day, according to the IOM (5 May). Although no cases of Covid-19 amongst returnees had yet to be detected, IOM reported that it was helping prepare Honduran authorities in the case of an outbreak, including working jointly with the US Agency for International Development on distributing testing kits. The Honduran government has established locations in Tegucigalpa and San Pedro Sula to house returned migrants from the United States and Mexico as they pass a 14-day period in quarantine. Data from the Consular and Immigration Observatory has revealed that between 1 March and 26 April, 5,822 persons were returned from the United States and Mexico. In addition, on 21 May, UNICEF reported that since early March, at least 1,000 unaccompanied migrant children have been returned from the USA to Mexico and northern Central America (El Salvador, Guatemala and Honduras). Over the same period, at least 447 migrant children were returned from Mexico to Guatemala and Honduras. On 10 May, Mexico deported 42 Honduran nationals to Tegucigalpa, where they were placed in quarantine for 14 days. Amongst the returnees, there are two children, two women and 38 men. UNICEF and other agencies have reported that limited public information about Covid-19 has caused confusion and fear among returnees and the communities they return to across the region. Within certain communities, there are worries that children and families returned from the US and Mexico could be carrying the virus. UNICEF has received reports of communities in Guatemala and Honduras barring physical entry to outside groups or strangers, including returnees, to prevent local transmission of the disease. A centre for returned migrants had to be closed as the local population protested as they feared that they would contract the disease. The GDP has been unable to determine what if any measures have been taken to protect people in immigration proceedings in Honduras. However, the country has taken some steps in its prisons. On 12 March, when the government announced a state of emergency, all visits to prisons were suspended. In addition, staff and inmates received masks to wear during medical appointments or court hearings. As of mid-May, there had been three confirmed cases of Covid-19 within the country's prisons and one death related to the disease in the prison of El Pozo. On 19 May, one detainee tested positive in the prison of El Porvenir. Authorities also announced that there would not be any new arrivals until further notice. Subsequently, on 21 May, an investigation revealed a lack of testing and isolation of prisoners who have had contact with sick inmates. 70 inmates shared common areas with the deceased prisoner and yet, very few measures have been taken since. Only 22 tests have reportedly been undertaken in the 'El Pozo' and 'Tamara' prisons.</p>	<p>2020</p>
	<p>In mid-March, the Honduran government declared a state of "health emergency" and suspended all visits to prisons following reports of two confirmed cases of Covid-19 in the country. In addition, staff and detainees must wear masks in Court. The GDP has been unable to obtain information concerning measures taken within the "Centros de Atención al Migrante Irregular" to avoid the spread of Covid-19. However, the Honduran government has put in place a plan of action in the "Centros de Atención al Migrante Retornado" to avoid contamination as it is estimated that between 250 and 400 Hondurans are returned to the country daily. Honduran authorities have indicated that "special treatment" to all returned persons will be provided and that the protocols established by the WHO are being followed.</p>	<p>2020</p>

## INTERNATIONAL LAW

Relevant international treaties and date of ratification		
<b>International treaties</b>	<b>Name</b>	<b>Ratification Year</b>
	OP ICESCR, Optional Protocol to the International Covenant on Economic, Social and Cultural Rights	2018
	CRSSP, Convention Relating to the Status of Stateless Persons	2012
	CRPD, Convention on the Rights of Persons with Disabilities	2008
	ICPED, International Convention for the Protection of All Persons from Enforced Disappearance	2008
	CTOCTP, Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children	2008
	CTOCSP, Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime	2008
	OPCAT, Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	2006
	ICRMW, International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	2005
	ICERD, International Convention on the Elimination of All Forms of Racial Discrimination	2002
	ICCPR, International Covenant on Civil and Political Rights	1997
	CAT, Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	1996
	CRSR, Geneva Convention Relating to the Status of Refugees	1992
	PCRSR, Protocol to the Geneva Convention Relating to the Status of Refugees	1992
	CRC, Convention on the Rights of the Child	1990
	CEDAW, Convention on the Elimination of All Forms of Discrimination against Women	1983
	ICESCR, International Covenant on Economic, Social and Cultural Rights	1981
VCCR, Vienna Convention on Consular Relations	1968	
<b>Ratio of relevant international treaties ratified</b>	17/19	
Relevant international treaties and date of ratification		
<b>Individual complaints procedure</b>	<b>Name</b>	<b>Acceptance Year</b>
	CRPD, Optional Protocol to the Convention on the Rights of Persons with Disabilities	2010
	ICCPR, First Optional Protocol to the International Covenant on Civil and Political Rights, 1966	2005
Relevant international treaties and date of ratification		
<b>Ratio of complaints procedures accepted</b>	<b>Number</b>	<b>Observation Date</b>
	2/9	
	2/9	

Relevant international treaties and date of ratification				
Relevant recommendations issued by treaty bodies	Name	Recommendation Excerpt	Recommendation Year	
	Committee on Migrant Workers	37. The Committee recommends that the State party should strengthen actions aimed at protecting the right to freedom of Honduran migrant workers and their families in Mexico and the United States, in particular through: (a) Initiatives and bilateral dialogues that aim to ensure that detention is used only as an exceptional measure and a last resort by States where Honduran migrant workers reside or are in transit; (b) The strengthening, expansion and enhancement of consular actions aimed at protecting migrant workers and members of their families who are deprived of their liberty, particularly those detained for reasons of migration, through the provision of free legal assistance and the promotion of access to justice and other guarantees of due process. The Committee also recommends that the State party should regularly produce and disseminate qualitative and quantitative information on any form of deprivation of liberty suffered by migrant workers and members of their families in the State party. Furthermore, it recommends that any detention for reasons of migration should be in full conformity with existing legislation, in particular the Convention, and should be subject to the principle of exceptionality and in accordance with general comment No. 2 (2013) on the rights of migrant workers in an irregular situation and members of their families.	2016	
	Committee on Migrant Workers	§55. The Committee urges the State party to take all necessary steps to safeguard the rights of the various categories of children and adolescents in the context of migration. In particular, it recommends that the State party: (a) Strengthen and deepen its cooperation with countries of transit and destination with a view to adopting policies and protocols designed to ensure that children's rights in the context of migration are respected in practice; in particular, the State party should: (i) End the detention of children on grounds of their migration status or that of their parents; (ii) Devise alternatives — in law and in practice — to the detention of families and unaccompanied or separated minors, and ensure their implementation under the coordination of national and/or local organizations responsible for the comprehensive protection of children; [...]	2016	
Regional treaties, regulations, and directives				
Regional legal instruments	Name		Year of Ratification (Treaty) / Transposed (Directive) / Adoption (Regulation)	
	ACHR, American Convention on Human Rights		1977	
	IACFDP, Inter-American convention on Forced Disappearance of Persons		2005	
	CBDP, Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (Convention of Belem do Para)		1995	
	APACHR, Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights		2011	
Non treaty-based international human rights mechanisms				
Visits by special procedures of the Human Rights Council	Name		Year of Visit	Observation Date
	Special Rapporteur on extrajudicial, summary or arbitrary executions		2003	2015
	Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance		2004	2015
	Special Rapporteur on the sale of children, child prostitution and child pornography		2012	2015
	Special Rapporteur on violence against women, its causes and consequences		2014	2015
	Working Group on arbitrary detention		2006	2015

Non treaty-based international human rights mechanisms			
Relevant recommendations of the UN Universal Periodic Review	Recomendation Issued	Year Issued	Observation Date
	No	2015	2017
	No	2011	

## INSTITUTIONAL INDICATORS

### Governing structures

Federal or centralized governing system	Federal or centralized governing system	Observation Date
	Centralized system	2015

### Governing structures

Centralized or decentralized immigration authority	Centralized or decentralized immigration authority	Observation Date
	Centralized immigration authority	2014

### Institutions responsible for immigration detention

Custodial authority	Agency	Ministry	Ministry Typology	Observation Date
	Instituto Nacional de Migracion			2015
	Instituto Nacional de Migracion	Secretaría de Estado en los Despachos de Derechos Humanos, Justicia, Gobernación y Descentralización	Justice	2014

### Institutions responsible for immigration detention

Detention Facility Management	Entity Name	Entity Type	Observation Date
	Instituto Nacional de Migracion	Governmental	2014

### Institutions responsible for immigration detention

Formally designated detention estate?	Formally designated immigration detention estate?	Types of officially designated detention centres	Observation Date
	Yes	Dedicated immigration detention facilities	2015

### Institutions responsible for immigration detention

Types of detention facilities used in practice	Immigration detention centre (Administrative)	Immigration field office (Administrative)	Transit centre (Administrative)	Reception centre (Administrative)	Offshore detention centre (Administrative)	Hospital (Administrative)	Border guard (Administrative)	Police station (Criminal)	National penitentiary (Criminal)	Local prison (Criminal)	Juvenile detention centre (Criminal)	Informal camp (Ad hoc)	Immigration detention centre (Ad hoc)	Surge facility (Ad hoc)	Observation Date
Yes															2014

### Detention monitoring institutions

Authorized monitoring institutions	Institution	Institution Type	Observation Date
	Comisionado Nacional de los Derechos Humanos	National Human Rights Institution (or Ombudsperson) (NHRI)	2015

### Detention monitoring institutions

Does NHRI carry out visits?	Does NHRI carry out visits in practice?	Observation Date
	No	2015



## Expenditures

Estimated cost per detainees day (in USD)	Estimated cost per detainees day (in USD)	Observation Date
	12	2014

More information about immigration detention in Honduras is available at the website of the Global Detention Project ([www.globaldetentionproject.org](http://www.globaldetentionproject.org))

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