

COMPLETION REPORT 2003-2006



Centro para La Prevención, Tratamiento y
Rehabilitación de las Víctimas de la Tortura y sus Familiares
CPTRT

Completion Report

Organization: Center for the Prevention, Treatment and Rehabilitation of Torture Victims and their Families

Danish Counterpart:

Danish NGO – Rehabilitation and Research Centre for Torture Victims (RCT)

Project Title:

“Values for Social Cohabitation Free of Torture and Organized Violence”

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Honduras

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TEGUCIGALPA, HONDURAS

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General information and financial reporting

1. UM Finance no. and file no.	104.N.313.b4	
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3. Project title	Values for a Social Cohabitation without Torture or Organised Violence, Follow-up phase.	
4. Country and location	Country: Honduras,	
	Department: Francisco Morazan, City: Tegucigalpa	
5. Project period	According to the grant base	Actual
Start (day/month/year)	01/01-2003	01/01-2003
Completion (day/month/year)	31/12-2006	31/12-2006
6. Total project expenditure	According to the grant base	Actual
(in DKK)	DKK 12.998.314	DKK 10.395.817
7. Danida's contribution to the project	According to the grant base	Actual
(in DKK – including administration fee)	DKK 12.998.314	DKK 10.395.817
8. Other sources of financing	According to the grant base	Actual
(in DKK – including administration fee)	0	0
9. Procurement in Denmark	According to the grant base	Actual
(in DKK – including administration fee)	2.762.629	1.892.362

General report on the results

10. Summary

Write a brief summary (assessment) of the project's most important outcomes, problems and lessons learned

10.1 The following can be mentioned as important results:

The OPCAT ratification in Honduras: On January 6 2006, last government's National Congress ratified the Optional Protocol to the Convention against Torture, which was delivered to the Ministry of Foreign Affairs, where it was newly revised and corresponded to the current government of Manuel Zelaya Rosales to place it into the UN Headquarters in New York on May 23 2006. This has allowed Honduras to be part of the 20 first countries needed for the OPCAT to enter in force, being an important treaty for the prevention of torture. This significant achievement came from an initiative prompted by the RCT at the February 2004 Mission in our country.

A process for the implementation of the National Prevention Mechanism has been set in motion, and an opinion was sent to the Security Commission of the National Congress to integrate a chapter to the current Project of the Penitentiary System Law for the creation of the OPCAT National Mechanism.

The current Penitentiary Law Project is once again introduced into the Legislative Chamber through the Linking Commission Congress – Civil Society, being this a relevant aspect that allowed opening the opinion process of such law in the Security Commission of the National Congress for its review, a vital conjunction that the CPTRT took advantage of, also incorporating into the law the NPM implementation of the OPCAT.

CPTRT participates in the discussion process of the Penitentiary Law opinion by request of the President of the Security Commission of the National Congress.

On April 2005, the National Congress approved through decree No. 110-2005 the reform to articles 53 and 61 of the Penal Code, which stipulate the substitution of fines for community work, and initiative presented by the CPTRT that has entered in force when published in the La Gaceta diary on June 7 of that same year.

CPTRT has contributed with the formation of the National Policy of Mental Health together with other instances of the civil society and government sectors, by invitation of the Department of Mental Health and the Ministry of Health. Participation was made incorporating ethics, human rights and gender equality into its cross axes, besides integrating people deprived of liberty into the goal population. The NPMH was arrived at by consensus and adopted by the government as a State policy on January 2004.

CPTRT together with other human rights organization of Honduras (COFADEH, ERIC, CIPRODEH, Covenant House and CEJIL have elaborated and presented before the Inter-American Court of Justice, at the audience held in Washington on March 2006, a report about the Situation of the Penitentiary System in Honduras.

A work group has been created for the penitentiary problem, composed by the Penitentiary Pastoral, COFADEH, CIPRODEH, ERIC Foundation, CPTRT, Coordination of Penalty Execution Judges and the Human Rights Attorney's Office to give continuity to the implementation of the recommendations in the report presented on March 2006 before the Inter American Court of Justices, and to the Corrective Habeas Corpus of the Constitutional Hall on February 2006 in favor of people deprived of liberty in the Marco Aurelio Soto National Penitentiary.

The monitoring of cruel, inhuman and degrading treatment as well as of torture cases was strengthened with the application of the pesquisa, a work tool used since November 2004, where it was reported that 7 out of 10 detainees were CIDT victims. Currently in 2006 it was found that 6 out of 10 detainees were victims of those practices. Through the pesquisa the CPTRT gives account of the acting of police corps in the capture process of citizens. Besides, this information has helped raise accusations of torture and CIDT before the District Attorney's Office of Human Rights and has allowed giving recommendations before the Police Commissioner about the measures needed to prevent the excessive use of force. As a result, notes have been spread throughout all police offices to avoid torture and CIDT.

A report about Human Rights violations in Honduras has been elaborated by the CPTRT together with COIPRODEN, CEM-H and OMCT, and has been presented before the Human Rights Committee of the United Nations.

CPTRT together with OMCT has socialized before organizations representing the civil society a report referring to Human Rights violations in Honduras and 100 copies of it have been presented.

CPTRT has presented before the Inter-American Court of Justice, at the audience for women, the Diagnostic of Women Confined in a Closed Community, Female Center of Social Adaptation, to present the problem of women deprived of liberty and the corrective measures have been given to the State of Honduras on behalf of the CIDH Spokesman for this subject and subpopulation of the Penitentiary Center. Up to this moment two measures have been fulfilled: one related to the service that public defenders must give and the other related to the opening of dorms to inmates.

The systematization of the work experience in rural communities of the Xicumba Promoters Network has been carried out, obtaining the document "Attention Method for Families Victims of TOV Based on Mental Health" and work guidelines for the training of VHP.

The experience gained from the Prosocial Education of Emotions, Values and Attitudes Program has been systematized. It was developed at the Tiburcio Carias Andino School of Col. Flor No. 1, which will serve as input to carry out incidence labors in the educational curricula before the Ministry of Education in the 2007-2010 Project.

The experience of the Humanist Model of Work in Prisons with people deprived of liberty has been systematized, and the methodological guide has socialized with 30 people belonging to: technical personnel of the National Penitentiary, CEFAS, social workers and psychologists of the Public Ministry, Public Defenders, people responsible of HIV/AIDS prevention projects in prisons and members of Covenant House. At an international level, it was socialized with the ODHAG and the methodological guide was handed out to people who assisted at the Education in Prisons conference in Dublin, Ireland on October 23 2006.

Treaties have been signed with **Entities of the State** such as the Ministry of Security, the Public Ministry, Health Ministry and Ministry of Education, as well as with **Human Rights Organizations** such as ILANUD and CDHES (El Salvador) at a regional level and ASJ at a national work for the work that the CPTRT carried out for the prevention of torture and CIDT.

Participation spaces have been strengthened to promote the prevention of TOV and CIDT, such as the Collective for Peace, Life and Justice and the Committee of Mothers for Forgiveness. The Collective supported COFAMA (Committee of Families of Massacred Inmates) in the case of the death of 61 youngsters belonging to maras and gangs, which took place on April 5, 2003 in the Granja Penal del Porvenir in Ceiba, Atlantida; demanding justice to the State of Honduras for the deduction of responsibilities of those implied in the massacre. As a result, those responsible are being judged before competent tribunals while they remain in preventive prison.

The Justice, Impunity and Penitentiary System Project elaborated by the CPTRT allowed the management of funds and the contracting of personnel to give continuity together with COFAMA and the Collective for Peace, Life and Justice to the massacre of 61 youngsters belonging to maras and gangs taken occurred at the Granja Penal del Porvenir in Ceiba, and to the deaths by negligence of 107 youngsters of cell 19 in the Penal Center of San Pedro Sula. As a result, the CPTRT through this project gave support to the Catholic Church in the interposing of the accusation made to the State of Honduras before the Inter-American Court of Justice for the deaths occurred in the San Pedro Sula Penitentiary and has achieved the access to repairing justice before the Supreme Court of Justice at a National level to give course to the judgment against those involved in the massacre at El Porvenir. The following can be mentioned as a result: a work network established with Human Rights organizations in the northern region of the country including the Penitentiary Pastoral, the Peace and Justice Project of La Ceiba, the Eric Foundation and Caritas of San Pedro Sula, which together with COFAMA and the Collective for Peace, Life and Justice has achieved the delivery of 19 corpses of youngsters who died in these events, for their families to carry out their funerary rites as a part of the repairing justice process.

The **Midterm Evaluation of the 2003-2006 Project**, by agreement of the RCT/CPTRT, consisted of the thematic review of the development of sustainable organizational strategies developed in phases, beginning with reflection meetings that the CPTRT team prepared for the 2005 midterm review stage; besides, the production of terms of reference for this review were obtained. Phase I, developed during the

RCT Mission to Honduras on February 2005 had as a result the identification of a sustainable organizational strategy of political incidence with three of its main components: critical and supportive citizenship, co-responsibility and communication, input which served to elaborate the terms of reference for the next phase. Phase II consisted of a study of the three main components of the previously mentioned strategy; as a result, a book has been elaborated which contains the synthesis of this study and the proposal of a political incidence strategy for the prevention of TOV (see Annex 1).

One of the most important results of this midterm review process has been the organizational learning cycle obtained, which has facilitated the design of the institutional project named “*Generation of new knowledge and institutional changes to improve practices in the fight against TOV, 2007-2010*”, which has been discussed at the RCT Mission to Honduras on October 2006.

The production of the Project “*Generation of new knowledge and institutional changes to improve practices in the fight against TOV*” for the 2007-2010 period was elaborated and arrived at by consensus with the RCT and the CPTRT team.

10.2 External factors that took a particular interest in the CPTRT work during the 2003-2006 project

Insecurity in Penitentiary Centres

The violent deaths of people deprived of liberty at the Marco Aurelio Soto Penitentiary passed from 12 cases in 2003 to 32 cases in 2006, due to the fact that in this last year a massacre of 13 people deprived of liberty occurred in the maximum security module “Casa Blanca”, taking a count of 102 people deprived of liberty killed during the execution period of this project. The 3 main causes of death were: 30 with white weapons, 29 with guns and 17 by asphyxia.

At a national level in Penitentiary Centers, most of the cases of violent deaths were reported in 2003 and 2004: 111 cases and 155 cases respectively, due to two lamentable events: the massacre of 61 youngsters belonging to gangs and maras at the El Porvenir Penal Farm in La Ceiba and the death by negligence of 107 burned youngsters belonging to gangs in Cell 19 of the San Pedro Sula Penitentiary Centers. During 2005 and 2006 75 cases were recorded, which represented a total of 341 deaths during the 2003-2006 period.

These facts contradict what is declared in Article 87 of the Constitution which designs prisons as security and social defense establishments where the rehabilitation of prisoners and their preparation for work will be procured.

Institutional weakness is characterized by corruption, bureaucracy in the acting of juridical operators, juridical insecurity, political party inherence, delay in the resolution of judicial processes and most importantly, impunity.

Another aspect is the *inequality in the access to justice* at the penitentiary level, because despite the existence of a Penalty Execution Judge, the continuity to cases of people deprived

of liberty is limited. It is worth mentioning that in the Diagnostic carried out in CEFAS (Women Confined in a Closed Community) it was found that 34.1% of the interviewed women deprived of liberty expressed lacking a defender, and their legal condition was in process. In contrast with what was officially assumed about each inmate possessing a Public Defender, this aspect indirectly affects judicial debt. Added to this situation we can mention the almost exclusive use of the Penitentiary System for the repression of crime, especially with youngsters and minors of age.

The violent and/or arbitrary deaths of children and youngsters, which according to Covenant House up to March 2006 were counted to a total of 3150 cases, show slowness in their clarification.

Problems in the attachment of the State of Honduras to a rehabilitating vision of reeducation and social reinsertion in centers of liberty privation that harbor adults, youngsters and children.

We can mention the case of the Renaciendo Pedagogical Complex in Tamara, declared in state of emergency for the inhuman situation in which child delinquents are held. This puts their physical and mental health at risk due to the deplorable hygienic and environmental conditions, and the violation of their physical and psychological integrity, factors considered as an object of torture and CIDT.

Paralysis of the Educational System. Despite the education sector being one of the pillars for development, teachers at a national level have had to paralyze educational processes, demanding the Government to fulfill the social and salary conquests stipulated in the Teacher's Statute, approved in 1997. Recently, a dialog process was open between the magisterial direction and the current administration of President Manuel Zelaya.

A norm that efficiently and effectively regulates the Penitentiary System of Honduras

The militarization of the police. Due to the manipulation of the social imaginary, the abuse of force was justified, as well as the use of the army and the beginning of the process of militarization of the police, observing with preoccupation the tendency of the population to sacrifice their civil and political rights in sakes of a supposed security.

10.3 Lessons Learned

To develop a co-responsibility process in the subject of political incidence in the framework of TOV prevention, agreements and commitments are required with clear rules that allow the continuity of processes, regardless of people and political parties that govern them.

The co-responsibility processes to impact on the reform of regulations, laws or policies can gestate in a formal way with the signing of agreements and covenants and informally without signing covenants at a level of strategic alliances and networks.

Working on a co-responsibility perspective for the prevention of TOV implies a process of opening up to different environments, interests, perceptions, values and experiences that proceed from the organizational culture of the different actors, subjectivity and inter-subjective spaces that emerge when establishing links to fulfill with the mandate of preventing and contributing with the eradication of torture and organized violence.

The undertaking model in prisons is strengthened if its functioning is done systematically with the opening to the environment, promoting the reform and application of laws, regulations and policies that can guarantee the respect to human dignity of people deprived of liberty.

The subscription of agreements with the Public Ministry (1998) has allowed the carrying out of joint inspections to prisons and police offices to detect torture practices from the authorities, establishing a close coordination with the Attorney's Office of Human Rights. This has meant a strong support to the work in favor of the detainees for supposing them responsible for the committing of a crime.

The joining of forces with other sectors has been important when extending the institutional support base to strengthen the interlocution space with the government, now that the Penitentiary Law proposal has been formally introduced before the National Congress.

The need to undertake the mental health problem in the prison population presented a challenge to the CPTRT to join efforts with the Ministry of Health through the Department of Mental Health and participate in the formation of a Mental Health Policy at a national level which contains in its cross axes the promotion and respect to human rights and ethics. Besides, it takes people deprived of liberty into account within its goal population. However, if the participating sectors don't join efforts in the management for the implementation of the PNSM it won't be able to generate the expected changes in the goal population of the project.

The processes for the adoption and formal implementation of policies or laws to carry out transformations in the field of human rights and tied to the prevention of TOV imply long term periods.

A process of political incidence in the prevention of TOV requires three important aspects: one regarding the *policies* to be changed or proposed, the other regarding the promotion of *involvement* of other actors to promote changes and the last aspect linked to what the *process* will be.

The lobbying made by the CPTRT and the RCT was very influencing for the executive and legislative powers to approve and ratify the OPCAT.

Since the **midterm review of the 2003-2006 project was negotiated for the RCT-CPTRT cooperation**, it was constituted on an organizational learning cycle for the CPTRT team,

through the identification and study of three components of a sustainable organizational strategy of political incidence: co-responsibility, communication, critical and supportive citizenship. It had as a result the construction of a strengthened vision for the design of the institutional project *“Generation of new knowledge and institutional changes to improve practices in the fight against TOV, 2007-2010”*, and thus make front to the challenges that the Honduran context presents.

The RCT cooperation in the technical aspect has been important; however, the human solidarity shown through visits to high officials of the State and distinct national entities represented an important component of protection and security for people to work in the CPTRT.

The Justice, Impunity and Penitentiary System project elaborated by the CPTRT allowed the management of funds and the contracting of personnel to give continuity together with COFAMA and the Collective for Peace, Life and Justice to the cases occurred at the Massacre in Granja Penal El Porvenir, and the deaths by criminal negligence in Cell 19 at San Pedro Sula.

The coordinated work, planned and developed in the Justice, Impunity and Penitentiary System project has facilitated the access to repairing justice before the Inter-American Court of Human Rights in the case of San Pedro Sula and before the Supreme Court of Justice at a national level in the case of El Porvenir.

Given the importance of documenting torture cases, it becomes necessary to strengthen training in documentation.

The insecurity conditions in Penitentiary Centers prompted the CPTRT to coordinate with other organizations to carry out preventive activities in prisons.

The coordination with work groups of the UN that have visited the country during the period in the subject of arbitrary detentions and the penitentiary system, as well as presentation of the report of the situation of human rights of people deprived of liberty before the Inter-American Court of Human Rights were important happenings to strengthen the process of political incidence that the CPTRT deploys in the prevention of TOV and CIDT.

The pesquisa and visits to police offices in the company of the Special Human Rights Attorney's Office of the Public Ministry allowed us to know that there is a number of people who have been detained in places not established by the law (particular homes, DGIC offices and open places outside the city such as highways).

The pesquisa, as a tool to monitor torture and CIDT, allows giving account to the acting of the police corps in the process of capture of citizens, information that serves to elevate the accusations before the Human Rights Attorney's Office about cases of torture and CIDT, and facilitates the proposal of recommendations before Police authorities to prevent the excessive

use of force.

To impact on changes of conduct of security corps of the State and key police actors it is necessary to medically document Torture and CIDT cases.

When applying a live and participatory methodology, the Pro social education program of emotions favored the development of its two main strategic axes: training and handling of emotions, positively impacting on the cohabitation relations between the actors who have participated in this program.

The insecurity conditions lived in the country forced the innovation of work strategies of the CPTRT.

The insecurity conditions in the field of work of the community health team was a condition that forced them to change strategy and work area, since part of the human team was assaulted with the object of intimidation.

Being inserted into the community, listening and learning their language promotes collective learning, which anchored to reality and culture is the most assimilated and transforming one, being an action that favors the articulation of our vision of human rights in a more concrete way with daily life and the respect to dignity. This is a process that has enriched our conception and innovated our ideas towards a more supportive and participative work, which had as a result the strengthening of the Xicumba promoters network.

The construction of trust, solidarity and commitment links between the community and the CPTRT allowed the cohesion of the promoters' network, favoring the definition of its organizational structure and the consolidation of the attention method to torture and organized violence survivors with a mental health focus.

The individual and community clinical attention has allowed the identification of the medical, psychological and social problems that TOV survivors face, which is necessary input for the construction of psychosocial indicators pertinent to the connects, which have been related with the International Classification of Incapacity and Functioning, elaborated by the WHO.

To strengthen the Committee of Mothers for Forgiveness as an organization and train it in the subject of human rights, access to justice, legal management and prevention of torture and CIDT facilitates the role it performs in the monitoring of CIDT and torture in prisons.

The elaboration of a Diagnostic study of women deprived of liberty allowed the visualizing of the problem of this segment of the penitentiary population in the Audience of Women before the Inter-American Court of Justice, an aspect which favored the attention to the immediate recommendations made, concerning the having of a Public Defender, and the ceasing of stigmatization and discrimination strategies manifested by the closing of rooms.

The forums, seminars and workshops represent a modality of sensitizing in justice system operators, the legislative power and some civil society organizations in the subject of torture and CIDT prevention.

The social communications media have been valuable help for the diffusion of actions and reform proposals and the approval of regulations and laws that the CPTRT carry out together with other civil society and government organizations.

The establishing of good human relations with journalists facilitates the processes of sensitizing of the population regarding the demands for the creation of a new penitentiary law, improving conditions in prisons, prevention of torture and respect to human rights.

The limited amount of resources complicates the adequate development of research due to the charge of multiple activities.

The disarticulation of research in the culminating project has allowed having as a priority in the planning of the 2007-2010 project the articulation of research in the processes to be developed in the thematic community lines.

Research demands integral time, being complicated by the multiplicity of activities that disperse focused work in investigative action.

Despite the fact that the economic sustainability of a project is an important component, it is not the most relevant aspect. Therefore, the internal qualitative and ethical development of the components of team work is required.

To make a Project sustainable it is necessary to not depend on sole source, but rather on several. However, our managements have taught us that in the context of human rights the sources that can develop a project like CPTRT are very limited.

The construction of team abilities, the development of co-responsibility in the work processes with the participation in decision making spaces, and the strengthening of joint work with civil society organizations, and regional and international entities that work in the field of human rights and particularly in anti TOV actions are aspects that favor the bases of sustainability of the processes undertaken in the prevention of TOV.

The recognition of the CPTRT for its ethical and responsible work favors the credibility of the organization manifested in:

-The integration of the organization in decision making spaces, such as the Linking Commission of Congress – Civil Society, the Inter-institutional Commission of Penitentiary Reform and the Commission of protection of the Physical and Moral integrity of Childhood, among others.

To be a focal point of network coordination with similar institutions such as the Collective for Peace, Life and Justice, COFAMA and the Work Group on the Penitentiary Problem.

-The ability to call upon other institutions

-To receive invitations to acknowledge the work done towards the TOV prevention subject and the situation of penitentiary centers, including minor internship centers.

11. Effect (Outcome and impact)

Assessment of the degree to which the project objectives (outcome) and development objectives (impact) have been achieved. If it is too early to evaluate the achievement of development objectives, state how and when this will be monitored.

The *development objective* of the culminating Project was announced like this:

“To contribute with the eradication of all forms of torture and organized violence (TOV) through the formation of values and practices that strengthen the democratic functioning of Honduran society and the coordination of efforts with human rights organizations (governmental and non governmental) and with critical popular sectors”.

Relevant aspects of the 2003-2006 project which have contributed with the achievement of the development objective.

We could say that the practices and values to strengthen democratic functioning have been influenced in a formal way through some norm that is in consonance with the prevention of torture and CIDT, which is to say treaties, laws and regulations, besides an educational process that involves the police, scholars and indigenous and rural communities. The recognition of contributing at a collective level with the development of a democratic institutionalism has implied the facilitation and strengthening of practices and values that tend to the integration and cohesion of non governmental, governmental and civil society organizations in formal and informal decision making spaces, with a focus of co-responsibility to manage the pertinent changes for the prevention of TOV.

La Formación de la Política Nacional de Salud Mental que integra dentro de su población meta a las personas privadas de libertad.

This contribution to the development objective's achievement is reflected on the management process that has been developed to achieve the OPCAT ratification and deposit on May 2006 at the UN Headquarters in NYC, as well as the creation of the National Mechanism which together with governmental and non governmental organizations is being carried out.

Participation in decision making spaces to which the CPTRT belongs, such as the Inter-Institutional Commission of Penal Justice and the Linking Commission of Congress – Civil Society to prompt the Penitentiary Law Project, and currently the Security Commission of the National Congress in the process of opinion of such law.

The formation of the National Policy of Mental Health, which integrates people deprived of liberty into its goal population.

The contribution to the formation of the following initiatives: Law for the Creation of the Permanent Commission of Investigation of Children's Deaths with Characteristics of Execution, and a regulation for the release of people deprived of liberty with terminal diseases.

The reforms to articles 53 and 61 of the Penal Code which stipulate the substitution of fined for community work, approved by the National Congress on April 2005 under Decree No 110-2005.

These proposals contribute to normalize and give legitimacy to the good practices that should exist to prevent TOV, guaranteeing the respect to human dignity. We could say that legal recognition is necessary, but not enough to achieve the development objective; however, co-responsibility processes have been gestated towards the previously described proposals for considering that policies and laws cannot go by themselves and even less alone to generate changes. Nevertheless, this leads us to value their potentiality, in managing through an integrating and systematic approach of knowledge, efforts and resources of the different actors and instances that confluence in the promotion and respect to human dignity of individuals, groups and communities for their development in equality of opportunities in a context that frees them from all forms of violence. This last consideration in consonance with the transcendence of the development objective could be presented in the long term reach, even when the CPTRT has already begun processes of co-responsibility in that sense.

CPTRT actions with the Collective for Life, Peace and Justice and COFAMA can be mentioned to have favored the continuity of the process of claim for justice for the deaths at the El Porvenir Penal Farm. Currently, the allegedly implied authorities are being judged in preventive prison, regarding the deaths for criminal negligence at Cell 19 in San Pedro Sula. CPTRT, through the Justice, Impunity and Penitentiary System Project supported the Catholic Church by taking the case to the Inter American Court of Justice to interpose a demand to the State of Honduras for these deaths.

Other managements shared with other human rights instances include the elaboration of the report on the situation of the Penitentiary System of Honduras, which has been presented before the Inter-American Court of Justice in Washington, as well as the report on the Situation of Human Rights in Honduras before the Human Rights Committee of the United Nations. In both cases recommendations have been given to the State. The reports were socialized with some organizations of the civil society and government. However, the State of Honduras will be the one to give account to the adoption of these recommendations, taking into account that the CPTRT together with other organizations who have participated in these actions must monitor their fulfillment.

To appear before the Inter-American Court of Justice in the audience for women to present the Diagnostic of Women Confined in a Closed Community, Case of the Female Center for Social Adaptation, and present the problem of women deprived of liberty has allowed the occurrence of corrective measures to the State of Honduras by the CIDH spokesman for this subject and penitentiary subpopulation. Up to now two measures have been fulfilled, one related to the service that public defenders should give and the other related to the opening of dorms to inmates who remain locked at daytime as a stigmatizing and discriminating practice

of that Penitentiary Center.

During the last year of the project the CPTRT had the change of participating in important meetings with the Group of Arbitrary Detentions of the United Nations, the Prison Spokesman of the CIDH and spokespersons of the United Nations Committee on Racism and Mercenaries. A report about the cases in Honduras was presented to these groups.

The work experience in rural communities with leaders, survivors of torture and organized violence named “Xicumba Volunteer Health Promoters Network” will give continuity to the work carried out on community mental health through a process of multiplying effect, strengthening even more the cohesion and solidarity in indigenous and rural communities of the Intibuca, La Esperanza and La Paz regions. When observing retrospectively, we see that the process of empowerment and change has implied a long term, which has finally allowed community actors to generate a space of dialog and reconstruction of the experience lived by the VHP (men and women), obtaining the construction of their own work methodology as a product, as well as a strategic horizon to continue their work.

Another important aspect is the process of education developed with the police to reflect upon their professional performance. This way a space for constructive dialog was opened to discuss how a practice centered on the respect to human dignity can be formed.

The work developed in the school with children through the program of Prosocial Education of Emotions constitutes a synergic aspect to achieve the development objective while the school is constituted in a socializing space of democratic practices, which has allowed this goal population to develop abilities to relate and cohabitate avoiding violent practices.

The formation of public opinion through the social media has allowed us to place into public debate important subjects such as the respect to the guarantees of people deprived of liberty, the prevention of torture and CIDT and to manifest the urgent need of a policy that regulates the Penitentiary System in Honduras.

We could say that the formation of values and practices enounced as means to contribute to the eradication of TOV can be instituted through policies, laws, regulations and treaties. As we can appreciate, the CPTRT has deployed a whole process of political incidence which has implied taking into account three aspects: one related to the proposal of policies, laws, regulations and treaties that want to be changed, reformed or proposed; at this level several achievements have been obtained which impact on the reach of the development objective. However, another considered aspect is related to the development of co-responsibility, the level of participation and involvement of the CPTRT and other agents and key organizations to make synergy to achieve the development objective. In this point we believe that the CPTRT has achieved the establishment of commitments through covenants that have allowed the defining of the type of cooperation that should be had to prevent and eradicate TOV. This, regarding entities of the State, the Public Ministry, Ministry of Security, Health

Ministry and Ministry of Education and some Human Rights organizations in the region such as ILANUD, the Human Rights Commission of El Salvador CDHES and at a national level with the Association for a more just Society, as well as strategic alliances and networks like the Collective for Peace, Life and Justice and organized groups like the Committee of Mothers for Forgiveness (see Item 15 about advocacy).

This second aspect is related to what was stated in the development objective about “the coordination of efforts with governmental and non governmental human rights organizations and critical popular sectors”. However, another aspect to be taken into account is relative to the process undertaken during these four years of the processes developed. They have been strengthened by the work deployed in networks, which has allowed in certain cases such as the Collective for Peace, Life and Justice, to give continuity to cases such as the Massacre at the Penal Farm of El Porvenir to demand Repairing Justice, achieving that the allegedly implied authorities in that case hold preventive prison, now that they are being judged. The reports that have been elaborated and presented before the CIDH about the Situation of the Penitentiary System and about CEFAS have been developed in the framework of the coordination with other organizations, the training of justice operators, the sensitizing of civil society through forums, radio and TV campaigns are some modalities present in the processes to impact on the formation of values and practices. It is also worth to mention the training of the Volunteer Promoters Network of indigenous and rural communities in a methodology of multiplying effect which will allow them to give continuity to the process of community mental health attention. Another group that has developed a process of empowerment through the construction of capabilities and abilities to claim justice is the Committee of Mothers for Forgiveness, whose strongest action is monitoring of torture and CIDT cases in prison. Nevertheless, the legal recognition of values and good practices passes through the construction of abilities that facilitate a process of co-responsibility for these practices and values to be taken to daily life and be translated to a good democratic functioning, as the development objective establishes.

12. Results (output)

12.1 Objective 1 Results

- 1938 students of the Center for Police Instruction have been trained in human relations, values, communication and human rights during 2003-2006. The goal has exceeded regarding what was planned for the period, which was 400 students of the CIP. It can only be mentioned that the training in conflict resolution wasn't given, as was proposed within the subjects to develop.
- 142 Penitentiary Policemen/women and 90 members of the Technical Personnel of the National Penitentiary have been trained on the methodology of conflict resolution, human relations, human rights, gender and violence, Organizational Law of the Police and self-esteem during 2003-2006. The original goal has been exceeded, which foresaw the training of 200 people, including penitentiary police and technical personnel of the National Penitentiary and CEFAS.
- 229 children, 20 teachers and 154 parents have been trained in stress handling, resolution of conflicts, handling of emotions, sexual education and techniques for the handling of intra-family violence, applying participatory and playful methodologies through the Pro-social Education of Emotions project developed at the Tiburcio Carias Andino School. Regarding the number of participants trained, the goals have been surpassed, because what was planned were 30 students each year (120) and 30 parents each year (120 in total) and 10 teachers during the whole period of the 2003-2006 project. However, the multiplying effect expected by the teachers wasn't carried out.
- It is expected that part of the sustainability of this process which begun in this culminating project is made effective by the multiplying effect of teachers in the school, now that the CPTRT beings a new process at another community.
- The Committee of Mothers for Forgiveness, integrated by 20 parents of people deprived of liberty, has been strengthened through the construction of capabilities in human rights, access to justice and legal management for the prevention of torture and CIDT. The main action that this committee carries out is the constant monitoring of torture and CIDT in prison. This information has contributed in raising accusations before the corresponding authorities to take correct measures of the case. In the 2003-2006 project the result has been enounced in terms of strength of an organization of parents of detainees with a vision of defense to human rights in prisons, which is in consonance with the obtained result and the indicator.

12.1.2 Obtained results that weren't visualized in the 2003-2006 project "Values and Practices for a Social Cohabitation without torture and organized Violence"

- The experience of the Humanist Model of Work in Prisons with people deprived of liberty has been systematized and the methodological guide socialized with 30 people

belonging to: technical personnel of the National Penitentiary, CEFAS, social workers and psychologists of the Public Ministry, Public Defenders, people responsible for HIV/AIDS prevention projects in prisons and members of Covenant House. At an international level, the methodological guide was socialized and handed out to ODHAG, particularly to people who assisted to the conference of education in prisons carried out in Dublin, Ireland on October 23, 2006.

- A process for the implementation of the National Prevention Mechanism has been set in motion since March 20 2005 with the support of the RCT, APT and governmental organizations like the Public Ministry through the Special Human Rights Attorney's Office.
- In 2003 the CPTRT elaborated and socialized with justice operators and civil society organizations a draft of the penitentiary law which contemplated the creation of the Penitentiary Institute, a decentralized organization, dependant of the Ministry of State in the dispatches of Governance and Justice. This draft was presented by the CPTRT in November of that year before the National Congress through the Linking Commission of Congress – Civil Society, which has served as input together with another initiative for the elaboration of the current Penitentiary System Law Project of Honduras.
- A draft was sent to the Security Commission of Congress to integrate a chapter of the current Project of the Penitentiary System Law for the creation of the National Mechanism of the OPCAT.
- CPTRT participates in the discussion process of the Penitentiary Law opinion by request of the President of the Security Commission of the National Congress.
- On April 2005, the National Congress approved through decree No 110-2005 the reform to articles 53 and 61 of the Penal Code, which stipulate the substitution of fines for community work, an initiative presented by the CPTRT which has entered in force when published in the La Gaceta diary on June 7 of the same year.
- The CPTRT together with other human rights organizations of Honduras (COFADEH, ERIC, CIPRODEH, Covenant House and CEJIL) has elaborated and presented before the Inter-American Court of Justice on March 2006 a report about the Situation of the Penitentiary System in Honduras.
- A work group has been created for the penitentiary problem, made up of the Penitentiary Pastoral, COFADEH, CIPRODEH, ERIC Foundation, CPTRT, Penalty Execution Judges and the Human Rights Attorney's Office to give continuity to the implementation of the recommendations in the report presented on March 2006 before the Inter- American Court of Justice, and to the Corrective Habeas Corpus of the Constitutional Chamber on February 2006 in favor of people deprived of liberty at the

Marco Aurelio Soto National Penitentiary.

- The monitoring of CIDT as well as torture cases was strengthened with the application of the pesquisa, a work tool used since November 2004, where 7 out of 10 detainees were reported to be victims of CIDT. Currently in 2006 it was found that 6 out of 10 detainees were victim to those practices. Through the pesquisa the CPTRT gives account of the acting of police corps ion the process of capture of citizens; besides, this information has served to raise accusations before the Human Rights Attorney's Office on torture and CIDT cases and has allowed the offering of recommendations before the Police Commissioner about the measures to take in order to prevent the excessive use of force. As a result notes have been handed out to police offices to avoid torture and CIDT with the commitment of "decreasing in 10% de excessive use of force at the time of capture".
- A report about Human Rights violations in Honduras has been elaborated by the CPTRT together with COIPRODEN, CEM-H and OMCT, and has been presented before the Human Rights Committee of the United Nations; recommendations have been given to the State of Honduras for adoption and implementation.
- CPTRT together with OMCT has socialized the report referring to Human Rights violations in Honduras with representatives of civil society organizations and 100 copies have been handed out.
- It is important to give continuity to this result because the real impact of the report would be linked to the adoption and implementation of the recommendations by the State of Honduras.

12.2 Objective II Results

- Attention in health ahs been given to 22 torture survivors and 83 cases of organized violence during the 2003-2006 project period. The goal for this result had presented the attention to 25 torture survivors and 85 organized violence victims with individual and family attention, combining orthodox and alternative therapies; in the case of organized violence survivors the goal was surpassed.
- 17 volunteer promoters, survivors of torture and organized violence have been trained in community mental health to exercise a multiplying effect in rural and indigenous communities, remaining constituted as the "Xicumba Volunteer health promoters' network". The result enounced in the project "Values and Practices for a social cohabitation without torture and organized violence" was that 15 indigenous and rural families of the department of La Paz exposed to TOV and a volunteers' network would be trained in mental health therapies to prevent and handle violence situations in the family and community during the 2003-2006 period. However, due to the attempt

suffered by the health team, these changed their strategy and the work was focused on the promoters' network. One of the indicators for this result was that 8 volunteers applied mental health techniques to TOV survivors; in this case 17 were trained.

- A result in connection to the indicator of the application of mental health techniques to torture survivors is the mini project of natural medicine "A Light in my Way". It consists in the production of alternative measures for the attention of survivors of TOV, which functions in two communities: Las Limas, La Paz and Piraera, Lempira.
- 254 people were attended in individual consultations by Volunteer Health Promoters. Within this group of people 3 were survivors of torture, 5 of organized violence and 2 were parents of disappeared persons.
- 12 Health Committees lead by the HVP have been organized in their communities.
- The Systematization of the Experience of the Community has allowed the cohesion of the "Xicumba Volunteer Health Promoters' Network", favoring the definition of their organizational structure and the consolidation of the "Method of attention to families victims of TOV based on Mental Health".
- The systematization of the experience developed in rural and Lenca communities survivors of TOV has produced 5 training modules in the subjects of violence, human rights, alternative therapies, mediation of conflicts and cohabitation without violence, as well as the production of the Trainer's Guide for promoters.
- The original result proposes the systematization of the work with indigenous and rural families survivors of TOV, which in the beginning were planned to give answer to "how families interpreted and reacted before TOV". However, due to the change of work strategy because of the attempt suffered at the community, the health team focused on the strengthening of the Xicumba Promoters' Network, prepared as multiplying agents of practices in community mental health. This experience has been systematized. The indicator presented for this result was that that systematized experience would be known by the Department of Mental Health and by the Ministry of Health; it is expected to be presented during 2007.
- The result was presented like this: during 2003-2006 5 professionals of the Department of Mental Health of the Ministry of Public Health and 15 professionals and technicians of the field of health participate actively in the process of reflection about the subject of Social Prevention of violence from economic, cultural, political, social and communication aspects (see project "Values and Practices for Social Cohabitation without torture and organized violence" 2003-2006 period). It was a result that hasn't been developed due to the change of strategy of the health team.

12.2.1 Other results that haven't been designed in the 2003-2006 project "Values and Practices for a social cohabitation without torture and organized violence"

- Two medical brigades have been carried out, attending a total of 993 patients in the following zones: Valle de Siria, Comayagua, Santa Elena, Nahuaterique, La Paz, Suyapita, El Anono, Santo Tomas and San Francisco.
- A diagnostic about the "Living conditions of people deprived of liberty with mental disorders in the National Penitentiary of Tamara" has been elaborated.
- The Istanbul Protocol has been socialized with 25 people of the Public Ministry and Forensic Medicine.

12.3 Objective III Results

- The Diagnostic of Women Confined in a Closed Community, case of the Female Center for Social Adaptation, which presents the particular problem of women deprived of liberty. This document has been presented before the Inter-American Court of Human Rights, in the audience for women carried out on June 2006 in Guatemala, in coordination with CEJIL. The corrective measures have been given to the State of Honduras by the CIDH spokesman for this subject and penitentiary subpopulation. Up to now two of the measures have been fulfilled, one related to the service that public defenders should give and the other related to the opening of dorms to inmates during daytime, since their closing followed discrimination and stigmatization practices.
- A diagnostic about school violence in two dimensions: violence in school and violence towards school has been developed at the Tiburcio Carias Andino School and Victor F. Ardon School. This data will serve as a base for the work in the line of open communities in the new 2007-2010 project.
- A study about patients who are victim to injuries by external cause of intentional violence was developed in the emergency rooms of the Hospital Escuela and the Bloque Materno Infantil.
- Regarding these results, the 2003-2006 project document presents two studies: one about the community and violence and the other about the influence of gender in violent conducts of the police. Despite other kinds of studies being made which were assigned by the CPTRT to UDI, another factor in this result is that there was not clear articulation between studies and work processes of the CPTRT.

Communication

- Diffusion of important action of the CPTRT was made to form an opinion towards the prevention of torture and CIDT

Radio Campaigns and participation in radio and TV programs

- 17 diffusion actions through **radio campaigns and participation in radio and TV programs** were carried out to sensitize the population about the importance of the prevention of torture: a radio campaign for September 24 (the international day of people deprived of liberty), a campaign for the International Day of Human Rights, diffusion of the importance of the OPCAT, approval of the penitentiary law, situation of women deprived of liberty with HIV, violence in Honduras, a TV spot “Together against Torture”, a radio spot promoting the OPCAT with a national broadcast through 11 channels: Canal 5, Canal 48, Canal 30, Canal 9, Canal 50, Radio Globo, Radio Catolica, Radio Comayagua, Radio Periodico La Verdad and STC Noticias.

Press Conferences

- 5 conferences have been carried out with the participation of 6 communications media of national broadcasting with the subject of the death penalty, public censorship of the Government of Honduras for allowing U.S. policemen carry out capture actions of Honduran youngsters in the country, clarification of the death of minors, press conference in favor of people deprived of liberty who can't pay their fines and are not benefited by probation, nomination of Dr. Juan Almendares Bonilla to the International Subcommittee.

Communiqués (written and electronic)

- 16 communiqués and news letters with national, regional and international broadcasting have been diffused on the following topics: solidarity communiqué for the Sara Saucedo case, communiqué on the assault and threats to members of the CPTRT, press communiqué about the ratification of the OPCAT in Honduras and the entering in force of this instrument at an international level, communiqué for violent deaths at the “matanza de Chamelecon”, international fast against torture, Press communiqué on June 22, entering in force of the OPCAT, diffusion of the event of June 26, press note for the nomination of Dr. Almendares, and electronic campaigns with other Human Rights NGOs at a national and international level.

Bulletins/Brochures/Posters (description-subject)

- 20 different documents produced and diffused with national and regional broadcasting on the following topics: June 26 campaign, International Day of Human Rights and CPTRT actions. Brochures: Project “Procuración por la Vida”, Health Area, Justice, Impunity and Penitentiary System Project, OPCAT and human rights declaration.

Web Page

- 49 different pages have been uploaded and designed in the site, in 6 sections, with a

coverage of 4,513 visits and 2,984 different visitors since the beginning of its monitoring from February 2005 to December 2006.

Campaign against Torture

- 3 forums and one cultural street event have been carried out in the framework of the commemoration of the international UN day in support of torture victims, focused on the subject of the OPCAT and the Penitentiary Law. 228 people assisted to the forums, including Justice Operators of the Public Ministry, the Supreme Court of Justice, Public Defense, Ministry of Governance, Direction of Penal Centers, General Direction of Special Preventive Services, Technicians of the Penitentiary System, the advisor in matter of security of the presidency, the Resident Representative of the United Nations in Honduras, Human Rights organizations, UNDP and civil society agents; the street event was open to everyone.
- 4 events in recognition of outstanding people in the defense of Human Rights in Honduras of the justice sector and the Human Rights field have been carried out in the framework of the commemoration of the International Day of Human Rights with the participation of 392 people.

Political Incidence

- Contribution has been made in the formation of the National Policy of Mental Health and its socialization by invitation of the Department of Mental Health of the Ministry of Health.
- **Contribution has been made to the process of ratification of the OPCAT in Honduras.** On January 9 2006, the National Congress of the previous government ratified the OPCAT, which was delivered to the Ministry of Foreign Affairs where it was once again reviewed and corresponded to the current Government of Manuel Zelaya Rosales to deposit it in the UN Headquarters in New York on May 2006. This has allowed Honduras to become part of the first 20 countries for the OPCAT to enter in force. This significant achievement came from an initiative promoted by the RCT on the February 2004 mission to Honduras.
- There has been participation in the Linking Commission of Congress – Civil Society, opening dialog and debate towards the Penitentiary System Law for its review and reintroduction to the Legislative Chamber. As a result, Congresswoman Lorena Herrera of the Linking Commission introduced it to the Law Chamber to give course to the process of opinion, and is assigned to the Security Commission of Congress for its expediting. This action turns into an opportunity for the CPTRT to emit amendments to the law from its work perspective and incorporate an article referring to the creation of the National Visits' Mechanism of the OPCAT in Honduras.

- The Penitentiary System Law has been socialized in Honduras in coordination with CIPRODEH and the Penitentiary Pastoral with Human Rights organizations, the Civil Society, UNDP, justice operators of the Public Ministry, the Supreme Court of Justice, Public Defense, Ministry of Governance, General Direction of Special Preventive Services, technicians of the Penitentiary System and Social Communicators.
- There has been participation in the process of the draft of the Law for the Creation of a Permanent Commission of Investigation of Children's Deaths with Characteristics of Execution, concerning the recommendations of the Special UN Spokeswoman for the cases of execution cases. It is currently in process of socialization, and the following have collaborated with the elaboration of the draft: Covenant House, CPTRT, the Technical Unit of the Reform to the Justice System, Representative of Governance and Justice, members of the Unit of Minors' Deaths. *An important aspect is that the CPTRT has been included in the Law draft to form part of this Commission together with other Human Rights organizations; this way it is intended to ensure the transparency in the implementation of this law.*

Workshops

- 1,465 people including Justice Operators of the Public Ministry, Forensic Medicine, Public Defense, Execution Judges, Legislators, students of the Superior Institute of Police Education, ANAPO and CIP, Inspectors and Sub-inspectors of the Police and DGIC, people from Civil Society Organizations, people from Human Rights organizations and social communicators have been sensitized in the following subjects; juvenile justice, state of right, democracy, constitutional right, penitentiary law, pecuniary sentences, integral rehabilitation, violence ,OPCAT, Istanbul Protocol, "Promotion of Health through Exercise", role of the Investigation Police and Theory of Penalties.

Planning

Projects (Design, Profiles, Technical Accompaniment)

During the 2003-2007 period technical support has been given in the design and preparation of profiles and projects in 7 initiatives:

- Project for the Pro-social Education of Emotions (accompaniment and advice in the elaboration and design of essential parts)
- Project: Justice, Impunity and Penitentiary System
- Project: Protection of Human Rights of Women Deprived of Liberty, Las Crisalidas
- Institutional project **"Generation of new knowledge and institutional changes to improve practices in the fight against TOV, 2007-2010 period"**
- Profile of the project of violence prevention in educational centers through spaces of artistic expression (for managing in 2007)
- Profile of Democratic Cohabitation in the educational community
- Program for the prevention and attention in physical, mental and social health for the

treatment and rehabilitation of torture victims and their families, presented to the European Union

Documents/Reports (see production table, other documents)

- During the 2003-2006 period, 4 semester institutional reports, 3 annual reports and the Completion Report of the project have been elaborated.
- Research Strategy draft
- Terms of Reference for Phase II of the 2005 Midterm Review: “Challenges for the development of Sustainable Organizational Strategies for Anti-TOV Actions” (political incidence study)
- Memory of the Forum on Implementation of the OPCAT in Honduras
- Memory for “Integral Rehabilitation: a Challenge of the Penitentiary System in Honduras”
- Memory of the OPCAT conference in the Superior Institute of Police Education
- Memories for the RCT-CPTRT Mission, 2003 and 2004

Comments about the Objective II results

Within the results of objective III the following result was presented on b): a system of documentation of TOV and CIDT cases identified by institutional work. However, this result hasn't been covered; what has been carried out is a database about policemen/women accused for use of excessive force and record of violent deaths in the country. This information is collected daily from the different newspapers that circulate in Honduras.

Another result enounced in the 2003-2006 project, c) is: Projection of the image of the CPTRT as a leading institution against torture has been strengthened. However, in this report we have placed it as a result of communication for the actions undertaken which are more marked in that are, such as radio campaigns, participation in radio and TV programs, press conferences, communiqués, bulletins/brochures/posters, TV spot, web page, and campaigns against Torture through forums and cultural events. The indicator that the 2003-2006 project document contains for the result in c) is: the CPTRT generates coordination relations with one or two Human Rights organizations, but we can observe how the communication result has allowed the sensitizing and forming of opinions in several sectors of the population, especially on two vital subjects: the OPCAT and Penitentiary System Law, as well as actions that the CPTRT develops. Another aspect has been the forming of opinions towards the prevention of TOV, and has allowed the establishment of communication links with other organizations. We can mention the lobbying campaign we carried out in the Legislative Chamber for the Ratification of the OPCAT, and how the electronic media served to carry it out and count on the support of the APT.

Another result enounced in the Project concerns advocacy, which is framed on lobbying actions towards the Penitentiary Law, only that we have enounced this as political incidence.

Not only were actions made regarding the Penitentiary System Law, but participation was had in multidisciplinary spaces of decision making, contributing to the formation of the PNSM, the elaboration of the law for the creation of the Permanent Commission of Investigation of Children's Deaths with Characteristics of Execution, and the actions deployed to contribute to the OPCAT ratification.

Planning results weren't contained in the 2003-2006 project; they were, however, assigned to UDI during the course of the project by the CPTRT.

It is extremely important to reflect on the fact that the multiplicity of actions to give account to the results hasn't favored the research processes; not counting on enough human resources hasn't allowed concentrating efforts on this topic.

13. Problems and adjustments

- What problems have the project had to relate to (unforeseen and within the assumptions and risks, cf. the application)?

Amongst the problems that have impacted on the development of the project are:

1. **Insecurity in Penitentiary Centers:** the violent deaths of people deprived of liberty in the Marco Aurelio Soto National Penitentiary increased from 12 in 2003 to 32 in 2006, adding up to a total of 77 deaths during the execution period of this project. 76 of the dead were males and 1 was a female, who was visiting a prisoner at the penitentiary. At the national level, in 2003 and 2004 most of the cases of violent deaths in penitentiary cases were reported: 111 cases and 155 cases respectively. This was due to the regrettable facts of the massacre of 61 youngsters belonging to maras at the Granja Penal El Porvenir and the death by criminal negligence in Cell 19 at the San Pedro Sula National Penitentiary. In 2005 and 2006 75 cases of deaths of people deprived of liberty were recorded; in total there were 351 deaths during the 4 year period.

The Answer of the Project

Two events occurred at the Penitentiary Centers during 2003 and 2004 marked the course of the project. These were the violent facts occurred at the Granja Penal El Porvenir in Ceiba and at the San Pedro Sula Penitentiary Center. Since the action radio of the 2003-2006 project concentrated on the central region of the country, part of the CPTRT team was mobilized to the northern region, where several events occurred to record the testimonies of survivors of these violent events.

On April 2003, the CPTRT was called to integrate the Inter-Institutional Commission of Penitentiary Reform, which was conformed by executive decree on April of that same year by request of the President of the Republic back then, Ricardo Maduro, and the Inter-Institutional Commission of Penal Justice. Contribution was made towards the petition of that commission, which established the writing of a report of the Penitentiary System, which was elaborated that same year. The contents of its main recommendations concerned the government taking immediate measures to solve the most important problems of penitentiary centers, as well as the adoption of a penitentiary policy with the purpose of facing a short, medium and long term of problems present in farms and penitentiary centers of the country. The measures and recommendations for penitentiary reform were framed on the following areas: legal and regulation framework, penitentiary infrastructure, administrative structures, human resources, programs for the inmate population (health, education, psychological, psychiatric and spiritual assistance and NGO activities), information systems, management and administration, coordination, continuance and evaluation of the penitentiary system. It also underlines the proposal for the creation of the National Penitentiary Institute, which would be a decentralized organization of the Executive Power, to which the execution of the Penitentiary Policy would be entrusted.

The testimonies obtained from the survivors of the El Porvenir Penal Farm massacre and the deaths by criminal negligence in Cell 19 at San Pedro Sula served as input to

elaborate the Justice, Impunity and Penitentiary System Project, a proposal guided to clarify those deaths and deduce responsibilities from those implied. As a first measure, justice would be sought in the country; otherwise it would be sought with the CIDH. The work was developed in coordination with family members of the victims and the Collective for Peace, Life and Justice.

An important achievement has been to support the Catholic Church through this project with the interposition of the accusation of the State of Honduras before the Inter-American System of Justice for the death of 107 youngsters at the Penitentiary Center of San Pedro Sula. Besides, in 2006, almost 3 years later, those responsible for the Penal Farm massacre were managed to be judged while remaining in preventive prison. This disposition, though late, represents an important step against impunity for this event.

2. Another external factor to the Project was the **assault on the health area team by a band in Las Limas, La Paz, zone where they carried out a project**. This problem was undertaken by changing their work strategy. In order to continue the already begun process with families of TOV victims in the community, a training program was developed addressing the Volunteer Promoters Network, framed on the strategy of primary attention in health with multiplying effect and emphasis on mental health. This way, visits to the community were limited to concentrating on La Esperanza, Intibuca in a specific and safe room where VHP were attended for their training.
3. **Repression of the CPTRT team:** on two occasions men entered the CPTRT offices to destroy equipment, where part of the equipment was damaged and there was loss of information. This generated a change of offices, the installation of an alarm system and the contracting of a security guard; besides, information was given to the personnel to prevent attempts. An aspect that strengthened the equipment was the solidarity request at an international level and the positive answer obtained in all the cases.
4. **The teachers' strike for the unfulfilling by the Government to the magisterial guild of their social and salary guarantees** was another problem that the work team of the Pilot Project of Pro-social education of Emotions, Values and Attitudes had to face, and which contributed to the delay of their planned activities.
5. **The violent or arbitrary deaths of children and youngsters**, which according to Covenant House, until March 2006 a total of 3150 cases were recorded, showing slowness in their clarification. **The answer from the CPTRT** as part of the Collective for Peace, Life and Justice was to participate in the Permanent Commission of Protection to the Physical and Moral Integrity of Childhood together with Covenant House, the Technical Unit for the Reform of the Judicial System, the Ministry of Governance and Justice and personnel of the Unit of Investigation of Minors' Deaths to **contribute with the formation of the Law for the Creation of the Permanent Commission of Investigation of Minors' Deaths with Characteristic of Execution.**

It is worth mentioning that the CPTRT has been included in this law as part of that commission (article No 3, Title II of the law).

6. **Intra-prison violence and the rise of the proposal from the Legislative Chamber of conceding prisons to an Israeli consortium** were situations we faced since this country lacks a policy for the integral management of the Penitentiary System, as well as any regulations to deal with the subject of prison concession. As an immediate measure, press conferences were carried out, with previous research of the Noa Company Group, an Israeli consortium that currently has 7 built prisons: two in Israel, one in Argentina, Brazil, Singapore, Sarajevo and Jerusalem, and which also dedicates to the fabrication of weapons. This way we sought the arguments to make Congressmen desist in what regards concessions and urge them to take measures regarding the approval of a regulation that efficiently and transparently handles the penitentiary system. Concomitantly to these actions, the report on the Situation of the Penitentiary System in Honduras has been socialized and elaborated by CPTRT, COFADEH, ERIC Foundations, CIPRODEH and Covenant House, with the support of CEJIL. It was presented before the Inter-American Court of Human Rights in Washington D.C. on March 2006.
7. Another aspect is the **inequity in the access to justice** at the penitentiary level, because despite the existence of a Judge of Penalty Execution, the continuity of cases of women deprived of liberty is limited. It is worth mentioning that in the diagnostic carried out in CEFAS (Women Confined in a Closed Community), it was found that 34.1% of the interviewed women deprived of liberty lacked a defender, and their legal condition was in process, which follows the detriment of this population and indirectly affects judicial debt. This situation was handled by preventing before the Inter-American Court of Justice a diagnostic on the situation of women deprived of liberty in Honduras, in the audience held for this subject developed in Guatemala on July 2006. Added to this is the almost exclusive use of the Penitentiary System for the repression of crime, especially for youngsters and minors of age. **Measures of unicellular isolations in the National Penitentiary have constituted a clear example of the arbitrariness committed with people deprived of liberty, who can hardly interpose accusations by themselves. However, the CPTRT took the accusations to competent authorities, accomplishing the closing of that regime in prisons.**
8. **The weak democratic institutionalism** characterized by corruption, the bureaucracy in the acting of juridical operators, juridical insecurity, political party inherence, debt in the resolution of judicial processes, and most important of all, impunity.

14. Supply of services

14.1 The project's coverage in relation to the overall size of the area (people in the same situation)

- 22% of the total population of people deprived of liberty until January 2003 (12,000)
- 27% of the total population of women deprived of liberty (385)
- 52% of families of people deprived of liberty who visit the Marco Aurelio Soto National Penitentiary (approximately 205)
- 100% of the students at CIP registered on the project's period (1938)
- 100% of the penitentiary police at the National Penitentiary (142)
- 100% of the students of the Penitentiary School (444)
- 100% of the organized violence survivors treated by the CPTRT (184)
- 100% of torture survivors treated by the CPTRT (22)

14.2 What has been done to ensure that the project has not created inequality between those who have benefited directly from the project and those whom the project has not reached?

In the case of families of victims of the massacre Penitentiary Farm of El Porvenir at La Ceiba and the deaths by criminal negligence in Cell 19 of the San Pedro Sula Penitentiary, the Justice, Impunity and Penitentiary System Project was elaborated to contribute with this collective in the clarifying of the deaths and claim repairing justice before the State of Honduras or to the corresponding international instance. The funds for the project were managed with Dan Church Aid, who allowed the contracting of personnel to attend this population. It is worth mentioning that an aspect that oriented the formulation of this project was the reflections that were based on the testimonies of the survivors of these violent events.

In the penitentiary centers there are vulnerable collectives like the case of people deprived of liberty living with HIV/AIDS, because it is a disease that re-victimizes those who suffer from it: on one hand the pain of suffering from the disease and on the other the intolerance, discrimination and stigmatization associated to the lack of resources to access an adequate treatment. For this reason the CPTRT has developed 2 projects addressed to these people and to the prevention of this disease; the First Project of Procuracion por la Vida, which concluded in 2005, was destined to defend the rights of people deprived of liberty infected with HIV/AIDS.

El área de salud durante el período del proyecto dio atención a otros pacientes con necesidades de salud.

On May 2005, an HIV/AIDS prevention Project begun at 5 penitentiary centers: the National Penitentiary, Santa Barbara, La Paz, Choluteca, and La Esperanza. This initiative was **sponsored** by the **Global Fund** through **UNDP**, and was framed on the objectives and goals of the development of the millennium. 2929 people deprived of liberty have benefited from May 2005 to 2006, in a training process of prevention and self-care regarding the subject of HIV/AIDS, which leaves as a main product the formation of trainers or counselors in the prevention of STDs and HIV/AIDS with a multiplying effect on the goal penitentiary population.

The period of the project preparation was 687,40 (an estimate has been made when dividing the total cost of the project by the attended goal population)

14.3 What have been the total project expenses for services per person/family who have received the services (estimated)?

15. Advocacy (primarily for development projects. Humanitarian activities where relevant)

- How has the project contributed in order to put special topics on the agenda?
- To what extent has this effort led to concrete results (e.g. changed conditions for certain groups, change of practice by the authorities, or legislative amendments)?

This process is focused on how to transcend from the micro context, relative to the work in prisons with people deprived of liberty, to impacting on the macro context, with reforms to regulations, laws, policies, international instruments and the proceeding of authorities and public officials of the Judicial, Executive and Legislative Powers, for the inequity, restrictions and arbitrariness committed with the excluded and defenseless population of our society, particularly the goal population of the project.

15.1 Key Actors

For the CPTRT is has been necessary to be in contact with a series of “key actors”.

At the international level with RCT, DANIDA, IRCT, Amnesty International, APT

At the regional level with ILANUD, ODHAG, Human Rights Commission of El Salvador, CEJIL, Latin America and Caribbean Network Against Torture

At the national level with the Public Ministry, Ministry of Security, Supreme Court of Justice, Legislative Power, Ministry of Health, Ministry of Education, Ministry of the Presidency of the Republic, Legal Advisor in Matter of Security of the Presidency.

At the national and local level

The UN in Honduras through the Resident Representative of Human Rights in the country, Mrs. Kim Bolduc.

Collective for Peace, Life and Justice, which at the end of the project agglutinated: Peace and Justice Project of La Ceiba, ERIC Foundation, Save the Children, JHAJA of San Pedro Sula, COHAPAZ, Committee of families of people massacred at El Porvenir and SPS (COFAMA) and CPTRT.

Other human rights and civil society organizations like: Covenant House, CIPRODEH, COIPRODEN, ASJ, COFADEH, CODEH, Penitentiary Pastoral of the Catholic Church and Mother Earth Movement.

The Committee of Mothers for Forgiveness, an organization of women who have parents deprived of liberty who have been victims of torture and CIDT.

Social communicators

15.2 Development of Co-Responsibility

To develop the process of political incidence it has been necessary to have agreements and commitments with clear rules that allow giving continuity to the work, regardless of the people and political parties that govern. Therefore, a process of co-responsibility has been an aggregated value in the deployment of political incidence and management has been carried out formally and informally.

- **Pacts have been made by signing covenants with:**

Entities of the State

The Ministry of Security, to facilitate the work in Penitentiary Prisons and to participate in the formation of human rights of aspiring penitentiary and preventive policemen and women. In a formal way, pacts have been made by signing agreements and covenants, and informally without the signing of covenants and forming strategic alliances and networks.

The Public Ministry, for having the Special Human Rights Attorney's Office ascribed, which has facilitated the process of interposition of accusations in cases of torture and CIDT, interposition of the Habeas Corpus and joint inspections to police offices.

Ministry of Health, for working on the subject of mental health with people deprived of liberty.

Ministry of Education, making a pact for a project of violence prevention in schools and prevent youngsters to have prisons in their destinies.

With the Association for a More Just Society ASJ to give continuity to the subject of youngsters and minors of age imprisoned in the Renaciendo Pedagogical Complex located in Tamara.

Human Rights Organizations in the Region

Signing of the covenant with ILANUD, subscribed to strengthen the formation of justice operators and police corps, developing forums, workshops and discussions.

With the Human Rights Commission of El Salvador CDHED, a pact has been made to work on promoting the subject of the OPCAT in the region.

In the international level, RCT and DANIDA; their important role with the technical and financial assistance to reach the Institutional Development Objective in this whole incidence process.

- **Strategic Alliances without the signing of covenants**

They are centered on the nucleus of empowerment of close relations, stretching links through levels of recognition, knowledge of the other, collaboration, cooperation, and in some cases the reach of the development of trust.

With the **ODHAG** in Guatemala, regarding the OPCAT, seminars, exchange of experiences; with the **Latin America and Caribbean Network Against Torture** there is an alliance to prevent that flagellation in the region, having gatherings for the exchange of experiences between the actors that form the network.

Amnesty International supporting urgent actions that the CPTRT has developed in favor of the respect to the human dignity of people deprived of liberty, indigenous and rural communities, youngsters, justice operators and social communicators.

The Supreme Court of Justice in the subject of the training of their operators, and working

on the approval of the regulation of the release of people with diseases in their terminal phase.

The Legislative Power to introduce reform proposals, lobbying and their approval. Key actors include: Orle Solis, President of the Human Rights Commission of Congress; his contribution was valuable to impact on the ratification of the OPCAT in the legislative power, Umanzor, Congressman in the subject of the regulation of fines for community work for people deprived of liberty, Congresswoman Lorena Herrera of the Linking Commission Congress – Civil Society, who has once again introduced the Penitentiary System Law to the Legislative chamber; this has allowed the opening of the opinion process of that law for its approval.

Ministry of Presidency of the Republic; Vice-minister Rocio Tabora of the **Linking Commission of Congress – Civil Society** was a key ally on the last government for the process of ratification of the OPCAT. Legal Advisor of the President in Matter of Security, Dr. Ramon Romero, was an ally on the last government for the ratification process.

Resident Representative of the UN in Honduras MRs. Kim Buldoc*

Supportive in the events of the Commemoration of the International Day in Support of Torture Victims, strengthening the campaign we undertook in favor of the OPCAT ratification in Honduras.

*She was appointed until early 2006

Collective for Peace, Life and Justice in this case is about a network working for the fight against impunity in the case of the arbitrary execution of children and youngsters, and in the events occurred at El Porvenir and San Pedro Sula.

15.3 Participation in decision making spaces

- *Participation in decision making spaces has been strengthened*

Inter-Institutional Commission for Penitentiary Reform, conformed by executive decree on April 2003, by petition by President Ricardo Maduro and the Inter-Institutional Commission of Penal Justice, parting from the massacres at El Porvenir; CPTRT was called upon to participate in this instance. The mandate of this Commission established the carrying out of a report of the Penitentiary System, which was elaborated that same year. The content of its main recommendations concerned the following: the government had to take immediate measures to solve the most important problems in penitentiary centers, the adoption of a penitentiary policy with the purpose of facing the present problems in farms and penitentiary centers of the country at a short, middle and long term. It also underlines the proposal for the creation of the National Penitentiary Institute, which would be a decentralized organization of the Executive Power, to which the execution of the Penitentiary Policy would be commended.

Linking Commission of Congress – Civil Society, integrated by 7 congressmen and 7 representatives of the Civil Society Sectors (**CPTRT in representation of the Human Rights sector**). During this period the CPTRT has participated in this space, with the subject of the

Penitentiary System Law, for it to be newly presented before Congress and its opinion process begun.

Commission of Protection of the Physical and Moral Integrity of Children, created through Executive Decree No. PC-006-2002, by recommendation of the Special Spokesperson of the UN for the cases of executions. CPTRT has participated in the Commission together with Covenant House, the Technical Unit of Reform of the Judicial System, the Ministry of Governance and Justice, and personnel from the Unit of Investigation of Minors' Deaths to contribute with the formation of the Law for the Creation of the Permanent Commission of Investigation of Children's Deaths with Characteristics of Execution. CPTRT and other human rights organizations have been included in this law as part of this Commission (Article No. 3, Title II of the Law).

Work group on the penitentiary problem

CPTRT has been linked to a work process together with CIPRODEH, COFADEH and the ERIC Foundation to present the problem of Penitentiary Centers and discuss the report presented on March 2006 before the Inter-American Court of Human Rights about the situation of the Penitentiary System in Honduras, to give continuity to the recommendations contained in the report.

Security Commission of Congress; since the Linking Commission of Congress - Civil Society introduced to the Legislative Chamber the Penitentiary System Law to open its process of opinion previous to its approval, the Security Commission of Congress has been assigned this process. Currently the CPTRT has been invited to participate in the opinion process of the Penitentiary Law, an opportunity that we are taking advantage of to incorporate aspects regarding the use of police force, the OPCAT and health aspects.

- **Other spaces**

Another space has been the **Committee of Mothers for Forgiveness**, integrated by women, mostly senior citizens, who have parents deprived of liberty, some who have been torture or CIDT victims. This committee has developed work together with the CPTRT, and has been strengthened as an organization and trained on the subject of human rights, access to justice, legal management and the prevention of torture and CIDT.

They perform an important role regarding monitoring, through visits to prisons and acknowledging the situation of human rights, particularly what refers to the respect to the physical integrity of their parents deprived of liberty. This has been very relevant to interpose accusations before the human rights attorney's office and to deploy political incidence actions.

There is a base group of organized women from impoverished communities called **COHAPAZ**. This organization has constituted into a popular space which has significantly contributed with mobilization actions that the CPTRT has had to undertake to demand justice on the streets in places like the National Congress, the Supreme Court of Justice Building, the Public Ministry and the UN Headquarters in Honduras.

15. 4 Tratados, Políticas, leyes, reformas a reglamentos, informes y diagnósticos propuestos a través del proceso de incidencia política.

During the last year of the project, the CPTRT had the chance to participate in important meetings with the Group of Arbitrary Detentions of the UN, the Prison Spokesperson of the CIDH and spokesmen of the UN Committee on Racism and Mercenaries. A report about the cases in Honduras has been presented to this group.

It is important to mention that in all the processes undertaken before the Legislative Chamber the Chairmen of the different parties play an important role in lobbying processes, as well as the Private Secretary of the President of the National Congress and the President of the Chamber himself.

15.4 Treaties, policies, laws, reforms to regulations, reports and diagnostics proposed through the process of political incidence.

1. Penitentiary System Law of Honduras
2. Opinion for the Penitentiary System Law
3. Reform proposal of articles 53 and 61 of the Penal Code
4. National Policy of Mental Health
5. Process of approval and ratification of the OPCAT in Honduras
6. Being the process of the creation of the National Prevention Mechanism of the OPCAT in Honduras
7. Law for the permanent creation of the unit of investigation of minors' deaths
8. Cooperation for the proposal of a law for the release of people deprived of liberty with terminal diseases
9. Proposal for a special release law of people deprived of liberty
10. Contribution to elaborate the report on the Penitentiary Situation of Honduras to take it before the Inter-American Court of Human Rights. Diagnostic of Women Confined in a Closed Community, CEFAS Case, presented before the CIDH in the audience for women. Report on the situation of Human Rights in Honduras taken before the Human Rights Committee of the UN.

15.5 Achievements

Outline of the Penitentiary Law

The penitentiary law draft emerges as one of the answers to the crisis of the Penitentiary System, taking into consideration that the use of penitentiary centers has been almost privileged as an exclusive strategy to solve the problem of youngsters associated with maras and gangs, being contradictory to a vision of rehabilitation and social reinsertion.

The law also emerges due to the conditions of overcrowding, feeding and inadequate provision of supplies for the medical attention of people deprived of liberty in Penitentiary Centers, for the specific attention to certain vulnerable groups, for their condition of suffering

from terminal and/or infectious diseases like HIV/AIDS and tuberculosis, mental disorders, sexual orientation, gender and extreme poverty.

Other factors that have marked the route to elaborate this Law Project are the events of intra-prison violence occurred; the violent deaths of people deprived of liberty and the massacres at El Porvenir and San Pedro Sula.

In 2003, the CPTRT elaborated and socialized with justice operators and civil society organizations a penitentiary law draft, which contemplated the creation of the Penitentiary Institute, a decentralized organization that depends on the Ministry of State in the dispatches of Governance and Justice. This draft was presented by the CPTRT in November of that year to Congress through the Linking Commission. On April 2003 the massacre at El Porvenir occurred; to this event, the former president Ricardo Maduro and the Inter-Institutional Commission of Penal Justice created an Inter-Institutional Commission of Penitentiary Reform. CPTRT and other governmental and non governmental organizations were called to be part of this commission, whose mandate was to carry out the report on the Situation of the Penitentiary System in Honduras, where the main needs and problems in penitentiary establishments of the country would be identified and recommendations would be formulated to attend them.

The emergency measures that the Inter-Institutional Commission of Penitentiary Reform formulated are found in the following areas: legal and regulatory framework, penitentiary infrastructure, administrative structures, human resources, programs for the inmate population (health, work, psychological and psychiatric assistance, NGO's activities), information system, management and administration, and coordination, continuity and evaluation of the Penitentiary System.

An important recommendation was the creation of the National Penitentiary Institute, with a functioning that would be decentralized from the Executive Power and which would be in charge of the execution of the Penitentiary Policy.

On June 2004 the Inter-Institutional Commission of Penal Justice creates a sub-commission by presidential agreement No. 017-2004, emitted through the Ministry of State in the dispatches of Governance and Justice for the creation of a Penitentiary Law draft and recommended reviewing the creation of the Penitentiary Institute and the law proposal of the Penitentiary Law presented by the students of the graduate studies of Penal Rights and Penal Processing supported by CIPRODEH in 2004, which was input for the current law project. The sub-commission was formed with entities of the State and civil society organizations, which the participation of the CPTRT was included.

In 2005 the Penitentiary System Law was ready, which was approved by the Inter-Institutional Commission of Penal Justice, which took charge of sending it to Congress. However, it wasn't discussed by the Legislative Chamber, losing force before other was which in that time were considered as paramount in Congress.

In 2006 the CPTRT begun a dialog in the Linking Commission for the existing need of approving the Penitentiary System Law; it is informed to the congressmen and members of this commission.

The socialization and diffusion of this law between justice operators and Human Rights and Civil Society Organizations is promoted, in such a way that it can be debated and contributions be obtained for it to be finally approved.

This law project didn't contain any disposition regarding the concession of prisons nor the subject of health. It only mentioned the subject concerning physical structure, without taking into account the forming and normalizing of a penitentiary health system articulated to the health services network. It also didn't mention certain regulations regarding women deprived of liberty and others regarding the protection and custody of children of people deprived of liberty. It has been recommended that these aspects should be contained in the law.

However, the Penitentiary System Law was not in the agenda of the National Congress, since it loss force for not having been taken into consideration for its discussion in the last government, and also for the change in officials of the Legislative Chamber when the new government of Manuel Zelaya begun. It therefore became urgent for the CPTRT to continue dialoguing towards this problem before the Linking Commission for the time past, and for the need to introduce once again the Penitentiary Law to Congress for this process of approval to begin.

This dialog achieved congresswoman Lorena Herrera of the Linking Commission to once again present the Penitentiary System Law to the Legislative Chamber to open the opinion process. The law was then assigned to the Security Commission of Congress, thus beginning the opinion process, which was communicated to the CPTRT, acknowledging that it has been a key actors in the process of conformation of this law.

Achievements regarding the proposal of the Penitentiary Law in the 2003-2006 Project period

- Elaboration of the Penitentiary Law draft which contained what referred to the creation of the Penitentiary Institute, which served as input for the formation of the current law project, which incorporates the creation of the institute.
- Being called to form part of the Inter-Institutional Commission of Penitentiary Reform; this carried out a report on the situation of the Penitentiary System and gave recommendations in several corresponding areas to reform the penitentiary system and the creation of the Penitentiary Institute.
- In June 2004 CPTRT was called to form part of a sub-commission adopted by the Inter-Institutional Commission of Penal Justice, whose mandate was the elaboration of the current Law draft that was carried out with entities of the government and the civil society.
- In 2006 dialogue and debate was opened once again addressing the Penitentiary System

Law for its review and approval, accomplishing its introduction into the Legislative Chamber and appointing to the Security Commission of Congress, beginning the opinion process of this law. This was an opportunity for CPTRT to emit amendments to the law from its working perspective and incorporate an article referring to the creation of the National Mechanism of Visits of the OPCAT in Honduras.

- The Security Commission invites the CPTRT to form part of the commission to make the amendments and aggregates to the Law, which will be submitted after an opinion in Congress.

Logro:

Cambio de multa por trabajo Comunitario

Se aprueba en abril 2005 por el Congreso Nacional de la República mediante decreto N0 110-2005 la reforma de los artículos 53 y 61 del Código Penal que estipulan la sustitución de las multas por trabajo comunitario que fueron presentadas por el CPTRT y que fue publicado en diario la Gaceta el 7 de junio de ese mismo año, un agente clave para dar curso a esta iniciativa fue el Abogado Umanzor Diputado del Congreso Nacional.

Logro:

Contribuir a la formación de la Política Nacional de Salud Mental

Achievement:

Change of fines for community work

On April 2005 the reform of articles 53 and 61 of the Penal Code, which stipulate the change of fines for community, is approved by Congress. They were presented by the CPTRT and then published in the Gazette on June 7th 2005; a key agent for this initiative was congressman Umanzor.

Achievement:

Contribute to the formation of the National Policy of Mental Health

By an invitation from the Department of Mental Health of the Health Ministry to the CPTRT, we participated together with other instances of the civil society and government sectors in working for ethics, human rights and gender equality to be integrated into its cross axes. Besides, in its goal population are enounced those people confined in closed communities. Once the NPMH was arrived at by consensus, it was adopted by the government as a policy of the State on January 2004. However, due to changes in the direction of the Department of Mental Health, the implementation of this policy hasn't been continued and currently the problems it faces are notorious, by not naming a Health Minister, after being relieved from his position for abuse of authority in the Health Ministry. Currently a person is internally functioning in this position of Health Minister.

The Policy of Mental Health is considered a priority in the field of Public Health, and one which the 2007-2010 project should contemplate into discussion to recover that subject, because impacting on the mental health practice implies managing its implementation process.

Achievement:**Ratification of the OPCAT**

By initiative of the RCT on its mission on February 2004, the CPTRT and RCT agreed on working on the approval of the OPCAT in Honduras as a priority. After a series of political incidence actions before the Executive and Legislative Powers its ratification was achieved. On January 9 2006 the National Congress ratified the Optional Protocol to the Convention against Torture, which was delivered to the Ministry of Foreign Relations, where it was once again reviewed and left to the current government's responsibility to deposit it in the UN Headquarters in New York on May 23 2006. This has allowed Honduras to become part of the 20 first countries needed for this instrument to enter in force.

This achievement was obtained with the accompaniment of the RCT, the support of the APT and the diffusion made through the social communications media and forums before organizations of the civil society and justice operators of the importance of the OPCAT ratification (see Chronology of OPCAT Management in Honduras).

Achievement:**Opening of the process for the implementation of the National Prevention Mechanism**

A work group has been conformed to impact on the creation of the National Mechanism of Visits, integrated by civil society organizations, CPTRT, Pastoral Penitentiary, Peace and Justice Project and the Public Ministry, with the accompaniment of the Coordinator of Penalty Execution Judges.

A draft of the "Presidential Agreement for the Creation of the Temporal Prevention Mechanism" has been elaborated, and is in process of being approved. Its purpose is to authorize the group to integrate the NVM as valid groups to make visits while the law is approved.

An opinion has been elaborated to incorporate an article in the Penitentiary System Law Project about the creation of the National Prevention Mechanism of the OPCAT.

Achievement:**To participate in the elaboration of the Law for the permanent creation of the investigation unit of minors' deaths**

Due to the large number of deaths of minors and youngsters reported by Covenant House, which in the period between 1998 and 2006 rose to 3150 violent or arbitrary deaths and are mostly not clarified, CPTRT has been called to participate in the Permanent Commission for the Protection of the Physical and Moral Integrity of Children together with Covenant House, the Technical Unit of Reform to the Judicial System, the Ministry of Governance and Justice, and personnel from the Investigation Unit of Minors' Deaths. This protection would contribute with the formation of the Law for the Creation of the Permanent Commission of Investigation of Children's Deaths with Characteristics of Execution.

CPTRT has been included in this law as part of the Commission; this law is currently being socialized.

Achievement:

Contributions have been made to raise the report on the situation of the Penitentiary System in Honduras before the Inter-American Court of Human Rights, in the audience developed in Washington on March 2006.

The Report on the Situation of Human Rights was raised before the Human Rights Committee of the UN together with other Human Rights organizations in Honduras.

The Diagnostic on Women Confined in a Closed Community was presented before the CIDH in the audience for women on July 2006.

In these cases, pertinent recommendations from the CIDH and the Human Rights Committee were emitted for them to be executed by the State of Honduras.

Other important achievements

Cooperating together with the National Coordination of Penalty Execution Judges in the proposal of the law for the release of people deprived of liberty with terminal diseases. This initiative is currently in process of approval.

These achievements have been reached with the linking of key actors in each aspect in which impact was made.

15.6 Organizational learning cycle about political incidence

It is to be expressed that the midterm review of the 2003-2006 project was constituted in a learning cycle on the subject of political incidence, parting from the proposal of the RCT-CPTRT partnership, which implied the study of the three main components of a political incidence strategy: co-responsibility, communication and critical citizenship, which were identified with the work experience of the CPTRT during phase 1 of the February 2005 midterm review. This process allowed retrospective reflection to learn from the experiences of the CPTRT in incidence processes carried out for the prevention of TOV and prospective reflection, which has facilitated the integration of institutional project “*Generation of new knowledge and institutional changes to improve practices in the struggle against TOV, 2007-2010*”. These are guidelines to manage participatory and knowledge production processes oriented to influence on decisions regarding the applicability and implementation of policies and laws focused on changes that guarantee the respect to the dignity of people, thus preventing TOV.

16. Capacity building (primarily for development projects. Humanitarian activities where relevant)

- Describe the overall situation and capacity of the partner organisation/target group at the completion of the project
- What can the partner organisation/target group do now that it was unable to do previously?
- To what extent has the project contributed to this change?

- An organizational learning cycle during the thematic midterm review has been developed towards a process of reflection of three organizational strategies: Critical and Supportive Citizenship, Communication and Co-Responsibility, for the proposal of a sustainable strategy of political incidence for anti-TOV actions. This allowed the elaboration of a study to learn retrospectively from the experiences that CPTRT has carried out with the support of the RCT to impact on the prevention of TOV. On a prospective vision the team had the chance to strategically reflect based on the three components of the political incidence strategy to project them in the proposal of the institutional project *“Generation of new knowledge and institutional changes to improve practices in the struggle against TOV 2007-2010”*.

- Technical abilities in systematization of experiences have been acquired through the training of the CPTRT team and other social and human rights organizations.

- Capacity in the construction and mediation of psychosocial indicators in torture survivors; facilitated by the RCT to the health team of the CPTRT.

- Development of the ability of theoretical reflection in the field of epistemology for the analysis of the project (2003-2006), values for cohabitation without violence through the interpretation of structural, functional and symbolic violence, regarding torture and organized violence

- The CPTRT team has developed ability of continuous analysis of the national context related to the impact of security strategies on citizenship, specifically on harsh-hand policies like zero-tolerance, which were implemented in Ricardo Maduro’s government. Others include the poverty reduction strategy, decentralization processes, influence of macroeconomic policies about microeconomics, which has allowed deploying actions.

- An increase in the capacity of attention to the goal population incorporating new techniques like individual and group counseling, abilities built through RCT.

- Some personal security mechanisms were learnt to develop the ability to handle situations of extreme stress when attempts have been faced.

17. Sustainability

- How will the results achieved be maintained in the longer term (sustainability)?
- For development projects: How will the cooperation between the Danish organisation and the cooperation partner continue?
- Has the project's experience been documented and transferred to other organisations and institutions? How have these made any use of (or have plans to make use of) the experience in their work?

To give account this item it is necessary to deepen into the concept of sustainability and supportability.

Sustainability is a genuine word and comes from sustaining, which is what is supported from outside and supportability is an Anglicism that comes from an ecological concept which in our case refers to the ability that exists in an organization to grow and develop and guarantee its future by its own effort. We can say that in economics we've had certain doses of supportability and strong doses of sustainability. We understand these two concepts not only from within the economical framework, but in an integral way articulated in the framework of the projects that the institutional develops. One of the limitations has been to depend on only one financial source, but this is due to the impossibility of obtaining quality and quantity financing from DANIDA-RCT.

However, despite the previous and the insecurity and terror conditions it has been possible to developed a work team which has reflected qualitative conditions of supportability, and has also ethically begun future managements without the ethical principals of torture and CIDT prevention being compromised. *(Dr. Juan Almendares Bonilla)*

The economic sustainability of the work carried out in prisons is a subject of discussion, since it cannot be undertaken appropriately in financial terms due to the life conditions of this population, which depend on political, social and economic factors of the national context. CPTRT sees this approach more in terms of the impact that can be achieved by the respect to the fundamental human rights of prisoners, which would imply the establishing of a juridical platform. Such is the case of the approval of the Penitentiary Law for the creation of the Penitentiary Institute as a separate entity from the Ministry of Security, and directed by the technical personnel to guarantee those deprived of liberty to keep the benefits obtained through these processes (see Item 15).

Another relevant aspect concerns the construction of networks like the Collective for Peace, Life and Justice, and strategic alliances with key actors like governmental and other civil society organizations, which join efforts to contribute with the production and maintaining of the results of the work carried out in the closed communities.

Another relevant aspect has been the strengthening of the Committee of Mothers for Forgiveness, an organizations of families of people deprived of liberty, which have been empowered through the construction of abilities in the legal field and the monitoring for the respect to the human rights of their parents who live in prisons.

In other words, supportability could not depend in this case on the impact of the environment of this initiative, but rather on the impact that the initiative has on the environment. This also supposes the

technical and managerial abilities that the CPTRT has built and acquired during the process.

Strengthening in the rural area off a network of volunteer promoters survivors of torture and organized violence has been constituted as the “Network of Volunteer Health Promoters, XICUMBA”, who through a multiplying effect will give continuity to the undertaken process of community work in mental health in their region. Besides, the mini project of natural medicine “A light in my way” remains functioning in two communities: Las Limas, La Paz and Piraera, Lempira, which is an alternative for the attention in ethno-medicine to TOV survivors.

Regarding the financial sustainability of CPTRT, it must assign human resources dedicated specifically to facilitate the connection with other cooperating agencies through programs or project for the management of financial resources lead to favor its goal population.

18. Information activity (primarily for development projects. Humanitarian activities where relevant)

- Give an account of any information activity conducted in connection with the project
- To what extent has the aim of these activities been achieved?
- Specify the target group and the number of persons affected
- Specify the extent to which the activities have been innovative
- Specify results and dissemination of information

18.1 Webpage

The CPTRT Webpage was designed and implemented, and information has been diffused about the OPCAT, CPTRT actions and projects, having fed 49 different pages, contained in 6 sections. The Webpage obtained 4513 different visits with 2984 different visitors.

18.2 Radio and TV

Radio campaigns have been carried out and there has been participation in radio and TV programs. The radio campaigns have sensitized the population about the importance of preventing torture and CIDT, and have been carried out for the commemoration of the International Day of Human Rights, the Deprived of Liberty Day, and the International Day Against Torture. The importance of the OPCAT as a treaty and its visits mechanism has been diffused in radio and TV programs, as well as the importance of the approval of the Penitentiary Law, the situation of women deprived of liberty and HIV/AIDS and violence. A TV spot named Together against Torture was carried out, as well as a radio spot for the promotion of the OPCAT. **The coverage** was at a national level, through 11 different communications media: Channel 5, Channel 48, Channel 30, Channel 9, Channel 66, Radio Globo, Catholic Radio, Radio Comayagüela, Radio Periodico La Verdad, and STC Noticias.

18.3 Press conferences, communiqués

Another modality of information diffusion have been **press conferences** on the following subjects: Death Penalty, public censorship of the government of Honduras for allowing US cops to carry out apprehension actions of young Honduras in this country,

List the documents drawn up in connection with the project's implementation and completion, including any clarification of deaths of minors, change of lines for community work in favor of people deprived of liberty who can't pay fines and are not benefited with probation, nomination (or in connection with) the project.

- of Dr. Juan Almeyda to the International Subcommittee and the concession of prisons in Honduras. **The coverage has been at a national level through 6 different communications media.**
- Memory of the Forum for the Implementation of the OPCAT in Honduras
- Memory for "Integral Rehabilitation. A Challenge to the Penitentiary System in Honduras"
- Press communiqués have been used during the International Day in Support of Torture Victims and Survivors, the International Day of Human Rights. Others include: one about RCT-CPTRT Mission Memories 2003-2004
- the violent deaths occurred at Chamalecon, Honduras, a communiqué during the ratification and entering in force of the OPCAT in Honduras, and others related to the reports on the situation of the penitentiary system in Honduras (presented before the attempts occurred against the CPTRT. **The coverage has been at a national, regional and international level through written and electronic media.**
- Report on Human Rights violations in Honduras (together with COIPRODEN, CEM-H, OMC, Omas presented in the 88th period of sessions in Geneva
- Diagnostic: Women Confined in a Closed Community, CEFAS Case, Honduras 2005 (Base document for the didactic material for the CPTRT for para audiencias de violaciones en Guatemala)
- Studies about children, who are victims of injuries by actors on causedas intentional and no sé atterde de la violencia emergente o remiinde la espiral de la violencia y el material de losk han realizado
- Documental Analysis of the reality of violence in Honduras de otras organizaciones claves
- Diagnostic of School Violence para (diálogo de algún sujeto school) ejemplo podemos citar el caso del OPCAT fue parte de la campaña de cabildo ante el Congreso Nacional se ha realizado
- Testimonies from parte de la campaña de cabildo
- **Tramés de** Reference for Phase II of the 2005 Midterm Review: "Challenges for the development of Sustainable Organizational Strategies for Anti-TOV Actions" (political incidents study)
- **18.4 Bulletins, brochures and posters**
- POLITICAL INCIDENCE: Organizational Strategy for the Fight against TOV, Thematic Bulletins, brochures and posters, focused on the following subjects have been elaborated and socialized: (informational bulletin for the June 26 campaign, International Day of Responsibility: (book, product of the 2005-2006 midterm review)
- Human Rights and an Informational Bulletin about CPTRT actions; Brochures about the Project Procuracion para la Vida, about the health area, the Project Impunity and the National Penitentiary of Tamara
- Penitentiary System, OPCAT, what should be known about raids, about the Human Rights Declaration; and about CPTRT activities. 20 different documents were produced
- Methodological Guide of the Humanist Model
- and the coverage has been at a national and regional level
- Guide for Trainers of the XICUMBA Promoters Network
- Base document of the Xicumba Network (Organizational strategy of the network)
- **18.5 Letters:**
- Systematization of the formation of abilities for the prevention of violence (experience developed at the Tiburcio Carías Andino school, Pro-social Education of Emotions Letters have also been special allies for our activities when we do lobbying work. These Project)

19. List of documents from the implementation of the project

- Training modules about violence
- Training modules about human rights
- Training modules about alternative therapies
- Training modules about mediation of conflicts
- Training modules about cohabitation without violence
- "Method of attention to Families of TOV victims based on Mental Health"

- Article about “Family, Community and Violence”
- Article about violence in prisons in Honduras
- Articles about “Justice in the case of the massacre at El Porvenir”
- Chronology of OPCAT managements in Honduras
- Levels of concretion of the Humanist Model of Work in Prisons
- Mechanisms for the Prevention of Torture and Ill-treatment
- a
- Draft of the Research Strategy
- 2003 Semester Report
- 2003 Annual Report
- 2004 Semester Report
- 2004 Annual Report
- 2005 Semester Report
- 2005 Annual Report
- 2006 Semester Report
- Completion Report 2003-2006

- Informational bulletin for the June 26 Campaign
- Informational bulleting for the International Day of Human Rights
- Bulletin of CPTRT actions

- Brochures:
 - Procuring for Life Project
 - Justice, Impunity and Penitentiary System Project
 - Optional Protocol to the Convention Against Torture
 - Information about raids
 - Information about the CPTRT
 - Health Area

- Posters:
 - Campaign against the Death Penalty

- Video about “Sophie’s Club”

- Pro-social Education of Emotions Project
- Project: Justice, Impunity and the Penitentiary System
- Project: Protection of Human Rights of Women Deprived of Liberty, Las Crisalidas
- Acercarte 2, Art project in prisons with young gangsters
- Institutional project “Generation of new knowledge and institutional changes to improve practices in the fight against TOV, 2007-2010 period”



ANNEXES

Annex 1

Phases for Thematic Midterm Review (Honduras 2005)

