



**Convention on the Elimination  
of All Forms of Discrimination  
against Women**

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**Committee on the Elimination of Discrimination  
against Women  
Eighty-first session**

**Summary record of the 1853rd meeting**

Held at the Palais des Nations, Geneva, on Tuesday, 8 February 2022, at 3 p.m.

*Chair:* Ms. Acosta Vargas

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*The meeting was called to order at 3.10 p.m.*

**Consideration of reports submitted by States parties under article 18 of the Convention** *(continued)*

*Eighth periodic report of Panama (CEDAW/C/PAN/8 and CEDAW/C/PAN/QPR/8)*

1. *At the invitation of the Chair, the delegation of Panama joined the meeting.*
2. **Ms. Castillo de Sanmartín** (Panama), speaking via video link and introducing her country's eighth periodic report (CEDAW/C/PAN/8), said that Panama was making great strides towards substantive gender equality by promoting women's physical and economic autonomy and their participation in decision-making and strengthening the State's institutional capacity to mainstream the gender perspective. To that end, it was essential to acknowledge women's unequal development, not only in relation to men, but also among themselves, owing to differences in their socioeconomic status, ethnicity, age and place of residence. The Government's social development policy prioritized efforts to combat poverty and inequality with a gender perspective. Poverty reduction initiatives such as the Beehive Plan prioritized the vulnerable and sought to assist those in areas with high levels of multidimensional poverty.
3. Recent measures to promote women's health and physical autonomy and address gender-based violence included a plan to strengthen the police unit specializing in domestic and gender-based violence, a protocol to be used by the centres of the National Institute for Women to assist victims of violence; a pilot model for contraceptive and family planning advice; and a national intersectoral strategy to prevent and address pregnancy in adolescents and girls and discourage school dropout.
4. To promote women's economic autonomy and participation in decision-making, a public policy had been adopted that aimed to increase the employability and employment of young women and women in situations of socioeconomic vulnerability, and national strategies had been formulated to increase the numbers of girls and young women studying and working in the fields of science, technology, engineering and mathematics and promote women's entrepreneurship. Efforts to strengthen the legal framework included an executive decree amending the implementing regulations for the Act on Equal Opportunities for Women (Act No. 4 of 29 January 1999) to include important concepts such as equal pay for work of equal value and the enactment of a law to prevent and punish political violence against women.
5. Women's participation in decision-making had increased; they now held 35 per cent of the ministerial posts in the executive branch and occupied five of the nine seats on the Supreme Court. Progress had been made in implementing the minimum quota of 30 per cent for women on regulated governing boards; in 2020 they had made up almost 20 per cent of board members, up from 16.5 per cent in 2019.
6. Women made up the majority of participants in the "Make a Move for Panama" programme, through which more than 5,000 had learned to read and write. The Family Networks programme aimed to empower rural and indigenous women and their families through capacity-building and promote entrepreneurship and had benefited more than 6,000 families. Women constituted more than 40 per cent of the beneficiaries of an agricultural support programme that granted interest-free loans.
7. The devastating impact of the coronavirus disease (COVID-19) pandemic had hit women hardest; they were overrepresented in the informal economy, many had left their jobs to care for family members, and they made up the bulk of the front-line health workers caring for patients with COVID-19. The Government's response to the pandemic had included an emergency social assistance plan and conditional cash transfer programmes. The former had benefited almost 707,000 women, and women had made up almost 70 per cent of the beneficiaries of the latter.
8. The Government was aware of the need to strengthen institutional capacity to advance the gender equality agenda. Seven State bodies had so far received the Gender Equality Seal for the Public Sector introduced by the National Institute for Women in 2019. As part of

efforts to achieve the Sustainable Development Goals, the Government was committed to adopting a results-based budget with a gender component.

9. **Ms. Russo de Cedeño** (Panama), speaking via video link, said that 61 per cent of judges in Panama were women and women held a majority of managerial positions in the judiciary. Women in the judiciary received equal pay for work of equal value. The introduction of an adversarial criminal justice system had reduced judicial response times. Women victims of violence received free legal representation, and the number of lawyers providing such assistance, most of whom were women, had increased significantly over the previous decade. An agreement had been signed between the judiciary, the Public Prosecution Service and various ministries and agencies to strengthen protection for women victims of domestic and gender-based violence.

10. Women and girls had benefited from efforts to promote oral proceedings in family and children's courts and municipal courts, which heard many cases relating to the protection of women's and girl's rights – for example, cases regarding alimony. Other efforts included a project to improve access to justice in the Ngöbe-Buglé indigenous region, an agreement between the judiciary and the National Bank of Panama to improve the processing of alimony cases, the establishment of new children's and family courts, human rights and gender training for judicial officials and a policy to incorporate a gender perspective in judicial training and proceedings. The implementation of the Convention, together with the Brasilia Regulations Regarding Access to Justice for Vulnerable People, had had a significant impact in eliminating discrimination against women in access to justice and ensuring respect for their rights.

11. **Ms. López Córdoba** (Panama), speaking via video link, said that the Plan for the Comprehensive Development of the Indigenous Peoples of Panama provided a framework for implementing the Plan for the Economic Empowerment of Indigenous Women 2022–2025, which was aimed at fostering the full inclusion of indigenous women and upholding their rights. Women, including indigenous women, made up the majority of the beneficiaries of grants from the Micro-, Small and Medium-sized Business Authority. Indigenous women's visibility in public and political life had increased, as demonstrated by the results of the 2019 municipal elections in the Ngöbe-Buglé indigenous region, where women had won four of nine seats. Indigenous Women's Day was observed yearly on 5 September.

12. Her Government supported the International Decade for People of African Descent. The National Council of the Black Ethnic Community had been established, and work was under way to incorporate the historical and cultural contributions of Panamanians of African descent, including women, into school curricula. A census of the Afrodescendent population would be conducted to inform inclusive public policy with a gender perspective.

13. Approximately 45 per cent of the more than 17,000 refugees and asylum seekers in Panama were women. Panama had put in place a special framework for the protection of women who left their countries of origin out of a well-founded fear, and the Government had taken steps to ensure that women refugees had access to decent housing and work opportunities.

14. Women represented 5 per cent of the prison population, and 73 per cent of women deprived of their liberty had been convicted. They benefited from a range of treatment and rehabilitation programmes aimed at enabling them to rejoin society effectively. During the COVID-19 pandemic some female prisoners had been granted sentence reductions and conditional release, and 90 per cent had received a COVID-19 vaccine.

15. **Ms. Castro** (Panama), speaking via video link, said that more than 20 civil society organizations had taken part in preparing the periodic report. Her Government's commitment to gender equality at the national and international levels was demonstrated by its participation in regional and multilateral forums. It had sought to increase the representation of women from all backgrounds in leadership positions in international organizations and in the diplomatic service. Currently, 44 per cent of the country's ambassadors extraordinary and plenipotentiary were women. At the national level, gender equality in the political sphere had been boosted by a requirement that candidates and alternates in elections must be of the opposite sex and that political parties must ensure that 50 per cent of their nominees were

women. The proportion of women elected as deputies had risen from 8 per cent during the period 2009–2014 to more than 21 per cent in 2019.

*Articles 1–6*

16. **Ms. Reddock** said that she wished to congratulate the State party on its recent enactment of legislative amendments expanding the application of its anti-discrimination laws and on its adoption of human rights-related legislation over the previous 10 years. The Committee was nevertheless concerned at the failure to implement most of the new measures and at the absence of strong monitoring and evaluation mechanisms to ensure success.

17. Those shortcomings were largely due to the financial and staffing constraints experienced by the National Institute for Women, notwithstanding the continued growth in the State party's gross domestic product (GDP), even during the COVID-19 pandemic. She would welcome information on the State party's timeline for addressing the Institute's funding and human resource gaps in order to ensure full implementation of the measures provided for under the legislation adopted. She wondered whether the State party would consider establishing an independent mechanism to monitor and assess the implementation of programmes and legislation relating to women and gender. The revised legislation made no reference to lesbian, bisexual and transgender women and intersex persons. She would like to know whether the State party intended to rectify that omission.

18. The Committee welcomed the State party's recent initiatives to improve women's access to justice. She would be interested to know whether there were plans to extend the coverage of the new mobile courts to ensure access for all indigenous and rural communities. She also wondered whether the new courts' jurisdiction and the legal aid provisions covered only cases of sexual and gender-based violence in family court matters or whether they also dealt with cases in other areas, such as employment, land rights or immigration. Lastly, she would like to hear what measures were in place to raise awareness among local law enforcement officials and immigration and judicial officers of intersectional discrimination, particularly as it affected the rights of and access to justice for groups such as lesbian, bisexual and transgender women and intersex persons and migrant women such as black Haitian women.

19. **Ms. Russo de Cedeño** (Panama) said that a project to improve access to justice in the indigenous regions had been developed in 2018. Implementation had begun in 2019 but had been suspended in 2020 owing to the pandemic. She hoped that it would be possible to resume implementation in the near future. Mobile courts had been introduced in the Ngöbe-Buglé indigenous region but poverty and vulnerability had prevented women reaching them. Accordingly, the judiciary had organized some 13 outreach tours. The project had been welcomed by the community and had resulted in fruitful collaboration between the judiciary and other services such as the prosecution service, victim defence services, the Ministry of Education and civil society. The judiciary had also set up courts with competence in family matters in the indigenous regions.

20. Victims of violence against women were encouraged to take legal action. They had the right to become a party in the case and present evidence on an equal footing with the other party. The number of cases brought had more than doubled since 2018, with around 2,800 complaints being filed in 2021. Legal support was available for women in situations of vulnerability through a special victim support department. The numbers of women receiving such support had risen dramatically in the past two years. The judiciary unit responsible for access to justice had conducted gender and sensitization training with judicial and other relevant officials, assisted by organizations of Afrodescendent persons.

21. **Ms. Rana** said that she wished to commend the State party for its efforts to develop an institutional framework to promote gender equality. However, the conditions under which the National Institute for Women was expected to discharge its mandate were inadequate. She would like to know what plans the State party had to convert the Institute to a ministry and provide it with adequate resources to enable it to fulfil its role as the lead agency for the advancement of public policies related to women's rights in all spheres. Recalling that, in 2014, the Ministry of Economy and Finance had signed a national agreement to promote productive development through the economic autonomy of women, under which a joint

committee with the National Institute for Women was to be set up to measure progress in public investment in the area of equality of opportunity, she asked whether that joint committee had been created.

22. She noted that the Ombudsman's Office, as the national human rights institution, had recently been downgraded to B status, in part because of a lack of transparency in its selection, appointment and dismissal process. She would appreciate receiving an update and timeline on initiatives to improve transparency and participation in the selection and appointment procedures and to amend the mechanisms for dismissal, as requested by the Global Alliance of National Human Rights Institutions. She also wondered whether the State party had a timeline for the transformation of the Ombudsman's Office into a fully fledged national human rights institution in accordance with the Paris Principles.

23. **Ms. Nadaraia** said that some progress had been made towards balanced representation between women and men in decision-making and politics, with the Electoral Code now requiring 50 per cent of political party candidates for government posts to be women. However, women's organizations had reported that, if no woman candidate could be found, a party could propose a man instead. She would like to know whether the State party planned to amend the Electoral Code to remove that provision in the interests of gender parity.

24. In other areas, despite economic growth and poverty reduction, inequality remained a challenge in Panama. The COVID-19 crisis had exacerbated the problem and temporary special measures were still needed in order to overcome the disadvantages faced by specific groups of women subjected to multiple forms of discrimination. She would be grateful if the delegation would provide information on any measures, in place or planned, to step up progress towards achieving substantive equality in problem areas. She would also welcome information on any programmes in the State party to raise awareness of the importance and non-discriminatory nature of temporary special measures, and on any incentives, sanctions or time-bound targets it had established to encourage the use of such measures.

25. **Ms. Castillo de Sanmartín** (Panama) said that the creation of a ministry for women was one of the Government's top priorities. The progress of the required legislation had, however, been interrupted by the pandemic. Public expenditure had had to be redirected in order to meet the population's immediate needs and to cover the extraordinary demands in terms of health care and vaccination. As soon as the economic recovery permitted, her Government was committed to creating an institutional framework at the highest political level for women's equality and equity, with a budget concomitant with its mandate. For the time being, efforts were being concentrated on strengthening human resources and infrastructure at the regional and local levels, and the programmes and services of the National Institute for Women were spreading across the country.

26. In 2021 the National Council on Gender Parity, which brought together State agencies and private enterprises and associations, had approved several public-private initiatives aimed at promoting women's economic autonomy. In addition, a State policy had been developed to improve women's employability and help young women and women in situations of vulnerability enter the labour market. Strategies were also being implemented to encourage young girls and young women to move into science, technology, engineering and mathematics (STEM disciplines) and to support women entrepreneurs.

27. **Ms. Herrera** (Panama), speaking via video link, said that, in budget terms, the current priority of the National Institute for Women was to strengthen its presence in the indigenous regions. It would be opening a new support centre in April 2022 in Guna Yala. As at the Institute's other regional centres, a specialist technical team would be on hand to provide culturally appropriate legal, psychological and social support. Staff selection interviews were currently being conducted, with the participation of the regional governor and traditional authorities, as well as the first female indigenous member of the National Assembly. With the support of the Inter-American Development Bank, a monitoring and evaluation manual had been developed for the Institute's support centres, with a view to creating a standard infrastructure model. In the six years in which the centres had been operating, support had been provided to more than 31,000 women. The Institute's centres did not tolerate any form of discrimination in the provision of services.

28. With regard to action taken in the private and business sector, a protocol had been developed to identify, prevent and address gender-based violence in the business environment. That initiative had been undertaken by businesses in partnership with civil society and under the leadership of the Ministry of Labour and Workforce Development.

29. **Ms. Chin** (Panama), speaking via video link, said that the most recent amendments to election law had not only established gender parity in general elections but also required political parties to ensure gender parity in their internal election and candidate selection procedures. However, although party slates in general elections were now required to comprise 50 per cent women and 50 per cent men, in cases where the number of women candidates was below 50 per cent, the party was permitted to supplement its slate with male candidates. The Electoral Tribunal had filed an action before the Supreme Court challenging the constitutionality of the relevant section of the law amending the Electoral Code (Act No. 247/2021). A similar application for constitutional review had been submitted by a number of women deputies in the National Assembly.

30. Panama was taking part in the Mechanism to Enhance Women's Political Participation in Latin America and the Caribbean, known as the Atenea project, a joint initiative of the United Nations Development Programme, UN-Women and the International Institute for Democracy and Electoral Assistance (International IDEA). It was the first country in the region to have applied the political parity index developed under the project.

31. **Ms. Saravia** (Panama), speaking via video link, said that, under the Constitution, Panamanian nationals and foreigners were equal under the law, whether resident in the country or in transit. Irregular migratory flows into Panama had increased enormously in 2021 as a result of the pandemic. A total of around 133,000 migrants had crossed the country, of whom roughly 37,500 had been women and 14,400 girls. The State had provided humanitarian care from the moment they had entered the country, through an inter-agency effort. The National Institute for Women, for example, together with various other agencies, had provided special services at the reception centre in Darién. In addition, in order to deal with repeated complaints from women in transit who alleged they had been the victims of crime, the State had set up special prosecutors' offices in host communities. The Government was committed to implementing the National Plan of Action to Combat Trafficking in Persons and to providing comprehensive assistance and protection for any victims of trafficking.

32. **Ms. Bonifaz Alfonzo** said that, despite the legislative measures taken to address them, gender stereotypes persisted in Panamanian society and were an obstacle to gender equality and the full enjoyment by women and girls of their human rights. It would be useful to know whether the impact of Act No. 4 of 29 January 1999, on equal opportunities for women, and Act No. 6 of 4 May 2000, on the mandatory use of gender-sensitive language and illustrations in learning materials, had been assessed. She would also like to hear about any programmes in place to promote the principle of non-discrimination based on sex in the employment and education spheres. She wondered whether that principle was covered in the training given to teachers and public officials and whether any media campaigns had been conducted to raise awareness of gender equality among men and boys.

33. **Ms. Dettmeijer-Vermeulen** said that it appeared that the definition of trafficking set out in the State party's anti-trafficking legislation was still not consistent with that contained in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, and the available data related primarily to foreign victims. She wished to know how the State party identified and protected Panamanian nationals who were victims of trafficking, particularly those who were trafficked for the purpose of sexual exploitation, whether awareness-raising and prevention campaigns and anti-trafficking strategies focused on the issue of trafficking among Panamanian nationals and whether any Panamanian nationals had been identified as traffickers.

34. The Committee had received reports indicating that the exploitation of children through prostitution and child sex tourism was a reality in Panama. She would like to know what was being done to prevent girls from falling victim to sex tourism and from being sexually exploited as adult women, and to guarantee the safety of women and girls in shelters.

It would be helpful to know whether the State party planned to open shelters specifically for victims of trafficking.

35. Worryingly, the number of prosecutions for trafficking offences had dropped drastically in 2020 because of the COVID-19 pandemic. The nature of sex trafficking, too, had changed: the phenomenon was now increasingly taking place in beauty parlours, spas, rental housing and private homes, with traffickers making greater use of social media and messaging applications to lure victims. She wished to know whether the State party had updated its anti-trafficking strategies to account for that change in modus operandi and what was being done to raise the prosecution rate for human trafficking offences to at least the level recorded previously.

36. Lastly, she understood that pandemic employment policies, restrictions on freedom of movement and border closures had made women, including migrant women, more vulnerable to human trafficking. Could the delegation provide data on that issue and describe the measures taken to prevent women, including migrant women, from falling victim to trafficking?

37. **Ms. Castillo de Sanmartín** (Panama) said that Act No. 7 of 14 February 2018, on measures to prevent, prohibit and punish discriminatory acts, was intended to help put an end to discrimination based on sex and the intersecting forms of discrimination suffered by several groups of women. The Act had served as the impetus for several public policies designed to draw attention to and combat discriminatory acts in all spheres.

38. As part of its efforts to overhaul the existing residential childcare system and to promote the deinstitutionalization of children in Panama, the Government had adopted Executive Decree No. 404 of 30 October 2020, on the opening and operation of residential childcare facilities, which included new measures designed to raise the standard of care and protection provided in such facilities, and had embarked on a pilot project with a similar aim in cooperation with the United Nations Children's Fund and other partners. Going forward, priority would be given to placing children in need of care in family settings. It was expected that Bill No. 567, on the creation of a system of guarantees and comprehensive protection for the rights of children and adolescents in Panama, would be enacted into law in the coming weeks.

39. **Ms. Campos** (Panama), speaking via video link, said that the protocol for detecting, identifying, assisting and protecting victims of trafficking in persons in Panama was applied in respect of both Panamanian and foreign nationals. The restrictions on freedom of movement imposed because of the pandemic had not obstructed the application of the protocol. Voluntary returns of trafficking victims had taken place without impediment thanks to the cooperation of neighbouring countries. Several Panamanian nationals had been convicted of trafficking offences in July 2021. Harsher penalties were being meted out to traffickers, with a prison term of 25 years having been handed down to one individual in 2020. In that case, compensation had also been awarded to the victim. In 2020 most victims had been trafficked for the purpose of sexual exploitation, whereas in 2021 most victims had been trafficked for the purpose of labour exploitation. It was now easier for foreign women who were victims of trafficking to obtain a work permit and to integrate into Panamanian society.

40. **Ms. Mauad** (Panama), speaking via video link, said that, once enacted, Bill No. 567 would serve as the basis for public policies designed to ensure that the rights of children and adolescents, including those seeking refuge in Panama, were recognized and protected. It would also set out the obligations of the State vis-à-vis child victims of abuse or sexual exploitation and practical measures to enable children to enjoy a life free from violence. A road map for the deinstitutionalization of children living in residential care facilities had been developed in cooperation with international partners and a campaign to recruit foster families had been launched.

41. **Ms. Herrera** (Panama) said that around 2,700, 1,500 and 2,100 migrant women had received assistance at one of the country's shelters in 2019, 2020 and 2021, respectively. In November 2021, it had been agreed that the shelters operated by the National Institute for Women would provide support to all women who were victims of trafficking.

42. The action plan on equal opportunities for women made specific mention of the need to eradicate sexist stereotypes and content from school curricula and learning materials. The Ministry of Education was working to incorporate a gender perspective into each school subject. In 2021, the Council of Ministers of Women's Affairs of Central America and the Dominican Republic had launched an initiative under which several teachers from the various countries in the region would study for a diploma in non-sexist education, endorsed by a Central American university. The initiative would be expanded in Panama; it was hoped that some 60 teachers would have obtained the qualification by the end of 2022.

43. **Ms. Dettmeijer-Vermeulen** said that she would be interested to know when the State party intended to bring its anti-trafficking legislation fully into line with the Trafficking in Persons Protocol and would appreciate data on victims and perpetrators of human trafficking disaggregated by nationality.

*Articles 7–9*

44. **Ms. Stott Despoja** said that the Committee would like to receive updated information on the effective implementation of measures to ensure parity in the lists of candidates for internal elections drawn up by political parties and the provisions establishing gender parity in local and general elections. It was her understanding that, despite the amendments to the Electoral Code providing that at least 50 per cent of candidates for political parties' internal elections must be women, there was a loophole whereby, if a suitable female candidate could not be found, she could be replaced by a male candidate. She wondered whether the State party planned to remove that loophole and what measures were in place to address negative attitudes towards gender parity initiatives and/or the concept of quotas in politics. Lastly, the delegation might explain how the State party helped indigenous women and women with disabilities to participate as leaders in national and international decision-making processes.

45. **Mr. Safarov** said that he wished to know what the State party was doing to assist stateless persons and their children and members of minority groups who lacked the documentation necessary to register with the Panamanian authorities and were thus unable to gain access to essential services. He wondered whether it had considered simplifying registration and citizenship procedures for such persons and whether it planned to introduce a fair and effective statelessness determination procedure to ensure that the most vulnerable stateless persons received protection. The State party might also consider undertaking initiatives to raise the awareness of stateless persons and members of minority groups of the legal procedures relevant to their situation.

46. **Ms. de Dumanoir** (Panama), speaking via video link, said that efforts were under way to reach and register more children living in remote areas and, with the assistance of the Costa Rican and Colombian authorities, to identify and register vulnerable persons living in border communities. Although additional registrars had been deployed in remote areas, their activities had been hampered by the restrictions on freedom of movement imposed because of the pandemic. Over 90 per cent of children in Panama were currently in possession of an identification card, which was a prerequisite for gaining access to essential services and social programmes.

47. Act No. 247 of 22 October 2021, amending the Electoral Code, had introduced a gender parity requirement not only for general elections but also for internal elections within political parties. The application for constitutional review filed with the Supreme Court was one way of closing the legal loophole referred to earlier.

48. **Ms. Campos** (Panama) said that, of the 34 victims of human trafficking registered in 2020, 13 had been Colombian, 12 Venezuelan, 1 Costa Rican, 3 Nicaraguan, 2 Panamanian and 3 from another country in the region. Of the 21 victims of trafficking registered in 2021, 8 had been Colombian, 1 Venezuelan, 1 Costa Rican, 10 Nicaraguan and 1 Panamanian. Over half of those women had been granted a temporary residence permit on humanitarian grounds, while slightly less than half had been issued with a work permit. Elements of the Trafficking in Persons Protocol were reflected in Act No. 79 of 9 November 2011, on trafficking in persons and related activities, which established a number of aggravating circumstances for trafficking offences. If any of those circumstances were found to apply, perpetrators could be liable to between 20- and 30-years' imprisonment.



49. **Mr. Vásquez** (Panama), speaking via video link, said that the Ministry of Health took steps to ensure that men and women in Panama had access to comprehensive high-quality, public health care on an equal footing.

50. **Ms. González de Valenzuela** (Panama), speaking via video link, said that the National Secretariat for Persons with Disabilities had provided leadership training to women, including indigenous women, with disabilities. The training, which covered topics such as women's empowerment, management and communication, was designed to enable women with disabilities to participate fully in the social and political life of the country.

51. **Ms. López Córdoba** (Panama) said that an increasing number of indigenous women were holding public office and occupying positions within traditional authorities in indigenous regions. The rights of indigenous women were guaranteed through a robust legislative framework, which included laws recognizing indigenous lands, safeguarding knowledge of traditional indigenous medicine, establishing the right of indigenous peoples to consultation and free, prior and informed consent, and promoting the participation of indigenous women in public and private organizations. There were also plans to devise an economic empowerment strategy for indigenous women.

*The meeting rose at 5.10 p.m.*