



Convention on the Rights of the Child

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Committee on the Rights of the Child

Fifty-eighth session

19 September–7 October 2011

Implementation of the Convention on the Rights of the Child

List of issues concerning the combined third and fourth periodic reports of Panama (CRC/C/PAN/3-4)

The State party is requested to submit in writing additional, updated information, if possible before 2 August 2011.

The Committee may take up all aspects of children's rights contained in the Convention during the dialogue with the State party.

Part I

In this section, the State party is requested to submit its responses to the following questions within 30 pages.

1. Please inform the Committee of the measures taken by the State party to overcome the circumstances mentioned in paragraphs 32 and 33 of the report, which have prevented the adoption of the bill on the comprehensive protection of children and adolescents. Please indicate the results of these measures and provide information on the current status of the bill. Otherwise, please describe the country's current legislation and system for promoting and protecting the rights of children and adolescents and how it conforms to the Convention.
2. Please provide detailed information on the findings of the assessment conducted in 2007 of the National Plan for Children and Adolescents (2003–2006) and on whether these findings have been taken into account to comprehensively review the policy, plans and system for promoting and protecting the rights of children and adolescents.
3. Please provide information on the termination of the work of the National Council for Children and Adolescents and the creation of the Early Childhood Advisory Board, whose mandate is limited to promoting the rights of children up to the age of 5. Which entity is responsible for the multisectoral coordination of policy and the National Plan for Children and Adolescents for all children under the age of 18? Please also inform the Committee about the relationship between the new National Secretariat for Children and Adolescents and the Early Childhood Advisory Board.

4. Please provide information on how the autonomy and authority of the Ombudsman's Office are being guaranteed, in accordance with the Paris Principles. Please also provide information on the provision of human, technical and financial resources for the Ombudsman's special unit on children and adolescents, as well as on the measures taken to enable the Children and Adolescents' Rights Observatory, founded in 2010, to function effectively.
5. Please inform the Committee about the plans and programmes for providing training on the Convention for professionals working with children and adolescents, and the measures taken to spread and heighten public awareness of the Convention and the rights of children and adolescents.
6. Please inform the Committee as to whether the country's curfew for persons under the age of 18 has been assessed to ensure that it is in line with the Convention. Please also explain what type of measures are taken when young persons are found breaching the curfew and whether these measures fully respect their rights as children.
7. Please provide information on the measures taken to reduce the high numbers of children deprived of their family environment, given that these children are socially at risk. Please also provide detailed information on:
 - (a) The criteria for admission to alternative care institutions for children;
 - (b) The measures taken to regulate and monitor the administration and supervision of alternative care institutions for children;
 - (c) Alternatives to institutionalization for children deprived of their family environment.
8. Please explain the nature of the proposed amendments to Act No. 61/2008 on adoptions and indicate whether they are consistent with the Convention on the Rights of the Child and the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption. Please also provide information on the work of the National Secretariat for Children and Adolescents with respect to national and international adoptions.
9. Please provide information on the measures taken to prevent and reduce the high number of teenage pregnancies in the country, mainly among indigenous or Afro-descendent girls. Please also indicate what measures have been taken to ensure that pregnant girls enjoy full access to education, in accordance with Act No. 29/2002 and the Convention on the Rights of the Child.
10. Please provide information on the objectives and progress of the curricular reform launched in 2009, and indicate whether it includes civic education, human rights and children's rights education, and sexual and reproductive health education. Please provide information on the differences between the formal and informal models of preschool education and where they apply.
11. Please indicate what measures have been taken to ensure the observance and implementation of Act No. 17/2000, which stipulates that the minimum age for admission to employment is 15, in accordance with International Labour Organization (ILO) Convention No. 138 of 1973.
12. Please provide information on the results of implementing the National Plan for the Prevention and Elimination of the Commercial Sexual Exploitation of Children and Adolescents (2008–2010). Please also provide information on the measures taken to counter tolerance of sexual exploitation within the family, and on the practical application (investigation, trial and conviction) of the articles of the Criminal Code that deal with the

sale and trafficking of children for the purposes of sexual exploitation, forced recruitment into armed groups, and illegal activities such as drug-trafficking.

13. Please inform the Committee of the reasons behind the successive amendments made between 2008 and 2010 to Act No. 40/1999 on the special regime governing juvenile criminal responsibility; in particular, please explain why the age of criminal responsibility has been lowered from 14 to 12 and why the penalties for children who break the law have been made more severe. Please also explain how these amendments are consistent with the State party's international obligations under the Convention.

14. Please provide information on the measures taken to improve the conditions of young people deprived of their liberty in youth detention centres. Please provide information on progress in the criminal investigation into the burning and death of five young people in the Tocumen youth detention centre on 9 January 2011. Please also provide information on the fire in the Arco Iris juvenile detention centre on 20 June 2011, on the condition of the 20 young people who were injured, and on the findings of the investigation into the fire.

15. Please inform the Committee of the measures that the State party has taken to guarantee the rights of children of Colombian parents who have been victims of the armed conflict in Colombia, and who are on Panamanian territory. Please explain whether there are mechanisms to detect, investigate and punish acts of violence committed by State officials against children and adolescents who have refugee or migrant status, or who are seeking asylum.

16. Please provide up-to-date information on the operations of the National Commission against Discrimination and the National Council of the Black Ethnic Community and on their resource allocation and number of staff, especially staff from the relevant ethnic groups. Please also inform the Committee of the measures taken to ensure that indigenous and Afro-descendent children and young people enjoy their rights, and of the impact that the aforementioned institutions have had on the fight against discrimination.

17. Please indicate whether the measures proposed by the Special Rapporteur on the rights of indigenous peoples have been implemented in order to assess and regulate the impact on the environment and local communities of the Chan 75 hydroelectric project in the province of Bocas del Toro. Please also indicate whether there are any measures, or plans for measures, to assess and regulate the impact of other large investment projects, especially in indigenous areas.

Part II

In this section the Committee invites the State party to provide a brief update (no more than three pages in length) on the information presented in its report regarding:

- (a) New bills or enacted legislation and any accompanying regulations;
- (b) New institutions, their mandates and funding;
- (c) Newly adopted and implemented policies and programmes and their scope;
- (d) Newly ratified human rights instruments.

Part III

Statistical and other information, if available.

1. Please provide data for 2008, 2009 and 2010, disaggregated by age, sex, ethnic origin and region, on the number of child abuse victims, including victims of sexual abuse. How many such incidents were reported on the 147 helpline for children and adolescents? Please also supply data on court decisions, the number of victims who have received assistance and the number of perpetrators convicted.
 2. Please provide data for 2008, 2009 and 2010, disaggregated by age, sex, ethnic origin and region, on children receiving different types of alternative care in residential settings and specify the type of care being provided.
 3. Please provide data for 2008, 2009 and 2010, disaggregated by age, sex, ethnic origin and region, on domestic and intercountry adoptions.
 4. Please provide data for 2008, 2009 and 2010, disaggregated by age, sex, ethnic group and region, on the number of pregnant teenagers and teenage mothers, either attending school or not.
 5. Please provide recent, disaggregated data on the number and ethnic origin of young people detained in youth detention centres.
 6. Please provide recent data, disaggregated by age and province, on the number of married girls under the age of 16, as well as the number of married boys under the age of 18.
 7. Please provide recent data, disaggregated by sex, age, ethnic group and urban neighbourhood, on minors who have been detained for breaching curfew.
 8. The State party might also like to make a list of areas affecting children that it deems important for the implementation of the Convention.
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