



Convention on the Rights of the Child

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Consideration of reports of States parties

List of issues in relation to the combined fifth and sixth periodic reports of Panama

Addendum

Replies of Panama to the list of issues* **

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* The present document is being issued without formal editing.

** The annexes and appendices to the present report may be consulted in the files of the Secretariat. They are also available on the Committee's web page.



Part I

Replies to the issues raised in paragraph 1

1. The process of adoption of the bill establishing a system of guarantees and comprehensive protection for the rights of children and adolescents has reached the stage of consultations on the proposed bill.
2. These consultations, which involve representatives of government bodies, local authorities and civil society, are being held before the bill is submitted to the Cabinet in order to make sure that it is a strong legislative proposal with enough support to ensure its approval by the National Assembly.

Replies to the issues raised in paragraph 2

3. At present, Panama does not have an inter-institutional system for the collection of data relating to children.
4. Although it established a system of indicators relating to children, adolescents and women in 2009, whereby it could collect up-to-date information quickly and efficiently at the national, provincial, district and municipal levels using the DevInfo database platform, that system is not being updated because there are plans to change to a new platform and update the indicators.

Replies to the issues raised in paragraph 3

5. The situation as reported in paragraphs 16, 19, 20, 21 and 22 of the combined fifth and sixth periodic reports of Panama (CRC/C/PAN/5-6) has not changed.

Replies to the issues raised in paragraph 4

6. The purpose of Act No. 37 of 2 August 2016, establishing a requirement for consultations with, and the free, prior and informed consent of, indigenous peoples, is to ensure that indigenous peoples are able to express their views on the impact that construction work or projects in their communities may have on their well-being or on that of their children.
7. New regulations on environmental impact assessments, which provide for greater citizen participation in the earliest stages of preparing and evaluating such assessments, are being introduced.
8. Measures are also being taken to increase citizen participation in the planning of activities, construction work and projects.

Replies to the issues raised in paragraph 5

Steps taken to create a positive image of adolescents and prevent discrimination against them

9. The Government is implementing the Inter-Agency Strategic Plan for Young People 2015–2019, which is aimed at persons between 15 and 29 years of age and therefore covers the age group of 15–18 years.
10. The Plan is designed to promote a positive image of adolescents and prevent discrimination against them. Its main objective is to guarantee the right to equality, civic freedom and citizen participation for adolescents in all their diversity, in all places and contexts, taking into account their needs, and in all national forums for participation that help to raise their profile.

11. In order to achieve that goal, steps are being taken to create opportunities for participation by strengthening the public authorities responsible for youth affairs, to encourage young people to take part in State-run social programmes and public service, through an intercultural approach focusing on integration, and to promote the establishment of politically active youth organizations, in order to overcome intolerance, exclusion and marginalization, and foster a sense of belonging, by acknowledging the value of youth-led action that promotes democracy, social cohesion, the expression of diversity and community development in Panama.

12. Under the Plan, the Government is developing measures and strategies to support young indigenous persons, young persons with disabilities, young migrants and agricultural day labourers, young persons from ethnic minorities and young persons of different sexual orientations; it has also encouraged the participation of young Afro-Panamanians by organizing workshops, forums, conferences and the third national meeting of Afro-Panamanian youth.

13. Information-sharing and awareness-raising activities, focusing on youth empowerment and the constructive participation of young people, have been organized, in order to build a positive image of adolescents in people's minds and prevent discrimination against them. These activities include the following:

- A forum on youth empowerment and the values and rights of adolescents, covering topics such as self-care, leadership and HIV/AIDS prevention, was attended by 200 adolescents in the city of Colón
- Two national events, "Youth Expo" and "Positive Youth", have been held annually since 2016, to promote a positive image of young people through activities involving participation, leadership, artistic expression, music, painting, theatre and education
- In order to ensure that children and adolescents have their voices heard in legal and administrative proceedings, information and sworn statements can now be provided orally in a dedicated space that has been designed to encourage them to express their thoughts freely, without any concern as to legal or judicial procedure
- Child and adolescent advisory councils have been set up, to promote the participation, inclusion and development of children and adolescents aged between 9 and 17 years. They are established through municipal agreements and are responsible for consulting and representing children and adolescents, with respect to matters that concern them. This ensures that their views and proposals are heard and taken into account in plans, programmes and projects carried out by municipal authorities at the local level, using decentralized funds. Two such councils have been established in Panama so far

14. To address the issue of teenage pregnancy, the National Assembly has passed Act No. 60 of 30 November 2016, which amends Act No. 29 of 2002, on pregnant minors, and sets forth new provisions. Act No. 60 provides for the establishment of a national council on care for adolescent mothers, made up of representatives of institutions that deal with this sector of the population, and an accountability framework for tracking progress made in implementing measures. The enabling regulations for this Act are being drawn up.

Mechanisms that give children and adolescents a voice in any judicial proceedings that affect them

15. The situation as reported in paragraphs 68 to 78 of the report has not changed.

Mechanisms that give children and adolescents a voice in administrative proceedings

16. In all procedures relating to protection and adoption, the National Secretariat for Children, Adolescents and the Family ensures that children and adolescents are heard individually, in psychosocial consultations and assessments carried out by interdisciplinary technical teams, whose reports at all times faithfully reflect the views of the child or adolescent concerned.

17. There are currently two bills before the National Assembly, a general adoption bill and a bill establishing and regulating a system of foster care, as a temporary protection measure for children and adolescents deprived of parental care. These bills, which take a rights-based approach, seek to protect the right of children to be heard and to have their views taken into account throughout administrative and judicial proceedings.

Replies to the issues raised in paragraph 6

18. In the first half of 2017, the Government renewed the mandate of the National Intersectoral Committee for the Prevention of Violence against Children and Adolescents¹ and established a technical commission that is responsible for drawing up a national strategy for the prevention of violence against children and adolescents. A preliminary assessment of the current situation has been carried out and will inform the development of the national strategy, which will cover the issue of sexual violence.

19. More specifically, the National Commission for the Prevention of Commercial Sexual Exploitation is implementing the National Plan for the Prevention and Elimination of the Commercial Sexual Exploitation of Children and Adolescents.

Awareness-raising measures to prevent violence against children

20. The Government also conducts awareness-raising activities with a view to preventing various forms of violence and promoting the rights of children and adolescents. These activities include designing, producing and distributing educational material aimed at children, adolescents and their families on the prevention of violence, especially sexual violence and abuse.

21. These activities take place in educational establishments, shelters, communities, academies, government institutions, non-governmental organizations and police facilities, among other places. Some examples are given below.

22. The project “Connected — Guidelines on Empowering and Protecting the Rights of Children and Adolescents Online in Central America” was carried out in close collaboration with the Inter-American Children’s Institute.

23. The aim of the project was to develop measures and tools to empower children and adolescents and to promote and protect their rights. The beneficiaries included not only children and adolescents living in shelters or attending educational establishments throughout the country but also public bodies and private sector entities involved in Internet access and use.

24. The “Positive Summer” and “Positive Time” projects, which were implemented jointly by the Secretariat for Youth Crime Prevention of the Ministry of the Office of the President, the National Police and the National Secretariat for Children, Adolescents and the Family during the school holidays, offered children and adolescents the opportunity to engage in sporting, recreational, educational and family activities.

25. A seminar on child-rearing was organized by the Ministry of Health for national teams specializing in early learning, to enable them to teach positive child-rearing techniques to parents so as to reduce parental violence against children and adolescents. The seminar was attended by 30 public health workers.

26. The “Strong and United Families” project is being implemented by the National Secretariat for Children, Adolescents and the Family to raise awareness of good parenting practices. It covers topics such as resilience, positive parenting, the importance of setting ground rules at home, household planning, conflict resolution, family law, the meaning of life and how to identify a possible victim of abuse.

27. The project also includes awareness-raising activities that deal with parenting principles, self-esteem and image, values and assertive communication. So far, 71 families in priority areas have taken part in the project.

¹ Established by Executive Decree No. 39 of 30 April 2014.

28. Women caregivers in shelters have received training on best practices in caring for children and adolescents in protection facilities. This training covers the following topics: emotion regulation, the qualities of a caregiver, social skills, self-care strategies, first aid, psychological first aid and the Protocol for Dealing with Children without Parental Care in Shelters in Panama. To date, 45 women caregivers from six shelters have received this training.

29. An early childhood education course is organized by the Ministry of Social Development, the National Secretariat for Children, Adolescents and the Family and the Specialized University of the Americas. The aim of the course is to build the knowledge of women caregivers who work in shelters, in order to improve the care provided to children in such shelters. This programme is also open to participants from Colombia, Costa Rica, Ecuador, El Salvador, Guatemala and Peru.

Measures taken to ensure that the services and human resources needed for the holistic recovery of child victims of violence are available

30. An interdisciplinary technical team from the National Secretariat for Children, Adolescents and the Family provides victims and their families with guidance and specialized care, in the form of social work, psychological treatment, clinical psychological treatment and legal aid, to ensure their full recovery, in coordination with social protection programmes and social assistance, focusing on physical health, recreation, education, accommodation, treatment for drug dependence and mental health.

31. The Department for Protection against Abuse and Ill-Treatment liaises with governmental and non-governmental institutions to provide care for minors and their families, based on socioeconomic assessments, psychosocial reports, home visits and counselling reports.

32. The Guide on the Establishment of Municipal Boards for the Protection of Children and Adolescents in Panama has been drawn up; it sets out the methodology to be followed and offers guidance on protecting the rights of particularly vulnerable children. The first protection board is currently being set up in Chiriquí province.

33. The following care protocols and handbooks have been drawn up:

- Protocol on Comprehensive Care for Child and Adolescent Victims of Sexual Violence, 2013
- Inter-Agency Road Map and Protocol on Care for Child and Adolescent Victims of Ill-Treatment. Judiciary, 2014
- Protocol for Dealing with Children without Parental Care in Shelters in Panama, 2012
- Procedural Handbook on Care for Children and Adolescents in Need of Special Protection
- Procedural handbook of the Directorate for the Special Protection of Rights

Legislative measures to prohibit corporal punishment in all settings

34. The National Intersectoral Committee for the Prevention of Violence against Children and Adolescents has set up technical committees to develop the national prevention strategy. These committees will revise existing legislation on issues relating to children and adolescents.

Replies to the issues raised in paragraph 7

Steps taken to ensure that shelters meet standards

35. The Government has established a monitoring and oversight committee to inspect and oversee the running of shelters; the committee is made up of representatives of the National Office for State Subsidies of the Ministry of Social Development and the National

Secretariat for Children, Adolescents and the Family, as well as one representative of the National Panamanian Child and Adolescent Support Network and one representative of shelters.

36. The National Secretariat for Children, Adolescents and the Family, as the administrative authority responsible for granting operating licences to shelters pursuant to Executive Decree No. 26 of 2009, has supported action to bring 57 shelters into line with standards; in addition, shelters are subject to checks and inspections carried out by the monitoring and oversight committee.

Resources

37. There is a public investment project for the realization of the rights of children, adolescents and the family, which enables the Government to ensure that the necessary resources for regular monitoring and oversight are earmarked for the mobilization of resources and technical staff for inspections. In 2017, expenditure amounted to 149,100 balboas (B).

38. In addition, a study is being carried out to establish a baseline that can be used to develop a system for monitoring and collecting information on the children and adolescents in shelters. This study will help to identify the type of care provided by shelters — whether it be foster care provided as a protective measure by order of a court, educational or nutritional support, or care for children or adolescents with HIV/AIDS or disabilities — and the type of children who receive that care.

Programmes provided for in Act No. 46

39. “Welcoming Family” programme: pursuant to Act No. 46 of 2013, this programme is implemented by the Directorate for the Special Protection of Rights as a temporary protection measure for children and adolescents, to ensure that they receive care, support and protection until permanent arrangements have been made. In the foster family database, there are 19 registered families who have fulfilled the requirements and completed the two training programmes.

40. In 2016 and 2017, a total of 252 training and awareness-raising sessions on the “Welcoming Family” programme were organized for university students specializing in psychology, social work and law.

41. Guidance for expectant mothers considering adoption: in 2017, seven information sessions were organized to provide expectant mothers with advice and information about the consequences of putting their child up for adoption.

42. Family strengthening programme: this programme, which provides training for families and adolescents at social risk, consists of informal discussions and exchanges of ideas in workshops and participatory activities, on topics such as self-esteem, values, resilience, assertive communication, dealing with frustration, responsible and appropriate parenting and conflict resolution.

43. Programme of continuous training for adoptive fathers and mothers: a gathering for adoptive parents and adopted children is held annually. In 2017, 37 fathers and mothers and 28 children attended the event, which aimed to bring families together, under the theme “Families United by the Heart”, to share experiences and develop tools for good parenting.

44. Programme for the provision of post-adoption support services and assistance for adopted persons wishing to know their origins: a request was received via an agency that works with adopted persons who want to look for their birth parents.

45. Training programme for future adoptive parents: adoption applicants must complete this training in order to be considered eligible. Five seminars, attended by 64 adoption applicants, were held in 2016 and three seminars, attended by 32 applicants, have been organized in 2017.

46. Professional training: in 2017, the National Secretariat for Children, Adolescents and the Family organized 281 training days on adoption, around the country, for future

professionals in the fields of law, social work and psychology, to enable them to provide people with appropriate guidance on the legal concept of adoption.

Amendment of Act No. 46

47. Two bills have been widely agreed upon by the intersectoral commission set up to review and amend Act No. 46 of 2013 and other legislative provisions. These bills address adoption and the procedure for fostering children and adolescents without parental care as two separate issues.

48. Both bills have been submitted to the National Assembly and the first debate by the legislature will be held shortly.

49. Further information is provided in the replies to the issues raised in paragraph 13 of the list of issues.

Replies to the issues raised in paragraph 8

Comprehensive programmes and policies for children and adolescents with disabilities

50. The National Disability Policy and the programmes run by the National Secretariat for Disabilities focus on providing comprehensive support for all persons with disabilities.

51. The educational programmes developed by the National Secretariat for Disabilities deal with the rights of children and adolescents with disabilities as a cross-cutting theme.

52. The Government recognizes the principle of equal education opportunities for all. However, it is also aware that, in line with its commitment to the Sustainable Development Goals, it needs to have a plan that allows all children and adolescents with disabilities to be educated at their local school.

53. The annual budget for this sector covers, inter alia, the hiring of teachers and support staff, resources, specialized aids, training, scholarships, universal grants, food security, investment, construction work and infrastructure.

54. As the main body responsible for education in Panama, the Ministry of Education coordinates the provision of services and support to ensure that students with disabilities have access to schools and can participate in school life.

55. As regards the hiring of teachers who provide services, resources and support in schools attended by students with disabilities, the numbers of both teachers and schools have increased in the past three years, with around 1,000 students enrolling in school for the first time.

<i>Academic year</i>	<i>Teachers</i>	<i>Schools</i>
2014	1 596	470
2015	1 693	531
2016	1 869	558
2017	2 030	706

56. The number of professional support staff in schools has also increased.

<i>Year</i>	<i>Percentage increase</i>
2014	3.3
2015	4.4
2016	12.5

57. Since 2015, the Government has been developing community-oriented measures, in line with the Government Plan and its policies on social inclusion and quality of life, in order to identify children and young persons who should be in the education system.

58. As the “Inclusion — Well-Being for All” programme is implemented, resources are being provided, teachers appointed and strategies developed to promote access to education. This resulted in increased access to education for persons with disabilities in 2015/16.

Programmes and policies that focus on protection, early detection, intervention, treatment, rehabilitation and inclusive education

59. The National Secretariat for Disabilities implements programmes that aim to further the socioeconomic development of families for the benefit of family members with disabilities, including children and adolescents with disabilities.

60. Over the past three years, the “Fami-Business” programme has helped 373 families of persons with disabilities aged up to 17 years.

61. Similarly, the Disability Revolving Fund, which finances assistive devices for persons with disabilities, has benefited 98 persons with disabilities aged up to 17 years in the past three years.

62. Early childhood services are provided for children at biological risk and children with disabilities, through appropriate early intervention by home counsellors and early learning specialists. Since 2013, there has been an increase in the frequency of service delivery by community health centres across the country, including in indigenous regions and remote areas.

<i>Year</i>	<i>Frequency of service delivery</i>
2013	69 022
2014	83 736
2015	81 683
2016	90 228
Total	

Programmes that focus on access to information, inclusive education and social services

63. The National Secretariat for Children, Adolescents and the Family and the Panamanian Institute for Special Training have developed a workplan for diagnosing and fully addressing the needs of children and adolescents with disabilities who have been placed in institutional care.

Technological tools

64. Since 2012, the Government has provided persons with disabilities with technological tools, in the form of free, open-source software, and organized “Learning by Doing” workshops on the use of these tools. This software promotes the social inclusion of persons with disabilities by allowing them to work independently in various settings, including in education, employment and social settings. It is available at all public computer centres in the country and technicians from the National Secretariat for Disabilities, the National Advisory Council on Disability and civil society have been trained in how to use it.

65. In order to reduce the digital, economic and social gap throughout the country, 249 community centres have been set up, primarily to support and drive the development and implementation of new information and communications technology.

66. The Government is aware that continuous training fosters the development of inclusive practices, cultures and policies in schools. It has therefore invested heavily in

training and capacity-building in recent years, spending a total of B 2,056,845, for the benefit of 13,748 teachers, including head teachers, supervisors and class teachers.

67. Some of the inclusive education topics that have had the greatest impact include the right to inclusion, universal design in education, the delivery of excellence in schools for all and reasonable accommodation.

68. Around 40 in-service training courses for teachers have been developed. These courses are held regularly in summer for all teachers in the education system. They cover topics relating to the national project on the delivery of excellence in schools for all; two stages of that project, aimed at all schoolteachers and focusing on the theme of “Teachers Supporting Teachers”, have been completed.

69. The first stage of training was for head teachers and supervisors, while the second was aimed at educational leaders in State schools. The training is organized on a quarterly basis and has led to booklets being produced for teachers and facilitators. The training focuses on the use of communications technology to ensure that students are able to participate in and benefit from lessons.

70. As regards access to technology, steps are being taken to train teachers in the use of free and low-cost software, information and communications technology and interactive whiteboards. Eighty-five schools have been equipped with assistive devices and software for persons with visual or intellectual disabilities, at a cost of B 56,000. The first stage of the programme “Speaking to Julis”, which aims to facilitate communication through the use of interactive software, has been launched in the Panamá Centro educational region. A learning objectives portal has been set up, in collaboration with the Technological University of Panama; this is a virtual space where teachers can design and create teaching modules and interact with students. It currently covers first-grade and second-grade material.

Replies to the issues raised in paragraph 9

Progress in adopting the act on sexual education so as to guarantee access to contraception and prevent pregnancy in adolescence

71. The debate in the National Assembly on bill No. 61, which called for policies on comprehensive education, health care and health promotion, has been suspended as a result of disagreements with civil society.

Policies and strategies relating to sexually transmitted diseases and HIV/AIDS among children and adolescents

72. The Ministry of Education ensures that sex education is provided by incorporating it, as a cross-cutting theme, into other subjects, such as religion, morals and values, physical education, technology, natural sciences, civics, biology, human development and independent living, human relations and morals, and ethics.

73. The subject is approached from the perspective of duties, caring for the body, valuing emotions and feelings in interpersonal relationships, promoting values and attitudes based on love, solidarity and respect for the life and integrity of others, building self-esteem and a sense of self-worth, and developing the ability to make independent decisions.

74. Consultants are being hired to draw up sex education handbooks with a focus on life skills.

Programmes to prevent malnutrition and child mortality

75. The Supplementary Feeding Programme was set up under Act No. 35 of 1995, which stipulates that children of preschool and school age must be given a nutritious snack (20 per cent of the daily calories and protein needed by the average schoolchild). Snacks of this kind are provided in all State schools in the country.

76. In addition, school lunches that include staples such as rice, beans and lentils are provided, particularly in indigenous and rural areas.

77. Overnutrition is being addressed through a programme that focuses on improving the quality of school lunches. Fruit and vegetables have been included and a ministerial decision has been issued to establish which products can be sold at cafeterias and kiosks in State and private schools throughout the country.

78. In addition, integrated health service networks have been set up and are linked to the unit responsible for management, health services and financial analysis. Health workers travel around the country every two months, delivering health services in the most remote indigenous areas.

79. They carry out growth and development check-ups and treat diseases using the Integrated Management of Childhood Illness (IMCI) methodology.

80. They also raise awareness about the importance of nutrition and a healthy diet, using educational materials in the three indigenous languages that are most widely spoken in Panama.

Replies to the issues raised in paragraph 10

81. Panama has a programme called “New School — Active School”, which is a model of education based on national education principles and objectives. It is aimed at students between 15 and 20 years old who want to specialize in business, tourism or science, in regular multigrade secondary schools in remote areas.

82. The programme involves the use of educational materials, learning models and teaching tools linked to the productive world.

83. The education provided in remote areas is tailored to the needs of the school community. Studies and follow-up are conducted to assess improvements in labour market participation and quality of life among graduates of these programmes and the wider population.

84. Panama has a budget of B 1,941,500 for the salaries of programme instructors. The purpose of the project, which currently has no end date, is to satisfy the educational needs of the country’s poorest people, in remote areas.

85. The first cohort in the educational region of Los Santos province graduated in 2015. At the end of the 2016 school year, graduations took place in 95 per cent of the schools concerned; out of the 506 students who graduated, over 50 per cent specialized in business.

86. One of the subgoals of the Social Inclusion and Social Development Programme is to increase the coverage and quality of comprehensive early childhood services, in order to increase investment in human capital.

87. Under the Programme, five comprehensive early childhood care centres will be set up and the existing centres that are run by the Ministry of Social Development will be renovated. In addition, technical assistance will be provided for the development of community programmes in the field of comprehensive early childhood care, in indigenous regions and thinly populated rural areas.

88. The National Institute of Vocational Training for Human Development has approved a project for the inclusion of adolescents aged 16 and 17 years old, as part of its strategic plans on vocational and technical training and business management training.

89. It has selected a total of 26 courses, in seven areas of training for adolescents. The courses will consist of 4 hours of training per day, 5 days a week, lasting for a total of 100 hours. The adolescents will be required to provide a certificate from the Ministry of Labour and Workforce Development.

Replies to the issues raised in paragraph 11

Results of the project to introduce effective policies against child labour

90. Preventive measures are being implemented at the national level, focusing on Afrodescendent and indigenous communities as the most vulnerable groups in Panama.

91. Progress has been made in strengthening the capacities of participating public institutions, especially through technical assistance for the development of procedures, protocols and mechanisms to comprehensively address child labour.

92. Road maps setting out systematic procedures for the coordinated action of public and private entities to identify, handle and monitor cases of child labour have been developed at the local level.

93. A methodological guide to support families in the prevention and eradication of child labour has been produced.

94. The Government has also drawn up guidance and lists of hazardous forms of child labour, to enable the assessment of risks to which children and adolescents are exposed, and developed a protocol for the implementation of corrective measures.

95. A child labour monitoring system has been developed to register, identify, refer and follow up on children and adolescents in situations of child labour. The system is connected to the local road maps, thus allowing for more effective responses and the periodic review of services provided at the local level with a view to the elimination of child labour.

Employment programme for adolescents

96. The programme benefits adolescents aged 16 and 17 years by creating secure jobs in the formal sector and providing for their future training.

97. The fellowship programme for the eradication of child labour is led by the Institute for the Training and Use of Human Resources, which annually funds a total of 1,500 education grants as a contribution towards the eradication of child labour.

98. Between 2013 and 2017, a total of 6,893 grants were awarded to children at risk, representing a total investment of B 2,733,009.

National plan against trafficking in persons

99. A prosecutor's office to combat the offence of trafficking in persons has been established within the Public Prosecution Service.

100. A shelter for the victims of trafficking has been built at a cost of B 3,500,000.

101. The Ministry of Public Security and the Public Prosecution Service have strengthened their cooperation to dismantle human trafficking networks and investigate and prosecute those responsible.

102. According to April 2017 figures, officers acting on the orders of the judicial authorities carried out 40 operations, resulting in the dismantling of 14 human trafficking networks and the rescue of 158 victims. In September 2017, another network was broken up and an investigation was launched into the case.

103. Work has commenced on the drafting of a protocol for the care of trafficking victims.

104. Training has been provided for public servants involved in anti-trafficking efforts, involving — as of April 2017 — an estimated 930 employees of the Public Prosecution Service, the National Police, the National Migration Service, the judiciary, the National Customs Authority, the Ministry of Health, the Ministry of Education, the National Border Service, the National Secretariat for Children, Adolescents and the Family, the National Institute for Women, the Institute of Legal Medicine and Forensic Sciences and universities.

105. The national plan against trafficking in persons for the period 2017–2022, which places stronger emphasis on the protection of victims, has been approved.

106. All of the above actions are carried out with the support of the International Organization for Migration and the United Nations Office on Drugs and Crime.

Replies to the issues raised in paragraph 12

107. The Ministry of the Interior has held a multisectoral round table involving civil society to evaluate the effectiveness of the curfew and to consider the adoption of appropriate measures concerning children and young persons. However, no specific agreements have been reached to revoke the curfew.

108. Alianza Ciudadana Pro Justicia has drawn up a new road map based on its assessment of the curfew. This is pending validation by the entities involved: the Ministry of the Interior, the National Secretariat for Children, Adolescents and the Family and the Juvenile Police.

Existing manuals and protocols on the penalties that may be imposed on children, in particular children between 12 and 14 years of age

109. Since 2009, the National Secretariat for Children, Adolescents and the Family has been conducting a re-education programme that includes the preparation of individual sentence plans and focuses on the development of training in technical skills, other skills that will enable better decision-making in life, recreational activities and educational support.

110. Individual sentence plans have three important components that determine the approach that should be followed with each adolescent.

111. These are the description of the adolescent, the description of his or her social and family situation and the description of his or her formal or vocational education or employment history. These components then form the basis for the development of an intervention strategy.

112. The re-education programme makes use of a procedural guide whose aim is the prevention of continued unlawful behaviour through actions designed to provide personalized care, family assistance and community education for adolescents and members of their household, in accordance with the individual sentence plan.

Regulation of the use of tear gas

113. The use of tear gas is regulated by the 2007 police procedures manual, which states that the police may use irritant gases, including tear gas, if that is necessary to physically overpower the suspect, thereby avoiding the use of truncheons or firearms.

114. The manual indicates that areas of skin affected by tear gas should be exposed to the air and rinsed, if possible. It also states that medical assistance should be sought when necessary and a report prepared subsequently.

Part II

Replies to the issues raised in paragraph 13

(a) New bills or enacted pieces of legislation

115. Bill No. 536 on adoption proposed as a replacement for Act No. 46, aims to improve the legal institution of adoption and strengthen the principles and guarantees that should govern the administrative and judicial stages of the process, in accordance with the best interests of the child being adopted (see annex 1).

116. Bill No. 537, creating and regulating the system of foster care as a temporary protection measure for children and adolescents deprived of parental care, proposes to restore the right to family life by ensuring that they can receive temporary protection from

their extended family, relatives by marriage or external carers, or institutional care in the last resort (see annex 2).

117. Act No. 60 of 30 November 2016 on pregnant minors aims to prevent and reduce the number of pregnancies and improve the quality of life of pregnant minors, ensuring that they are fully included in development, that they remain in the education system and that their dignity is respected. The National Council for the Care of Adolescent Mothers was created under the Act as the guarantor of the progress and outcomes achieved through its implementation.

118. Act No. 55 of July 2017, regulating the protection of abandoned newborn infants and adding an article to the Criminal Code, among other provisions, aims to protect newborn infants and provide them with safe shelter in cases where their lives may be at risk.

(b) New institutions, their mandates and funding

119. The National Secretariat for the Development of Afro-Panamanians was established pursuant to Act No. 64 of 6 December as the entity responsible for ensuring the realization, protection and full enjoyment by persons of African descent of equity, social justice and the fundamental freedoms, on a basis of equality, as recognized in the Universal Declaration of Human Rights, and for eliminating racial discrimination.

120. The national mechanism for the prevention of torture, established under Act No. 6 of 22 February 2017, is currently engaged in the selection of its Director and is awaiting the adoption of the implementing regulations of the Act. Article 4 of the Act, "Definitions", stipulates that deprivation of liberty includes situations in which minors or persons with disabilities are held in detention by virtue of an order given by a judicial, administrative or other public authority, or with its consent or acquiescence, or by their father, mother or person responsible for their care.

(c) Policies and programmes recently introduced and areas of the State party to which they apply

121. As part of an investment project for the development, formulation, follow-up and evaluation of policies, a pilot plan was implemented for the deinstitutionalization of girls and adolescents living in the Soná care home.

122. This pilot plan achieved the deinstitutionalization of 87 children and adolescents in 2016 and 10 in 2017. Of the 84 persons under the age of 18 years that were deinstitutionalized in 2016, 28 had disabilities.

123. As a result of this project, a deinstitutionalization committee was established with the participation of governmental bodies and institutions for the protection of children and adolescents involved in the deinstitutionalization process. It meets every two months to follow up on the deinstitutionalization of children and adolescents in Panama.

124. Similarly, local committees for the protection of children were set up in support of deinstitutionalization efforts and a foster care protocol and deinstitutionalization guidance linked to the Government's foster care programme were drafted.

125. By way of follow-up to the implementation of Act No. 60 of 30 November 2016, an institutional road map was drawn up for the care of pregnant minors in order to strengthen the technical capacities of the personnel responsible for prevention and the care of these individuals and their families.

126. Under this road map, teaching materials have been developed for the prevention of pregnancy. They are circulated in print and through social media.

127. Work is being undertaken with municipalities throughout the country to set up advisory councils of children and adolescents to provide for the participation, inclusion and development of children and adolescents. These councils are created by municipal order and give children and adolescents the opportunity to voice opinions, complaints and proposals on matters affecting them.

128. The functions of the municipal boards for the protection of children and adolescents are set out in the Guide for the Establishment of Municipal Boards for the Protection of Children and Adolescents in Panama, whose focus is on protecting the rights of children, in particular the rights of the most vulnerable children and adolescents.

129. A working group has been set up to adopt a protocol on identification, care and inter-institutional action for the comprehensive protection of minors in need of international protection and an inter-institutional protocol for the comprehensive protection of migrant children.

(d) Recent ratifications of human rights instruments

130. Panama ratified the Optional Protocol to the Convention on the Rights of the Child on a communications procedure through Act No. 61 of 30 November 2016.

Part III

Data, statistics and other available information

Replies to the issues raised in paragraph 14

Consolidated budget, disaggregated by budget item, covering the past three years, in respect of resources allocated for the benefit of children and adolescents (including young children)

131. This information is being prepared.

Replies to the issues raised in paragraph 15

(a) Child and adolescent victims of sexual exploitation, pornography and child prostitution

132. Between 2014 and 2017, 26 criminal investigations were carried out into cases of alleged sexual exploitation; there were 2,445 investigations into child pornography offences and 31 investigations into child prostitution.

(b) Child and adolescent victims of sexual violence, sexual abuse and harassment

133. During the course of 2015, 5,858 adolescents appeared before the courts. Of that number, 1,779 attended Children's and Juvenile Courts and 3,769 attended Juvenile Criminal Courts.

134. Approximately 42.7 per cent of adolescents appearing in court were male and 3.8 per cent female. In 48.9 per cent of cases, the sex was not specified and, in 42.2 per cent of cases, preliminary inquiries were conducted.

135. These adolescents were most commonly 17-year-olds (20.5 per cent) and 16-year-olds (8.8 per cent), while 15-year-olds accounted for 6.3 per cent, 14-year-olds 3.3 per cent, 13-year-olds 1.3 per cent and 12-year-olds 0.7 per cent. Some 16.8 per cent did not specify their age and 42.3 per cent were the subject of preliminary inquiries.

136. In total, 3,599 of these adolescents were in school (equivalent to 43.3 per cent).

(c) Cases of physical abuse and corporal punishment reported, investigated and punished, and the penalties imposed

137. In 2015, 8,305 cases were referred to the Children's and Juvenile Courts, 11.7 per cent of which related to sexual abuse (972 cases), 32.4 per cent to abuse (2,691 cases) and 40.3 per cent to offences of omission, threats and abuse of rights (3,347 cases), while, in 15.2 per cent (1,262 cases), the child required protection.

Replies to the issues raised in paragraph 16

(a) Infant mortality

138. In 2016, the main cause of mortality in infants under 1 year of age was “certain conditions originating in the perinatal period”, which accounted for 40 per cent of infant deaths, followed by “congenital malformations, deformations and chromosomal abnormalities”, at 30.2 per cent.

(b) Maternal mortality

139. Women accounted for 42.5 per cent of all deaths in Panama; women of childbearing age, 11.8 per cent.

140. The number of recorded maternal deaths stood at 37 in 2016 (compared with 40 in 2015); the maternal mortality ratio stood at 49.2 deaths per 100,000 live births, down 7.5 per cent on the previous year.

141. Postpartum haemorrhage accounted for 16.2 per cent of maternal deaths and was therefore a leading cause of deaths due to complications of pregnancy, childbirth and the puerperium.

(c) Malnutrition

142. There were 124 deaths caused by malnutrition in 2016; 49 of these were of persons under the age of 20 years. The number of deaths due to malnutrition was 8.8 per cent lower than in 2015.

(d) Birth weight

143. In 2016, 9.1 per cent of newborn infants — 6,867 cases — had low birth weight. Most of these cases (2,456) occurred in Panama province, followed by the Ngobe-Bugle region (1,086) and Panamá Oeste province (964).

(e) Vaccination coverage

144. Information to be provided.

(f) Child and adolescent pregnancies

145. In 2016, there were 14,025 live births to mothers under the age of 20 years. This figure represented 18.7 per cent of all births in 2016, with 15- to 19-year-olds accounting for 18.0 per cent and minors under the age of 15 years, 0.7 per cent.

146. Panama province had the highest proportion of live births to mothers under the age of 20 years (5.7 per cent of all births in the country). The next highest percentage was recorded in the Ngobe-Bugle region (2.5 per cent of all births), followed by the provinces of Panamá Oeste and Chiriquí (2.4 per cent and 2.3 per cent, respectively).

(g) Abortion

147. The number of fetal deaths (miscarriages) in 2016 was 9,431, down 0.5 per cent on the 2015 figure, with a fetal mortality rate of 125.4 per 1,000 live births. The five-year average stands at 9,510.

148. Fetal deaths occurring in the first 5 months of pregnancy accounted for the bulk of such cases, numbering 8,794, or 93.2 per cent of the total, with a five-year average of 8,811.

(h) Child and adolescent suicides

149. There were 123 suicides in Panama in 2016. Of these, 107 were male and 16 female. There were 16 recorded suicides among children and adolescents aged between 10 and 19 years.

(i) Children and adolescents infected with or affected by HIV/AIDS

150. Information to be provided.

(j) Mental illness

151. Information not available.

(k) The number of child and adolescent drug users

152. Information not available.

(l) Actual coverage of drinking water and sanitation facilities

153. According to the 2010 census data, 7.1 per cent of all homes surveyed reported that they did not have access to drinking water.

(m) The number of children and adolescents living in poverty and extreme poverty

154. Information to be provided.

Replies to the issues raised in paragraph 17

(a) Abandoned children and adolescents

155. Since 2015, there have been 30 reported cases of children and adolescents being abandoned. Of these, 21 occurred in Panama province, 4 in the indigenous regions, 1 in Coclé, 1 in Chiriquí and 3 in unknown locations. Seventeen cases occurred in urban areas and 10 in rural areas.

156. The 30 abandoned children included 5 of indigenous origin, 2 of African descent and 1 with disabilities.

157. Twenty-one were boys and 9 were girls. By age group, 21 were aged up to 4 years, 6 were aged 5–9 and 2 were aged 10–14. The age of one child could not be determined.

(b) Children and adolescents separated from their parents

158. In the past three years, the National Secretariat for Children, Adolescents and the Family has dealt with 1,012 cases of children and adolescents under protective measures who have been separated from their parents.

(c) Children and adolescents living in shelters

159. There are currently 2,082 children in shelters (see annex 3).

(d) Children and adolescents living with foster families

160. There are currently eight children (five girls and three boys) living with foster families. By age group, five are aged up to 4 years, two are aged 5–9 and one is between 10 and 14.

(e) Children and adolescents adopted domestically or through intercountry adoption

161. Since 2015, the authorities have registered 73 adoptions in Panama, of which 70 were domestic and 3 international (see annex 4).

Replies to the issues raised in paragraph 18

- (a) **Please provide data for the last three years, disaggregated by age, sex, disability, socioeconomic status, ethnic origin, rural/urban population and geographical location, on the number of children and adolescents with disabilities**

162. Data from the 2010 census revealed that, of respondents aged 4 years and older with some form of disability, 1.3 per cent had completed preschool education, 19.5 per cent primary education, 9.1 per cent secondary education, 3.6 per cent university and 4.6 per cent special education.

163. The 2010 census findings included data on persons with disabilities aged up to 17 years, by type of disability, as a percentage.

<i>Age group</i>	<i>Total</i>	<i>Male</i>	<i>Female</i>
Under 15	17.5	18.5	16.4
15-64	51.0	52.3	49.6
65 and older	31.5	29.2	34.0

- (b) **Living in institutions**

164. As of 2017, there are 161 children with disabilities living in institutions. Of these, 140 are of school age and 125 are attending school; 2 are enrolled in distance learning. See annex 5.

- (c) **Attending mainstream primary schools**

165. Coverage for students with disabilities has improved over the past five years.

166. A total of 19,976 children and adolescents with disabilities were enrolled in the 16 educational regions that make up the country's education system.

167. The National Directorate of Private Education has a register of 3,160 students who face barriers to learning, including 840 students with a disability. These data, drawn from the educational regions, are from 2017.

168. The information that has been collected to date shows the following geographical coverage of all schools and students.

169. Primary education is provided for children with disabilities in 70 of 79 districts and 225 of 631 administrative districts (*corregimientos*).

170. Of the 15,332 students about whom information is available, 11,660, or 76 per cent, are from urban areas, while the remaining 24 per cent are made up of 3,438 from rural areas and 216 from indigenous areas.

171. Male students make up the majority, with 63 per cent of the total; female students account for 37 per cent.

172. The most populous age group, containing 5,884 students, or 45.3 per cent of the total, is made up of children aged 10 to 14 years, corresponding to the third to fifth grades.

173. A total of 3,708 students with disabilities aged between 15 and 24 years are enrolled in middle and upper secondary education.

- (d) **Attending special schools**

174. According to data from the Directorate of Planning of the Panamanian Institute for Special Rehabilitation, on 31 December 2016 the number of students attending special schools stood at 4,029 (see annex 6).

Replies to the issues raised in paragraph 19

(a) School enrolment and completion rates as percentages of each relevant age group in preschool education establishments and in primary and secondary schools

175. In 2015, total nationwide enrolment stood at 1,068,716 students, an increase of 25,385 compared with 2014. Most students were enrolled at the primary or lower secondary levels, which accounted for 39.1 and 29.7 per cent, respectively, of total enrolment.

176. A total of 117,758 children were enrolled in preschool education in 2015, an increase of 8.6 per cent over the 2014 figure of 108,424. As for the category of establishment, the data showed that 79.3 per cent attended State-run institutions and 20.7 per cent private institutions.

177. Boys accounted for 50.6 per cent and girls for 49.4 per cent of enrolment.

178. The highest preschool enrolment rates were observed in pre-kindergarten and kindergarten programmes, with 54.1 per cent and 38.7 per cent, respectively, of preschool students.

179. A total of 417,556 students were enrolled in primary education, which represented a drop of 9,081 pupils compared with the 2014 figure of 426,637.

180. State schools accounted for 88 per cent of students enrolled at the primary level, while the remaining 12 per cent attended private establishments.

181. In 2014, 316,951 students were enrolled at the middle school level, with 83.6 per cent in State schools and 16.4 per cent in private schools. Girls accounted for 50.4 per cent and boys 49.6 per cent of students.

182. As regards secondary education, the lower secondary level accounted for 61.4 per cent and upper secondary 38.1 per cent of enrolment. In 2015, 74,418 students graduated from either upper or lower secondary education, an increase of 5,067 on the 2014 figure. Girls represented 53.2 per cent and boys 46.8 per cent of students who completed secondary education.

183. In special education, 14,856 students were enrolled, of whom 62.7 per cent were male and 37.3 per cent female. The teaching staff numbered 888, comprising 71 men and 817 women. The average ratio of teachers to pupils remained at 1:17.

184. The number of students completing their programmes increased by 4,952 in absolute terms, compared with 2014, to 105,256; this trend was reflected in both upper secondary and non-university higher education. Of that total, 81,217 students were educated in the State sector and 24,069 in the private sector.

(b) The number of students in each category of school

185. Information to be provided.

(c) Examination results for each category of school referred to in the previous subparagraph

186. Information not available.

(d) Qualification levels of teachers in each category of school

187. In 2015, there were 68,477 teachers in Panama; 51,053 were employed in the State sector and 17,424 in the private sector. For the number of schools, classrooms, teachers and enrolments, see annex 7.

(e) The ratio of teachers to pupils

188. Information to be provided.

(f) The number and percentage of dropouts and repeated years. Please specify the causes, if known

189. The overall dropout rate at the primary level was 1.1 per cent in 2014. The rate was 1 per cent in the State sector and 1.3 per cent in the private sector.

190. The provinces of Bocas del Toro, Darién and Chiriquí had the highest percentages of pupils abandoning the primary education system (3.2, 1 and 1 per cent, respectively). Emberá-Wounaan was the indigenous region with the highest primary school dropout rate, at 6.4 per cent.

Replies to the issues raised in paragraph 20**(a) The number of children and adolescents at risk of becoming stateless**

191. According to the records of the National Office of Refugee Affairs, there is only one child, a boy of about 5 years of age, who is at risk of becoming stateless. A technical team is studying his case. See annex 8.

(b) How long the process of determining the refugee status of children and people lasts

192. Information not available.

(c) The number of child and adolescent asylum seekers who have been deported

193. Information not available.

(d) The number and percentage of child and adolescent refugee pupils with respect to each category of school

194. Information not available.

(e) The number of child and adolescent refugees who benefit from the “Beca Universal” [universal bursary] programme

195. The programme benefits only foreign children and adolescents that have resided in the country for more than 10 years.

Replies to the issues raised in paragraph 21**(a) Children and adolescents who are engaged in child labour (please provide information disaggregated by type of work, including hazardous work)**

196. The findings of the 2016 census conducted by the National Statistics and Census Institute indicated that 23,855 children and adolescents were engaged in child labour. This figure was 2,855 lower than in 2014.

197. Of the 23,855 minors in question, 24.8 per cent were aged 5–9 years, 50.7 per cent 10–14 years and 24.4 per cent 15–17 years.

198. Disaggregating by sex, it was found that males accounted for 100 per cent of children working in construction and transport, 83.2 per cent of those engaged in manufacturing, 82.1 per cent of those engaged in other activities and 78.6 per cent of those working in agriculture.

199. Girls were estimated to make up 57.7 per cent of children working in wholesale trade, while 41.8 per cent worked in domestic activities as employers, 26.7 per cent worked in hotels and restaurants and 21.4 per cent worked in agriculture.

(b) Children and adolescents who live on the street

200. Through a programme for the prevention and eradication of child labour, the National Secretariat for Children, Adolescents and the Family identified 89 street children and adolescents in 2016 and 10 so far in 2017.

(c) **Children and adolescents who are victims of human trafficking (please specify the purpose of the trafficking)**

201. No new cases have been reported of children or adolescents being the victims of trafficking.

(d) **Children and adolescents who are victims of sale (please specify the purpose of the sale)**

202. No new cases have been reported of children and adolescents being the victims of sale.

(e) **Children and adolescents who are in detention (provisionally or otherwise) or have been prosecuted, convicted or sentenced to social and educational penalties (please provide information disaggregated by the nature of the offence)**

203. Since 2009, the National Secretariat for Children, Adolescents and the Family has been conducting a re-education programme, aimed at children aged between 12 and 14 years, that includes the preparation of individual sentence plans and focuses on the development of training in technical skills, other skills that will enable better decision-making in life, recreational activities and educational support.

(f) **Children and adolescents who have been detained for breaking the curfew**

204. This information is being prepared.

Update of information contained in the report

Training

205. The Dra. Clara González de Behringer School of the Public Prosecution Service reports, on the basis of information received from the Dr. César Quintero Correa Higher Institute of the Judiciary, that seven training courses on the Convention on the Rights of the Child were taught to judicial staff, including judges and magistrates, working with and for children during the period 2015-2017. The information received, however, goes back to 2013.

IV. General principles

(a) **Respect for the views of the child**

206. The Office of Prosecutor No. 1 for Juvenile Cases in the first judicial circuit of the First Judicial District of Panama reports that, in the sphere of juvenile criminal justice, adolescents retain the right to be informed and heard at all stages of proceedings and during the serving of the sentence. According to statistics provided by the Public Prosecution Service, 6,046 adolescents aged between 12 and 17 years were heard in juvenile criminal proceedings during 2015, 2016 and 2017 to date.

V. Violence against children

(a) **Abuse and neglect**

207. A total of 9,656 cases of abuse and neglect have been recorded in the period 2014–2018 thus far, with a trend for fewer cases each year (see annex 9).

208. The total number of reported offences against sexual freedom and integrity in 2015, 2016 and 2017 stood at 13,481. In 10,466 of those cases, the alleged victims were minors (see annex 10).

(b) **Right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment, including corporal punishment**

209. The Office of Prosecutor No. 1 for homicides and femicides committed in the Panama City metropolitan area prior to the adoption of the adversarial legal system provided the following updated information on the two cases raised by the Committee.

210. With regard to the events of 9 January 2011 at the Tocumen juvenile prison: proceedings are before the Criminal Division of the Supreme Court of Justice, which will rule on an appeal filed by the defence. In addition, the prosecution has appealed against the acquittal of three of the defendants on some of the charges.

211. The following is the situation with regard to the events at the Arco Iris (“Rainbow”) detention centre on 20 June 2011.

212. The hearing scheduled for 20 July 2017 was adjourned because one of the defendants was still at large. On 20 September 2017, the higher court ordered that a new hearing be held before a collegiate court on 7 June 2018.

The State party is also invited to provide the Committee with a list of issues relating to children and adolescents that it considers to be a priority in terms of implementing the Convention

213. Mindful of the great challenges involved in achieving equitable, high-quality education, the Government has promoted a dialogue initiative known as the National Commitment to Education, with the participation of various sectors that proposed education policies and action lines in five thematic areas, which were decided through consultations:

1. Quality of education
2. Equity in education
3. Training of educators
4. Management of education
5. Investment in education

214. This open and democratic dialogue brought together different actors to discuss education challenges. Chief among them were parents’ confederations, teachers’ unions, private enterprise, the Ministry of Education, non-governmental organizations in the education sector, students, public and private universities and the National Council of Organized Workers.

List of annexes

- Annex 1 Bill No. 536, the general adoption act
 - Annex 2 Bill No. 537, creating and regulating the system of care as a temporary protection measure for children and adolescents deprived of parental care
 - Annex 3 Statistics on children in shelters and reason for admission
 - Annex 4 Statistics on adoptions
 - Annex 5 Statistics on children with disabilities in institutions
 - Annex 6 Attendance in special schools
 - Annex 7 Statistics on schools, classrooms, teachers and enrolment
 - Annex 8 Statistics on refugees and asylum seekers
 - Annex 9 Statistics on cases of abuse and neglect
 - Annex 10 Reported offences against sexual freedom and integrity
-