



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

List of issues and questions prior to the submission of the eighth periodic report of Panama*

General

1. Please provide information and statistics, disaggregated by sex, age, ethnicity, religion and location, on the current situation of women in the State party to enable monitoring of the implementation of the Convention. In accordance with the State party's obligations under articles 1 and 2 of the Convention and in line with target 5.1 of the Sustainable Development Goals, namely, to end all forms of discrimination against all women and girls everywhere, and in the light of the Committee's previous concluding observations (CEDAW/C/PAN/CO/7, paras. 48, 49, 52 and 53),¹ please indicate how the State party intends to improve the collection and analysis of data pertaining to the areas covered by the Convention so as to support policymaking and programme development and to measure progress towards the implementation of the Convention and promote the substantive equality of women with men, including with regard to the specific areas covered herein. Please also provide information on measures taken to collect data and analyse information within the framework of the Panamanian gender indicator database (SIEGPA).

Visibility of the Convention

2. Please provide information on measures taken to ensure that domestic courts in the State party are able to invoke the provisions of the Convention when the rights of women and girls are violated. Please provide information on measures aimed at raising awareness of the Convention among women, in particular those targeting rural, indigenous and Afrodescendent women, including in indigenous languages (para. 15). Please also provide information on measures to mainstream gender equality and integrate the Convention in the legal education of public officers and the judiciary and in the training of lawmakers and policymakers, the police, the staff of the National Migration Service and prison staff.

* Adopted by the Committee at its seventy-second session (18 February–8 March 2019).

¹ Unless otherwise indicated, paragraph numbers refer to the Committee's previous concluding observations.



Constitutional, legislative and institutional framework

3. With reference to the Committee's previous concluding observations (para. 13) and the follow-up report ([CEDAW/C/PAN/CO/7/Add.1](#)), please provide information on measures taken to ensure effective implementation of the legal framework guaranteeing gender equality and non-discrimination, both de jure and de facto, including through the allocation of sufficient human and financial resources to monitor and evaluate such implementation. The Constitution of the State party (art. 19) recognizes the principle of non-discrimination on grounds of race, birth, disability, social class, gender, religion or political views. Please provide information on legislation, public policies, and strategies adopted in the past five years to address and combat all forms of gender-based discrimination against women and girls, including multiple and intersecting forms of discrimination. Please inform the Committee about measures taken to combat discriminatory practices and stigma against lesbian, bisexual, transgender and intersex women, as well as migrant, asylum-seeking and refugee women and women living with HIV/AIDS, in all areas covered by the Convention. Please provide information on reviews of legislation, such as the Civil, Labour, Criminal and Procedure Codes, in order to identify and amend gender-neutral provisions that discriminate against women and girls, including with respect to inheritance rights. Please also provide information on measures to adopt provisions for the recognition of identity and the right to marry of transgender women.

Access to justice

4. Please provide information on cases brought before the courts on discrimination against women, disaggregated by age, ethnic background, migration and refugee status, and disability, and on the scope of the complaints vis-à-vis the areas covered by the Convention. With reference to the information in the State party's common core document ([HRI/CORE/PAN/2017](#), para. 264), please indicate the number and areas of complaints filed before the Third Administrative Chamber invoking the violation of women's rights enshrined in the Convention and the decisions taken. Please also provide information on:

(a) The development of capacity-building programmes for all justice system personnel and law students, to eliminate discriminatory gender stereotyping and incorporate a gender perspective into all aspects of the judiciary;

(b) Measures being taken to address concerns regarding barriers that women victims of gender-based violence face throughout criminal proceedings under the accusatory criminal system, such as underreporting of cases, and plea agreements in cases of gender-based violence against women;

(c) Measures taken to provide sign language interpreters and information in accessible formats to women with hearing impairments throughout court proceedings;

(d) The nature and number of cases in which legal aid and/or public defence were required, accepted and provided, disaggregated by the sex of the complainant, and the applicable procedures for informing women of their right to legal aid;

(e) Measures taken to ensure access for women to justice under the community justice system (Law No. 16 of 2016), and measures to ensure that cases of gender-based violence against women, including domestic violence, are not mandatorily referred to alternative dispute resolution mechanisms, including mediation;

(f) Existing indigenous justice systems and measures to ensure that their norms, procedures and practices are in accordance with the Convention.

National machinery for the advancement of women

5. Please provide updated information on the current status and mandate, human, technical and financial resources, and activities of the National Institute for Women, the National Directorate of Women and the National Women's Council (para. 19). Please also provide information on existing mechanisms for coordinating and monitoring their actions at the national and local levels, including collaboration with non-governmental organizations and women's rights associations, as well as existing formal mechanisms for consultation with such organizations, in the implementation of the Convention (para. 21). Please also provide information on mechanisms to promote gender equality and non-discrimination at the provincial and district levels and within regions inhabited by indigenous women. Please also provide information on whether the action plan on equal opportunities for women 2016–2019 is supported through targeted budget allocations and includes a monitoring system for the assessment of its implementation.

6. Please provide information on measures taken to implement the recommendations issued by the National Human Rights Institution/Ombudsperson's Office addressing the rights to equality between women and men and non-discrimination. Please indicate the budget allocations for the Ombudsperson's Office and the human and technical resources focusing on women's rights. Please also indicate the number of complaints submitted by women to the Ombudsperson's Office alleging violations of their human rights and provide information on its competence to bring cases before the courts.

Women and peace and security

7. In the light of the Committee's general recommendation No. 30 (2013) on women in conflict prevention, conflict and post-conflict situations, please provide information on the adoption of a national action plan for the implementation of Security Council resolution [1325 \(2000\)](#) on women and peace and security and on the extent to which the State party has incorporated the provisions of the resolution into its national strategy on gender equality and sectorial policies.

Stereotypes and harmful practices

8. Please provide information on measures taken to combat discriminatory gender stereotypes against women and girls in the family, the labour market, political life and society. Please indicate the steps taken to assess the implementation of strategies in this area, including partnerships with the media, the education sector and the private sector (para. 23). Please report on measures to combat discriminatory gender stereotypes affecting Afrodescendent women and girls, in particular in respect of requiring "whitening" processes that contribute to beauty stereotypes in society. Please provide information on measures taken within "indigenous regions" to combat patriarchal attitudes, persisting attitudes of male superiority and any purported cultural justification for discrimination against women. Please further provide information on measures taken to raise awareness to combat harmful practices such as child marriages, and to investigate and punish female genital mutilation.

Gender-based violence against women

9. Law No. 82 of 24 October 2013 criminalizes different forms of gender-based violence against women, including physical, psychological and sexual violence, and defines femicide as a major crime. Please provide disaggregated data on the number of prosecutions and convictions during the reporting period involving gender-based violence against women and girls, including domestic violence. Please indicate the progress made to encourage women to report incidents of gender-based violence,

including domestic violence. In line with the Committee's previous concluding observations (para. 27) and the follow-up assessment ([CEDAW/C/PAN/CO/7/Add.1](#)), please provide information on:

(a) Measures to collect reliable data on femicides and other forms of gender-based violence against women, disaggregated by age, type of violence and relationship between the victim and the perpetrator;

(b) Measures taken for the prevention of all forms of gender-based violence against women, including cyberviolence;

(c) Measures taken for the provision of protection and support to victims of gender-based violence against women, the investigation of cases, the prosecution of perpetrators and the provision of reparations to victims, and on progress made relating to the establishment of a national protocol on women victims of intimate partner violence ([HRI/CORE/PAN/2017](#), para. 276);

(d) Measures to establish specialized courts on violence against women, and the remedies available in cases of gender-based violence against women, in particular, restitution (reinstatement), compensation and rehabilitation (medical and psychological care and other social services);

(e) Measures taken by the Office of the Public Prosecutor to ensure the protection of women victims of gender-based violence throughout criminal proceedings;

(f) Number and geographical distribution of shelters for women victims of violence, including women and girls with disabilities, and measures to ensure that such shelters provide medical, psychosocial and counselling services.

10. In line with the recommendations of the Committee on the Rights of Persons with Disabilities in its concluding observations on Panama ([CRPD/C/PAN/CO/1](#), para. 17), please provide information on measures taken to introduce disabilities in the State party's policies on violence against women and to ensure that women with disabilities have access to justice in practice.

Trafficking and exploitation of prostitution

11. Please provide information on legal provisions for the protection of women and girls who are victims of or witnesses to trafficking. Please provide disaggregated data on the patterns and dynamics of trafficking in the State party and information on existing and envisaged legal and social mechanisms designed to identify, prevent and combat the trafficking and sexual exploitation of women and girls (para. 31). Please also provide data on the number of women and girls victims of trafficking, the number of criminal proceedings initiated and their outcomes, including sentences imposed and redress provided. Please provide information on regional and international cooperation aimed at combating trafficking. In the State party's common core document (paras. 281–282) it is indicated that a victim identification and care unit has been established; reference is also made to the units set up in the Office of the Public Prosecutor for the protection of victims, witnesses and other participants in criminal proceedings. Please provide detailed information on the mandate of those units. Please also provide information on whether a national referral mechanism with a 24-hour hotline service has been established to protect victims of trafficking. Please indicate whether the State party plans to establish a fund to support the rehabilitation of victims of trafficking.

12. Please provide information on the number of reported cases of exploitation of women in prostitution, the corresponding investigations, prosecutions and convictions, and the penalties imposed on the perpetrators. Please also provide

information on measures taken to prevent the exploitation of women and girls in prostitution, the support services available, including access to alternative livelihoods, for those who wish to leave prostitution, and the measures taken to reduce the demand for prostitution.

Participation in political and public life

13. Please provide information on the participation of women in political and public life and in elected and appointed bodies, in particular in decision-making positions both in the public sector, including the civil service, the National Assembly, the diplomatic service, the judiciary, academic institutions and State-owned enterprises, and in the private sector at the national, regional and local levels. Please provide information on the participation of indigenous women in traditional systems of representation within the *comarcas* (indigenous regions). Please also provide information on measures taken to encourage the participation of women in political life, including recruiting, financially assisting and training women candidates, and indicate whether those measures include campaigns to raise awareness of the importance of the participation of women in decision-making (para. 33). Please also indicate the mechanisms that are in place to monitor the impact of those measures. Please provide information on temporary special measures adopted to accelerate the achievement of substantive equality between women and men in the area of participation in political and public life. Please also provide information on the effective implementation of Law No. 54 of 2012 on measures to ensure parity in the lists of candidates for internal elections drawn up by political parties and Law No. 29 of 2017 establishing gender parity in local and general elections.

Education

14. Please provide data, disaggregated by sex, age, ethnicity and location in rural or urban area, on education in the State party, in particular with regard to access and disparities between urban and rural areas, and the enrolment and retention rates of girls and women at all levels of education and in all areas of study. With reference to the Committee's previous concluding observations (paras. 35 and 37), please provide information on:

(a) Measures taken to eradicate illiteracy, in particular among rural and indigenous women, including through the provision of intercultural bilingual education, and measures taken to ensure the enrolment in education of migrant, asylum-seeking and refugee women and women with disabilities;

(b) Measures taken to promote access for women to tertiary education in non-traditional fields of study, such as science, technology, engineering and mathematics, including through counselling programmes;

(c) Measures taken to continuously revise school curricula to ensure that they include age-appropriate education on sexual and reproductive health and rights that adopts a gender perspective and takes into account developments in the fields of education and health;

(d) The prevalence of adolescent pregnancy disaggregated by region; the measures taken to combat stigma against pregnant adolescents; and the establishment of monitoring mechanisms to ensure that public and private school programmes comply with legislation (Law No. 60 of 2016), which reaffirms the right of pregnant adolescents to education;

(e) Legislation prohibiting corporal punishment of girls in all settings, including in the family and the school.

Employment

15. In the State party's common core document (para. 129), it is stated that, as at August 2016, unemployment had considerably decreased such that the female unemployment rate stood at 6.7 per cent while the male unemployment rate stood at 4.7 per cent. It is also recognized in the common core document that levels of employment among women remain below the national average, that unemployment is particularly high for young women and that there is a gender pay gap, on average between 11 and 5 per cent. Information before the Committee indicates that women living with HIV/AIDS, women domestic workers and women asylum seekers face discrimination and heightened risks of labour exploitation. In line with the Committee's previous concluding observations (para. 39), please provide information on:

(a) Data disaggregated by age and ethnic and migration status on the percentage of women employed across different sectors of the economy, areas of occupation and the number of women in managerial positions in the public and private sectors of employment;

(b) Measures taken to ensure the enforcement of the principle of equal pay for work of equal value in compliance with article 11 (d) of the Convention;

(c) Legislation defining, prohibiting and preventing sexual harassment in the workplace;

(d) Enforcement of the legal protection against dismissal for pregnant women in the workplace, programmes to raise awareness about men's participation in child-rearing and the equal sharing of domestic duties, and legal provisions and awareness regarding flexible working arrangements;

(e) Measures to combat discriminatory practices, including compulsory pregnancy tests, HIV/AIDS testing in relation to job appointments and dismissal of women living with HIV/AIDS;

(f) Assessments undertaken with regard to the programme for the prevention and eradication of child labour, and measures taken to protect girls, in particular indigenous and Afrodescendent girls, from any form of child labour, and to provide redress;

(g) Measures taken to prevent and address discrimination and labour exploitation against women living with HIV/AIDS, women asylum seekers and domestic workers, including strategies to implement the obligations of the Domestic Workers Convention, 2011 (No. 189) of the International Labour Organization.

Health

16. With regard to the Committee's previous concluding observations (paras. 41, 43 and 45) and the follow-up assessment ([CEDAW/C/PAN/CO/7/Add.1](#)), please provide information on:

(a) Legislation enacted by the State party to recognize and ensure the right to sexual and reproductive health;

(b) Measures taken to improve family planning and reproductive health programmes and policies designed to give women and adolescent girls, in particular in rural areas and in "indigenous regions", access to information on health-care services, including reproductive health-care services and contraception;

(c) The development of strategies, including awareness-raising campaigns conducted to prevent adolescent pregnancies;

(d) Measures taken to ensure that women's health includes an intercultural focus.

17. Information before the Committee indicates that maternal mortality in indigenous regions is higher than the national average (80.5 deaths per 1,000 live births and 542.3 deaths per 1,000 live births in the *comarcas*). Please provide information on measures taken to ensure access to prenatal, childbirth and postnatal care, including health-care services provided by midwives. With reference to the recommendations accepted by the State party under the universal periodic review (A/HRC/30/7, para. 90.90), please indicate the measures taken to ensure the birth registration of children of indigenous or African origin and from rural areas.

18. With regard to existing barriers faced by women in obtaining legal abortions, please indicate the steps taken to decriminalize abortion in all circumstances; conduct awareness-raising campaigns among pregnant women and adolescent girls and their families about the serious health risks of unsafe abortions; and ensure the provision of skilled medical aid and post-abortion care for women and girls suffering from health complications arising from unsafe abortions. Please provide data, disaggregated by age, on health complications arising from unsafe abortions. Please also provide information on the number of quality health-care facilities and medical assistance in all parts of the country and on the prevalence of breast and cervical cancer and the measures taken to prevent these and other chronic non-communicable diseases that predominantly affect women as well as the percentage of the health budget allocated to combat such diseases. Please further provide information on sexual and reproductive health-care services and medical equipment that are also accessible for women and girls with disabilities and on measures taken to prevent their forced sterilization and other medical treatments by request of a third party.

19. Recalling the recommendations made by the Committee on the Rights of the Child in its concluding observations (CRC/C/PAN/CO/5-6, para. 31), please provide information on measures taken to:

(a) Institutionalize mandatory, universal, age-appropriate comprehensive sexuality education that is rights-based, addressing issues of power and responsible sexual behaviour, with special attention to the prevention of early pregnancy;

(b) Allocate sufficient human, technical and financial resources to the National Council for the Care of Adolescent Mothers to implement effectively the provisions of Law No. 60 on pregnant minors and the corresponding road map, and raise awareness of its content, especially on the right of pregnant girls to education.

Economic empowerment of women

20. Please provide information on:

(a) Measures adopted to conduct assessments of the impact of the State party's financial secrecy policies, corporate reporting and tax policies on women's rights within the State party and on the ability of third States to mobilize maximum resources for the advancement of women's rights, and any reforms undertaken in respect of its tax policies with a view to addressing inequality and ensuring the economic empowerment of women;

(b) The extent to which the strategic national plan "Panama Vision 2030" and existing poverty reduction strategies target women, and measures taken to improve the economic situation of women affected by poverty, households headed by single women, women with disabilities or those caring for family members with disabilities or older family members, and rural women;

(c) Measures to promote entrepreneurial activities among women.

Rural women

21. Please provide information on:

(a) The situation of rural women, in particular the number of rural women who own land and have access to credit facilities and social services;

(b) Measures taken to reduce the levels of extreme and general poverty in rural areas and to ensure transfers and an adequate standard of living for women and their families in rural areas;

(c) The existence of strategies addressing the integration of a gender perspective into rural development, which includes targeted support for rural women to increase their access to health care, education, justice, employment, economic development initiatives and ownership of land and to promote their participation in decision-making;

(d) Measures taken by the State party to ensure that women, including rural women, are active participants in the formulation and implementation of national policies concerning disaster risk reduction, post-disaster management and climate change, in accordance with the Committee's general recommendation No. 37 (2018) on gender-related dimensions of disaster risk reduction in the context of climate change and target 13.3 of the Sustainable Development Goals on improving education, awareness-raising and human and institutional capacity on climate change mitigation, adaptation, impact reduction and early warning.

Disadvantaged groups of women

22. Please provide comprehensive disaggregated statistical data on the situation of disadvantaged groups of women, such as rural women, women belonging to ethnic and religious minority groups, migrant, asylum-seeking and refugee women, older women, women with disabilities and other women facing multiple forms of discrimination, in all areas covered by the Convention, in addition to information on specific programmes (para. 49). Please further provide information on:

(a) Assessments of the human rights and environmental impact of investment, infrastructure, mining and agroindustry projects on indigenous and Afrodescendent women, and measures taken to provide reparations and compensate women in regions negatively affected by such projects;

(b) Measures taken to ensure that indigenous women take part in decision-making processes and in consultations with indigenous peoples concerning natural resource development projects and administrative, legislative or policy measures affecting the lives of indigenous peoples;

(c) Steps taken to repeal any provisions of the Civil Code and other legislation that restrict the legal capacity of women on the grounds of disability or any other form of discrimination;

(d) Measures taken by the State party to ratify the Indigenous and Tribal Peoples Convention, 1989 (No. 169) of the International Labour Organization.

23. Please indicate measures taken to address discrimination against asylum seekers, refugees and migrant women in the State party and to enforce the principle of non-refoulement in asylum-seeking procedures concerning transsexual women, women living with HIV/AIDS and young women from neighbouring countries. Please indicate the number of women who have been granted international protection on the grounds of gender-based persecution, specifying the forms of persecution feared, and provide details of the training provided to caseworkers on gender-sensitive treatment of cases. Please provide information on the situation of migrant women and girls in

temporary humanitarian reception centres, in particular whether they are accommodated separately from men and attended by female social workers. Please also provide information on the number of qualified medical officers, the sanitary and health-care conditions in the centres, the duration of administrative detention, integration policies and family reunification options available to migrant women and girls. Please further provide information on measures taken to ensure access to employment, education and health care for migrant, asylum-seeking and refugee women.

24. Please provide information on women with disabilities in institutions, including care homes and psychiatric hospitals, and measures taken to deinstitutionalize women and facilitate their freedom to choose their place of residence. Please provide information on the number of women in prison, including women in pretrial detention; measures taken to prevent ill treatment and torture in places of detention; budget allocations to improve living conditions in prisons and prevent overcrowding; visit regimes; health care, including sexual and reproductive health-care services available for women in prison; the participation of women in education and vocational training programmes that facilitate their reintegration into society upon release; and measures taken to prevent stigmatization of women facing any form of detention.

Marriage and family relations

25. In its voluntary national review (2017) for the high-level political forum on sustainable development, the State party indicates, among the relevant actions related to Goal 5, the achievement of the equality of women and men in their rights and responsibilities within and outside the family and the review of the provisions concerning the contraction and dissolution of marriages and de facto unions, as well as the enforcement of alimony. In the light of the Committee's general recommendation No. 29 (2013) on the economic consequences of marriage, family relations and their dissolution, please provide information on whether the provisions on divorce, in particular de facto unions, are in line with the Convention. Please also provide information on measures taken to extend joint marital property to include intangible property, pension, insurance benefits and other career assets and to ensure that joint property is divided equally and fairly. Please further provide information on whether gender-based violence against women in the domestic sphere is taken into consideration in judicial proceedings addressing children, such as child custody and visitation.

Additional information

26. Please provide any additional information deemed relevant regarding legislative, policy, administrative and any other measures taken to implement the provisions of the Convention and the Committee's concluding observations since the consideration of the previous periodic reports in 2011. Such measures may include recent laws, developments, plans and programmes, recent ratifications of human rights instruments or any other information that the State party considers relevant. Please note that, further to the issues raised herein, the State party is expected, during the dialogue, to respond to additional questions relating to areas covered by the Convention.