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Contents

	<i>Page</i>
I. General information about the Republic of Panama	3
A. Demographic, economic, social and cultural characteristics	3
B. Constitutional, political and legal structure	20
II. General framework for the protection and promotion of human rights	31
A. Acceptance of international human rights norms.....	31
B. Legal framework for the protection of human rights at the national level	38
C. Framework within which human rights are promoted at the national level	43
D. Reporting process at the national level	50
E. Follow-up to concluding observations of human rights treaty bodies	50
F. Other related human rights information.....	50
III. Information on non-discrimination and equality and effective remedies	51
A. Situation of vulnerable groups in the population	51
B. Obligations to guarantee equality before the law and equal protection of the law for everyone	52
C. Measures taken to prevent and combat discrimination in all its forms and on all grounds.....	53
D. Effective remedies	59

I. General information about the Republic of Panama

A. Demographic, economic, social and cultural characteristics

Territory and political and administrative structure

1. The Republic of Panama is bounded to the north by the Atlantic Ocean, to the south by the Pacific Ocean, to the east by the Republic of Colombia and to the west by the Republic of Costa Rica. The territory of the Republic of Panama includes the land surface, territorial waters, continental shelf, subsoil and the airspace between Colombia and Costa Rica, in accordance with the boundary treaties concluded by Panama with those States. The territory of Panama covers an area of 77,626.7 km², of which 2,210 km² correspond to the surface of its territorial waters.

2. For political and administrative purposes, the Republic of Panama is divided into 10 provinces, 77 districts, 3 indigenous regions¹ with the status of a province (Kuna Yala, Emberá and Ngobe-Bugle), each with a provincial governor, and 2 indigenous regions with the status of a *corregimiento*, or administrative district, (Kuna de Madungandí and Kuna de Wargandí), bringing the total number of administrative districts in the country to 648.²

Population

3. According to the eleventh national population census conducted in 2010, the population of the Republic of Panama at that time was 3,405,813, distributed as follows: Bocas del Toro: 125,461; Coclé: 233,708; Colón: 241,928; Chiriquí: 416,873; Darién: 48,378; Herrera: 109,955; Los Santos: 89,592; Panama: 1,713,070; Veraguas: 226,991; Kuna Yala indigenous region: 33,109; Emberá indigenous region: 10,001; and Ngobe-Bugle indigenous region: 156,747.

4. According to the National Statistics and Census Institute of the Office of the Comptroller General, the estimated population of Panama in 2016 was 4,580,372, with an annual growth rate of 1.55 per cent.

5. According to the Institute, Panama province has an estimated population of 1,552,343 and an annual growth rate of 1.81 per cent; Panama Oeste is the second most populous province with 567,886 inhabitants and has one of the highest annual growth rates at 2.16 per cent.

6. For more detailed information on the estimated total population of the Republic of Panama by province and indigenous region, disaggregated by sex and age group, as at 1 July 2014 and beyond, see the table in annex 1.

Population growth rate

7. The mean annual exponential and geometric growth rates are 1.54 per cent and 1.55 per cent respectively.

8. According to the findings of the most recent censuses, between 1990 and 2010, the population increased by about half a million per decade. The average annual intercensal growth rates between 1990 and 2000 and 2000 and 2010 were 2.00 per cent and 1.84 per cent respectively.

9. The absolute increase in population recorded during the last intercensal period of the twentieth century was 509,848 inhabitants, since the number of inhabitants in the national territory and territorial waters of the Republic, which had stood at 2,329,329 in 1990, had grown to 2,839,177 in 2000, according to that year's population census.

¹ Panama Oeste province was established by Act No. 119 of 30 December 2013.

² National Statistics and Census Institute. Panama in Figures. General and historic data on the Republic of Panama.

10. In the period from 2000 to 2010, the absolute increase in population was 566,636, a figure equivalent to approximately one fifth of the total population in 2000; in 2010, the population stood at 3,405,813.³

11. The census figures show that, despite a slow and decreasing growth rate, a significant absolute increase in population occurred in a relatively short period of time.

12. It may therefore be inferred that the slowdown in population growth reduced the number of persons claiming social welfare by around 200,000, which served to relieve some of the demographic pressure on social support sectors and provided a valuable opportunity to address poverty and regional inequalities, in particular through the implementation of the previous global development agenda and the Millennium Development Goals.⁴

Population density

13. The absolute increases in population referred to above have had a significant impact on the country's territory and its available resources. Population density in Panama, which has a total area of 74,177.3 km², increased from 31.4 inhabitants per square kilometre to 45.9 in just 20 years. Despite the decline in the rate of population growth, the total number of inhabitants has increased.⁵ In 2016, the population density was 54.4 inhabitants per square kilometre.⁶

Population distribution by mother tongue, religion and ethnicity, in rural and urban areas

14. As a result of its geographical location, Panama has become home to individuals of various nationalities, ethnicities and cultures. Its population groups include Afro-colonials, Afro-Antilleans, indigenous and Hispano-indigenous peoples and whites. The main indigenous groups in the country are the Ngobe (62.3 per cent), the Kuna (19.3 per cent), the Emberá (7.5 per cent), the Bugle (6.0 per cent), the Wounaan (1.7 per cent), the Naso/Teribe (1.0 per cent), the Bokota (0.5 per cent) and the Bri (0.3 per cent).⁷

Composition of the Panamanian population

15. Owing to the geographical position of the Republic of Panama and a series of historical events, the population is made up of various groups.

Non-indigenous population

16. The following groups make up the non-indigenous population of the Republic of Panama.

Hispano-indigenous population

17. This is one of the largest mixed-race population groups. Its members live on the Pacific coast, in the lowlands between the central highway and the coastline of the provinces of Chiriquí, Veraguas, Coclé, Herrera and Los Santos and the western part of the province of Panama. The members of this group are economically active in all areas, particularly in the agricultural, livestock and trade sectors. They are also known for their efforts to preserve and promote the country's traditions and customs.

³ National Statistics and Census Institute, eleventh national population census and seventh national housing census 2010.

⁴ Office of the Comptroller General. National Statistics and Census Institute. The process of demographic transition. Section 221. 2016.

⁵ Ibid.

⁶ National Statistics and Census Institute. Vital Statistics. 2016.

⁷ National Statistics and Census Institute. 2010.

Afro-colonial population

18. This group is made up of the descendants of African slaves brought to the isthmus during the era of Spanish colonization. Some Afro-colonials, having rebelled and escaped slavery, went on to populate the Atlantic coast, the jungle regions of Bayano, Darién and the Las Perlas Archipelago. Those who stayed on as servants gained their freedom following the abolition of slavery, mixing with the other groups present on the isthmus, which explains their presence in all areas of economic activity and social strata in Panama.

19. The descendants of those who stayed on as servants are to be found in the central provinces, in areas such as Natá, Parita and Monagrillo, as well as in Chiriquí province, in areas such as Puerto Armuelles and Alanje. The descendants of those who rebelled and escaped slavery are to be found in areas such as Costa Arriba and Costa Abjao in Colón province, as well as in Pacora, San Miguel and Chepo in Panama province.

Afro-Antillean population

20. This group is made up of the descendants of the French-speaking and English-speaking Antillean workers who arrived in Panama mainly during the construction of the Panama Canal; they were first brought to the country by the French and later by North Americans. They live mostly in transit areas (Panama City and Colón) and in Bocas del Toro province.

21. Today, members of this group are engaged in all types of economic, scientific and cultural activities and are represented in all strata of Panamanian society.

Indigenous population

22. Indigenous peoples account for approximately 12.3 per cent of the total population of the Republic. The total indigenous population stands at 417,559, of whom 212,451 are men and 205,108 are women. The indigenous population consists of eight clearly defined groups.

Kuna

23. The Kuna live primarily on the islands and in the coastal region of the Kuna Yala archipelago, as well as in the mainland rainforest region of Río Bayano; in the indigenous region of Madungandi, which encompasses an area of the district of Chepo, in Panama province; in the upper basin of the Chucunaque River and the tributaries of the Tuira River. The Kuna account for 28.3 per cent of the region's population.

24. According to the 2010 census, the Kuna account for 19.3 per cent (80,526 persons) of the total indigenous population of the Republic. Of that number, 47.6 per cent are men and 52.4 per cent are women. The census also reveals that 17.2 per cent of those aged 10 years and over are illiterate, their median age is 22 years and the average number of children per woman is 2.4.

Emberá

25. The Emberá people, who originally came from the department of Chocó in Colombia, live mainly along the banks of the rivers of the province of Darién and in the indigenous region of Emberá. The Emberá exhibit the typical characteristics of rainforest dwellers. Their economy is based on subsistence farming and secondary activities such as hunting and fishing.

26. According to the 2010 census, the Emberá account for 7.5 per cent (31,284 persons) of the total indigenous population; 51.5 per cent are men and 48.5 per cent are women. The census further indicates that 18.0 per cent of those aged 10 years and over are illiterate, the median age is 22 years and the average number of children per woman is 2.9.

Wounaan

27. Originally from the department of Chocó in Colombia, the Wounaan population is concentrated around the rivers of Darién and in the indigenous region of Emberá. The

Wounaan exhibit the typical characteristics of rainforest dwellers. Their economy is based on subsistence farming and secondary activities such as hunting and fishing.

28. According to the eleventh population and housing census conducted in 2010, the Wounaan account for 1.7 per cent (7,279 persons) of the total indigenous population; 51.8 per cent are men and 48.2 per cent are women. The census shows that 18.0 per cent of the population is illiterate, the median age of the Wounaan is 19 years and the average number of children per woman is 3.0.

Ngobe

29. The Ngobe were formerly known as “guaymí”. They live primarily in the indigenous region of Ngobe-Bugle, which was created from land previously belonging to the provinces of Chiriquí, Bocas del Toro and Veraguas. According to the 2010 census, the Ngobe are the largest indigenous group, accounting for 62.3 per cent (260,058 persons) of the total indigenous population; 50.9 per cent are men and 49.1 per cent are women.

30. According to the census, 25.4 per cent of Ngobe aged 10 years and over are illiterate, the median age of the Ngobe is 16 years and the average number of children per woman is 3.0.

Bugle

31. The Bugle were formerly known as “guaymí”. They live primarily in the indigenous region of Ngobe-Bugle, which was created from land previously belonging to the provinces of Chiriquí, Bocas del Toro and Veraguas. According to the 2010 census, they account for 6.0 per cent (24,912 persons) of the total indigenous population; 53.3 per cent are men and 46.7 per cent are women.

32. According to the census, 23.5 per cent of Bugle aged 10 years and over are illiterate, the median age of the Bugle is 18 years and the average number of children per woman is 2.8.

Bokota

33. The Bokota people are one of the smallest and least well-known indigenous groups. They were identified in 1927; they live in the eastern part of Bocas del Toro province and in the regions neighbouring the north-western part of Veraguas province.

34. According to the 2010 census, the Bokota account for 0.5 per cent (1,959 persons) of the total indigenous population; 51.8 per cent are men and 48.2 per cent are women; 12.7 per cent of the population aged 10 years and over is illiterate. Their median age is 22 years and the average number of children per woman is 2.4.

Naso/Teribe

35. The Naso/Teribe live along the banks of the Teribe and San rivers in the administrative district of Teribe, in Bocas del Toro province. According to the 2010 census, the Naso/Teribe account for approximately 1.0 per cent of the total indigenous population (4,046 persons); 51.5 per cent are men and 48.5 per cent are women.

36. The census revealed that 7.5 per cent of the population aged 10 years and over is illiterate, the median age of the Naso/Teribe is 20 years and the average number of children per woman is 3.2.

Bri Bri

37. The Bri Bri live along the banks of the Yorkín river in Bocas del Toro province. In 1911, it was suggested that, owing to their small number in the national territory, they should be considered Costa Ricans, as they were not recognized as a tribe and were not comparable in terms of numbers with the other indigenous groups in Panama.

38. However, according to the most recent census (2010), the population of the Bri Bri is 1,068, which represents 0.3 per cent of the total indigenous population; 50.3 per cent are men and 49.7 per cent are women. The median age of the Bri Bri is 28 years.

39. The 2010 census revealed that 10.0 per cent of Bri Bri aged 10 years and over is illiterate and the average number of children per woman is 2.5.⁸

Other ethnic populations

40. In the Republic of Panama, there are groups that, because of their small size, can only be classified as “communities”. The longest established of these is the Chinese community, the first members of which arrived in Panama during the construction of the Panama Canal Railway in 1850.

41. Other groups include Hindustanis, Jews, Central Europeans and Central Americans, who were drawn to Panama by the commercial boom during the construction of the Panama Canal and, subsequently, by work connected with its protection, operation and maintenance. These groups are engaged in economic activities related to trade and services.

Language

42. In accordance with article 7 of the Constitution, Spanish is the official language of the Republic. Pursuant to Act No. 88 of 22 November 2010, Panama recognized the languages and alphabets of the Ngobe, Bugle, Kuna, Emberá, Wounaan, Naso/Teribe and Bri Bri indigenous peoples in recognition of the importance of the cultural diversity and historical heritage of those groups for both the country and humankind as a whole.

43. In addition to the Spanish language, the different communities living in Panama are free to use their mother tongue, including Arabic, Hebrew, Mandarin, French, German and Italian. These languages are sometimes taught in schools that have been set up by these communities.

44. English is the most widely used foreign language and the one for which there is most demand. It is spoken by many Afro-Antilleans on the country’s Atlantic coast and in Panama City.

Religion

45. Article 35 of the Constitution guarantees the freedom to practise all religions and to practise all forms of worship, without any limitation other than respect for Christian morality and public order, and recognizes that Catholicism is practised by the majority of Panamanians.

46. Given its cultural diversity, a wide range of religions are practised in the country. Current figures indicate that the Roman Catholicism is the predominant religion (69.7 per cent), followed by groups whose membership is steadily increasing, such as evangelical Christians (18.0 per cent) and other branches of Christianity, such as Adventists (1.5 per cent), Jehovah’s Witnesses (1.0 per cent) and Mormons (0.4 per cent). There are also Eastern religions, such as Judaism (0.1 per cent), Buddhism (0.3 per cent), Islam (0.2 per cent), Hinduism and the Baha’i faith (0.8 per cent).⁹

Age structure

47. The age structure of the Panamanian population is changing because of demographic ageing, as evidenced by the ageing index, which increased from 25.3 in 2000 to 33.4 in 2010.¹⁰

48. The relative size of the population under 40 years of age decreased between 2000 and 2016, while the proportion of the male and female population aged 40 and over increased. The proportion of children, adolescents, young people and persons aged between

⁸ Office of the Comptroller General. National Statistics and Census Institute. Panama in Figures. 2010–2014. General and historical data on the Republic of Panama.

⁹ According to the multipurpose survey of March 2009.

¹⁰ Office of the Comptroller General. National Statistics and Census Institute. The demographic transition process. Section 221. 2016.

30 and 39 all decreased. At the same time, there was an increase in the proportion of both middle-aged and older persons. See the chart in annex 2.

Dependency ratio

49. The total dependency ratio is defined as the ratio of the sum of children under 15 years of age and of adults aged 60 years and over to the 15–59 age group.

50. It is estimated that, from 1970 to 2020, this indicator of total dependency will show a gradual downward trend, with the number of dependent persons falling from 99.3 to 61.8 per 100 persons of working age and with the youth dependency ratio declining more quickly than the total dependency ratio (from 87.8 to 41.7), while the old-age dependency ratio will continue to increase gradually from 11.5 to 20.1 per 100 persons of working age.

51. It is expected that, after 2020, the total dependency ratio will increase, with the old-age dependency ratio being the main component. It is envisaged that, towards 2050, the total dependency ratio will stand at 74.2, the youth dependency ratio at 32.4 and the old-age dependency ratio at 41.9.¹¹ See the chart in annex 3.

Statistics on births and deaths

52. In 2015, the number of live births in Panama stood at 75,901, an increase of 1.0 per cent compared to 2014; the five-year average was 74,733, an increase of 11.7 per cent compared to 2010. The birth rate varied little, the five-year average being 19.4 (2011–2015). See annex 4.

53. In 2015, 18,429 deaths were registered by place of residence, while, in 2014, there were an estimated 18,171 such cases. Thus, 258 more cases were recorded in 2015.

54. Of the total number of persons who died in 2015, it is estimated that 10,526 were men (57.1 per cent of the total number of deaths), an increase of 0.4 per cent compared to the previous year, and that 7,903 were women (42.9 per cent of the total number of deaths), an increase of 0.6 per cent compared to the previous year.

Life expectancy

55. In 2016, life expectancy at birth stood at 77.9 years: 75.0 years for men and 81.0 years for women, the life expectancy of women thus exceeding that of men by six years. This indicator of overall mortality has been gradually increasing, although not at the pace witnessed during the second half of the twentieth century.

56. During the period from 2000 to 2016, the life expectancy of Panamanians increased by only two years, which is a clear indication that, although mortality levels continue to fall, they are stabilizing.

57. In 2000, life expectancy at birth was 77.5 for women and 72.7 years for men, indicating that the differential between the sexes increased by approximately one year between 2000 and 2016; this is due to the continuing rise in male mortality.¹²

Fertility rate

58. The general fertility rate is the ratio of the number of live births to the number of women of childbearing age and is calculated by dividing the number of births in a given area over a given period, usually one year, by the number of women of childbearing age, which is estimated halfway through the year in question. The result is expressed as the number of births per 1,000 women.

59. The total fertility rate measures the average number of children who would be born to a woman belonging to a hypothetical cohort of females whose reproductive performance

¹¹ Ibid.

¹² Office of the Comptroller General. National Statistics and Census Institute. The process of demographic transition. Section 221. 2016.

over their entire reproductive period was in accordance with the age fertility rates for the years in question; it is further supposed that the women have not been exposed to mortality risks from the time of birth up to the end of their reproductive period.

60. In 2015, the total and general fertility rates were 2.4 and 73.9 respectively. Compared to 2000, the general fertility rate had increased by 2.5 per cent, while the total fertility rate had decreased by 11.1 per cent during the same period.¹³ See annex 5.

61. The projected average number of children per woman for 2016 is 2.4. The total fertility rate is still above the replacement level and is expected to take at least 10 more years to reach the minimum level of fertility required for the average number of children still to be sufficient to replace both parents, in other words, a total fertility rate of 2.1 children per woman in and around 2027, a level that is expected to be maintained until around the beginning of the 1930s.

62. However, population replacement is not only a question of fertility; mortality levels are also a factor, insofar as women must survive until childbearing age and both women and their descendants must maintain the upward trend observed in their survival rate throughout their lives for increases in population size still to be observed.

63. This will be the case even if the rates fall below the level at which women's fertility is no longer sufficient to guarantee the replacement of themselves and their partners, notwithstanding the effect that population structure and migration may have on the number of inhabitants and their age composition.

64. However, in the 1990s and the early twentieth century, the average number of children per woman was already below 3.0. In 2000, it stood at 2.8 and in 2010 at 2.5, which shows that, once moderate and low fertility levels have been reached, the indicator tends to stabilize; although it continues to fall, it does so very slowly.

65. The rate of fertility decline may be influenced by factors such as the slowdown in rural-urban migration and high fertility rates in areas with a large indigenous population, in other words the country's indigenous regions.

66. The gross and net reproduction rates currently stand at 1.17 and 1.14 respectively. These two indicators are used to measure the level of fertility in a given population necessary to ensure that the generation of women of childbearing age have the average number of daughters sufficient to replace themselves. In other words, in 2016, the capacity of the female population of childbearing age to replace itself in 2016 was 17.0 per cent higher than the required level.

67. The gross reproduction rate measures the average number of daughters that would be born to a woman belonging to a hypothetical cohort of females whose reproductive performance over their entire period of fertility was in accordance with the age-specific fertility rates of the population in question; it is also assumed that there are no deaths before the end of the fertility period.

68. The average number of daughters per woman indicates a reduction in mortality in the cohort of women, as the formula for calculating the net reproduction rate takes into account the risk of death to which women are exposed from birth. As with the total fertility rate, although both reproduction rates continue to decline, they do so slowly.

Average household size

69. According to the latest multiple indicator cluster survey, in 2013, the highest percentage of households — 53.1 per cent — is to be found in Panama province; according to the latest population and housing census, 50.3 per cent of the population lives in this province.

70. According to the most recent census from 2010, the average household size in the Republic of Panama is 3.7 persons per household, while the 2013 multiple indicator cluster

¹³ Ibid.

survey reflects a similar picture, since the largest proportion of households has from 3 to 4 members and accounts for 40.4 per cent of all households.

71. The average household size based on the weighted percentage is 3.7, while, according to the 2010 census, the proportion of people living in urban and rural areas is 65.1 and 34.9 per cent respectively.¹⁴

Proportion of single-parent households and households headed by women

72. According to the multiple indicator cluster survey, 31.9 per cent of households are headed by women. According to the 2010 census, 29.04 per cent of households are headed by women, showing a variation of 19.3 per cent compared to the results of the census conducted in 2000. A total of 60.2 per cent of the 372,664 single-parent households surveyed are headed by women.¹⁵

Proportion of population in rural and urban areas

73. According to the 2010 census, approximately 65.1 per cent of the population lives in urban areas. The remaining 34.9 per cent lives in rural areas. These data point to an increase of almost 3 per cent in both areas compared to the results of the 2000 census.

Social, economic and cultural indicators

Cost of the basic food basket (share of consumption expenditures on food, housing, health and education)

74. A new category of basic basket, known as “rest of the country”, was introduced in 2015. This modification became necessary when, in December 2014, the National Statistics and Census Institute announced a change in the base year for the consumer price index, the primary source of data needed to calculate the cost of the basic family food basket.¹⁶ Since 2015, two basic baskets have been calculated: one for the residents of Panama and San Miguelito districts and another for the rest of the country.

75. In 2015, the first year that the new category was used, the cost of the basic family food basket in Panama and San Miguelito districts was 303.50 balboas, while the cost of the basic family food basket for the rest of the country for the same period was 278.20 balboas.¹⁷ The cost of the basic family food basket in Panama and San Miguelito districts in 2016 — 307.99 balboas — represented an increase compared to the previous year; the cost of the basket in the rest of the country — 280.94 balboas — also increased.¹⁸

76. In 2016, these increases were offset by decreases in certain categories: food and non-alcoholic beverages fell by 0.3 per cent; recreation and culture, and miscellaneous goods and services by 0.2 per cent; and communications by 0.1 per cent. The decrease recorded in the food and non-alcoholic beverages category is attributable to a drop in 5 of its 11 subcategories. The subcategory showing the greatest variation was pulses and vegetables, which fell by 1.1 per cent owing to a drop in the price of pulses. In the recreation and culture category, a decrease was recorded in 6 of its 16 subcategories. The subcategory showing the greatest variation was photographic equipment, with a 3.4 per cent fall.

¹⁴ 2013 Multiple Indicator Cluster Survey.

¹⁵ National Statistics and Census Institute. Main sociodemographic and economic indicators of the population of the Republic, by province, district, administrative district and neighbourhood: 2000 and 2010 censuses.

¹⁶ Ibid.

¹⁷ Cost of the basic family food basket in December 2015. Ministry of the Economy and Finance. February 2016.

¹⁸ Cost of the basic family food basket in December 2016. Ministry of the Economy and Finance. February 2017.

77. The price reduction in the miscellaneous goods and services category is attributable to a drop in 2 of its 10 subcategories. The subcategory showing the greatest variation was other services, which fell by 1.4 per cent owing to a drop in fees for notary services.

78. The communications category experienced a decrease in one of its two subcategories, with the cost of telephone equipment falling by 0.9 per cent owing to the drop in the price of mobile phones. Lastly, the following categories did not show any variation: furnishings, household equipment and routine household maintenance; education; and restaurants and hotels.

79. A comparison of the price index for all urban consumers of October 2016 with that of October 2015 shows the following increases: restaurants and hotels, 3.8 per cent; health, 3.6 per cent; education, 2.7 per cent; alcoholic beverages and tobacco, transport, and miscellaneous goods and services, all 1.9 per cent; furnishings, household equipment and routine household maintenance, 1.0 per cent; food and non-alcoholic drinks, and clothing and footwear, 0.9 per cent; recreation and culture, 0.8 per cent; and housing, water, electricity and gas, 0.4 per cent. The communications category dropped by 2.7 per cent.

Proportion of population below the national poverty line

80. While Panama has made progress in reducing the levels of extreme and general poverty, these remain high in the indigenous regions and in those provinces with a high proportion of people residing in rural areas that are not easily accessible or where indigenous communities are present.

81. Meanwhile, in urban areas and certain provinces, the levels of extreme and general poverty are minimal and any variations, whether increases or decreases, are attributable to one-off events (migration to these areas by people in search of better living conditions or the development of employment-generating activities).

82. Between 1991 and 2005, rates of extreme poverty exceeded 20 per cent. However, after this period, a number of significant public policies were introduced to reduce poverty in general and extreme poverty in particular.

83. A change in the trend was observed in 2006 when the rate of extreme poverty fell to 17.6 per cent following the roll-out of the Opportunities Network Programme. Between 2007 and 2008, the levels of extreme poverty gradually declined and, in 2009, the proportion of persons living in extreme poverty dropped to 15.3 per cent.

84. In 2010, the extreme poverty rate fell further still to 12.2 per cent. This positive outcome was achieved thanks to the introduction of a series of social policies that improved individuals' well-being. Although the policies began to be introduced in 2009, as was the case for "100 at 70" programme (now known as "120 at 65" programme), they had a greater impact in 2010 thanks to their more extensive coverage. At the same time, the first universal grant payments were made and the Opportunities Network Programme continued to be implemented.

85. In recent years, the proportion of persons living in poverty has continued to fall as a result of the trend towards full employment and its impact on wages, and also thanks to the social policies introduced by the State.¹⁹

86. It was in 2015, when the general poverty rate fell to 23.0 per cent, that there was general decline in general and extreme poverty throughout the national territory; this led to an improvement in the well-being of Panamanian households. See annex 6 and annex 7.

87. In addition, two other factors must be taken into consideration. The Government increased transfers to individuals and households, particularly those living in extreme poverty, and this brought the rate of extreme poverty down to 10.2 per cent.

¹⁹ Report on the Millennium Development Goals, Fourth Report of Panama, 2014.

Proportion of population below the minimum level of dietary consumption

88. As at March 2015, 7.1 per cent of households and 10.3 per cent of the population (8.4 per cent and 11.5 per cent respectively in 2011) were living in extreme poverty or with insufficient income to cover their minimum nutritional requirements.²⁰

Gini coefficient (relating to distribution of income or household consumption expenditure)

89. Although there has been no significant positive change in the measure of income concentration — the Gini coefficient — since 1991, there has been an improvement in the distribution of family income.

90. In 2014, the coefficient was 0.49, the first time that it had dipped below the previously recorded average value of 0.50 in 23 years. This was also the case in 2015, when the coefficient dropped to 0.40.

91. The trend by area, province and indigenous region has shown little change year on year. In 2015, the Gini coefficient was 0.48 for both urban and rural areas. At the provincial level, the lowest coefficients were recorded in Bocas del Toro (0.43), Colón (0.44) and Panama Oeste (0.44), while the highest coefficients were recorded in Darién (0.52), Veraguas (0.51) and Chiriquí (0.50). In the indigenous regions, Emberá had the lowest coefficient in the country (0.41), while the coefficient in Kuna Yala and Ngobe-Bugle was 0.43.

92. In recent years, the Gini coefficient has remained stable at about 0.480. In 2016, it was 0.485, showing a slight increase of 0.005 points compared to the previous year. In rural areas, there was a slight improvement in this indicator: it fell by 0.011 points to stand at 0.468.²¹ See annex 8.

Prevalence of underweight children under 5 years of age

93. Between 2008 and 2014, the prevalence of undernutrition among children under 5 years of age was 2.8 per cent for boys and 5.2 per cent for girls.²²

94. As a result of its efforts to reduce the number of persons suffering from hunger, Panama received recognition from the Food and Agriculture Organization for achieving, by 2015, the target of reducing to less than 5 per cent the proportion of children under 5 who are underweight for their age.²³

Infant mortality

95. In 2015, the infant mortality rate per 1,000 live births was 12.5. The main cause of death of children under 1 year of age was “certain conditions originating during the perinatal period”, which claimed 391 lives and accounted for 41.1 per cent of all deaths among this group; the second most common cause of death was “congenital malformations, deformities and chromosomal anomalies”, which accounted for 30.0 per cent of all deaths in this group. See annex 9.

Maternal mortality

96. In 2015, a total of 40 cases of maternal mortality were reported, representing a ratio of 52.7 deaths to 100,000 live births. The highest number of deaths linked to obstetric causes was recorded in Panama province with 10 deaths (25.0 per cent), followed by the

²⁰ Ibid.

²¹ Progress in terms of poverty lines and poverty levels and income distribution. Labour market survey. March 2016. Ministry of the Economy and Finance.

²² Ministry of Health. Department of Statistics.

²³ Report on the Millennium Development Goals. Fourth Report of Panama. 2014.

indigenous region of Ngobe-Bugle with 8 deaths (20.0 per cent) and by Colón province with 5 deaths (12.5 per cent).²⁴ See annex 10.

Percentage of women of childbearing age using contraception or whose partner is using contraception

97. According to the 2013 multiple indicator cluster survey, the contraceptive prevalence rate, which indicates the percentage of women aged between 15 and 49 years who are currently married or in a union and who are using (or whose partner is using) some method of contraception (modern or traditional), was 62.8 per cent.²⁵

Medical terminations of pregnancy as a proportion of live births

98. This relates to cases in which death occurs prior to the complete expulsion or extraction from its mother of a product of conception, irrespective of the duration of the pregnancy. Death is indicated by the fact that after such separation, the fetus does not breathe or show any other evidence of life, such as beating of the heart, pulsation of the umbilical cord or definite movement of voluntary muscles.

99. In 2015, there were 9,474 fetal deaths in the country, indicating an increase of 3.2 per cent compared to 2014 and a fetal mortality rate of 124.8 per 1,000 live births.

100. Regarding the period of gestation, 8,703 deaths occurred before the fifth month of pregnancy and accounted for 91.9 per cent of fetal deaths in the country. A further 771 such deaths (8.1 per cent) occurred during the fifth or subsequent months of pregnancy or after 20 weeks of gestation. The five-year average for fetal deaths is 718.

101. The main cause of 92.1 per cent of fetal deaths is “pregnancy complications affecting the fetus”, and, of these deaths, 91.8 per cent occurred before the fifth month of pregnancy was completed. All other causes of such deaths occur during the fifth or subsequent months of pregnancy or after 20 weeks of gestation.²⁶

Rates of infection by HIV/AIDS and major communicable diseases

102. According to the analysis of the health situation conducted by the Ministry of Health, 574 new cases of AIDS were recorded in 2013 by the monitoring system, bringing the cumulative total to 13,079 cases over the period from September 1984 to December 2013. Cases are determined in accordance with the criteria laid down by the Atlanta Centre for Disease Control and Prevention in 1993.

103. The annual AIDS incidence rate is similar for both men and women. In 2004, the annual incidence rate was 31.2 for men and 12.4 for women. See annex 11.

104. Men account for the larger share —75 per cent— of AIDS cases.

105. Although the male/female AIDS ratio by age group is similar in the 0–19 age group, the rate almost doubles in the 20–24 age group and triples in the 25–44 age group. In the over-45 age group, the male/female ratio is increasing; it has reached 6 to 1 in the over-65 age group. See annex 12.

106. Although the male/female ratio reached 17 to 1 in 1986, it has stabilized at 3 to 1 over the last 10 years.

Geographical distribution of AIDS cases

107. AIDS cases concern the resident population throughout the country as a whole and are on the increase in all health regions, although some regions have a particularly high concentration of cases. The variation in the cumulative rates between the different regions

²⁴ Ibid.

²⁵ 2013 Multiple Indicator Cluster Survey.

²⁶ National Statistics and Census Institute. Vital Statistics.

ranges between 69.6 and 1,031.2 cases per 100,000 inhabitants, giving a national cumulative rate of 450.8 cases per 100,000 inhabitants. See annex 13.

108. In Panama, the majority of cases are concentrated in the major urban centres. The highest cumulative incidence rates by region were recorded in, in descending order, Colón, la Metropolitana, Panama Oeste and San Miguelito.

Ten major causes of death

109. The 10 major causes of death in the Republic of Panama in 2015 were, in order: (1) malignant tumours; (2) accidents, suicide, homicide and other forms of violence; (3) cerebrovascular diseases; (4) ischaemic heart disease; (5) diabetes mellitus; (6) other heart diseases; (7) hypertensive diseases; (8) illness caused by HIV; (9) pneumonia; and (10) chronic lower respiratory diseases. See annex 14.

110. A total of 67.4 per cent of deaths occurred in urban areas; 32.6 per cent occurred in rural areas.²⁷

Causes of death by age group and sex

111. In 2015, the main cause of death of children under 1 year of age was “certain conditions originating during the perinatal period”, which claimed 391 lives and accounted for 41.1 per cent of all deaths in this group, while the second main cause of death was “congenital malformations, deformities and chromosomal anomalies”, which accounted for 30.0 per cent of all deaths in this group.

112. The main cause of death of children aged between 1 and 4 years was accidents, assaults and other forms of violence, which claimed 39 lives and accounted for 12.9 per cent of all deaths in this age group, and pneumonia, which claimed 35 lives and accounted for 11.6 per cent of all deaths in this group.

113. The main causes of death of children aged between 5 and 14 years were accidents, self-inflicted injuries, assaults and other forms of violence, which accounted for 27.9 per cent of the total number of deaths in this age group, while malignant tumours (neoplasms) accounted for 16.8 per cent of these deaths.

114. The main causes of death in the 15–24 age group were accidents, self-inflicted injuries, assaults and other forms of violence, which claimed 311 lives and accounted for 50.1 per cent of all deaths in this age group, followed by illnesses caused by HIV, which claimed 52 lives and accounted for 8.4 per cent of all deaths in this group.

115. The main causes of death in the 25–44 age group were accidents, self-inflicted injuries, assaults and other forms of violence, which accounted for 32.4 per cent of deaths in this group, followed by illnesses caused by HIV, which accounted for 16.4 per cent and malignant tumours (neoplasms), which accounted for 12.3 per cent.

116. In the 45–64 age group, malignant tumours (neoplasms) accounted for 23.4 per cent of deaths, while accidents, self-inflicted injuries, assaults and other forms of violence, and diabetes mellitus, accounted for 10.1 and 9.4 per cent respectively; in the 65 and over age group, malignant tumours (neoplasms) accounted for 17.6 per cent of deaths, while cerebrovascular disease and ischaemic diseases accounted for 11.7 and 10.8 per cent, respectively.

117. Among men, malignant tumours, accidents, circulatory diseases and diabetes accounted for more than 30 per cent of the total number of deaths (18,429) in the country in 2015; among women, the same causes of death accounted for about 20 per cent of the total number of deaths in the same year. For more information, see the table in annex 2.

²⁷ Ministry of Health. Department of Statistics.

Net enrolment ratio in primary and secondary education

118. Household surveys prepared by the National Statistics and Census Institute show that the school attendance rate of children aged from 6 to 11 years increased between 2001 (95.4 per cent) and 2007 (98.1 per cent); however, the rate has remained practically unchanged since 2008. It should be noted that, between 2011 and 2012, the school attendance rate remained steady at 98.8 per cent, although it fell in some provinces. These results are very positive, as they show that the Republic of Panama is close to achieving universal enrolment in primary education.²⁸

119. In 2013, the net enrolment rate in primary education (6 to 11 years) stood at 91.9, with a rate of 92.2 for boys and 91.6 for girls, while, at the middle and secondary levels (12 to 17 years), it was 69.1, with a rate of 67.2 for boys and 71.1 for girls.²⁹

120. In 2015, the total enrolment was 807,822 pupils, who were distributed among the country's State and private schools as follows: 88,893 pupils in preschool education, 409,602 students in primary education and 309,327 pupils in middle and secondary education. It should be noted that children in primary education accounted for 51.4 per cent all pupil enrolments in the Republic for that year.³⁰

Attendance and dropout rates in primary and secondary education

121. In 2013, the gross enrolment rate (per 100 inhabitants aged between 6 and 11 years) was 91.9, with a rate of 92.2 for boys and 91.6 for girls. The gross enrolment rate (per 100 inhabitants aged between 12 and 17 years) in middle and secondary education was 74.7, with a rate of 72.3 for boys and 77.3 for girls.³¹

122. In 2013, the dropout rate was 1.1 in primary education, with a rate of 1.0 for boys and 1.2 for girls.³² Over the same period, the dropout rate in middle and secondary education was 3.6.³³

Pupils per teacher

123. Until 2013, the pupil/teacher ratio was 19 to 1 in preschool education and 22 to 1 in primary education. The ratio was 14 to 1 in middle and secondary education. For more information on the evolution of this indicator over the period 2009–2013, see annex 15.³⁴

Literacy rates

124. The statistical tables in the eleventh national population census, conducted in 2010, which provide data on the population aged 10 years and over — a total of 2,727,168 people — indicate that 2,573,311 persons were literate, of whom 1,293,163 were men and 1,280,148 were women. At the same time, there were 148,747 illiterate persons, of whom 67,102 were men and 81,645 were women. According to these tables, 5.5 per cent of the population of the Republic of Panama was illiterate.³⁵

125. The fourth report of the Republic of Panama on the Millennium Development Goals indicates that, in 2012, the literacy rate among persons aged between 15 and 24 years was 98.4 per cent, which, when broken down, was 98.6 per cent for men and 98.1 per cent for women.

²⁸ Report on the Millennium Development Goals. Fourth Report of Panama. 2014.

²⁹ National Statistics and Census Institute. Table 012-29. 2009-13.

³⁰ National Statistics and Census Institute. Panama in figures: 2011–2015. 511 Education.

³¹ Ibid. Table 012-28. 2009-13.

³² Ibid. 012-45. 2009-13.

³³ Ibid. 012-47. 2009-13.

³⁴ National Statistics and Census Institute. Social indicators: 2009–2013.

³⁵ Ibid. Literacy rates. 2010.

Unemployment rate

126. Between 2001 and 2016, Panama achieved unprecedented economic growth and a significant reduction in the unemployment rate, while maintaining a relatively low rate of inflation. The average annual growth rate was 7.1 per cent, while the unemployment rate dropped from 14.0 to 5.5 per cent and the average inflation rate was 3.1 per cent. See annex 16.

127. In 2016, 94.5 per cent of the workforce was employed. The number of employed people was 1,770,711, while 102,944 persons were unemployed. By way of comparison, in 2001, the employment rate was 86 per cent. The number of employed people was 1,046,717, while 170,603 persons were unemployed.³⁶

128. It should be noted that, between 2001 and 2013, the unemployment rate fell by more than nine percentage points. The unemployment rate stood at 4.8 per cent in 2014 and at 5.5 per cent in August 2016, showing a slight increase, attributable primarily to the global economic slowdown.

129. As at August 2016, the female unemployment rate stood at 6.7 per cent, having decreased considerably from 18 per cent in 2001. The male unemployment rate stood at 4.7 per cent, compared to 11 per cent in 2001.

130. The open unemployment rate of women more than halved between 2004 and 2013, falling from 12.6 per cent to 4.1 per cent respectively. The open unemployment rate for men decreased from 7.2 per cent to 2.5 per cent over the same period. In 2013, the number of people in work throughout the country increased by 79,089; women benefited most from the increase, with 44,497 of them joining the labour market, compared to 34,142 men.³⁷

131. Among young people, the unemployment rate is more than double the national average, with unemployment particularly high among young women. In March 2015, the unemployment rate among persons aged between 15 and 24 years stood at 14.6 per cent, showing a significant improvement compared to the rate of 29 per cent recorded in 2001.

132. Despite an increase in the number of women in work in recent years and the fact that Panamanian women are attaining higher levels of education and completing more years of schooling than men, their level of employment remains below the national average. Furthermore, the figures show that, once they are employed, women are paid less than men for the same work.³⁸

Employment by major sectors of economic activity, including breakdown between the formal and informal sectors

133. In absolute terms, the economic activities showing the greatest increase in recruitment in March 2016 were: construction (1,449) and administrative activities and support services (1,138).³⁹ For a table showing the number of persons employed in the different sectors of economic activity, see annex 17.

Work participation rates

134. It is estimated that the labour market participation rate declined by 0.2 percentage points between August 2015 and August 2016, falling from 64.2 per cent to 64.4 per cent. At the domestic level, 70.9 per cent of persons aged 15 years and over, or 2,063,106 persons, live in urban areas.

135. Of this number, 1,332,703 are active participants in the labour market, generating a participation rate of 64.6 per cent, a fall of 0.1 per cent compared to August 2015.⁴⁰

³⁶ Ministry of Labour and Labour Development.

³⁷ Ibid.

³⁸ Ibid.

³⁹ Ministry of the Economy and Finance. Economic and Social Report. March 2016.

⁴⁰ Ibid. Rates of economic activity of the population aged 15 years and over. 2016.

Gross domestic product (GDP)

136. In 2016, the production of goods and services measured as gross domestic product (GDP) at 2007 prices grew by 4.9 per cent compared to 2015, according to the calculations of the National Statistics and Census Institute, with a total of 37,471.8 million balboas, which equates to an absolute increase of 1,740.2 million balboas.⁴¹

137. In nominal terms, the country's GDP reached 55,187.8 million balboas in 2016, with a growth rate of 5.9 per cent compared to the previous year, which equates to an annual increase of 3,055.5 million balboas.

138. The average annual growth rate over the last five years (2011–2015) was 10.8 per cent, indicating high gross domestic product growth attributable to the boom experienced in such sectors of economic activity as construction, real estate, business and rental activities; transport, storage and communications, as well as wholesale and retail trade.

139. The construction of the third set of locks of the Panama Canal and large public infrastructure facilities was a significant event which contributed to the rise in employment and wages.

140. In 2015, real GDP amounted to 35,731.6 million balboas, which, at current value, amounts to 52,132.3 million balboas (using chain-linked volume measures and 2007 as the reference year). Thus, growth over the past five years (2011–2015) amounted to 11,271.1 million balboas in real GDP and to 23,215.1 million balboas in current GDP. See annex 18.

141. An analysis of real GDP in percentage terms shows that the greatest contribution to GDP in 2015 was made by the following types of economic activity: wholesale and retail trade (17.6 per cent), construction (14.8 per cent), transport, storage and communications (14.3 per cent), real estate, business and rental activities (8.7 per cent) and financial intermediation (7.7 per cent).

142. Since 2010, the activity that has made the greatest contribution to the country's total GDP has been construction (6.3 additional percentage points) on account of increased investment in public and private infrastructure while, in most other sectors of economic activity, changes did not exceed 1 percentage point.

143. According to the Ministry of the Economy and Finance, GDP (using chain-linked volume measures and 2007 as the reference year) is calculated at the geographical level by province only. According to the most recent calculation made in 2013, Panama province (including Panama Oeste) was responsible for 69.7 per cent of total GDP, followed, in descending order, by Colón (9.3 per cent), Bocas del Toro (6.7 per cent) and Chiriquí (6.2 per cent).

144. Over the years, the regional concentration of the economy has not undergone any significant changes. Panama and Colón provinces are home to the Panama Canal, the ports, the Colón Free Zone, other logistical and commercial areas, the International Banking Centre, Tocumen International Airport, the main commercial centres and the headquarters of government institutions, which employ a large number of the country's economically active population.

Annual growth rate

145. The average annual growth rate for the five-year period from 2011 to 2015 (using chain-linked volume measures and 2007 as the reference year) was 7.9 per cent. The following activity sectors experienced excellent growth: construction (20.9 per cent), mining and quarrying (18.8 per cent), electricity, gas and water supply (11.3 per cent) and real estate, business and rental activities (8.8 per cent). See annex 19.

146. The growth in construction and related mining and quarrying activities was driven mainly by public infrastructure projects, such as the expansion of the Panama Canal, Panama metro line 1, the Cinta Costera, or Coastal Beltway, airports, hospitals and the road

⁴¹ National Statistics and Census Institute.

network in general. There was also significant growth in construction projects in the private sector, especially hotels, shopping centres and housing. Foreign direct investment was another factor driving the country's economic growth.

147. Economic growth from 2000 to 2004 (using 1996 as the base year) was lower than in subsequent years.

148. Subsequently, since 2005, there has been significant growth driven by the structural change caused by the reversion of the Panama Canal and the surrounding areas known as the "Panama Canal Zone", which has allowed tourism, commerce and real estate activities to flourish.

Gross national income

149. In nominal terms, the country's GDP reached 52,132.3 million balboas in 2015, with a growth rate of 6.0 per cent compared to the previous year, which equates to an annual increase of 2,966.5 million balboas.⁴²

Consumer price index

150. In 2000, the consumer price index for Panama City, using 1987 as the base year (1987=100) (updated in accordance with the survey on the living conditions of families, 1983/1984), was 114.0, showing an average annual variation of 1.5 per cent compared to the previous year.

151. The categories with the highest rises were: medical and health care (4.6 per cent), rent, fuel and electricity (3.5 per cent) and transport and communications (2.9 per cent). However, the prices of other goods and services dropped (0.2 per cent).

152. A new base year (October 2002=100) was introduced in 2005, updated according to the household income and expenditure survey, 1997/1998, and taking into account data from urban areas in the districts of Panama and San Miguelito and other urban areas of the country.

153. The consumer price index for all urban consumers was 103.4, showing an inflation rate of 2.9 per cent. The highest increase in the rate of inflation occurred in 2008 when it rose to 8.7 per cent, owing primarily to the rising cost of food and beverages (14.9 per cent) and of transport (10.2 per cent), increases related to higher oil prices, speculation, climatic disorders and the global economic recession, which had an impact on the price of raw materials.

154. Subsequently, in 2010 (when the index stood at 127.2), the trends of earlier years were not reflected in price levels, but there was still a positive dynamic, with price growth at 3.5 per cent, in contrast to the previous year, when it had been affected by increases in the categories of transport (5.9 per cent) and miscellaneous goods and services (5.2 per cent).

155. A new base year (2013=100) was set for the consumer price index for all urban consumers in November 2014, updated in accordance with the survey on household income and expenditure, 2007/2008. Thus, in 2015, the annual average consumer price index stood at 102.8, reflecting an increase in the level of prices of 0.2 per cent. See annex 20.

156. The consumer price index for all urban consumers of October 2016 showed a variation of 0.1 per cent in the monthly price level, a cumulative variation of 1.5 per cent and an annual variation of 1.4 per cent.

157. Increases in the index were offset by decreases in certain categories: food and non-alcoholic beverages fell by 0.3 per cent; recreation and culture and miscellaneous goods and services by 0.2 per cent; and communications by 0.1 per cent.

158. The decrease recorded in the food and non-alcoholic beverages category is attributable to the drop recorded in 5 of its 11 subcategories. The subcategory showing the

⁴² National Statistics and Census Institute.

greatest variation was pulses and vegetables, which fell by 1.1 per cent, owing to a drop in the price of pulses. In the recreation and culture category, there was a decrease in 6 of its 16 subcategories. The subcategory showing the greatest variation was photographic equipment with a 3.4 per cent fall.

159. The price reduction in the miscellaneous goods and services category is attributable to a decrease in 2 of its 10 subcategories. The subcategory showing the greatest variation was other services, which fell by 1.4 per cent owing to a drop in fees for notary services. The communications category experienced a decrease in one of its two subcategories, with the cost of telephone equipment falling by 0.9 per cent owing to a drop in the price of mobile phones.

160. Lastly, the following categories did not show any variation: furnishings, household equipment and routine household maintenance; education; and restaurants and hotels. A comparison of the consumer price index for all urban consumers of October 2016 with that of 2015 shows the following increases: restaurants and hotels, 3.8 per cent; health, 3.6 per cent; education, 2.7 per cent; alcoholic beverages and tobacco, transport and miscellaneous goods and services, 1.9 per cent; furnishings, household equipment and routine household maintenance, 1.0 per cent; food and non-alcoholic drinks and clothing and footwear, 0.9 per cent; recreation and culture, 0.8 per cent; and housing, water, electricity and gas, 0.4 per cent. There was a 2.7 per cent decrease in the category of communications.

Social expenditures (e.g. food, housing, health, education, social protection, etc.) as a proportion of public expenditure and GDP

161. In Panama, social expenditure is broken down into five sectors (education, health, labour and employment development, housing and multisocial).

162. Non-financial public social expenditure has, over time, shown a procyclical trend, in other words, its evolution is dependent on the performance of the economy. Over the years, it has evolved positively in that it has tended to increase.

163. Thus, in 2000, it amounted to 2,019.9 million balboas. Five years later (2005) it amounted to 2,408.2 million balboas, an increase of 388.3 million balboas or 19.2 per cent compared to 2000. In 2010, non-financial social expenditure doubled, reaching 5,041.3 million balboas, an increase of 2,633.1 million balboas or 109.3 per cent, showing an upwards trend, which is also evidenced by the 2015 public expenditure allocation, which amounted to 9,505.3 million balboas, or 4,464.0 million balboas or 88.5 per cent more than that recorded five years previously.

164. The share of social expenditure as a proportion of total public expenditure reflects the importance of social investment in the country. Accordingly, it rose from 44.3 per cent of the total in 2000 to around 60 per cent in 2015 (59.1 per cent). Per capita social expenditure has fluctuated and is clearly related to changes in the amount of the allocation and variations in the population year upon year. The greatest increase in per capita social expenditure was recorded in 2012 (28.9 per cent), after the country had recorded its highest economic growth rate (11.8 per cent) in 2011. See annex 21.

165. Over the period from 2000 to 2006, the ratio of social expenditure to gross domestic product (with 1996 as the base year) was greatest in 2002, reaching 17.7 per cent before falling to 15.6 per cent in 2005. Subsequently, between 2007 and 2015 (with 2007 as the base year for GDP), the ratio was lower in 2009 (15.5 per cent; even less than in 2005) and peaked in 2013 when it reached 19.1 per cent.

166. As at 2015, the highest share of total social expenditure was allocated to the health sector (36.3 per cent), taking into account the investment made in the different programmes being carried out, including: the basic sanitation and drinking water programme, the water and sanitation project in Panama and the programme for the improvement of equity and the strengthening of health services.

167. Second in terms of social spending is the education sector (28.7 per cent). Funding was increased for the Universal Scholarship Programme, scholarships continued to be awarded for academic excellence, and educational support and financial assistance grants continued to be paid, educators received training abroad in other languages, educational

establishments were built and maintained and the programme known as “My School First” was rolled out, as part of a joint initiative between the private sector and the Ministry of Education.

168. In the labour and social security sector (18.1 per cent), expenditure was focused on: labour training programmes offered by the National Vocational Training Institute for Human Development; the investment, promotion and job creation programme, the employment programme and the programme for the prevention and eradication of child labour.

169. In the multisocial sector (14.3 per cent) expenditure was focused on cash transfer programmes (mainly the programmes known as 120 at 65, the Opportunities Network and Guardian Angel), as well as on numerous community-based projects and programmes.

170. The resources allocated to the housing sector (2.7 per cent) are used to fund projects and programmes such as Roofs of Hope, solidarity housing vouchers (whereby families are allocated 10,000.00 balboas for the purchase of a new home costing no more than 50,000.00 balboas) and other housing projects, such as the renovation of Colón city and Ciudad Esperanza.⁴³

171. For more detailed information on the breakdown of public social expenditure, see the table in annex 5 prepared by the Economic and Social Analysis Directorate of the Ministry of the Economy and Finance on the basis of information provided by the National Budget Directorate.

External and domestic public debt

172. In 2015, the gross debt of the non-financial public sector amounted to 20,221.7 million balboas, an increase of 1,990.7 million balboas, or 10.9 per cent compared to the previous year. Domestic financing amounted to 4,573.4 million balboas (17.9 per cent more) and external indebtedness to 15,648.3 million balboas (9.0 per cent more).⁴⁴ See annex 22.

173. Since 1992, the country’s gross debt has been increasing at an average rate of 5.6 per cent, with 14,251.4 million balboas in additional funding having been obtained; most of this amount came from external creditors (10,680.8 million balboas), while the remainder was raised through loans issued within the country itself (3,570.6 million balboas).

174. The gross debt of the non-financial public sector, as a percentage of GDP, reached a peak of 97.8 per cent in 1993 and has since declined. In 2015, it accounted for 38.8 per cent of the country’s GDP.

175. Pursuant to the Fiscal Responsibility Act (Act No. 34 of June 2008), the net debt of the non-financial public sector (gross debt minus the respective liquid assets) should be reduced to 40 per cent of GDP and, once this has been achieved, not exceed that value. Thus, since 2008, the net debt has remained below this value (37.8 per cent) and, in 2015, accounted for 36.4 per cent of the country’s GDP, in line with the stipulated threshold.

B. Constitutional, political and legal structure

Type of government

176. Panama is a sovereign and independent State and has a unitary, republican, democratic and representative form of government (art. 1 of the Constitution).

⁴³ Developed by the Economic and Social Analysis Directorate of the Ministry of the Economy and Finance on the basis of information provided by the National Budget Directorate of the Ministry of the Economy and Finance.

⁴⁴ Ministry of the Economy and Finance.

Organization of the public authorities

177. The Constitution establishes that the State's authority emanates entirely from the people and is exercised through the legislative, executive and judicial branches of government, which act separately within their respective domains but in cooperation with one another (art. 2 of the Constitution).

Executive branch

178. The executive branch is composed of the President of the Republic and the ministers of State. The President is elected for a five-year term by a majority of votes cast in a direct popular election; the Vice-President is elected in the same manner and for the same term. According to the Constitution, the Vice-President may replace the President in the event of an absence of more than 10 days (art. 188) or of permanent absence (art. 189).

179. For the most part, the deliberations of the executive take place within the Council of Ministers, which is a body in which the President of the Republic, who acts as chairperson, or the head of the Office of the President meets with the Vice-President and the ministers of State.

180. The functions of the Council of Ministers are, inter alia: (1) to act as an advisory body in matters brought before it by the President of the Republic and in those on which its views are required by the Constitution or by law; (2) to decide, by agreement with the President of the Republic, on the appointment of judges of the Supreme Court, the Attorney General and the Solicitor-General and their respective deputies, subject to approval by the legislature; (3) to order, under the joint responsibility of all its members, a state of emergency and the suspension of the relevant constitutional provisions, in accordance with article 51 of the Constitution.

Legislative branch

181. In accordance with article 146 of the Constitution, the National Assembly is the legislative branch of government; it is made up of 71 deputies who are elected by direct popular vote for a five-year term as representatives of a political party or as independent candidates.

182. There are 26 single-seat constituencies and 14 multi-seat constituencies. The principle of proportional representation is respected in all multi-seat constituencies, the Panama District being an exception as it has subdivided constituencies with three or more seats.

183. The legislative branch is unicameral; it is responsible for the enactment of the laws necessary to fulfil the purposes and functions of the State, in accordance with the powers laid down in article 159 of the Constitution.

Judiciary

184. The judiciary is composed of the Supreme Court, the higher district courts and such courts as are established by law. The Supreme Court is made up of nine judges, assigned to four chambers: the Civil Chamber, the Criminal Chamber, the Administrative Chamber and the General Chamber.

185. The judges of the Supreme Court are appointed for a 10-year term, with the agreement of the Council of Ministers and subject to the approval of the legislature, in accordance with article 203 of the Constitution.

186. In accordance with article 206 of the Constitution, the responsibilities of the Supreme Court include the following:

(a) The preservation of the integrity of the Constitution, for which purpose the full Court shall, after hearing the Attorney General or the Solicitor General, handle and rule on cases relating to the unconstitutionality of laws, decrees, agreements, decisions and any other acts which, on grounds of substance or form, are challenged before it by any person;

(b) Administrative jurisdiction over acts, omissions, the faulty or defective provision of public services, decisions, orders or rulings enforced, adopted, issued or committed by public officials and national, provincial, municipal officials and officials of public autonomous and semi-autonomous institutions in the exercise or on the pretext of the exercise of their functions. To this end, the Supreme Court may, after hearing the Solicitor General, repeal acts whose lawfulness is challenged; restore any individual rights violated; enact new provisions to replace those challenged; and hand down a ruling on the meaning and scope of an administrative act or its legal validity;

(c) Investigate and prosecute deputies. For the purposes of the investigation, the full Court shall appoint an investigating officer.

187. The decisions of the Supreme Court handed down in the exercise of its powers as defined in article 206 are final, definitive and binding and must be published in the Official Gazette.

Electoral system

188. The paragraphs below describe the electoral system, including the system's main competent body, the political parties and general indicators relating to elections.

Proportion of population eligible to vote

189. According to article 131 of the Constitution, in combination with article 8 of the Electoral Code, only Panamanian citizens (by birth, naturalization or constitutional provisions) who have reached the age of 18, irrespective of sex, and who enjoy full political rights (political rights can be suspended, inter alia, because of the acquisition of a nationality other than that of Panama or as a penalty for committing an electoral offence) are eligible to vote.

190. According to the final electoral roll for the 2014 general elections, 2,457,401 Panamanian citizens were eligible to vote, including 1,226,229 men (49.9 per cent) and 1,231,172 women (50.1 per cent); 1,886,308 votes were cast.

191. The table below compares the number of persons with the right to vote in the general elections of 1999, 2004, 2009 and 2014.

<i>General elections</i>	<i>Electoral roll</i>
1999	1 746 989
2004	1 999 553
2009	2 211 261
2014	2 457 401

192. For a more detailed breakdown of the population with the right to vote by age, sex and province, see annexes 23 and 24.⁴⁵

Exclusion from the right to vote

193. Under the Constitution and the Electoral Act, only Panamanian citizens who hold political rights have the right to vote.

Electoral Court

194. Article 142 of the Constitution provides for an autonomous and independent body, known as the Electoral Court, which is recognized as a legal entity, with its own resources and the right to administer them. In accordance with that article, the Electoral Court has exclusive authority to interpret and apply the Electoral Act; to direct, monitor and verify the recording of vital statistics, deaths, naturalizations and other events and legal acts related to

⁴⁵ Ibid. Table 4: Voter statistics by sex, age group and province or indigenous region

an individual's civil status; to issue personal identity cards; and to oversee the phases of the electoral process.

195. The Electoral Court is composed of three judges who must satisfy the same criteria as candidates for Supreme Court judgeships; each judge is appointed for a 10-year term as follows: the first by the legislative branch, the second by the executive branch and the third by the Supreme Court.

196. The conditions for the establishment of political parties are laid down in title III of the Electoral Code, which stipulates as an essential requirement that parties must have a minimum number of members in full possession of their political rights; their number should be no less than 4 per cent (98,296 ballots) of total valid ballots cast in the previous presidential and vice-presidential elections based on official data from the Electoral Court.

197. Once individuals who wish to establish a new party have submitted the documentation to the general secretariat of the Electoral Court, a series of public legal procedures need to take place so that entities like the Office of the Prosecutor for Electoral Offences or any individual or legally recognized political party may, in accordance with article 53 of the Electoral Code, have the opportunity to object to the request for recognition of a new political party.

198. Once a political party recognition request has been processed, the Electoral Court issues a resolution recognizing the establishment of the party and ordering its registration as a political party with the Electoral Court, in keeping with article 65 of the Electoral Code.

Political parties

199. See below for the number of political parties in Panama by five-year period, from 2000.

Political parties established under the Electoral Court procedure in 2000, 2005, 2010 and up to September 2016⁴⁶

<i>Year</i>	<i>Political parties established under the Electoral Court procedure</i>
2000	7
2005	8
2010	6
Up to September 2016	5

200. As at September 2016, there were five recognized political parties at the national level registered with the National Directorate of Electoral Organization of the Electoral Court:

Partido Revolucionario Democrático



Cambio Democrático



⁴⁶ Electoral Court.

**Movimiento Liberal
Republicano Nacionalista****Partido Panameñista****Partido Popular****Registered members by political party**

201. See below for a breakdown of the number of registered members of established parties and parties in the process of becoming established, from April 2014 to September 2016.⁴⁷

Aggregate membership in established and prospective political parties: April 2014, August and September 2016

<i>Political party</i>	<i>April 2014</i>	<i>August 2016</i>	<i>September 2016</i>
Total membership:	1 267 964	1 283 202	1 284 450
Partido Revolucionario Democrático	458 282	454 781	453 789
Partido Popular	22 221	22 268	22 905
Movimiento Liberal Republicano Nacionalista	112 621	93 275	93 480
Partido Panameñista	216 338	330 711	330 065
Cambio Democrático	458 502	331 995	334 732
Prospective parties			
Frente Amplio por la Democracia (*)		48 600	47 808
Unión Nacional Independiente (**)		1 572	1 671

202. In the wake of the 2014 elections, the Electoral Court ordered the dissolution of the Frente Amplio por la Democracia because it had not obtained at least 4 per cent of valid ballots cast in the presidential and vice-presidential, legislative, mayoral and local elections. It is currently seeking reregistration as a political party.

Complaints lodged during the last election

203. During the last election in May 2014, 24 challenges were lodged nationwide in connection with various elective posts.

Distribution of legislative seats by party

204. See below for the distribution of legislative seats by party.⁴⁸

Current composition of the National Assembly, 2014–2019 constitutional term

<i>Political party</i>	<i>Seats in the National Assembly (2014–2019 constitutional term)</i>
Partido Revolucionario Democrático	26
Partido Panameñista	16
Cambio Democrático	25
Movimiento Liberal Republicano Nacionalista	2

⁴⁷ Electoral Court. National Directorate of Electoral Organization. Statistics on persons registered in political parties, 2016.

⁴⁸ National Assembly.

<i>Political party</i>	<i>Seats in the National Assembly (2014–2019 constitutional term)</i>
Partido Popular	1
Independiente	1

Women elected to the National Assembly

205. For the 2014–2019 constitutional term, there are 13 women deputies in the National Assembly, which represents 18.3 per cent of the total number.

National elections

206. In Panama, general elections are held every five years, with voters electing candidates for all elected offices at the same time. In accordance with article 223 of the Electoral Code, these offices are the office of president, vice-president, deputy, deputy to the Central American Parliament, mayor, councillor and district representative. Elections are held on the first Sunday in May of the year in question.

207. At the last election held on 4 May 2014, a president, a vice-president, 71 deputies, 77 mayors, 648 district representatives, 7 councillors and 20 Central American Parliament deputies were elected.

Election of the traditional indigenous authorities

208. It should be noted that the country's indigenous groups, such as the Kuna, Emberá-Wounaan and Ngobe-Bugle, each have their own region headed by an autonomous government. As regards elections, all indigenous regions, in accordance with official procedures, take part in electing the national authorities (president, deputies, mayors, district representatives). In addition, in accordance with laws recognizing the country's various indigenous groups, the latter have the right to elect their traditional authorities; only persons of indigenous origin take part in these elections.⁴⁹

Average voter turnouts in national and subnational elections by administrative unit (e.g. states or provinces, municipalities and villages)

209. The number of eligible voters in the last general elections in 2014, by province and indigenous region, was as follows: Bocas del Toro: 77,971; Coclé: 172,750; Colón: 169,057; Chiriquí: 310,996; Darién: 31,982; Herrera: 91,816; Los Santos: 75,709; Panama: 1,196,908; Veraguas: 178,616; Kuna Yala indigenous region: 21,704; Emberá indigenous region: 6,849; Ngobe-Bugle indigenous region: 114,193; Kuna de Madungandi indigenous region: 2,354; Kuna de Wargandi indigenous region: 1,089; residents abroad: 5,407.

210. For further details on voter turnouts by district and town, see annex 7 on statistics regarding the final electoral roll for the general elections of 4 May 2014.

Media in Panama (electronic, print, audio, etc.)

211. See below for information on the main media in Panama, including the print media, television and radio.

Print media

<i>Publisher</i>	<i>Newspaper</i>
Corporación La Prensa, S.A.	<i>La Prensa and Mi Diario</i>
Grupo Editorial El Siglo y La Estrella	<i>El Siglo and Estrella de Panamá</i>

⁴⁹ Electoral Court. Ngobe-Bugle indigenous region, 2010.

<i>Publisher</i>	<i>Newspaper</i>
Grupo EPASA, Editora Panamá América	<i>Crítica, Panamá América and Día a Día</i>

Television channels⁵⁰

<i>Licensee</i>	<i>Commercial name</i>
Corporación Medcom Panamá, S.A.	RPC TV Canal 4 Telemetro Canal 13
Televisora Nacional, S.A.	TVN 2
Telecomunicaciones S.A.	TV MAX
Concesionaria Digital de Televisión y Comunicaciones, S.A.	NEXT TV +23
Empresa Televisora Panameña, S.A.	Plus
Sistema Estatal de Radio y Televisión	SERTV
Fundación para la Educación en la Televisión	FETV

A selection of national radio stations⁵¹

<i>Licensee</i>	<i>Commercial name</i>
Cadena Radial Continente, S.A.	KW Continente
La Nueva Cadena Exitosa de Panamá	La Nueva Exitosa
Radio Difusión y Comunicación, S.A.	Radio Mía
Corporación Medcom Panamá, S.A.	RPC Radio
Asociación Tropical de Radiodifusión	La Voz del Istmo
Elvines, S.A.	Radio Libre
Sistema Estatal de Radio y Televisión (SERTV)	Radio Nacional
Zahita, S.A.	Radio Metropolis Radio Única

Freedom of worship

212. Under article 35 of the Constitution, all religions may be professed and all forms of worship practised freely, without any limitation other than respect for Christian morality and public order; however, it is recognized that the Catholic religion is practised by the majority of Panamanians. Article 36 provides that religious associations shall have legal capacity and manage and administer their property within the limits prescribed by the law, in the same way as other legal persons.

Recognition of non-governmental organizations (NGOs)

213. Act No. 33 of 8 November 1984 on administrative measures and Executive Decree No. 524 of 31 December 2005 provide that the Ministry of the Interior and Justice is responsible for recognizing the legal status of non-profit organizations.

⁵⁰ National Public Service Board.

⁵¹ Ibid.

214. According to statistical data provided by the Legal Affairs and Procedures Directorate of the Ministry of the Interior, a total of 1,616 legal entities — non-profit foundations and associations — have been registered since 2006.⁵²

Indicators on crime and the administration of justice

Homicide rate

215. According to the Integrated National Crime Statistics System, between 2000 and 2009, the number of recorded homicides increased each year by an average of 46. Between 2009 and 2015, the number of homicides decreased each year by an average of 68.⁵³ See annex 24.

Offences against life and personal integrity

216. According to information from the Integrated National Crime Statistics System, in the past 25 years (1991–2015) offences against life and personal integrity were at their lowest level in 1998 and 2002 (3.7 per 10,000 inhabitants) and at their highest in 2009 (17.2 per 10,000 inhabitants).

217. After 2009, the rate declined progressively, eventually falling to 7.8 per 10,000 inhabitants in 2015. See annex 25.

218. During those 25 years, a total of 81,227 cases and/or complaints of offences against life and personal integrity were recorded.⁵⁴

Procedural status of detainees

219. In 2015, the Public Prosecution Service reported that 17,187 individuals were deprived of their liberty, of whom 5,964 were convicted offenders, 2,191 were in pretrial detention and 9,032 were awaiting a hearing.⁵⁵

Rape

220. The incidence of attempted rape has remained high over the past 25 years, although it has varied significantly over that period.

221. In 2011, the rate was 1.07 cases per 10,000 inhabitants and, in 2015, 0.58 per 10,000 inhabitants. See annex 26.

Sexual freedom and integrity

222. A total of 50,125 cases and/or complaints relating to offences against sexual integrity and freedom were recorded in the past 25 years (1991–2015). The incidence of such offences was high over this period, with an initial rate of 3.38 cases per 10,000 inhabitants in 1991 and peaking at 12.34 in 1998.⁵⁶

223. The rate has continued to fluctuate over the past 17 years (1999–2015) and stood at 7.93 in 2015. See annex 27.

⁵² Ministry of the Interior. Legal Affairs and Procedures Directorate.

⁵³ Ministry of Security. Integrated National Crime Statistics System. Importance of crime statistics for public security.

⁵⁴ Statistical analysis prepared by the Integrated National Crime Statistics System taking into account the information provided by the National Police. Homicide Division and Analysis, Statistics and Information Division of the Judicial Investigation Department.

⁵⁵ Attorney General's Office. Report to the population of Panama, 2015.

⁵⁶ Statistical analysis prepared by the Integrated National Crime Statistics System taking into account the information provided by the National Police and the Analysis, Statistics and Information Division of the Judicial Investigation Department.

Domestic violence

224. The rate of domestic violence, which stood at 6.05 cases per 10,000 women in 1998, has risen progressively over the years. There has been a marked increase in the past three years, owing to a change in the source of information used. The rate in 2015 was 103.63 cases per 10,000 women.⁵⁷ See annex 28.

Femicide

225. Femicide was made an offence under Act No. 82 of 2013 and is defined as an act causing the death of a woman on account of her gender, through discrimination or any other form of violence. The offence carries a penalty of 25 to 30 years' imprisonment (art. 132-A of the Criminal Code).

226. The Public Prosecution Service has recorded the following data on killings of women: in 2014, there were 39 cases, including 25 cases of femicide, 13 cases of attempted femicide and 1 case of violent death; in 2015, there were 66 cases, including 29 cases of femicide, 17 cases of attempted femicide and 20 cases of violent death; and from 1 January to 21 August 2016, investigations were conducted into 27 cases, including 15 cases of femicide, 4 cases of attempted femicide and 8 cases of violent death.

227. As at August 2016, there had been five convictions for femicide, five for attempted femicide and two acquittals, one each for femicide and attempted femicide.

Convictions

228. According to information from the Public Prosecution Service, in 2016 there were 4,465 convictions, 946 acquittals and 130 partial convictions. The breakdown of these decisions by judicial district can be found in annex 29.

Maximum and average time of pretrial detention

229. The adversarial system of criminal justice came into effect nationwide on 2 September 2016, following a staggered implementation process that lasted several years. Act No. 63 of 2008 on the Code of Criminal Procedure under the adversarial system states that provisional detention cannot exceed one year (art. 12).

230. This provision does not apply to cases that fall under the procedure for complex matters set forth in chapter IV, title VII of the Code of Criminal Procedure, whereby preventive detention can be extended by up to three years. To obtain an extension, the Public Prosecution Service must make a prior, reasoned request, and the measure must be made necessary by a prolonged investigation phase.

Prison population

231. As at June 2017, there were 16,149 persons deprived of their liberty in the prison system,⁵⁸ including 7,146 convicted persons and 9,003 remand prisoners.

232. For further information on the prison population by province, indigenous region and prison as at January 2017, see annex 30.

Number of persons executed under the death penalty per year

233. Article 30 of the Constitution, which is part of the section on fundamental rights, prohibits the death penalty, exile and confiscation of property.

⁵⁷ Statistical analysis prepared by the Integrated National Crime Statistics System taking into account the information provided by the Analysis, Statistics and Information Division of the Judicial Investigation Department up to 2012 and by the Office of the Special Prosecutor for Families of the Public Prosecution Service from 2013 onward.

⁵⁸ Directorate General of the Prison System. Ministry of the Interior.

Average backlog of cases per judge at different levels of the judicial system

Caseload per judge ((pending cases plus admitted cases) divided by number of judges)

234. The average caseload per judge in the period under consideration was 784, rising from 736 in 2013 to 747 in 2014. The average caseload differs widely by region, subject matter and level of court. As a preliminary figure, the caseload per judge in 2015 was approximately 663 cases.⁵⁹

Rate of pending cases (overall caseload divided by number of closed cases)

235. In the past three years, the backlog of pending cases has been approximately 1.5, meaning that for every 10 cases that are closed, roughly 15 remain open.⁶⁰

236. On 2 September 2016, the adversarial system came into effect nationwide, following a staggered implementation process that had lasted several years, with a view to optimizing efforts to relieve the backlog of criminal cases.

Number of prosecutors and judges per 100,000 persons

237. There was an increase in the ratio of prosecutors to inhabitants in 2016 with the implementation of the adversarial system throughout the country in September of that year.⁶¹

238. In 2015, there were 731 prosecutors across the country, which corresponds to a ratio of 18.11 per 100,000 inhabitants, compared with 1.64 in 2010, which represents a 16.57 percentage point rise.

Distribution of prosecutors

<i>Senior prosecutors</i>	24
Senior regional prosecutors	11
Circuit prosecutors	230
Deputy prosecutors	63
Total	731

Number of prosecutors per 100,000 inhabitants in Panama, 2010–2016

<i>Year</i>	<i>Prosecutors</i>	<i>Population</i>	<i>Number of prosecutors per 100,000 inhabitants</i>
2010	60	3 661 835	1.64
2011	61	3 723 821	1.64
2012	69	3 787 511	1.82
2013	90	3 850 735	2.34
2014	157	3 913 275	4.01
2015	174	3 975 404	4.38
2016	731	4 037 043	18.11

Trends in the number of judges

239. The past six years have seen a rise in the number of judges, from 282 in 2010 to 368 in 2015. This 30.5 per cent increase occurred chiefly in the criminal justice system with the

⁵⁹ Judiciary. Administrative indicators 2013–2015.

⁶⁰ Ibid. 2.34.

⁶¹ Attorney General's Office.

implementation of the adversarial system in the third judicial district and the strengthening of the family, agriculture and civil courts.⁶²

Judges per 100,000 inhabitants

240. Regarding access to judges, the number of judges per 100,000 inhabitants rose slightly in 2015, owing to the increase in the number of judges and the simultaneous, though small, growth in population.⁶³ See annex 31.

241. Thus, in recent years, the number of judges per 100,000 inhabitants has stood at approximately 9, fluctuating between 8.2 and 9.3.

Share of public expenditure on police/security and judiciary

242. The judiciary budget for 2015 was 120 million balboas, of which 100 million were allocated to operations and 20 million to investment. This is an 11.2 per cent increase compared with the 2013 budget, in other words an average year-on-year increase of 5.5 per cent.

243. The main increase was in the allocation to the operations budget line, which was 12.5 per cent higher than in 2013, although the investment budget line also grew by 5.1 per cent compared to 2013.

244. Per capita public expenditure on the judiciary rose from 29 balboas in 2013 to 30 balboas in 2015, an increase of 1 balboa per inhabitant over the period. In terms of overall public spending, the judiciary's share averaged only 0.61 per cent.⁶⁴

245. Pursuant to Act No. 69 of 24 November 2015, the National Assembly adopted the general State budget for the 2016 fiscal year, which was 20,126,080,834 balboas. Of this amount, a total of 137,203,600 balboas were allocated to the judiciary. See annex 32.

246. Based on the general State budget acts adopted for each fiscal year, the table below shows the appropriation for the Ministry of Public Security, which, under article 1 of Act No. 15 of 14 April 2010,⁶⁵ is responsible for designing the country's security policies and planning, coordinating, overseeing and supporting the efforts of the security and intelligence services that come under the Ministry.

Budget of the Ministry of Public Security under the Budget Act, 2011–2016

<i>Year</i>	<i>Budget</i>
2011	490 420 600 ⁶⁶
2012	548 377 600 ⁶⁷
2013	637 312 200 ⁶⁸
2014	716 552 443 ⁶⁹
2015	654 490 025 ⁷⁰
2016	750 893 710 ⁷¹

⁶² Judiciary. Administrative indicators 2013–2015.

⁶³ Ibid.

⁶⁴ Ibid.

⁶⁵ Pursuant to article 11 of the Act, at the operational level of the Ministry of Public Security is represented by the following public security services: the National Police, the National Air and Naval Service, the National Border Service and the National Migration Service, whose activities are governed by the relevant organic acts, decrees and regulations.

⁶⁶ Act No. 75 of 2 November 2010 on the general State budget for the 2011 fiscal year.

⁶⁷ Act No. 74 of 11 October 2011 on the general State budget for the 2012 fiscal year.

⁶⁸ Act No. 71 of 18 October 2012 on the general State budget for the 2013 fiscal year.

⁶⁹ Act No. 75 of 21 October 2013 on the general State budget for the 2014 fiscal year.

⁷⁰ Act No. 36 of 2 December 2014 on the general State budget for the 2015 fiscal year.

⁷¹ Act No. 69 of 24 November 2015 on the general State budget for the 2016 fiscal year.

II. General framework for the protection and promotion of human rights

A. Acceptance of international human rights norms

Main international human rights instruments ratified by Panama (appendix 2)

<i>International human rights instruments</i>	<i>Status of ratification</i>	<i>Position on unsigned/unratified treaties</i>
International Covenant on Economic, Social and Cultural Rights, 1966	Adopted by Act No. 13 of 27 October 1976. Instrument of ratification deposited on 8 March 1977.	
Optional Protocol to the International Covenant on Economic, Social and Cultural Rights	Signature: N/A Ratification/accession: N/A	The Government of Panama is currently reviewing the protocol.
International Covenant on Civil and Political Rights, 1966	Adopted by Act No. 14 of 28 October 1976. Instrument of ratification deposited on 8 March 1977.	
International Convention on the Elimination of All Forms of Racial Discrimination, 1965	Adopted by Act No. 49 of 2 February 1967. Instrument of ratification deposited on 16 August 1967.	
Convention on the Elimination of All Forms of Discrimination against Women, 1979	Adopted by Act No. 4 of 22 May 1981. Instrument of ratification deposited on 29 October 1981.	
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 1984	Adopted by Act No. 5 of 16 June 1987. Instrument of ratification deposited on 24 August 1987.	
Convention on the Rights of the Child, 1989	Adopted by Act No. 15 of 6 November 1990. Instrument of ratification deposited on 12 December 1990.	
International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, 1990	Signature: N/A Ratification/accession: N/A	Panama has not adopted this Convention as there is a conflict between article 40 of the Convention and article 68 of the Constitution, which states that leadership positions in trade unions shall be occupied exclusively by Panamanian nationals.
Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, 2000	Adopted by Act No. 48 of 13 December 2000. Instrument of ratification deposited on 8 August 2001.	

<i>International human rights instruments</i>	<i>Status of ratification</i>	<i>Position on unsigned/unratified treaties</i>
Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, 2000	Adopted by Act No. 47 of 13 December 2000. Instrument of ratification deposited on 9 February 2001.	
Optional Protocol to the Convention on the Rights of the Child on a communications procedure, 2014	Adopted by Act No. 61 of 30 November 2016. Instrument of ratification deposited on 16 February 2017.	
Optional Protocol to the International Covenant on Civil and Political Rights, concerning individual petition, 1966	Adopted by Act No. 15 of 28 October 1976. Instrument of ratification deposited on 8 March 1977.	
Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, 1989	Adopted by Act No. 23 of 17 November 1992. Instrument of ratification deposited on 21 January 1993.	
Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, concerning individual complaints and inquiry procedures, 1999	Adopted by Act No. 17 of 28 March 2001. Instrument of ratification deposited on 9 May 2001.	
Optional Protocol to the Convention against Torture, concerning regular visits by national and international institutions to places of detention, 2002	Adopted by Act No. 26 of 10 July 2007. Instrument of ratification deposited on 2 June 2011.	
International Convention for the Protection of All Persons from Enforced Disappearance	Adopted by Act No. 27 of 30 March 2011. Instrument of ratification deposited on 24 June 2011.	
Convention on the Rights of Persons with Disabilities, 2007	Adopted by Act No. 25 of 10 July 2007. Instrument of ratification deposited on 7 August 2007.	
Optional Protocol to the Convention on the Rights of Persons with Disabilities	Adopted under Act No. 25 of 10 July 2007. Instrument of ratification deposited on 7 August 2007.	

Reservations and declarations

<i>Ratifications</i>	<i>Reservation/declaration</i>
International Convention on the Elimination of All Forms of Racial Discrimination, 1965	Recognition: On 7 May 2015, Panama recognized the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals within its jurisdiction claiming to be victims of a violation by Panama of any of the rights set forth in the Convention (see annex 31).
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 1984	Reservation: the Government of Panama does not consider itself bound by the provisions of article 30 (1). See the file for details (see annex 32).
Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, 2000	Declaration in accordance with article 3 (2): The Republic of Panama, in ratifying of the Protocol, declares that it has no armed forces. The Republic of Panama has a civilian security force consisting of the National Police, the National Air Service, the National Maritime Service and the Institutional Protection Service. Their legal charters define the requirements for recruitment of personnel by such institutions and stipulate that recruits must have reached the age of majority, i.e. 18 years of age (see annex 33).
The American Convention on Human Rights (Pact of San José), 1969.	Recognition: The competence of the Inter-American Court of Human Rights was recognized on 9 May 1990 (see annex 34).

Other United Nations human rights and related conventions

<i>Other international human rights instruments</i>	<i>Status of ratification</i>
Convention on the Prevention and Punishment of the Crime of Genocide, 1948	Adopted by Act No. 32 of 5 December 1949. Instrument of ratification deposited on 11 January 1950.
Slavery Convention, 1926, as amended in 1955	
Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, 1949	
Convention Relating to the Status of Refugees, 1951, and its 1967 Protocol	Adopted by Act No. 5 of 26 October 1977. Instrument of ratification deposited on 2 August 1978.
Convention relating to the Status of Stateless Persons, 1954	Adopted by Act No. 28 of 30 March 2011. Instrument of ratification deposited on 2 June 2011.
Convention on the Reduction of Statelessness, 1961	Adopted by Act No. 29 of 30 March 2011. Instrument of ratification deposited on 2 June 2011.

<i>Other international human rights instruments</i>	<i>Status of ratification</i>
Rome Statute of the International Criminal Court, 1998	Adopted by Act No. 14 of 13 March 2002. Instrument of ratification deposited on 21 March 2002.
United Nations Convention against Transnational Organized Crime, 2000, its Protocol against the Smuggling of Migrants by Land, Sea and Air, and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.	Adopted by Act No. 23 of 7 July 2004. Instrument of ratification (of the Convention and the Protocols) deposited on 18 August 2004.

Ratification of other relevant international conventions

Conventions of the International Labour Organization

<i>Convention</i>	<i>Status of ratification</i>
Weekly Rest (Industry) Convention, 1921 (No. 14)	
Forced or Compulsory Labour Convention, 1930 (No. 29)	Adopted by Act No. 23 of 10 March 1966. Instrument of ratification deposited on 16 May 1966.
Labour Inspection Convention, 1947 (No. 81)	
Migration for Employment Recommendation, 1949 (No. 86)	
Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)	Adopted by Act No. 45 of 2 February 1967. Instrument of ratification deposited on 3 June 1958.
Migration for Employment Convention (Revised), 1949 (No. 97)	
Right to Organise and Collective Bargaining Convention, 1949 (No. 98)	Adopted by Act No. 23 of 1 February 1966. Instrument of ratification deposited on 16 May 1966.
Equal Remuneration Convention, 1951 (No. 100)	Adopted by Act No. 48 of 2 February 1967. Instrument of ratification deposited on 3 June 1958.
Social Security (Minimum Standards) Convention, 1952 (No. 102)	
Abolition of Forced Labour Convention, 1957 (No. 105)	Adopted by Act No. 23 of 1 February 1966. Instrument of ratification deposited on 16 May 1966.
Weekly Rest (Commerce and Offices) Convention, 1957 (No. 106)	
Discrimination (Employment and Occupation) Convention, 1958 (No. 111)	Adopted by Act No. 23 of 1 February 1966. Instrument of ratification deposited on 16 May 1966.

<i>Convention</i>	<i>Status of ratification</i>
Equality of Treatment (Social Security) Convention, 1962 (No. 118)	N/A
Employment Policy Convention, 1964 (No. 122)	Adopted by Cabinet Decree No. 189 of 4 June 1970. Instrument of ratification deposited on 19 June 1970.
Labour Inspection (Agriculture) Convention, 1969 (No. 129)	
Minimum Wage Fixing Convention, 1970 (No. 131)	
Holidays with Pay Convention (Revised), 1970 (No. 132)	
Minimum Age Convention, 1973 (No. 138)	Adopted by Act No. 17 of 15 June 2000. Instrument of ratification deposited on 31 October 2000.
Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143)	N/A
Migrant Workers Recommendation, 1975 (No. 151)	
Labour Relations (Public Service) Convention, 1978 (No. 151)	
Occupational Safety and Health Convention, 1981 (No. 155)	
Equal Opportunities and Equal Treatment for Men and Women Workers: Workers with Family Responsibilities Convention, 1981 (No. 156)	
Indigenous and Tribal Peoples in Independent Countries Convention, 1989 (No. 169)	
Worst Forms of Child Labour Convention, 1999 (No. 182)	Adopted by Act No. 18 of 15 June 2000. Instrument of ratification deposited on 31 October 2000.
Maternity Protection Convention, 2000 (No. 183)	N/A

Conventions of the United Nations Educational, Scientific and Cultural Organization

<i>Convention</i>	<i>Status of ratification</i>
Convention against Discrimination in Education, 1960	Adopted by Act No. 9 of 27 October 1976. Instrument of ratification deposited on 10 August 1967.

Conventions of the Hague Conference on Private International Law

<i>Convention</i>	<i>Status of ratification</i>
Convention on Protection of Children and Cooperation in respect of Intercountry Adoption, 1993	Adopted by Act No. 33 of 29 May 1998. Instrument of ratification deposited on 29 September 1999.
Convention relating to the settlement of the conflicts between the law of nationality and the law of domicile, 1955	
Convention on the law applicable to maintenance obligations towards children, 1956	
Convention concerning the recognition and enforcement of decisions relating to maintenance obligations towards children, 1958	
Convention concerning the powers of authorities and the law applicable in respect of the protection of minors, 1961	
Convention on Jurisdiction, Applicable Law and Recognition of Decrees Relating to Adoptions, 1965	
Convention on the Law Applicable to Maintenance Obligations, 1973	
Convention on the Recognition of Divorces and Legal Separations, 1970	
Convention on the Recognition and Enforcement of Decisions relating to Maintenance Obligations, 1973	
Convention on the Civil Aspects of International Child Abduction, 1973	
Convention on Celebration and Recognition of the Validity of Marriages, 1978	
Convention on the Law Applicable to Matrimonial Property Regimes, 1978	
Convention on International Access to Justice, 1980	
Convention on the Law Applicable to Succession to the Estates of Deceased Persons, 1989	
Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in respect of Parental Responsibility and Measures for the Protection of Children, 1996	
Convention on the International Protection of Adults, 2002	

Geneva Conventions and other treaties on international humanitarian law

<i>Convention</i>	<i>Status of ratification</i>
Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (Convention I), 1949	Adopted by Act No. 37 of 2 February 1967. Instrument of ratification deposited on 10 February 1956.
Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Convention II), 1949	Adopted by Act No. 38 of 2 February 1967. Instrument of ratification deposited on 10 February 1956.
Geneva Convention relative to the Treatment of Prisoners of War (Convention III), 1949	Adopted by Act No. 39 of 2 February 1967. Instrument of ratification deposited on 10 February 1956.
Geneva Convention relative to the Protection of Civilian Persons in Time of War (Convention IV), 1949	Adopted by Act No. 59 of 2 February 1967. Instrument of ratification deposited on 10 February 1956.
Protocol additional to the Geneva Conventions of 12 August 1949, and relating to the protection of victims of international armed conflicts (Protocol I), 1977, and the Protocol additional to the Geneva Conventions of 12 August 1949, and relating to the protection of victims of non-international armed conflicts (Protocol II), 1977.	Adopted by Act No. 21 of 31 May 1995. Instrument of ratification deposited on 18 September 1995.
Ottawa Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction, 1987.	Adopted by Act No. 50 of 15 July 1998. Instrument of ratification deposited on 7 October 1998.

Ratification of regional human rights conventions

<i>Convention</i>	<i>Status of ratification</i>
The American Convention on Human Rights (Pact of San José), 1969.	Adopted by Act No. 15 of 28 October 1977. Instrument of ratification deposited on 22 June 1978.
Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights. (Protocol of San Salvador), 1988	Adopted by Act No. 21 of 22 October 1992. Instrument of ratification deposited on 18 February 1993.
Protocol to the American Convention on Human Rights to Abolish the Death Penalty, 1990	Adopted by Act No. 13 of 18 June 1991. Instrument of ratification deposited on 28 August 1991.
Inter-American Convention to Prevent and Punish Torture, 1985	Adopted by Act No. 12 of 18 June 1991. Instrument of ratification deposited on 28 August 1991.
Agreement establishing the Fund for the Development of the Indigenous Peoples of Latin America and the Caribbean, 1992	Adopted by Act No. 27 of 13 December 1993. Instrument of ratification deposited on 10 February 1994.

<i>Convention</i>	<i>Status of ratification</i>
Inter-American Convention on Forced Disappearance of Persons, 1994	Adopted by Act No. 32 of 28 June 1995. Instrument of ratification deposited on 28 February 1996.
Inter-American Convention on the Elimination of All Forms of Discrimination against Persons with Disabilities, 1999	Adopted by Act No. 3 of 10 January 2001. Instrument of ratification deposited on 16 February 2001.
Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women (Convention of Belém do Pará), 1994	Adopted by Act No. 12 of 20 April 1995. Instrument of ratification deposited on 12 July 1995.

B. Legal framework for the protection of human rights at the national level

247. Information on the specific legal framework for the protection of human rights in Panama is provided below.

Domestic legal principles

Constitutional protection of human rights

248. Within the framework of its legal system and in accordance with article 17 of the Constitution, Panama protects the human rights of all persons in the national territory, without discrimination of any kind. The authorities of the Republic are responsible for protecting the “life, honour and property of nationals, wherever they may be, and foreigners under their jurisdiction, ensuring the realization of individual and collective rights and duties and complying with the Constitution and the law”.

249. Following the constitutional reforms of 2004, article 17 was supplemented by the requirement that the rights and guarantees enshrined in the Constitution should be considered minimum standards that are without prejudice to other provisions relating to fundamental rights and human dignity.

250. The fundamental safeguards are set out in articles 17 to 47 of chapter 1 of the Constitution, in which the basic principles for peaceful coexistence are enshrined. For more information on other safeguards, see annex 35.

Suspension of fundamental safeguards

251. States of emergency are declared by the executive body in the event of a war or internal disturbance that threatens peace and public order. They can be declared to apply to all or part of the national territory (article 55 of the Constitution). In such situations, the enforcement of fundamental safeguards will be temporarily suspended (under articles 21, 22, 23, 26, 27, 29, 37, 38 and 47 of the Constitution).

Incorporation of human rights instruments into the national legal system

252. International instruments are recognized in article 4 of the Constitution, which states that Panama abides by the rules of international law. International instruments are incorporated into domestic legislation once they are ratified by law (article 159 (3) of the Constitution).

253. On the basis of a decision of the full bench of the Supreme Court of 21 August 2008, it was established that all human rights treaties in force in Panama form part of the constitutional corpus.

254. Consequently, the rights enshrined in international human rights instruments have the same status as constitutional rules and therefore consolidate and expand on the safeguards recognized in the Constitution.

Authorities with competence in the field of human rights

Third Administrative Chamber of the Supreme Court of Justice

255. In the judicial sphere, article 97 (15) of the Judicial Code provides that the Third Administrative Chamber of the Supreme Court is responsible for hearing proceedings involving the protection of human rights, specifically those involving administrative acts by the national authorities that violate human rights enforceable under the laws of the Republic, including those that enact international human rights conventions into law.

Office of the Solicitor General

256. In accordance with article 5 (3) of Act No. 38 of 2000, the Office of the Solicitor General is responsible for intervening in the interest of the law in administrative proceedings on annulment, the protection of human rights and the interpretation and assessment of validity.

Legal Basis

257. In accordance with part B of this section, any legal human rights instruments ratified by Panama have constitutional status and can therefore be invoked by the courts at the time of sentencing. Requests for the protection and reinstatement of such rights may also be made.

Submission of procedural remedies

258. As was reported in the common core document of 1996, a number of constitutional remedies remain in force, including habeas corpus, which is established in article 23 of the Constitution and which seeks to guarantee the personal liberty of every individual arrested for reasons or in a manner other than those set out in the Constitution and in law.

259. Following the constitutional reforms of 2004, a provision was added to article 23 on preventive habeas corpus, which must be invoked when “there is a real or certain threat to physical freedom or when the manner or conditions of detention or the place where a person is being held endanger his or her physical, mental or moral integrity or infringe on his or her right to defence”.

260. Article 54 of the Constitution, which relates to the protection of constitutional guarantees, also remains in force. Under this article, any person against whom a public official issues or carries out an injunction that violates the rights and safeguards enshrined in the Constitution is entitled to have the injunction lifted upon that or another person’s request.

261. Also still in force is the claim of unconstitutionality, set out in article 206 of the Constitution, which is a mechanism that enables any person or party to proceedings to challenge the constitutionality of laws, decrees, agreements and resolutions and to challenge any act that, for reasons of substance or form, violates the Constitution.

262. When the common core report of 1996 was drafted, the writ of habeas data did not have constitutional status. Now, however, it can be reported that the constitutional reform of 2004 granted constitutional status to that remedy, which is enshrined in article 44 of the Constitution and guarantees everyone the right to obtain access to personal information held in a database or in official or private records if the latter are held by businesses that provide a service or information to the public.

263. Procedures for the filing of applications for habeas corpus, protection of constitutional guarantees and claims of unconstitutionality are set out in book VI of the Judicial Code, which concerns constitutional guarantees, while procedures for the filing of a habeas data writ are set out in Act No. 6 of 22 January 2002.

264. In accordance with article 97 (15) of the Judicial Code, any person can file an application for the protection of his or her human rights by bringing an action before the Third Administrative Chamber against administrative acts by the national authorities that violate the human rights enforceable under the laws of the Republic or in international human rights treaties.

265. Proceedings for the protection of human rights are to be conducted in accordance with Act No. 135 of 30 April 1943, the Administrative Courts Act, and its amendment, Act No. 33 of 11 September 1946, but the aggrieved party is not required to have exhausted administrative remedies. The Solicitor General shall intervene only in the interest of the law.

Systems of Reparation, Compensation, and/or Rehabilitation for Victims

Reparation and compensation

266. Article 1645 of the Civil Code provides that the State is jointly responsible for any harm caused as a result of fault or negligence on the part of public officials, provided that it acted through a particular official.

267. Article 130 of the Criminal Code also provides that the State is required to pay civil compensation when the case against an accused person is dismissed and he or she has been held in pretrial detention for more than one year.

268. In addition, article 97 of the Judicial Code also provides that claims may be brought against the State and autonomous and semi-autonomous authorities to obtain compensation for harm to persons whose rights have been violated, provided that those rights were violated by public servants.

Rehabilitation of victims

269. The Panamanian State has adopted Act No. 31 of 28 May 1998 on protection for crime victims and other participants in the proceedings, which provides that every offence also gives rise to civil action for the return of an object and compensation for the harm caused by the punishable act against the perpetrator or accomplice and, where applicable, against the civilly responsible party.

270. Article 30 of the above-mentioned Act also establishes that the State will immediately provide partial, total or supplementary medical or economic assistance to victims of bodily or mental harm caused by serious offences, or when the person responsible for the victim has died, or when the victim has become physically or mentally incapacitated as a result of the offence. It should be noted that such State compensation does not exempt from liability persons who are civilly liable for the offence and the State may take actions against them to recover sums advanced to the victims.

271. Under the Code of Criminal Procedure, the Public Prosecution Service is responsible for ensuring that victims are protected throughout criminal proceedings. For this purpose, it relies on the Secretariat for the Protection of Victims, Witnesses, Experts and Other Participants in Criminal Proceedings, which is overseen by the Secretary General of the Attorney General's Office.

272. The Secretariat's functions include supervising, in line with technical criteria, the conduct of the individual units responsible for the protection of victims, witnesses, experts and other participants in criminal proceedings in different regions around the country.

273. Each unit has an interdisciplinary team made up of psychologists, social workers and lawyers. At the request of prosecutors, the team works from the outset with the victim and other persons indirectly affected, even accompanying them to court and monitoring the protection measures put in place for them.

274. As at 2016, there are 10 units nationwide, each of which has a general code of conduct and a protocol for providing comprehensive support to victims and witnesses of offences against liberty and sexual integrity. In addition, six Gesell chambers have been set up around the country to reduce the risk of revictimizing persons affected by such offences.

275. In view of the increase in femicides borne out by the data provided, in 2015 various State agencies, among them the National Institute for Women, Public Prosecution Service, Supreme Court, National Police, Ministry of the Interior, Ministry of Public Security, Ministry of Social Development and Ombudsman's Office, signed an inter-agency agreement on implementing immediate preventive measures to combat femicide and on coordinating prevention of all forms of violence and support for women victims.

276. The specific commitments set out in the agreement include the establishment of a national protocol on women victims of intimate partner violence. The aim of this protocol is to improve the response and conduct of agencies involved in cases of violence against women by providing for better investigation, protection and support for women victims of this type of violence.

277. The National Police and the Public Prosecution Service are also drawing up a cooperation protocol for handling cases of gender-based violence.

278. In 2015 and early 2016, comprehensive care centres for women were set up across the country to provide advice and support for women victims of violence in all its forms and to help build women's capacities and autonomy.

279. One of the aims of the National Secretariat for Children, Adolescents and the Family, which was founded under Act No. 14 of 23 January 2009, is to strengthen the capacity of public bodies, local governments and NGOs to design and implement, as and when the need arises, specialist programmes that provide comprehensive support to child and adolescent victims of any type of abuse, violence, neglect or exploitation and thus contribute to the restoration and defence of their rights.

280. The National Secretariat has a dedicated department for protection from abuse and violence, which, among its other tasks, works to raise awareness of the Protocol on Comprehensive Care for Child and Adolescent Victims of Sexual Violence by linking up with other governmental organizations and civil society.

281. Through the adoption of Act No. 79 of 2011 on Trafficking in Persons and Related Activities, a victim identification and care unit was established, within the National Commission, that is responsible for the identification and primary care of possible victims of trafficking. An administration unit has also been set up to manage the fund for victims of human trafficking.

282. Victims of trafficking are currently cared for by the Public Prosecution Service's units for the protection of victims, witnesses and other participants in criminal proceedings. If the victim is foreign and undocumented, the units work with the National Migration Service to expedite the issuance of identity documents.

283. If the victims are found to be minors, they receive support from a psychologist and a social worker, and the juvenile courts and authorities such as the National Secretariat for Children, Adolescents and the Family are notified so that the protection measures and shelter that may be necessary for such victims can be provided.

284. The core remit of the department for protection from abuse and violence of the National Secretariat for Children, Adolescents and the Family is to ensure that the violated rights of victims are restored. In that regard, emphasis is placed on raising awareness of the protocol on caring for victims of sexual exploitation.

Human Rights Monitoring Mechanism

285. The Ombudsman's Office is the national human rights institution in Panama. It was established under Act No. 7 of 5 February 1997 and subsequently acquired constitutional status pursuant to the constitutional reforms of 2004. The Ombudsman's Office is responsible for formulating and adopting policies to promote and raise awareness of human rights; increasing awareness of the Constitution, especially the rights enshrined therein; establishing and maintaining continuous contact with governmental and non-governmental organizations for the protection and defence of human rights; entering into agreements with educational and research institutions with a view to raising awareness of and promoting

human rights; and entering into cooperation agreements with national, foreign and international governmental and non-governmental organizations.

286. In accordance with article 129 of the Constitution, the Ombudsman's Office is responsible for ensuring protection of the fundamental rights and freedoms enshrined in the Constitution and in international human rights treaties and legislation through a non-judicial review of the deeds, acts or omissions of public servants and providers of public services and through action to ensure observance of those rights.

287. In accordance with Article 4 of Act No. 7 of 5 February 1997, the Ombudsman's Office has the following functions:

(a) To investigate and inquire into acts or omissions of the authorities and public servants that involve violations of the rights set out in title III of the Constitution and all other rights enshrined in the Constitution and the treaties, conventions and international declarations that have been signed and ratified by Panama;

(b) To inquire into deeds, acts or omissions of public administration bodies, including Government, local government and law enforcement authorities that may have acted irregularly;

(c) To ensure that the rights of persons with disabilities are upheld and that the culture and customs of the national ethnic groups are respected;

(d) To investigate and report deeds, acts or omissions of public, semi-public or private enterprises, individuals or legal entities that provide a public service on the basis of a concession or administrative authorization;

(e) To recommend bills concerning the competence of the Office to those responsible for proposing legislation;

(f) To conduct studies and research with a view to incorporating international human rights norms into the domestic legal order;

(g) To submit an annual report on its activities to the Legislative Assembly and as many special reports as are considered necessary;

(h) To attend to complaints and situations detrimental to human rights and to attempt to persuade the authority concerned to remedy the conditions that prevent people from enjoying the full exercise of their rights;

(i) To formulate and adopt policies to promote and raise awareness of human rights; increase awareness of the Constitution, especially the rights enshrined therein; to establish and maintain continuous contact with governmental and non-governmental organizations for the protection and defence of human rights; to enter into agreements with educational and research institutions with a view to raising awareness of and promoting human rights; and to enter into cooperation agreements with national, foreign and international governmental and non-governmental organizations;

(j) To mediate in conflicts between the public administration and private individuals with the aim of promoting agreements to resolve the problem concerned. This function may be exercised only with the agreement of the parties to the dispute.

288. Any Panamanian or foreign individual or legal entity may have recourse to the Ombudsman's Office without discrimination of any kind. To that end, the Office has specialized units for the defence of the human rights of the following groups: children and adolescents, older persons, women (through an observatory for the rights of women), persons with disabilities, migrants, refugees, and persons deprived of their liberty (article 20 of Act No. 7 of 5 February 1997).

289. The Ombudsman's Office is an independent institution that has full functional, administrative and financial autonomy and receives no instructions from any authority, State body or person (article 1 of Act No. 7 of 5 February 1997).

290. Nevertheless, Act No. 41 of 1 December 2005, amending Act No. 7 of 5 February 2007, was adopted in order to strengthen the budgetary autonomy of the Ombudsman's Office. Under this Act, the Government is required to provide the Office with an annual

budget that is sufficient for it to function effectively. Prior to this amendment, its budget was part of the budget of the National Assembly.

Acceptance of regional human rights mechanisms

291. Pursuant to its ratification of the American Convention on Human Rights (Pact of San José) by Act No. 15 of 28 October 1977, the Republic of Panama recognizes the competence of the inter-American system for the protection of human rights, which consists of the Inter-American Commission on Human Rights and the Inter-American Court of Human Rights.

Cases before the inter-American human rights system

292. In September 2016, the Inter-American Commission on Human Rights ruled the case of Mrs. N. closed following approval of the first friendly settlement agreement fully implemented by the Government of Panama.

293. Panama has granted international recognition to the indigenous peoples of Bayano, and the Government has provided over 2.5 million balboas of financial compensation to the Kuna peoples of Madungandi and the Emberá communities of Ipetí and Piriati, which were affected by the construction of the Alto Bayano hydroelectric dam in 1972.

294. Panama reiterates its commitment to meeting its outstanding obligations in the cases of Baena Ricardo et al., Heliodoro Portugal, Rita Wald Jaramillo, the Kuna peoples of Madungandi and the Emberá of Bayano, and to continuing open dialogues with the committee for relatives of persons who were killed or disappeared under the military dictatorship and the Ngobe-Buglé, Naso and Bri indigenous populations, among others. The Government is also committed to making substantial improvements to its institutions, as recommended by the Inter-American Commission on Human Rights and the Inter-American Court of Human Rights. To that end, it remains in continuous contact with both the Commission and the Court.

295. The actions undertaken reflect the desire of the Government to strengthen respect for human rights and develop a political vision to achieve that goal. That desire was borne out by the visit of the President, Mr. Juan Carlos Varela Rodríguez, to the Inter-American Court of Human Rights, thereby demonstrating the State's commitment to the inter-American human rights system.

296. However, the Government is aware that further steps must be taken to make Panama a more effective State that can serve as a model at the regional and international levels.

297. For that reason, Panama is firmly committed to implementing the decisions of the inter-American human rights system and respecting the obligation to comply with and follow up on recommendations made, in coordination with State institutions, and training professionals with a view to ensuring that human rights are respected and protected in Panama.⁷²

C. Framework within which human rights are promoted at the national level

Initiatives promoting respect for human rights in Panama

298. Measures to promote human rights are taken by various public entities, in accordance with their respective spheres of competence and the international instruments ratified by the country.

⁷² Ministry of Foreign Affairs. Directorate for international organizations and conferences.

National Assembly of Panama

299. In the performance of its legislative duties, the National Assembly of Panama actively promotes human rights and upholds its commitment to monitoring and overseeing the implementation of legislation in this area.

300. In that respect, the Commission on Governance, Justice and Constitutional Affairs of the National Assembly is responsible for dealing with such matters as: the election of the Ombudsman and the establishment of institutional mechanisms to defend, promote and raise awareness of the human rights enshrined in domestic law and in the main international treaties and conventions.

301. The National Assembly also handles applications and communications from abroad regarding human rights violations in Panama, submitted by individuals and institutions.

302. Its monitoring consists, first and foremost, of visits to prisons throughout the country, to make sure that inmates are treated appropriately during their rehabilitation and that the facilities in which they are kept meet minimum security standards.

303. In recent years, the National Assembly has channelled its efforts into promoting important issues and events, such as the World Day against Trafficking in Persons, at the national level, through awareness campaigns involving forums, the distribution of posters, and walks organized by the Government.

304. Furthermore, the National Assembly has approved the ratification of conventions on children's rights in plenary session and collaborates continuously with the United Nations on gender equality issues, through forums to promote amendments to existing laws and conventions.

305. Information on all of the issues that are addressed is disseminated at the national level by citizen participation offices throughout the country.⁷³

Dissemination of human rights instruments

306. Various institutions disseminate information on the implementation, interpretation and scope of international human rights instruments within their sphere of competence.

307. The international human rights instruments that have been ratified by the Republic of Panama are published on the websites of institutions such as the Ministry of Foreign Affairs, the Ombudsman's Office, the Ministry of Social Development, the National Secretariat for Children, Adolescents and the Family and the National Institute for Women.

Raising human rights awareness among public officials and other professionals**Higher Institute of the Judiciary of Panama, Doctor Augusto César Quintero Correa**

308. The Higher Institute of the Judiciary, which is responsible for the training and education of those who work in the various branches of the judiciary, teaches a curriculum that includes an academic module on international human rights law and the inter-American system for the protection of human rights. This module enables judicial officers, lawyers and the whole legal community to understand and implement human rights in the context of the administration of justice.

Training Centre of the Office of the Solicitor General

309. The Human Rights Unit of the Training Centre of the Office of the Solicitor General seeks to establish and promote technical measures and good practices relating to equality, fairness and participation from a human rights perspective, at the institutional level. It develops plans, programmes and records relating to the provision of human rights training for civil servants.

⁷³ National Assembly of Panama.

Security services

National Police

310. Academic courses for police trainees, such as those leading to higher technical qualifications in public security or criminal investigation and security, cover human rights, international humanitarian law and respect for constitutional guarantees.

311. There is a bachelor's degree course in police administration which includes a module on the basics of human rights; trainees also attend seminars on humanitarian law and the protection of persons during armed conflict and on international protection relating to asylum, refuge and extradition, which cover matters relating to human rights and international humanitarian law.

312. It is worth noting the development of continuous training courses that include classes and seminars on humanitarian principles, human rights and procedures relating to the use of lethal force.

313. At a more advanced level, the continuous training centres provide ongoing training on the cross-cutting theme of human rights and policing, and courses for human rights instructors. The National Police has organized 368 hours of human rights training for a total of 1,318 officers.⁷⁴

Air and Naval Service

314. The training course for air and naval officers, which leads to a diploma in air and naval public security, includes a module on the air and naval legal framework that covers human rights and aims to ensure that air and naval officers respect and comply with the provisions of the Constitution, which applies to all citizens of Panama.

National Border Service

315. The National Border Service training curriculum includes a compulsory module with a legal and humanistic focus, which covers human rights, international humanitarian law, the accusatorial system and the limited use of force.

316. Since 2009, National Border Service officers have received training at the School of Human Rights and International Humanitarian Law. This training covers human rights, international humanitarian law, the accusatorial system of criminal justice and the limited use of force.

National Migration Service

317. The National Migration Service provides training for its staff on the rights of migrants, due process, consular assistance and the obligation to investigate reports of torture *proprio motu*.

Prison Training Academy

318. The academic training provided for administrative and professional/technical prison staff focuses on compliance with the provisions of Act No. 55 of 30 June 2003, reorganizing the Panamanian prison system, Executive Decree No. 393 of 25 July 2005, regulating the Panamanian prison system, and all international law relating to respect for the human rights of persons deprived of their liberty.⁷⁵

319. Act No. 42 of 14 September 2016, which provides for the development of careers in both the Directorate General of the Prison System and the Institute for Interdisciplinary Studies, was recently promulgated. Through the implementation of this Act, improvements

⁷⁴ Report submitted under the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict.

⁷⁵ Directorate General of the Prison System. Prison Training Academy.

should be made to the Prison Training Academy, and prison staff should gain a better understanding of human rights issues.

Ombudsman's Office

320. The Ombudsman's Office provides human rights training both to its own staff and to public servants in other government institutions, including security service staff, teachers and administrative officers.

Ministry of Health

321. The Ministry of Health holds training days for all health workers on protecting the right to health, which is the responsibility of all professionals in the public health sector.

Promotion of human rights awareness through educational programmes and Government-sponsored public information

322. The provision of human rights education is governed by Act No. 2 of 30 January 1984, which provides for the systematic study of human rights in the national education system.

323. Panama is aware of the importance of human rights as a subject and has promoted the implementation of human rights education programmes and the inclusion of human rights in school curricula and textbooks.

324. In addition, under article 3 (g) of Executive Decree No. 7 of 17 January 2012, the national standing commission for monitoring and ensuring compliance with the human rights commitments of Panama at the national and international level (hereinafter referred to as the National Human Rights Commission) is responsible for promoting the implementation of human rights education programmes and campaigns, in collaboration with the Ministry of Education.

325. At the higher education level, the Specialized University of the Americas has provided postgraduate training on strategies for the elimination of child labour on a regular basis since 2006. A postgraduate course on human rights, including a specific module on the rights of the child, is also offered.

Promotion of human rights awareness through the mass media

326. National awareness campaigns, including initiatives to combat child labour, commercial sexual exploitation, violence, human trafficking, HIV/AIDS and discrimination, are bolstered by the celebration of international awareness days. These campaigns reach the general public through radio, print media and television.

327. As regards the rights of children and adolescents, the Public Services Authority and the television companies of the Republic of Panama have signed a new self-policing agreement based on a commitment to ensure respect for human rights and to promote values that strengthen family unity, with a focus on children and adolescents.

328. The agreement sets out criteria for programmes broadcast at certain times of day and rates them according to their content; it also establishes an advisory board, made up of representatives of the Ministry of Social Development, the Ministry of the Interior, the National Assembly, civic clubs and media outlets, which is responsible for monitoring the implementation of the agreement and making recommendations.

329. A social communicators' network against child labour has been established. Ongoing communication, outreach and awareness campaigns have been launched at the national level, particularly in connection with the World Day against Child Labour on 12 June.

The role of civil society, including NGOs, the extent of its participation and the steps taken by the Government to promote its development

330. The right of association is a fundamental guarantee enshrined in article 39 of the Constitution, which stipulates that "the formation of companies, associations and

foundations that are not contrary to morals or to the legal order is permitted and they may be recognized as juridical persons”. No recognition is granted to associations based on ideas or theories propounding the so-called superiority of one race or ethnic group, or which justify or promote racial discrimination. The article also states that the capacity, recognition and regulation of companies and other juridical persons shall be determined by Panamanian law.

Legal basis for the establishment of NGOs

331. The Government of Panama allows for NGOs to be established in accordance with various pieces of legislation, including article 64 of the Civil Code, Act No. 33 of 8 November 1984 and Executive Decree No. 524 of 31 December 2005, which provides for the recognition of NGOs as legal persons, through the Legal Affairs and Procedures Directorate of the Ministry of the Interior.

Forms of citizen participation

332. Article 24 of Act No. 6 of 22 January 2002 — an act that sets standards for transparency in public administration and provides for the remedy of habeas data, among other things — stipulates that State institutions at the national and local levels have a duty to enable citizens to participate in all public administration processes that may affect the interests and rights of groups of citizens, through the various forms of participation set out in the Act. These processes include those relating to infrastructure projects, betterment levies, zoning and the setting of service tariffs and fees.

333. Without prejudice to other applicable legislation, article 25 of the Act provides for the following types of citizen participation in public administration processes: public consultations; public hearings; forums and workshops; and direct participation in public bodies.

Civil society participation in the National Human Rights Commission

334. Articles 1 and 10 of Executive Decree No. 7 of 17 January 2012, establishing the National Human Rights Commission, provide that social, trade union and academic organizations, NGOs and citizen organizations may take part in the Commission’s consultations and working subcommissions.

Civil society participation in other human rights committees and commissions

335. National legislation provides for the participation of civil society organizations in the various national committees and commissions that address issues relating to the rights of vulnerable groups in Panama.

336. Some of these bodies are listed below, along with the legal basis for civil society participation in their activities.

<i>Committee/commission</i>	<i>Legal basis</i>
Committee for the Eradication of Child Labour and the Protection of Young Workers	Article 2 of Executive Decree No. 25 of 15 April 1997, as amended by Executive Decree No. 107 of 11 June 2013.
National Commission for the Prevention of Sexual Exploitation	Article 22 (12) of Act No. 16 of 31 March 2004.
National Council on Women	Article 3 of Executive Decree No. 27 of 30 April 2009.
National Committee against Trafficking in Persons	Article 18 of Act No. 79 of 9 November 2011.
National Intersectoral Committee for the Prevention of Violence against Children and Young Persons	Article 3 of Executive Decree No. 39 of 30 April 2014.

<i>Committee/commission</i>	<i>Legal basis</i>
National Advisory Council on Disability	Article 19 of Act No. 23 of 28 June 2007.
Inter-institutional commission responsible for supporting and monitoring the implementation of the Sustainable Development Goals, attached to the Social Affairs Office	Article 6 (4) of Executive Decree No. 393 of 14 September 2015.

Council of the National Coalition for Development

337. In an effort to combine State and civil society aspirations in a single vision, the mechanism for verifying and monitoring the implementation of the agreements and objectives of the National Coalition for Development was established under Act No. 20 of 2008; the Council of the National Coalition for Development was set up as part of that mechanism.

338. The Council of the National Coalition for Development is a national body that enables constructive dialogue between the public sector and all components of Panamanian society, including private companies, workers, churches, NGOs, indigenous peoples, academic institutions and political parties, on a set of strategic objectives focused on the development of a more democratic and equitable society in Panama.

339. These strategic objectives are based on the idea that all members of Panamanian society should enjoy all the opportunities and benefits arising from the expansion of the Panama Canal.

National observatories

340. There are monitoring bodies responsible for tracking the realization of the rights of various sectors of Panamanian society.

341. The Observatory for the Rights of Children and Young Persons is a monitoring body responsible for tracking the human rights situation of children and young persons; its aim is to advocate, promote and monitor the implementation of the recommendations made by the Committee on the Rights of the Child to the Government of Panama.

342. In that way, it seeks to influence the development, implementation and reform of public policies and legislation intended to ensure the realization of the rights enshrined in the Convention on the Rights of the Child.⁷⁶ This observatory does not receive any State funding.

343. Civil society plays a key role in the National Observatory on Gender-Based Violence, an inter-institutional body attached to the Department for the Protection of Women's Rights of the Ombudsman's Office, which is responsible for studying the problem of gender-based violence and collecting, processing and compiling national statistics thereon.

344. There is also the Citizens' Observatory on Human Rights and HIV, which was set up by two civil society organizations, Asociación de Hombres y Mujeres Nuevos de Panamá (New Men and Women of Panama Association) and Viviendo Positivamente (Living Positively), as part of the Mesoamerican Human Rights and HIV Initiative.

345. This observatory runs a confidential complaints system for persons living with HIV, which can be accessed via the website of the association Viviendo Positivamente.

State subsidies for NGOs

346. Under Executive Decree No. 54 of 16 July 2002, the State Subsidies Directorate of the Ministry of Social Development provides grants to non-profit organizations,

⁷⁶ Observatory for the Rights of Children and Young Persons.

associations, foundations and trusts that run social programmes to support families, communities and vulnerable groups throughout the country.

347. The State Subsidies Directorate collaborates with NGOs on the implementation of projects and programmes that benefit 50,000 persons on average each year. These projects include shelters, Children and Family Guidance Centres, canteens, health-care and rehabilitation centres and legal assistance and training centres.

348. The use of State subsidies is subject to monitoring and auditing, as appropriate, by the competent authority, to ensure that the funds are used for the correct purposes at the national level, in accordance with article 1 of the above-mentioned Decree.

Budget allocations and trends

349. For a breakdown of public social expenditure by sector, see the table of public social expenditure indicators for 2000–2015, in annex 5.

United Nations Development Assistance Framework 2016–2020

350. The Government of Panama and the United Nations organized a wide-reaching participatory process involving civil society in order to draw up the United Nations Development Assistance Framework 2016–2020, which sets out national priorities and areas of cooperation.

351. The Framework serves as a guide for all joint, coordinated action carried out by the Government and the various United Nations agencies, funds and programmes operating in Panama. It is focused on three strategic areas: comprehensive policies for equality and inclusion; governance, dialogue and social participation; and environmental sustainability and inclusive growth.

Comprehensive policies for equality and inclusion

352. In this area, the main aim is to build national capacities to achieve national priorities, and to implement comprehensive public policies that focus on equity, gender equality and support for priority population groups, in accordance with international human rights standards, using effective governance mechanisms based on intersectoral coordination, social participation and accountability.

Governance, dialogue and social participation

353. In this area, the focus is on governance from a social justice perspective, in combination with institutional reforms to improve coordination between the national and local levels, under the Decentralization Act.

354. This will help to increase citizen participation, strengthen accountability and promote equality, especially gender equality, in decision-making and in the justice system, through progress in the implementation of institutional reforms that establish a system of democratic, participatory, inclusive and locally coordinated governance, strengthen the administration of justice and further the implementation of public safety strategies, with due regard for human rights and cultural diversity.

Environmental sustainability and inclusive growth

355. Achieving sustainable development means building national capacities to promote environmentally sustainable and social inclusive economic growth in order to raise living standards in Panama and ensure the well-being of future generations; to develop and implement public policies; and to promote sustainable economic growth that generates social benefits, prevents environmental degradation and supports the transition to a low-carbon, resource efficient, socially inclusive economy that leads to growth opportunities, decent work, food and nutrition security, adaptation to climate change, disaster risk reduction and greater resilience.

356. United Nations funding for this cooperation amounts to US\$ 118,227,055 (United Nations funds: US\$ 24,937,733; mobilization of resources: US\$ 93,289,322). For a breakdown of the total funding, see annex 36.

Difficulties affecting the implementation of international human rights obligations

357. Panama does not have a national human rights plan; however, the National Human Rights Commission helps to design and coordinate government policies and initiatives to protect and guarantee human rights.

D. Reporting process at the national level

Information on the preparation of reports

358. In 2012, the Government established the national standing commission for monitoring and ensuring compliance with the human rights commitments of Panama at the national and international level (Executive Decree No. 7 of 17 January 2012, see annex 37).

359. One of the tasks of this commission is to coordinate the preparation of the State reports that Panama must submit to the United Nations human rights treaty bodies.

360. It is made up of individuals from 15 public entities, representing all three branches of the Government and the Ombudsman's Office; there is room to expand civil society participation. The Ministry of Foreign Affairs serves as the coordinator, chairing the commission and providing it with a technical secretariat.

361. In January 2016, the Ministry of Foreign Affairs launched a human rights treaty body reporting project, with the aim of bringing the State up-to-date with its reporting obligations. This project is being implemented by the national standing commission for monitoring and ensuring compliance with the human rights commitments of Panama at the national and international level, through inter-agency cooperation and a participatory process, involving consultations with civil society.⁷⁷

E. Follow-up to concluding observations of human rights treaty bodies

362. One of the responsibilities of the National Human Rights Commission is to disseminate and follow up on international human rights recommendations.

363. Various meetings to prepare for consultations have served as the starting point for following up on recommendations and taking the necessary measures. The recommendations have also been shared with civil society to encourage dialogue among the parties concerned.

364. Steps are currently being taken to develop and implement a system for follow-up to international recommendations, which will enable the relevant entities to make ongoing progress through the implementation of public policies and to monitor compliance with the treaty bodies' observations.

F. Other related human rights information

365. The General Directorate for International Bodies and Conferences of the Ministry of Foreign Affairs is the unit that is tasked with monitoring the implementation of national policies based on the recommendations and commitments made at global conferences and subsequent review sessions, and preparing reports relating to international conferences and summits in the field of human rights.

⁷⁷ Ministry of Foreign Affairs. General Directorate for International Bodies and Conferences.

366. This Directorate is therefore in charge of the technical secretariat of the National Human Rights Commission. The secretariat, in turn, liaises with the permanent missions to the United Nations and, at the local level, with other ministries and public entities.

Sustainable Development Goals and 2030 Agenda for Sustainable Development

367. The Government has established an inter-institutional and civil society commission to support the implementation of the Sustainable Development Goals, which is responsible for putting forward public policy proposals, plans, programmes and recommendations for action to align national development with the Sustainable Development Goals (Decree No. 393 of 17 September 2015).

368. This commission is made up of two bodies: the senior management team, which includes the Minister of Social Development, the executive secretary of the Secretariat for Presidential Targets and the chair of the Council of the National Coalition for Development; and the technical committee, which brings together the technical secretariat of the Social Affairs Office, the Secretariat for Presidential Targets and the secretariat of the National Coalition for Development.

369. The Government Plan is aligned with the 2030 Agenda for Sustainable Development and is supported by the Strategic Plan for Public Investment, which will enable progress towards the achievement of the 17 goals.

370. Work is currently under way on an information technology platform that will be used to measure and assess the impact of more than 2,000 government initiatives on the fulfilment of the Sustainable Development Goals. A technological tool to assist with consultations and analysis for decision-making in the social sphere is being developed with support from the United Nations Development Programme.

371. This tool provides a georeferenced visualization of the public policies being implemented throughout Panama in connection with the 17 Sustainable Development Goals and helps to ensure that the necessary steps are taken to achieve greater equity and to reduce poverty and inequality.

III. Information on non-discrimination and equality and effective remedies

A. Situation of vulnerable groups in the population

Non-discrimination and equality

372. Taking into account human development indicators, it can be seen that the multidimensional poverty rate is highest among indigenous persons, at over 60 per cent.

373. The rate is also higher among households that include persons with disabilities (19.3 per cent) than among households of persons without disabilities and reaches 29 per cent if households in vulnerable circumstances — that is, on the brink of multidimensional poverty — are taken into account.

374. Overall, 22.2 per cent of women, compared with 24.3 per cent of men, are living in multidimensional poverty or vulnerable circumstances.

375. Data are incomplete for the Afrodescendent population, but 12.3 per cent of the households that identify themselves as Afrodescendent are living in multidimensional poverty or vulnerable circumstances.

376. Although poverty levels in Panama have fallen as far as income is concerned, there are issues to be addressed as regards effective access to social services; in addition, a large

proportion of the population remains on the brink of multidimensional poverty and could be pushed over the brink by a crisis or a decline in public services.⁷⁸

B. Obligations to guarantee equality before the law and equal protection of the law for everyone

Principle of non-discrimination

Regulatory framework

377. As mentioned with respect to the legal framework for the protection of human rights, the general principle of non-discrimination is a fundamental guarantee, enshrined in article 19 of the Constitution, which establishes that “there shall be no privileges, exemptions or discrimination on grounds of race, birth, disability, social class, gender, religion or political views”.

378. In the light of the social and political aspects of employment, the principle of non-discrimination in employment is established in article 67 of the Constitution, which stipulates that “an equal wage or salary shall always be paid for equal work under identical conditions, regardless of who performs it, without distinction as to sex, nationality, age, race, social class or political or religious views”.

379. The principle of non-discrimination is also established in article 1 of Act No. 16 of 10 April 2002, which governs the right of admission to public places and outlines measures to prevent discrimination.

380. These regulations prohibit any act that constitutes discrimination, exclusion, restriction or preferential treatment on grounds of colour, race, gender, age, religion, social class, birth or political or philosophical views, or that limits the enjoyment or exercise of the fundamental rights enshrined in the Constitution or the rights established in international human rights conventions or instruments that are intended to promote respect for human dignity.

381. In addition, the Republic of Panama has ratified a number of major international instruments on equality before the law and all aspects of non-discrimination, as listed in section II of this report, on the general framework for the protection and promotion of human rights, including the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the International Convention on the Elimination of All Forms of Racial Discrimination.

Institutional framework

382. The Government has strengthened the framework for public policy coordination by establishing a series of public law institutions to monitor and guarantee the effective protection of all rights established in national legislation and the international human rights instruments that have been ratified by Panama, for all persons in Panamanian territory, especially the most vulnerable groups.

383. These entities enjoy legal, operational and financial autonomy, which enables them to better protect the rights of these vulnerable groups.

384. The National Secretariat for Children, Adolescents and the Family, which coordinates and implements policies for the full protection of the rights of children and young persons, was established under Act No. 14 of 23 January 2009.

385. Its board of directors, which is chaired by the Minister of Social Development, is made up of high-level representatives of the ministries responsible for social policies and civil society representatives. The board’s role is to promote and guarantee the effectiveness of public policies to support children, adolescents and families and to work together with

⁷⁸ Atlas of Local Human Development: Panama 2015.

the National Secretariat for Children, Adolescents and the Family to coordinate, mainstream and implement strategies, plans and programmes in this area.

386. Comprehensive protection of the rights of children and young persons, as defined in article 8 of the Act mentioned above, is based on the principles of universality, coherence, social participation, intersectoral coordination, decentralized action, joint responsibility of the State, families and society, and civic solidarity.

387. The National Secretariat for Disabilities was established under Act No. 23 of 28 June 2007 as an independent State body with legal personality, operational autonomy and its own resources; it is tasked with setting and implementing policy on the social inclusion of persons with disabilities and their families.

388. Article 2 of the Act states that policy on the social inclusion of persons with disabilities and their families should be based on the principles of equal opportunities, respect for human rights, non-discrimination and citizen participation.

389. The National Institute for Women was established under Act No. 71 of 23 December 2008 as a decentralized public body with legal personality, its own resources and administrative, budgetary, financial, technical and managerial autonomy; it is responsible for coordinating and implementing national policy on equal opportunities for women.

390. Act No. 64 of 20 September 2013 established the Office of the Deputy Minister of Indigenous Affairs, whose role is to plan, direct and coordinate government policy on indigenous peoples.

391. The National Secretariat for the Development of Afro-Panamanians was set up under Act No. 64 of 6 December 2016 to ensure the realization, protection and full enjoyment of the fundamental freedoms of persons of African descent as recognized in the Universal Declaration of Human Rights, on the basis of equality, equity and social justice, as well as the elimination of all racial discrimination in Panama.

392. The Social Affairs Office is the administrative body for inter-agency coordination at the highest level, tasked with advising the executive branch and the Council of Ministers on social development; conducting discussions on the social agenda and on the development, operational coordination and strategic assessment of national social policy; and liaising, on behalf of the Government, with national and international governmental and non-governmental bodies and organizations on issues relating to multisectoral social development.⁷⁹

C. Measures taken to prevent and combat discrimination in all its forms and on all grounds

Criminal penalties for acts of discrimination

393. Article 132 of the Criminal Code stipulates that discrimination constitutes an aggravating factor for the offence of homicide and establishes an increased penalty of 20 to 30 years' imprisonment for homicide based on discrimination or racism.

394. Act No. 82 of 24 October 2013 sets forth measures to prevent violence against women and amends the Criminal Code to include the offence of femicide and to establish penalties for violence against women. Article 40 (10) of the Act establishes a penalty of 25 to 30 years of imprisonment for anyone who causes the death of a woman on account of her gender or in the context of unequal power relations.

395. It is important to note that article 5 of the Criminal Code stipulates that “the human rights regulations and principles that are set out in the Constitution and in the international conventions in force in Panama” are an integral part of the Criminal Code and “shall be considered minimum standards that are without prejudice to other provisions relating to fundamental rights and human dignity”.

⁷⁹ Social Affairs Office of Panama.

Institutions responsible for handling cases of discrimination

396. On the basis of recommendations made by regional and global human rights bodies, the Anti-Discrimination Unit of the Ombudsman's Office was established, and guidance on handling complaints of racial discrimination against indigenous peoples and persons of African descent was produced.

397. Act No. 11 of 2005 prohibits discrimination in the field of employment and empowers the Ministry of Labour and Workforce Development to investigate any offences committed in this area.

398. In accordance with the information provided above, the Public Prosecution Service is competent to investigate allegations concerning any offence committed in Panama, including any offence motivated by discrimination.

399. The Ministry of Health provides assistance in cases where a person's physical or mental health has been affected by harassment based on discrimination.

Measures to guarantee equality before the law**Access to justice**

400. By Decision No. 245 of 2011, the judiciary approved the Brasilia Regulations Regarding Access to Justice for Vulnerable People, which are designed to guarantee access to justice for all, with a view to providing high-quality service and assistance to ensure the effective recognition of people's rights.

401. The judiciary's commitment to complying with the Constitution, national law and international human rights treaties led to the establishment of the Gender and Access to Justice Unit. This Unit promotes the development of a cross-cutting policy on access to justice, which takes into account the needs of children, women, persons with disabilities, indigenous peoples and other groups.

402. It is a permanent body that conducts studies, research, evaluations, monitoring and accountability initiatives, with the aim of tackling legal, economic, physical and cultural barriers and prejudices to ensure effective access to justice by promoting equality, inclusion and gender equity in the judicial system from within the governing body of the judiciary.

Specific measures adopted to reduce economic, social and geographical disparities in order to prevent discrimination**Social protection**

403. The Opportunities Network Programme is a social welfare system that is designed to promote social inclusion; its primary aim is to ensure that families living in poverty and extreme poverty are included in the national development process, by guaranteeing them access to education, nutrition and health, and are able to participate in productive activities, thanks to the conditional cash transfer mechanism.

404. As at August 2016, a total of 19,347,000 balboas had been invested in the mechanism, which was set to benefit 64,896 families countrywide.⁸⁰

Housing

405. Under the Surveying and Legalization Programme, plans have been approved and certificates of assignment awarded to 3,080 families, for the benefit of more than 13,860 people, using investments of 393,799 balboas. The sum of 213.4 million balboas has been invested in the Housing Programme, which has provided 8,950 housing solutions and benefited 40,272 people nationwide.

⁸⁰ Ministry of Social Development. Opportunities Network Programme. Report on conditional cash transfers. 2016.

406. The Housing Solidarity Fund provides a non-transferable grant to low-income families to help them to buy new housing. Under Executive Decree No. 393 of 2014, the grant was increased from 5,000 balboas to 10,000 balboas and the maximum house price from 40,000 balboas to 50,000 balboas. By December 2014, 7,178 grants, worth a total of 36,069,450 balboas, had been awarded.

407. The sum of 12.5 million balboas has been invested in the Housing Assistance Programme, which supports families affected by natural disasters or fires; under this scheme, 3,050 families have benefited from the provision of new housing solutions, transfers or temporary accommodation and the reconstruction of existing housing.

Health

408. The Government is implementing the “Basic Sanitation: 100 Per Cent Safe Drinking Water/Zero Latrines” programme, which aims to eradicate the use of latrines throughout the country, improve the sewage system and increase access to drinking water. Under this programme, latrines will be replaced with hygienic toilets, benefiting 300,000 Panamanian families.

409. Panama has published the results of the seventh height survey of first-graders in State schools. The survey results have been used to update the information on chronic malnutrition among schoolchildren in Panama.

410. The Palliative Care Programme was set up with the aim of developing and providing high-quality health care efficiently and safely and preferably in the home, to patients at an advanced stage of a terminal illness, with the assistance of competent, committed and caring staff, as well as families and the community.

411. Panama is working to devise a health promotion strategy focusing on prevention, in partnership with the Pan American Health Organization, the United Nations Population Fund, the Joint United Nations Programme on HIV/AIDS and NGOs such as PROBIDSIDA. In addition, the necessary mechanisms are being developed to ensure the timely provision of antiretroviral drugs and to improve adherence to treatment. The national information system is also being enhanced and updated, in order to provide access to data on the situation with respect to sexually transmitted infections and HIV/AIDS.

Education

412. The Universal Grant Programme, a national scheme that spans all levels of education, is being implemented in order to reduce school dropout, increase the school enrolment rate and improve retention in the education system. Under this Programme, all schools are required to organize teacher-parent meetings, in order to encourage parents and legal guardians to participate in the education process. A total of 500,000 students benefit from this Programme.

413. Since the launch of this Programme, the dropout rate has fallen: primary school dropout decreased significantly between 2010 and 2013, from 1.8 per cent to 1.1 per cent, while middle and secondary school dropout fell from 4.8 per cent in 2010 to 3.6 per cent in 2013.

414. Merit-based scholarship programmes are still operating, as are support programmes for low-income students from indigenous and rural areas.

415. In 2015, the “My School First” project was launched so that all schools, without exception, would be equipped to provide better quality education. The project benefits a total of 3,600 schools, whose staff are trained to face new local and global challenges.

416. The Government is implementing the 2014–2019 “Bilingual Panama” plan, to improve English teaching in the national education system. The goal is to train 25,000 teachers, 100,000 middle and secondary school students and 160,000 nursery and elementary school students, to give a total of approximately 285,000 bilingual students.

Educational programmes and campaigns

417. In 2015, Panama launched the International Decade for People of African Descent 2015–2024, joining the international community in its efforts to promote the theme of recognition, justice and development.

418. In order to achieve the objectives set out for the Decade, education will be used as a strategic tool for driving change in cultural norms; the curriculum will be overhauled and academic content will be adapted, so as to break down the conceptual barriers that foster discriminatory cultural patterns. Work in this area is being led by the public sector, in collaboration with relevant civil society organizations.

419. The National Secretariat for the Development of Afro-Panamanians, in partnership with Afro-Panamanian civil society, organizes outreach and awareness-raising campaigns, cultural activities, marches and demonstrations involving children and adolescents, educational leisure activities and street theatre, art and music projects aimed at preventing discrimination.

420. Specific training is provided to police officers and to young persons and adolescents to give them the tools they need to engage in successful intercultural dialogue, renew broken ties and strengthen bonds. The enforcement of existing legislation on children and young persons of African descent is encouraged, to ensure that such children are able to exercise their cultural rights in schools without discrimination.

421. In 2016, Panama took part in the “Zero Discrimination” global campaign to combat HIV/AIDS, with the slogan “Be the change you wish to see”.

422. The objective of this annual campaign is to create a climate of respect, solidarity and inclusion, so that all persons may live without fear of being attacked, criminalized or stigmatized because of their HIV/AIDS status.

Specific measures to protect vulnerable social groups**Women**

423. Act No. 4 of 1999, establishing equal opportunities for women, was a major step forward with respect to protecting women’s rights and broadening their access to opportunities in the economic, social, cultural and political spheres.

424. In addition, the public policy on equal opportunities for women provides for positive action to achieve gender parity, with the aim of ensuring equal representation of both genders in all fields of activity, including politics.

425. Proposals have been made regarding the introduction of quotas to ensure that gender representation is distributed according to a ratio of 50:50 or, at the very least, 40:60. The aim is to ensure equal participation in all political, social, administrative and judicial institutions.

426. The legal basis for the above is article 239 of Act No. 54 of 2012, amending the Electoral Code, which stipulates that for internal elections, including primaries, political parties must ensure that at least 50 per cent of the candidates nominated are women. The secretariat for women of each political party is responsible for ensuring that the list of potential candidates for internal elections satisfies the gender quota.

Children and adolescents

427. The National Secretariat for Children, Adolescents and the Family was set up to implement plans, programmes and protective measures aimed at children and adolescents, taking into account their status as a vulnerable group. The provision of prevention and care services for children has increased thanks to the opening of regional offices, resulting in greater coverage.

428. The National Secretariat for Children, Adolescents and the Family is currently running two programmes to prevent sexual violence, ill-treatment and child abuse and to support victims: a programme ensuring direct assistance for victims of sexual violence and

a programme to prevent child abuse and ill-treatment. These programmes consist primarily of educational seminars organized in a number of schools, for the benefit of children, teachers and parents.

429. The General Adoption Act is a major step forward in the fight against trafficking in children, organ trafficking and so forth. The law establishing the National Secretariat for Children, Adolescents and the Family designates this entity as the central authority for adoptions, in order to streamline and improve the procedures for both national and international adoptions. A system for monitoring the situation of adopted children and adolescents in their new homes has been introduced, and voluntary adoption has been abolished.

430. The following measures have been taken to combat child labour: the Committee for the Elimination of Child Labour and the Protection of Child Workers, which is made up of representatives of 27 public and private sector bodies and non-governmental organizations, has been established and the department of the Ministry of Labour and Workforce Development that is responsible for combating child labour and protecting young workers has been given the status of a national directorate.

431. The Committee for the Elimination of Child Labour and the Protection of Child Workers oversees the implementation of three national plans for the elimination of child labour and the protection of child workers (2007–2011): a regional plan for the elimination of child labour in indigenous areas, a plan to work with trade unions to eliminate child labour and a corporate action plan to eliminate child labour, which is being drawn up in coordination with the National Council of Private Enterprise.

432. The Committee for the Elimination of Child Labour and the Protection of Child Workers monitors the child labour situation continuously, using CETIPPAT-INFO, an information system administered by the National Statistics and Census Institute.

Persons with disabilities

433. Act No. 42 of 27 August 1999, as amended by Act No. 15 of 31 March 2016, provides a legal framework to ensure equal opportunities for persons with disabilities and establishes that such persons are entitled to exercise fundamental rights such as access to health, education, culture, sport, work and communication technologies.

434. The National Secretariat for Disabilities runs various initiatives to assist families that are unable to cover the costs of supporting a family member with disabilities, including the “Fami-Business” project.

435. The aim of this project is to provide guidance and training to enable persons with disabilities and their families, living in rural areas, remote areas or poor urban areas, to set up small family businesses in the agricultural, commercial and service sectors, in order to strengthen families, secure their integration in the country’s production system and improve their quality of life.

436. Under Act No. 39 of 2012, a special financial assistance programme was set up for persons with severe disabilities who are dependent on others and who live in extreme poverty, with a view to improving their quality of life by providing them with financial support that would allow them to satisfy their basic needs in terms of food, medication and access to services.

437. Lastly, Act No. 134 of 2013 establishes economic equality for persons with disabilities and provides for benefits such as discounts on products and services, as a form of affirmative action.

438. The State also has a disability policy, which sets out action points relating to equality for persons with disabilities and establishes the following commitments with respect to that sector of the population:

- (i) Elimination of all forms of exclusion and discrimination against persons with disabilities;
- (ii) Access to education, regular attendance and advancement;

- (iii) Efforts to increase the employability of persons with disabilities and their families;
- (iv) Removal of physical barriers to enable the full participation of persons with disabilities;
- (v) Access to information and communication for persons with sensory disabilities (visual, hearing and combined impairments);
- (vi) Efforts to increase the participation of persons with disabilities in recreational, sporting, cultural and tourism activities.

439. Programmes to help persons with disabilities to enter the labour market include an annual project to improve the employability of persons with disabilities, an employment assistance project and the Panamanian section of the AGORA Latin American career training project.

Indigenous peoples

440. Panama is one of the countries that has made the most progress with respect to the protection and promotion of the rights of indigenous peoples, which are enshrined in the Constitution and in laws and regulations relating to indigenous peoples.

441. In terms of governance, as part of their culture and traditions, indigenous peoples have developed their own legal systems for the administration of justice, which they use to maintain order within their regions.

442. As regards territories and resources, five indigenous regions, with their own administrative system, have been created, giving rise to new types of authorities and institutions. Each indigenous region has a regional act and an administrative charter which contain provisions on legal and organizational matters. The five regions and their founding legislation are as follows: the Emberá region of Darién,⁸¹ the Ngobe-Bugle region,⁸² the Kuna Yala region,⁸³ the Kuna region of Madungandi⁸⁴ and the Kuna region of Wargandi.⁸⁵

443. Act No. 72 of 23 December 2008 provides for collective ownership of land to be awarded free of charge to indigenous peoples outside the five indigenous regions. These pieces of legislation guarantee their right to preserve their natural resources, cultural identity and customs and their right to recognition of their traditional political system and forms of government, namely their general congresses — in other words, their right to self-determination.

444. In the field of justice, the Department for Access to Justice for Indigenous Peoples has been established within the judicial branch, to provide interpretation services in indigenous languages for legal proceedings when required and to develop alternative dispute resolution methods in the indigenous regions.

445. In the field of education, Panama is developing and implementing a system of bilingual intercultural education to protect the constitutional right of indigenous peoples to receive an education that helps to preserve and enhance their culture, language, world view and ethnic identity (Act No. 88 of 22 November 2010).

446. A comprehensive development plan for indigenous peoples is being drawn up, in liaison with the traditional authorities of indigenous peoples; under this plan, steps will be taken to formulate human development plans, to reduce poverty and inequality, and to build political and technical skills relating to negotiation and political impact.

447. Act No. 37 of 2016 on consultation and free, prior and informed consent of indigenous peoples entered into force on 2 August 2016.

⁸¹ Act No. 22 of 1887.

⁸² Act No. 10 of 1997.

⁸³ Act No. 16 of 1953.

⁸⁴ Act No. 24 of 1996.

⁸⁵ Act No. 34 of 2000.

448. The Government has provided financial compensation of more than 2.5 million balboas to the Kuna peoples of Madungandi and the Emberá communities of Ipetí and Piriati, who were affected by the construction of the Alto Bayano hydroelectric dam in 1972, in accordance with the ruling handed down on 14 October 2014 by the Inter-American Court of Human Rights.

Afrodescendent groups

449. The State is committed to ensuring respect for the rights of persons of African descent; in order to promote the inclusion of Afro-Panamanians, under Act No. 64 of 6 December 2016, it established the National Secretariat for the Development of Afro-Panamanians, which is attached to the Ministry of Social Development and will be responsible for overseeing and implementing the policy on the social inclusion of Afro-Panamanians in the national territory.

450. Panama recognizes the need to enact comprehensive anti-discrimination legislation prohibiting discrimination of all kinds, including racial and ethnic discrimination, providing for effective enforcement mechanisms and adequate resources, and prescribing appropriate civil and criminal penalties for acts of discrimination committed by public or private actors.

Migrants

451. Decree-Law No. 3 of 2008 established the National Migration Service, which ensures respect for migrants' dignity and human rights and protects them from discrimination on the basis of nationality, social or economic status, disability, political beliefs, ethnic origin, gender, language or religion.

452. As part of its migration policy, the Government conducted a regularization campaign in 2010 called "Panama, the Melting Pot", with the main aim of legalizing the situation of foreigners who could prove that they had been living in Panama for two years.

453. Once the regularization procedure had been completed, they received a two-year residence permit, with the option of taking up permanent residence in Panama when it expired. Almost 8,000 permits were issued during the first regularization session. The majority of the recipients were from Colombia (3,572), Nicaragua (1,397) and China (400).

Refugees

454. The National Office of Refugee Affairs of the Ministry of the Interior is tasked with implementing the provisions of Executive Decree No. 23 of 10 February 1998, which builds on Act No. 5 of 26 October 1977, by which Panama became a party to the United Nations Convention relating to the Status of Refugees of 1951 and the Protocol relating to the Status of Refugees of 1967.

455. Under Act No. 74 of 15 October 2013, persons who have held refugee status for at least three years can apply for permanent residency and a work permit that is valid for an indefinite period.

D. Effective remedies

456. The remedies that are available in the field of human rights are described in the section on specific measures to protect vulnerable social groups.