



# Economic and Social Council

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## Committee on Economic, Social and Cultural Rights Seventy-third session

### Summary record of the 6th meeting

Held at the Palais Wilson, Geneva, on Wednesday, 15 February 2023, at 4 p.m.

*Chair:* Mr. Abdel-Moneim

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### Consideration of reports (*continued*)

- (a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant (*continued*)

*Third periodic report of Panama (continued)*

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*The meeting was called to order at 4.05 p.m.*

**Consideration of reports** *(continued)*

**(a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant** *(continued)*

*Third periodic report of Panama (continued)* (E/C.12/PAN/3; E/C.12/PAN/Q.3; E/C.12/PAN/RQ.3)

1. *At the invitation of the Chair, the delegation of Panama joined the meeting via video link.*
2. **The Chair** invited the delegation to continue replying to the questions raised by Committee members at the previous meeting.
3. **Ms. Gorday de Villalobos** (Panama) said that 5.77 per cent of the country's gross domestic product (GDP) had been earmarked for the educational sector in 2023, including all institutions of the sector and all subsidies and scholarships for students. It was important to note that the country report of the United Nations Children's Fund (UNICEF) referred to in the previous meeting had not taken account of spending on the education sector as a whole. The appropriation for education would rise to 6 per cent of GDP in 2024. In accordance with Act No. 362 of 2 February 2023, from 2024 onwards public spending on the education sector could not be less than 7 per cent of GDP. The poorest and most vulnerable children, including those from Indigenous communities, were eligible for grants from the Educational Equity and Quality Fund. Approximately 502,000 youngsters were in receipt of those grants. An executive decree issued on 31 December 2019 had established that schools that served particularly vulnerable populations, including those in Indigenous regions, should receive greater funding. Some 542,000 schoolchildren had benefited as a result.
4. The Government had been unsparing in its efforts to make up for the detrimental effects of the coronavirus (COVID-19) pandemic on children's educational attainment. For example, it had implemented the National Reading Plan, which had enabled children in more than 100 pre-primary, primary and lower secondary schools to catch up. An online instruction programme had been launched in 100 schools, and there were plans to expand the programme to cover 400 schools. Over 4,000 hours of classes had been offered online and via television and radio between 2020 and 2021. Those classes had been continued after the return to in-person instruction in order reach children in remote areas.
5. An initiative involving 200 schools had focused on helping them to use technology and innovative methods of teaching. The Ester online platform, with its digital library of resources, had been used by over 80 per cent of teachers and more than 350,000 children during the COVID-19 pandemic. In 2020 an accelerated learning programme had been initiated in an effort to assist more than 14,000 children who had been unable to attend school during the pandemic. Schools were monitored and warned if there were any signs of problems that could lead to dropout. Since 2020, the Government had supported more than 750,000 students annually, with an investment of approximately 80 million balboas, through the Universal Social Education Assistance Programme, the aim of which was to reduce repetition and dropout.
6. **A representative of Panama** said that, in 2021, 81 per cent of boys and 82 per cent of girls had attended one year of preschool.
7. **A representative of Panama** said that, pursuant to Act No. 88 of 22 November 2010, the Government had devised a strategy to provide intercultural bilingual education for Indigenous communities throughout the country. It recognized the value of cultural diversity and cultural heritage and worked with Indigenous Peoples to design and implement such education. The Government was also working to rehabilitate and equip schools in Indigenous communities in a way that was respectful of their world view and spirituality and that safeguarded their environmental, economic, cultural and social rights.
8. **A representative of Panama** said that the Government strove to ensure access to education for as many children and young persons, including refugee children, as possible within the constraints of finite resources. Young refugees whose status as such had been

officially recognized could now attend vocational courses that previously had been open only to Panamanian nationals. In order to be eligible for a student loan or scholarship, a young person must be either a Panamanian national or have been resident in the country for more than 10 years. Accordingly, refugees who had been in the country for that length of time could also apply for those benefits. The University of Panama waived enrolment fees for officially recognized refugees, and they were thus able to have access to tertiary education under the same conditions as Panamanian nationals. Every effort was made to provide refugees with information about the educational opportunities available to them.

9. **A representative of Panama** said that, since 2015, the Ministry of Education had spent more than 52.5 million balboas on providing over 2.2 million schoolchildren with healthy and nutritious food. A survey conducted in 2013 had found 84 per cent of children to be of normal height for age and 15 per cent below normal, while an assessment in 2022 had found 59 per cent to be of normal weight for age, 33 per cent to be overweight and 1 per cent to be undernourished. In general, the population aged 5 to 14 was healthy, although anaemia, which affected 15.2 per cent of children, remained a problem which the Government was working to address

10. **A representative of Panama** said that the cultural heritage and the traditional knowledge and identity of the Indigenous Peoples of Panama were protected by the Constitution and various laws and conventions. A plan of action had been drawn up to promote and safeguard indigenous communities' languages and cultural heritage, as well as the cultural traditions of persons of African descent, and a range of activities had been carried out to that end. Through its Polyglot Programme, the Ministry of Culture had sought to raise awareness of Indigenous languages through nine virtual symposiums. In 2022, the first national forum for youth from Indigenous communities had explored the use of technology for teaching children the Bribri, Naso-Teribe and Guna languages. A portal with an interactive map and bilingual videos showing examples of the Indigenous cultural heritage had been launched in 2022. The videos, posted on You Tube, had been viewed over 18,000 times. State radio and television channels also broadcast information in the Guna language on Saturdays.

11. To guarantee participation by Indigenous Peoples in the protection and promotion of their cultural heritage, they were consulted through the Indigenous congresses and took part in drawing up cultural heritage inventories. Much of the archived material had been supplied by the Indigenous communities themselves. The annual International Mother Language Day, photographic exhibitions, workshops and cultural events were all ways of disseminating the cultural heritage. There were also programmes to protect the traditional food, medicine and crafts of Indigenous Peoples.

12. The rich Afro-Panamanian heritage, including its Corpus Christi festivals and dances, and that of the Creole communities were likewise promoted and protected.

13. **A representative of Panama** said that, under its Strategic Plan for the period 2020–2024, the Government was working with the private sector to boost women's participation in various areas of science and research by 2024. Women were overcoming the gender gap as more of them entered science and technology fields. The Action Plan on Equality of Opportunities for Women emphasized the need to include a gender perspective when formulating policies relating to science, technology and innovation. A study conducted in 2018 had found that the main barriers to women's participation in science were stereotypes with regard to women's scientific and leadership abilities, the unequal distribution of work in the home and maternity leave. The National Institute for Women had held training courses in digital literacy in which 299 women in various regions had participated. Under another training scheme, 25 Indigenous women in the Ngöbe-Buglé region had been instructed in the installation and maintenance of photovoltaic systems.

14. **Mr. Mancisidor de la Fuente** (Country Task Force) said that the very significant increase in education spending was to be commended. He would like to know what the timeline was for its implementation. The recent COVID-19 pandemic did not explain the State party's unsatisfactory comparative educational performance, since all countries in the region had been similarly affected. That said, the measures being taken to improve the quality of education in Panama were welcome. In addition to improvements in the training of

teaching staff, he wondered whether other important factors that could contribute to the quality of education, such as improvements in the working conditions of teachers and the prestige of the teaching profession, been contemplated.

15. He would like further information about efforts to enhance intercultural bilingual education in Panama. For example, were there any plans to address the issues raised and the recommendations made in the 2020 UNICEF Country Office Annual Report for Panama and to build on the provisions of Act No. 88 of 2010 in order to improve the situation?

16. The situation regarding the right to education of asylum-seekers and refugees in Panama gave cause for some concern. He understood that the State party faced resource constraints, but access to such an important right should be available universally, including to those in particularly vulnerable situations, and any discrimination in that regard would be incompatible with international human rights law. The 10-year residence requirement for access to scholarships and other forms of assistance seemed excessive. Children arriving in Panama aged 8 or 10, for example, would have completed their entire education before they became eligible for such support.

17. Lastly, he would like to know what was being done to combat pseudoscience and misinformation and ensure the population's access to accurate scientific information.

18. **Ms. Gorday de Villalobos** (Panama) said that the increase in funding for the education sector was taking place in a planned, progressive manner, having risen from 5.33 per cent of GDP to 5.77 per cent and then to 6 per cent and, ultimately, to 7 per cent. All State institutions were moving forward, through the National System of Public Investments, with projects aimed at improving the quality of education from preschool through to the end of secondary education. However, Panama still faced major challenges in terms of the quality of education in remote and Indigenous regions. The Government was committed to tackling those challenges and boosting the secondary education completion rate, which in 2022 had been over 94 per cent, an improvement on the situation five years earlier. The increase in the education budget was also helping to improve the working conditions of teachers. A committee had been set up to improve teachers' working conditions in remote and Indigenous regions, with prefabricated classrooms and housing for teachers being set up at more than 70 sites. Air transportation and health care were also being made available to teachers working in those regions.

19. Changes to legislation governing access to scholarships were currently under consideration. They would extend access to such support to the large numbers of migrant children with refugee status residing in Panama, the majority of whom were under 15 years of age.

20. Degree programmes in intercultural bilingual education were now offered by the Specialized University of the Americas for members of the Ngöbe and Guna communities. In 2023, with the participation of the National Council for the Comprehensive Development of Indigenous Peoples, a similar degree programme was to be made available for members of the Emberá community. Four subject areas taught at the recently established Autonomous University of Indigenous Peoples included an intercultural component. More than 400 teachers had been trained in bilingual education. Moreover, curricula for instruction in Indigenous languages at the pre-primary and primary levels had been developed with the participation of Indigenous community leaders. It was important to note that students from the Indigenous regions had the right to use their mother tongue from the beginning of their time at school and to wear clothing that identified them as part of their community.

21. **A representative of Panama** said that Act No. 81 of 2019 governed the protection of personal data. The National Authority for Transparency and Access to Information conducted regular campaigns with other institutions, in particular those dealing with situations related to gender-based violence.

22. **A representative of Panama** said that, although rules were in place governing access to certain scholarships, it should be noted that, under the Constitution, education was free of charge both to Panamanian children and to non-Panamanian children present in the country, including members of the refugee population. It was important not to draw parallels between

access to scholarships and access to the right to education. No child in Panama was denied an education.

23. **Ms. Lemus de Vásquez** (Country Rapporteur) said that the dialogue had given the Committee a clearer view of the State party's efforts to implement the provisions of the Covenant and of the challenges that it still faced in that regard. She hoped that the Committee's concluding observations would serve to shed light on areas where further progress could be made to ensure the full enjoyment and exercise of the rights enshrined in the Covenant.

24. **Ms. Gorday de Villalobos** (Panama) said that open and transparent dialogue regarding the obligations of the State under the Covenant was key to safeguarding the rights of all people in Panama. Following the State's previous dialogue with the Committee, it had adopted a range of judicial, administrative, social and cultural measures with a view to ensuring full respect for and compliance with its obligations. The delegation was grateful to the civil society organizations that had contributed to the current dialogue. Civil society had a fundamental role to play in helping to identify and overcome obstacles hindering the promotion and protection of human rights in Panama.

25. **The Chair** said that the State party had paid a heavy price for the construction of the Panama Canal, which had benefited the economy of the world as a whole. It should attempt to maximize its revenues from the Canal as a means of increasing the resources available to enable it to fulfil its obligations concerning economic, social and cultural rights.

*The meeting rose at 5.10 p.m.*