

## Panama

<i>Selected Statistics and Indicators on Child Labor</i>	
Percent of children 10-14 estimated as working in 2003:	5.1% <sup>3299</sup>
Minimum age for admission to work:	14 <sup>3300</sup>
Age to which education is compulsory:	14 <sup>3301</sup>
Free public education:	Yes <sup>3302</sup>
Gross primary enrollment rate in 2004:	112% <sup>3303</sup>
Net primary enrollment rate in 2004:	98% <sup>3304</sup>
Percent of children 6-14 attending school in 2003:	93.8% <sup>3305</sup>
As of 2003, percent of primary school entrants likely to reach grade 5:	84% <sup>3306</sup>
Ratified Convention 138:	10/31/2000 <sup>3307</sup>
Ratified Convention 182:	10/31/2000 <sup>3308</sup>
ILO-IPEC participating country:	Yes <sup>3309</sup>

### Incidence and Nature of Child Labor

In 2003, approximately 7.7 percent of boys and 2.2 percent of girls ages 10 to 14 were working in Panama. The majority of working children were found in the agricultural sector (57.6 percent), followed by services (38.1 percent), manufacturing (3.1 percent), and other sectors (1.2 percent).<sup>3310</sup> Rates of work tend to be higher among indigenous than non-indigenous children in

<sup>3299</sup> UCW Analysis of ILO SIMPOC, UNICEF MICS, and World Bank Surveys, *Child Economic Activity and School Attendance Rates*, March 1, 2007, Section 5.

<sup>3300</sup> ILOLEX, *C138 Minimum Age Convention, 1973*, accessed October 12, 2006; available from <http://www.ilo.org/ilolex/cgi-lex/pdconv.pl?host=status01&textbase=iloeng&document=4971&chapter=19&query=C138%40ref&highlight=&querytype=bool>. See also *Political Constitution of the Republic of Panama of 1972, Including the Reform Act of 1978, the Constitutional Act of 1983 and the Legislative Acts of 1983 and 1994*, (1972), Article 66; available from <http://www.georgetown.edu/pdba/Constitutions/Panama/panama1994.html>.

<sup>3301</sup> *Political Constitution of Panama*, (1994), Article 91; available from <http://www.georgetown.edu/pdba/Constitutions/Panama/panama1994.html>. See also ILO-Committee of Experts, *Direct Request, Minimum Age Convention, 1973 (No. 138) Panama (ratification: 2000)*, [online] 2005 [cited October 20, 2006], 2; available from <http://webfusion.ilo.org/public/db/standards/normes/appl/index.cfm?lang=EN>.

<sup>3302</sup> *Constitution of Panama*, Article 91.

<sup>3303</sup> UNESCO Institute for Statistics, *Gross Enrolment Ratio. Primary. Total*, accessed December 20, 2006; available from <http://stats.uis.unesco.org>.

<sup>3304</sup> UNESCO Institute for Statistics, *Net Enrolment Rate. Primary. Total*, accessed December 20, 2006; available from <http://stats.uis.unesco.org>.

<sup>3305</sup> UCW Analysis of ILO SIMPOC, UNICEF MICS, and World Bank Surveys, *Child Economic Activity and School Attendance Rates*.

<sup>3306</sup> UNESCO Institute for Statistics, *Survival Rate to Grade 5. Total*, accessed December 18, 2006; available from <http://stats.uis.unesco.org>.

<sup>3307</sup> ILOLEX, *C138 Minimum Age Convention, 1973*.

<sup>3308</sup> ILOLEX, *C182 Worst Forms of Child Labour Convention, 1999*, accessed October 12, 2006; available from <http://www.ilo.org/ilolex/cgi-lex/pdconv.pl?host=status01&textbase=iloeng&document=6834&chapter=19&query=C182%40ref&highlight=&querytype=bool>.

<sup>3309</sup> ILO-IPEC, *IPEC Action Against Child Labour: Highlights 2006*, Geneva, February, 2007; available from [http://www.ilo.org/iloroot/docstore/ippec/prod/eng/20070228\\_Implementationreport\\_en\\_Web.pdf](http://www.ilo.org/iloroot/docstore/ippec/prod/eng/20070228_Implementationreport_en_Web.pdf).

<sup>3310</sup> UCW Analysis of ILO SIMPOC, UNICEF MICS, and World Bank Surveys, *Child Economic Activity and School Attendance Rates*.

Panama.<sup>3311</sup> Children work on commercial and subsistence farms that produce sugar cane, coffee, palm, watermelons, tomatoes, and onions.<sup>3312</sup> Some children, including children from indigenous communities in Panama, migrate with their families to other regions of the country in search of paid work, which interrupts their schooling.<sup>3313</sup>

Children in urban areas in Panama work in the informal sector.<sup>3314</sup> They work in personal services, urban markets, and trash dumps; they bag groceries in supermarkets; and they work as assistants for bus drivers.<sup>3315</sup> Many children receive tips rather than salaries, particularly grocery packers in supermarkets.<sup>3316</sup> Children also work as domestic servants in third-party homes.<sup>3317</sup>

The commercial sexual exploitation of children and child pornography is a problem in Panama.<sup>3318</sup> Panama is a source and destination country for children trafficked for commercial sexual exploitation. Children are trafficked within Panama and from Colombia for sexual exploitation. In addition, some rural and indigenous child domestic servants may be trafficking victims who were transported from the western provinces to the capital.<sup>3319</sup>

### **Child Labor Laws and Enforcement**

The law sets the minimum age for employment at 14 years.<sup>3320</sup> Children who have not completed primary school may not begin work until 15 years.<sup>3321</sup> However, the law permits children 12 to 14 to perform light domestic and agricultural labor as long as the work does not

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<sup>3311</sup> Census and Statistics Directorate, *Informe Nacional de los Resultados de la Encuesta del Trabajo Infantil*, ILO-IPEC, May 2003, 53; available from [http://www.ilo.org/public/spanish/standards/ipecc/simpoc/panama/report/pasitu\\_2003.pdf](http://www.ilo.org/public/spanish/standards/ipecc/simpoc/panama/report/pasitu_2003.pdf). See also ILO-IPEC, *Prevention and Elimination of Child Labour and Hazardous Work in Panama, PHASE II*, project document, September 15, 2006, 3.

<sup>3312</sup> U.S. Department of State, "Panama," in *Country Reports on Human Rights Practices- 2006*, Washington, DC, March 6, 2007, Section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2006/78900.htm>. See also Creative Associates International, *Destino: Combating Exploitive Child Labor through Education in Panama (El Destino hacia la Educación: Disminuyendo y Erradicando el Trabajo Infantil para Nuevas Oportunidades)* project document, Washington, DC, August 16, 2004. See also Government of Panama, *Written communication*, submitted in response to U.S. Department of Labor Federal Register Notice (July 25, 2005) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor", Washington, DC, August 22, 2005.

<sup>3313</sup> U.S. Department of State, "Country Reports- 2006: Panama," Section 6d.

<sup>3314</sup> *Ibid.* See also ILO-IPEC, *IPEC Country Program PHASE II*, 4.

<sup>3315</sup> ILO-IPEC, *Estudio para la determinación de línea de base trabajo infantil y adolescente peligroso en áreas urbanas de los distritos de Panamá y San Miguelito de la Provincia de Panamá: Informe Final*, Panama City, May 13, 2004, 4. See also U.S. Department of State, in *Trafficking in Persons Report- 2006: Panama*, Washington, DC, June 5, 2006, Section 6d; available from <http://www.state.gov/g/tip/rls/tiprpt/2006/65989.htm>. See also ILO-IPEC, *IPEC Country Program PHASE II*, 4.

<sup>3316</sup> ILO-IPEC, *IPEC Country Program PHASE II*, 4.

<sup>3317</sup> ILO-IPEC, *El trabajo infantil doméstico en Panamá*, September 2002, 17.

<sup>3318</sup> U.S. Department of State, "Trafficking in Persons- 2006: Panama (Tier 2)." See also U.S. Department of State, "Country Reports- 2006: Panama," Section 5.

<sup>3319</sup> U.S. Department of State, "Country Reports- 2006: Panama," Section 5. See also U.S. Department of State, "Trafficking in Persons- 2006: Panama (Tier 2)." See also U.S. Embassy- Panama, *reporting*, March 12, 2007.

<sup>3320</sup> *Constitution of Panama*, Article 66.

<sup>3321</sup> *Constitution of Panama*, Article 66. See also Government of Panama, *Código de la familia*, (1994), Article 508, 509 See also Government of Panama, *Código del Trabajo (annotated)*, Article 117.

interfere with schooling.<sup>3322</sup> The ILO's Committee of Experts on the Application of Conventions and Recommendations has noted that Panamanian law does not provide clear regulations for the conditions under which 12-to-14-year-olds may engage in light labor.<sup>3323</sup>

The law prohibits youth 14 to 18 from engaging in potentially hazardous work or work that would impede their school attendance. The law identifies a number of such hazardous forms of work, including work with electric energy, explosives, flammables, and toxic or radioactive substances; work underground; work on railroads, airplanes, or boats; and work in nightclubs, bars, and casinos. Some of these types of work are allowed if the work is performed as part of a training program.<sup>3324</sup> Youth under 16 years may work no more than 6 hours a day or 36 hours per week, while those 16 and 17 years may work no more than 7 hours per day or 42 hours per week. Children under 18 may not work between 6 p.m. and 8 a.m.<sup>3325</sup> Businesses that employ an underage child are subject to civil fines, while employers who endanger the physical or mental health of a child can face 2 to 6 years of imprisonment.<sup>3326</sup>

The law prohibits forced labor by children.<sup>3327</sup> Panama does not have armed forces, and therefore has no laws regulating age of conscription.<sup>3328</sup>

The law provides for a range of penalties for engaging in the prostitution of minors under 18.<sup>3329</sup> These include 4 to 8 years imprisonment and fines for soliciting and paying for prostitution with a minor; 8 to 12 years and fines for engaging in prostitution with a minor under 14 years; and 6 to 10 years of imprisonment and fines for being supported by an underage prostitute.<sup>3330</sup> The production, distribution, or promotion of child pornography is punishable by 4 to 6 years in prison and fines.<sup>3331</sup> Involvement in sex tourism in which children are victims may result in 5 to 8 years in prison and fines.<sup>3332</sup> Trafficking of minors for sexual purposes is punishable with 8 to 10 years in prison and fines.<sup>3333</sup> The law provides for indemnification of costs for treatment, housing, legal fees and emotional suffering of trafficking victims.<sup>3334</sup>

The President of Panama signed an Executive Decree to legalize Panama's list of the worst forms of child labor, as stipulated in ILO Convention No. 182 of the Worst Forms of Child

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<sup>3322</sup> *Código de la familia*, Article 716. See also *Código del Trabajo (annotated)*, Article 123.

<sup>3323</sup> ILO-Committee of Experts, *Direct Request*, [5].

<sup>3324</sup> *Código del Trabajo (annotated)*, Article 118. See also *Código de la familia*, Articles 510-512.

<sup>3325</sup> *Código del Trabajo (annotated)*, Articles 120 and 122.

<sup>3326</sup> U.S. Embassy- Panama, *reporting*, October 5, 2001.

<sup>3327</sup> U.S. Department of State, "Country Reports- 2006: Panama," Section 6c.

<sup>3328</sup> *Constitution of Panama*, Article 305. See also Coalition to Stop the Use of Child Soldiers, "Panama," in *Child Soldiers Global Report 2004*, London, 2004; available from [http://www.child-soldiers.org/document\\_get.php?id=834](http://www.child-soldiers.org/document_get.php?id=834).

<sup>3329</sup> Government of Panama, *Código Penal de Panamá*, (March 31, 2004); available from <http://www.unifr.ch/derechopenal/ley.htm>. as cited in Interpol, *National Laws: Legislation of Interpol Member States on Sexual Offences Against Children-Panama*, 2006; available from <http://www.interpol.int/Public/Children/SexualAbuse/NationalLaws/csaPanama.pdf>.

<sup>3330</sup> Interpol, *National Laws: Legislation of Interpol Member States on Sexual Offences Against Children-Panama* Articles 229, 229-A, and 230.

<sup>3331</sup> *Ibid.*, Articles 231-D, 231-E, 231-F, 231-G, and 231-H.

<sup>3332</sup> *Ibid.*, Article 231G.

<sup>3333</sup> *Ibid.*, Articles 231, 231A, 231-B, and 231-C.

<sup>3334</sup> U.S. Department of State, "Country Reports- 2006: Panama," Section 5.

Labor. The Decree became official law on June 19, 2006. The law lists 17 classes of work that are considered hazardous by their nature and 12 considered hazardous by their conditions.<sup>3335</sup>

The Ministry of Labor, through its Child Labor Unit, is responsible for enforcing child labor laws, conducting child labor inspections, and imposing penalties on companies that do not comply with the law.<sup>3336</sup> At the end of 2006, 369 inspections had been conducted of businesses in the capital city and 139 inspections had been conducted in the interior of the country.<sup>3337</sup> Children may file complaints about possible violations of their rights with the National Council for Children and Adolescents Rights; the Children's Delegate in the Ombudsperson's Office; or the Ministry of Youth, Women, Children, and Family Affairs.<sup>3338</sup>

The Ministry of Government and Justice is responsible for developing policies to combat trafficking in persons, and the Ministry of Social Development provides shelter and related services to victims.<sup>3339</sup> The Technical Judicial Police has a special Sex Crimes Unit to investigate sex crimes, including child pornography and trafficking, although the U.S. Department of State noted that inadequate funding was allocated to the Unit.<sup>3340</sup> The Attorney General's office has three prosecutors designated to handle trafficking in persons cases.<sup>3341</sup>

### **Current Government Policies and Programs to Eliminate the Worst Forms of Child Labor**

In June 2006, Panama adopted its first National Plan against Child Labor (2007-2011).<sup>3342</sup> The Plan, developed by the National Commission for the Elimination of Child Labor and the Protection of the Adolescent Worker (CETIPPAT),<sup>3343</sup> is comprised of various strategic components. These components include raising awareness, harmonizing national legislation with international conventions; enforcing child labor laws; improving national capacity to inspect and monitor child labor violations; improving the conditions of parents of working children; promoting the education and health of working children; promoting recreational activities for children; and creating and maintaining a database of credible information.<sup>3344</sup> During 2006, the government also continued to implement its 12-year National Strategic Plan on

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<sup>3335</sup> Ministry of Labor and Employment Development, *Decreto Ejecutivo Número 19 "Que aprueba la lista del trabajo infantil peligroso, en el marco de las peores formas del trabajo infantil.*, June 12, 2006; available from [http://www.asamblea.gob.pa/GACETAS/2000/2006/25569\\_2006.PDF](http://www.asamblea.gob.pa/GACETAS/2000/2006/25569_2006.PDF). See also U.S. Embassy- Panama, *reporting*, June 16, 2006. See also ILO-IPEC, *Country Program for Combating the Worst Forms of Child Labor in Panama*, final technical progress report, August 15, 2006, 6.

<sup>3336</sup> ILO-Committee of Experts, *Direct Request*, [1]. See also U.S. Department of State, "Country Reports- 2006: Panama," section 6d.

<sup>3337</sup> U.S. Department of State, "Country Reports- 2006: Panama," Section 6d.

<sup>3338</sup> UN Committee on the Rights of the Child, *Concluding Observations: Panama*, CRC/C15/Add.233, Geneva, June 30, 2004, 3.

<sup>3339</sup> U.S. Department of State, "Country Reports- 2006: Panama," Section 5.

<sup>3340</sup> *Ibid.*

<sup>3341</sup> U.S. Department of State, "Trafficking in Persons- 2006: Panama (Tier 2)."

<sup>3342</sup> U.S. Embassy- Panama, *reporting*, June 16, 2006. See also ILO-IPEC, *ILO-IPEC Country Program, final technical progress report*, 3.

<sup>3343</sup> ILO-IPEC, *Ficha País: Panama*; available from [http://www.oit.org.pe/ipecc/documentos/ficha\\_pais\\_pan.pdf](http://www.oit.org.pe/ipecc/documentos/ficha_pais_pan.pdf).

<sup>3344</sup> The National Committee for the Eradication of Child Labor and the Protection of the Adolescent Worker (CETIPPAT), *Plan Nacional de Erradicación del Trabajo Infantil y Protección de las Personas Adolescentes Trabajadoras 2007-2011*, June 2006, 71-82; available from [http://www.oit.org.pe/ipecc/documentos/plan\\_nacional\\_cetipat\\_completo.pdf](http://www.oit.org.pe/ipecc/documentos/plan_nacional_cetipat_completo.pdf).

Children and Adolescents (2003-2015) and the 2003-2006 National Action Plan on Children and Adolescents, which included strategies to address child labor and the sexual exploitation of children.<sup>3345</sup>

The government continues to participate in the second phase of a USDOL-funded USD 2 million program implemented by ILO-IPEC that aims to combat child labor in the rural and urban informal sectors.<sup>3346</sup> The first phase, which ended in June 2006, withdrew 967 children and prevented 570 from engaging in exploitive labor.<sup>3347</sup> The second phase aims to withdraw 750 children and prevent an additional 750 from becoming engaged in exploitive labor.<sup>3348</sup> Panama is also part of a USDOL-funded USD 8.8 million regional project implemented by ILO-IPEC to combat the commercial sexual exploitation of children. The project aims to withdraw and prevent 230 children and adolescents from engaging in or becoming involved in such exploitation in Panama.<sup>3349</sup> Another USDOL-funded USD 3 million regional ILO-IPEC project to combat hazardous child labor in agriculture ended in June 2006. Panama participated in policy and capacity building activities, but no children were directly targeted for withdrawal or prevention in that program.<sup>3350</sup> The Government of Panama is also collaborating in a USD 3 million project funded by USDOL and implemented by Creative Associates International to combat child labor through education in Panama. The project aims to withdraw 2,420 children from exploitive work in agriculture and prevent 675 children from becoming engaged in such activities.<sup>3351</sup>

The Ministry of Social Development (MIDES) supports and implements a number of programs that provide services to vulnerable children, including children engaged in exploitive child labor. Programs include shelters for child and adolescent victims of commercial sexual exploitation; a hotline for citizens to denounce incidents of exploitive child labor; and a Web site for the public to report cases that involve the commercial sexual exploitation or the trafficking of children.<sup>3352</sup> As part of the government's strategy to combat poverty, MIDES also provides services to families in situations of extreme poverty, which include a monthly stipend to female heads of household who commit to maintaining their school-aged children in school and participating in

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<sup>3345</sup> ILO-IPEC, *Country Program for Combating the Worst Forms of Child Labor in Panama*, technical progress report, Geneva, March 2004, 2.

<sup>3346</sup> ILO-IPEC, *IPEC Country Program PHASE II*.

<sup>3347</sup> ILO-IPEC, *ILO-IPEC Country Program, final technical progress report*, 19.

<sup>3348</sup> ILO-IPEC, *IPEC Country Program PHASE II*, 33-35.

<sup>3349</sup> ILO-IPEC, *Contribution to the Prevention and Elimination of Commercial Sexual Exploitation of Children in Central America, Panama and the Dominican Republic*, Geneva, September 2005, 56.

<sup>3350</sup> ILO-IPEC, *Prevention and Progressive Elimination of Child Labour in Agriculture in Central America, Panama and the Dominican Republic (Phase II)*, September 2003, 32-33.

<sup>3351</sup> Creative Associates International, *Destino: Combating Exploitive Child Labor through Education in Panama: Project Document*, 11.

<sup>3352</sup> U.S. Department of State, "Country Reports- 2006: Panama," Section 5. See also Ministerio de Desarrollo Social, *MIDES trabaja para prevenir y erradicar la explotacion sexual comercial*, [online] [cited April 11, 2007]; available from <http://www.mides.gob.pa/Images/Notasdeprensa/Nota%2023.pdf>. See also Ministerio de Desarrollo Social, *MIDES y OIT/IPEC realizan taller sobre explotaci3n sexual comercial en ni3os, ni3as y adolescentes*, [online] [cited April 11, 2007]; available from <http://www.mides.gob.pa/Images/Notasdeprensa/Nota%2039.pdf>. See also Ministerio de Desarrollo Social, *Conoce al Centro de Orientaci3n y Atenci3n Integral*, [online] [cited April 11, 2007]; available from <http://www.mides.gov.pa/Centrodeorientacion.htm>. See also U.S. Embassy- Panama, *reporting, March 12, 2007*. See also ILO-IPEC, *IPEC Country Program PHASE II*, 6.

school activities.<sup>3353</sup> Also in 2006, MIDES, in collaboration with the ILO, produced and disseminated awareness-raising materials on commercial sexual exploitation, trafficking, and victim protection to public school teachers and the larger community.<sup>3354</sup>

The Institute for Human Resources, Capacity Building, and Vocational Training (IFARHU), an independent government agency with its own budget overseen by the Executive Branch, implements a scholarship program for children who have been withdrawn or prevented from exploitive labor. Between January and August 2006, IFARHU provided school scholarships to 2,174 children as part of its "Child Labor Eradication" sub-program.<sup>3355</sup> UNICEF is implementing a "community schools" program in the province of Chiriquí to discourage parents from sending children to work on coffee plantations.<sup>3356</sup>

The National Commission for the Prevention of Sexual Crimes (CONAPREDES) provides funding to assist victims.<sup>3357</sup> CONAPREDES has implemented a media campaign against commercial sexual exploitation that included activities to educate journalists on trafficking issues and to warn adult males who seek commercial sex with minors.<sup>3358</sup> Also in 2006, the government incorporated an anti-trafficking message into all lottery tickets nationwide.<sup>3359</sup>

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<sup>3353</sup> Ministerio de Desarrollo Social, *¿Qué es la Red de Oportunidades?*, [online] [cited April 11, 2007]; available from <http://www.mides.gov.pa/Contigopodemos.htm>.

<sup>3354</sup> U.S. Department of State, "Country Reports- 2006: Panama," Section 5.

<sup>3355</sup> The Training and Human Resources Institute (IFARHU), *Historia de la Institucion*, [online] 2006 [cited January 22, 2007]; available from <http://www.ifarhu.gob.pa/historia.htm>. See also The Training and Human Resources Institute (IFARHU), *Instituto para la Formación y Aprovechamiento de Recursos Humanos, Dirección Ejecutiva de Planificación de Recursos Humanos, Departamento de Estadística, Becas Concedidas por el IFARHU en la República, Por Monto Anual, Según Subprograma: Enero a Agosto 2006*, [online] [cited April 11, 2007]; available from <http://www.ifarhu.gob.pa/estadisticas.htm>.

<sup>3356</sup> UNICEF, *At a Glance: Panama: UNICEF Brings Education to Indigenous Children in Panama*, [online] 2005 [cited October 12, 2006]; available from [http://www.unicef.org/infobycountry/panama\\_25197.html?q=printme](http://www.unicef.org/infobycountry/panama_25197.html?q=printme).

<sup>3357</sup> U.S. Department of State, "Country Reports- 2006: Panama," Section 5.

<sup>3358</sup> U.S. Department of State, "Trafficking in Persons- 2006: Panama (Tier 2)."

<sup>3359</sup> U.S. Embassy- Panama, *reporting, March 12, 2007*.