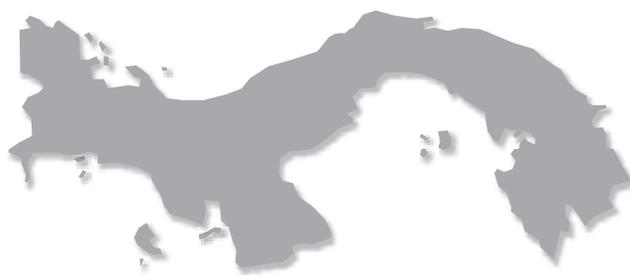


In 2014, Panama made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government of Panama initiated its biennial national child labor survey, created a subcommittee to address the causes of child labor in the province of Bocas del Toro, and expanded the Direct Government Action Program to provide nationwide social and economic services aimed at preventing and eliminating child labor. However, children in Panama are engaged in the worst forms of child labor, including in commercial sexual exploitation. The law does not adequately define light work and fails to prohibit minors under 16 from engaging in hazardous work within training establishments. Moreover, the law does not clearly sanction violations related to the hazardous work in which children are prohibited to engage.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Panama are engaged in the worst forms of child labor, including in commercial sexual exploitation.(1-4) Table 1 provides key indicators on children's work and education in Panama.

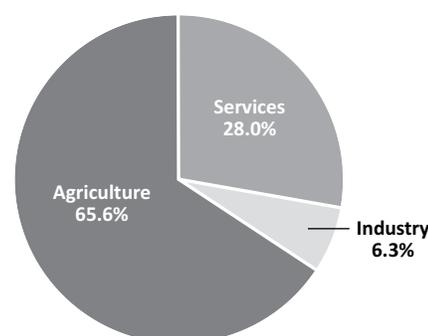
**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	3.7 (25,545)
Attending School (%)	5-14 yrs.	95.2
Combining Work and School (%)	7-14 yrs.	3.7
Primary Completion Rate (%)		97.7

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(5)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Encuesta de Trabajo Infantil (ETI), 2012.(6)

**Figure 1. Working Children by Sector, Ages 5-14**



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Production of coffee, tomatoes,* melons, sugarcane, beans,* rice,* bananas,* corn,* yucca,* pineapple,* oilseeds,* cereal grains,* and onions* (7-20)
	Fishing,*† including harvesting shellfish* (2, 4, 7, 10, 19, 21-23)
Industry	Construction, activities unknown*† (1, 4, 19, 24)
	Scavenging the ocean for metal and other items*† (10, 25)
	Domestic work*† (1-4, 10, 11, 17, 19, 21, 22, 24, 26)
Services	Assisting bus drivers by collecting fares*† (10, 27)
	Bagging in supermarkets*(2, 16, 19, 27-29)
	Street work including selling goods on the street,† washing cars,† shoe shining,† and collecting recyclables*† (2, 4, 10, 16, 19, 21, 22, 24, 27-34)
Categorical Worst Forms of Child Labor‡	Forced domestic work*† (3)
	Commercial sexual exploitation sometimes as a result of trafficking*† (3, 19)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3 (d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

According to the results of Panama's 2014 biennial Survey on Child Labor, the highest prevalence of child labor is in autonomous indigenous areas, followed by the provinces of Bocas del Toro and Darién.(35) Children of indigenous descent face greater barriers

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to accessing education services, including having to travel significant distances to reach school.(31, 36) Additionally, children from indigenous communities frequently migrate with their families to work in agriculture.(9, 10) Farm owners often pay wages according to the amount of crops harvested, leading families to bring their children to work alongside them to harvest more crops.(10, 34) Girls from indigenous communities are also subjected to forced domestic work.(3) Moreover, the ILO Committee of Experts has noted that children from indigenous and Afro-Panamanian communities are particularly vulnerable to the worst forms of child labor and recommends government efforts to ensure their social integration and access to education.(37)

Commercial sexual exploitation of children occurs mainly in tourist areas of Panama City and beach communities.(19)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Panama has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	14	Article 70 of the Constitution; Articles 508-509, 716 of the Family Code; Articles 117, 119, 123 of the Labor Code (38-40)
Minimum Age for Hazardous Work	Yes	18	Article 510 of the Family Code; Article 203 of the Penal Code; Article 4 of Executive Decree No. 19 of 2006; Article 118 of the Labor Code (39-42)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Articles 2-3 of Executive Decree No. 19 of 2006; Article 118 of the Labor Code; Article 510 of the Family Code (39, 40, 42)
Prohibition of Forced Labor	Yes		Articles 157-158 and 456 of the Penal Code; Article 21 of the Constitution; Article 489 of the Family Code (38, 39, 41, 43)
Prohibition of Child Trafficking	Yes		Articles 205-208, 456 of the Penal Code; Article 489.17 of the Family Code; Article 21 of the Constitution (38, 39, 41, 43)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 179-187, 189-191, 202-203, 207, 456 of the Penal Code (41, 43)
Prohibition of Using Children in Illicit Activities	Yes		Article 318, 333 of the Penal Code; Article 489.16 of the Family Code; Article 2.16 of Executive Decree No. 19 of 2006 (39, 41, 42)
Minimum Age for Compulsory Military Recruitment	N/A†		
Minimum Age for Voluntary Military Service	N/A†		
Compulsory Education Age	Yes	15	Article 34, 45 of the Law on Education; Article 489 of the Family Code; Article 95 of the Constitution (38, 39, 44, 45)
Free Public Education	Yes		Article 34, 41 of the Law on Education; Article 95 of the Constitution (38, 44, 45)

† No standing military (38, 46)

While the Constitution, Family Code, and Labor Code set the minimum age for employment at 14, Article 70 of the Constitution allows children below the minimum age to work under conditions established by law.(38-40) Article 716 of the Family Code permits children ages 12 to 14 to perform domestic and agricultural work as regulated by the Labor Code.(39) Article 119 of the Labor Code allows children ages 12 to 15 to perform light work in agriculture if the work is outside regular school hours and Article 123 allows children over the age of 12 to perform light domestic work. However, the Labor Code does not define the kinds of tasks children may perform as light work.(40)

Article 118 of the Labor Code and Article 510 of the Family Code allow minors to perform hazardous work in training establishments when the work is approved by the competent government authority and carried out under its supervision, but neither law establishes a minimum age for this work.(39, 40) Article 5 of Executive Decree No. 19 indicates that violations related to hazardous child labor will be sanctioned in accordance with existing laws, and the Government of Panama has stated that the penalties established in Article 215 of the original Penal Code apply to the worst forms of child labor.(4, 42) However, these penalties are not present in the updated Penal Code and it is unclear whether the penalties provided for in Article 202 and 203 of the updated Penal Code or Article 125 of the Labor Code are applicable.(40, 41)

In 2014, several government agencies continued to review and comment on the updated draft of the List of Hazardous Occupations Prohibited for Children.(2, 4, 19, 47, 48)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor (MITRADEL)	Enforce child labor laws. Contains two directorates with direct authority over child labor matters: the Directorate Against Child Labor and for the Protection of Adolescent Workers (DIRETIPPAT) and the Labor Inspection Directorate.(2) The Labor Inspection Directorate carries out labor inspections in establishments and sites where children may be working, particularly in the formal sector. DIRETIPPAT is a supervising entity responsible for overseeing the fulfillment of laws related to working children in the formal and informal sectors and plans and executes public policies; carries out education programs on child labor for employers, parents, and children; and coordinates the implementation of the National Plan for the Eradication of Child Labor and the Protection of Young Workers.(2, 7, 49-51) Refers cases of children found in exploitative work to the Child and Adolescent Courts or to the National Secretariat for Childhood, Adolescence, and Family (SENNIAF).(2, 7)
Attorney General's Office	Investigate and prosecute crimes of sexual exploitation. Investigations initiated by the Judicial Investigative Directorate; cases passed to the prosecutors.(52)
Public Ministry's Organized Crime Unit	Investigate trafficking cases and operate a unit dedicated to investigating trafficking in persons for sexual exploitation.(7, 53)
National Commission for the Prevention of Crimes of Sexual Exploitation (CONAPREDES)	Investigate cases of commercial sexual exploitation.(25) Coordinate, advise, and implement policies related to sexual exploitation, as well as study related trends and prevalence. Promote public policies for the prevention and eradication of sexual exploitation through specific actions, projects, and programs.(54) Members include the Attorney General as well as the ministries of Labor, Education, Social Development, and Health. Refer cases of sexual exploitation to the Attorney General's Office.(22, 54)
National Secretariat for Childhood, Adolescence, and Family (SENNIAF)	Carry out inspections to identify children and adolescents engaged in child labor, particularly in the informal sector.(4) Enhance government agencies' and NGOs' capacity to address child labor by monitoring and coordinating a network of government services that address the needs of vulnerable populations. Promote education as a means to eliminate poverty.(2, 29)
Childhood and Adolescence Police	Carry out inspections to identify children and adolescents engaged in child labor, particularly in the informal sector.(4) Support SENNIAF inspections in areas with high rates of child labor.(29)

Law enforcement agencies in Panama took actions to combat child labor, including its worst forms.

#### *Labor Law Enforcement*

In 2014, the Ministry of Labor (MITRADEL) employed 251 staff, including 10 labor inspectors and 8 child labor inspectors.(4, 19) All labor inspectors are trained to look for evidence of child labor; in 2014, MITRADEL inspectors received

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four trainings related to child labor.(4, 19, 55, 56) MITRADEL's Labor Inspection Directorate allocated \$1,739,942 in 2014. The Government reported that the 2014 budget of \$83,475,300 allocated to the Directorate Against Child Labor and for the Protection of Adolescent Workers (DIRETIPPAT) was insufficient to meet their commitments for coordination, implementation, and monitoring related to child labor.(4, 19) Both DIRETIPPAT and the Labor Inspection Directorate had access to vehicles and computers.(4, 19)

Complaints related to child labor may be filed through the "311" citizen complaint telephone hotline run by MITRADEL, or they can be filed in person at one of the MITRADEL offices or social service centers throughout the country.(4, 7, 19, 53) The complaints are assigned a case number and are processed by the appropriate government agency.(2) The Government reports that 10 complaints were received during 2014.(29)

During the reporting period, MITRADEL carried out 908 child labor inspections and 2,244 general labor inspections.(4) Additionally, MITRADEL conducted 34 operations to investigate child labor in such activities as washing cars, working in and around taxi and bus stops, fishing, working in ports, and working in public landfills.(4)

In 2014, DIRETIPPAT visited several communities, including the indigenous *comarcas* Ngäbe Buglé, Guna Yala, and Embera-Wounaan, as well as San Miguel Island and Esmeralda Island. DIRETIPPAT identified 1,508 children and adolescents engaged in street work and other hazardous labor, including 695 children engaged in informal work, 398 in agricultural activities, and 114 in fishing.(4, 19) DIRETIPPAT removed 1,426 working children and incorporated them into the Direct Government Action Program. The children will receive school scholarships and academic monitoring for 3 years.(4) The Labor Inspection Directorate removed an additional 16 children engaged in child labor, and the National Secretariat for Childhood, Adolescence, and Family (SENNIAF) identified 673 child laborers.(4, 29) Despite these efforts, civil society groups note that labor inspections focus primarily on the formal sector, leaving children in the informal sector vulnerable.(19)

In 2014, MITRADEL received and investigated 18 complaints for violations of child labor laws. From this total, 7 were sanctioned, 10 are in process, and 1 was cleared.(4, 19) MITRADEL noted that Article 125 of the Labor Code sanctions fines ranging from \$50 to \$700 for child labor violations but does not specify whether the employer can be charged this amount per each affected worker.(4, 19)

### *Criminal Law Enforcement*

The National Commission for the Prevention of Crimes of Sexual Exploitation (CONAPREDES) developed training workshops on the legal framework related to commercial sexual exploitation and reached approximately 300 law enforcement officials in the provinces of Coclé, Colón, Veraguas, Herrera, Los Santos, Panamá, Chorrera, and San Miguelito.(57) Although CONAPREDES member agencies receive training to carry out covert organized crime operations related to commercial sexual exploitation, turnover in personnel has resulted in a lack of permanently trained staff at CONAPREDES.(25) SENNIAF trained police on the risks and consequences of child labor.(29)

## IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
The Committee for the Eradication of Child Labor and the Protection of Adolescent Workers (CETIPPAT)	Coordinate various efforts to combat child labor. Led by the First Lady of Panama and includes MITRADEL; the ministries of Education, Health, and Agriculture; as well as representatives from civil society and organizations of workers and employers.(54)
CONAPREDES	Coordinate government efforts to combat the commercial sexual exploitation of children. Led by the Office of the Attorney General and includes members from the ministries of Labor, Education, Social Development, and Health.(58) Conduct investigations in the area of sexual exploitation.(25)
SENNIAF	Enhance government and NGO capacity to address child labor by creating a network of services that addresses the needs of vulnerable populations and promoting education as a means to eliminate poverty.(2, 29)

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor (cont)**

Coordinating Body	Role & Description
Subcommittee to Combat Child Labor*	Incorporate Panamanian Institute for Sports and the Ministry of Education in efforts to address child labor and its causes. The first agreement was managed by MITRADEL for the province of Bocas del Toro, which had the highest rates of child labor in the 2012 survey on child labor and 6 percent of child laborers identified by DIRETIPPAT in 2014.(19, 51, 59)

\* Mechanism to coordinate efforts to address child labor was created during the reporting period.

In 2014, the Committee for the Eradication of Child Labor and the Protection of Adolescent Workers (CETIPPAT) prepared a study on the status of implementation of the Bilateral Agreement between Costa Rica and Panama for the protection of child labor migrants and began building a child labor monitoring system based on the Unique Registration of Child Labor system developed in Ecuador.(19)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Panama has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
Roadmap towards the Elimination of Child Labor (2011 – 2019)	Aims to eliminate the worst forms of child labor by 2015 and all child labor in Panama by 2020 by strengthening anti-poverty, health, and educational programs and policies.(22, 60, 61)
National Action Plan for the Prevention and Elimination of Sexual Commercial Exploitation of Children and Adolescents	Aims to prevent and eliminate the sexual commercial exploitation of children and adolescents, including through the provision of services to victims, strengthening CONAPREDES, and raising awareness. Implemented by CONAPREDES with support from the Public Ministry.(2, 22, 54, 62)
Declaration of the Regional Initiative: Latin America and the Caribbean Free of Child Labor (2014 – 2020)†	Aims to increase regional cooperation on eradicating child labor by 2020 through signatories' efforts to strengthen monitoring and coordination mechanisms, government programs, and South-South exchanges. Reaffirms commitments made in the Brasilia Declaration from the Third Global Conference on Child Labor (October 2013), and signed by Panama at the ILO's 18th Regional Meeting of the Americas in Lima, Peru (October 2014).(63, 64)

† Policy was approved during the reporting period.

In September 2014, Panama participated in the First Meeting of the Working Groups of the XVIII Inter-American Conference of Ministers of Labor to foster continued dialogue and cooperation on labor issues throughout the Americas. Held in Bridgetown, Barbados, these discussions promoted the exchange of information on policies and programs that seek to formalize the informal sector, uphold workers' rights, and prevent and eliminate child labor.(65, 66)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Panama funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms. (Table 8)

**Table 8. Social Programs to Address Child Labor**

Program	Description
Direct Government Action Program for the Prevention and Eradication of Child Labor‡	MITRADEL program implemented through the Institute for Training and Utilization of Human Resources that provides a network of social and economic services to child workers and children at risk of child labor. Services include provision of food and scholarships, support of sports activities, and social monitoring.(8, 19, 67, 68) Scholarships for schooling provided to approximately 5,500 children.(69) During 2014, achieved nationwide coverage.(4, 19)
Prevention and Eradication of Child Labor‡	SENNIAF program that identifies children engaged in the worst forms of child labor, removes them from exploitative situations, and connects them to a network of social and economic services offered by the Government.(22, 29)

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**Table 8. Social Programs to Address Child Labor (cont)**

Program	Description
Prevention and Care for Child and Adolescent Victims of Sexual Violence‡	SENNIAF program that identifies children engaged in commercial sexual exploitation, removes them from exploitative situations, and provides them with social services. Conducts training workshops nationwide for professionals providing direct care to child and adolescent victims of sexual violence.(70)
National Council of Private Businesses (CoNEP) Corporate Social Responsibility Program	Joint effort created by MITRADEL and CoNEP that involves a partnership with businesses across Panama to sign the Voluntary Agreement of Corporate Social Responsibility to prevent and eradicate child labor.(71, 72) During the reporting period, launched the Red Card to Child Labor social campaign to coincide with the FIFA World Cup.(73) As of 2014, 250 businesses participated.(52)
Public Policy and Strategies to Prevent and Eradicate Child Labor Certificate Program	Certificate program created in partnership with the Government of Panama, Telefónica Movistar, and the University of the Americas to train government employees in MITRADEL, the Judicial Secretariat, the Labor Inspectorate, and CETIPPAT on child labor issues. Ended in 2014.(51, 52, 74, 75).
MITRADEL and Fundación Telefónica Cooperative Agreement (2014 – 2016)†	MITRADEL public-private partnership with Telefónica Móviles Panamá S.A. to prevent and eliminate child labor by improving access to education and providing trainings to teachers and private employers. The 2-year agreement was signed in December 2014.(19, 76)
Network of Opportunities*‡	Ministry of Social Development program that provides conditional cash transfers to families in extreme poverty, conditioned on their children's participation in health and education services and acquisition of a birth certificate. Offers training to beneficiaries to improve income-generating opportunities.(10, 22, 77, 78)
Blue Heart Campaign against Human Trafficking†	Government of Panama and UNODC campaign to raise awareness to combat human trafficking. Activities include social media campaigns, workshops, forums, and trainings for civil society and government officials.(79, 80)
Building Effective Policies Against Child Labor in Ecuador and Panama (2012 – 2016)	USDOL-funded, \$3.5 million, 4-year project implemented by ILO-IPEC to strengthen policies for the identification and referral of child labor cases and the enforcement of child labor and occupational safety laws in Panama.(81, 82)
EducaFuturo (2012 – 2016)	USDOL-funded, \$6.5 million, 4-year project implemented by Partners of the Americas to combat the worst forms of child labor among the most vulnerable populations, including Afro-descendants and migrant and indigenous children, by providing them with educational and livelihood services in Panama. The project targets approximately 1,800 children, 500 youth, and 600 households.(83)
Global Action Program on Child Labor Issues (2011 – 2015)	USDOL-funded project implemented by the ILO in approximately 40 countries to support the priorities of the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016 established by the Hague Global Child Labor Conference in 2010. Aims to strengthen legal protections and social service delivery for child domestic workers in Panama.(84)

\* The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

‡ Program is funded by the Government of Panama.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Panama (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Establish regulations that identify the types of agricultural activities that children between the ages of 12 and 15 can undertake as light work to ensure they are not exposed to hazardous labor.	2009 – 2014
	Ensure that only minors age 16 and older who have received adequate, specific instruction or vocational training are permitted to perform hazardous work, and that their health, safety, and morals are fully protected.	2013 – 2014
	Clarify which penalties apply under the Penal or Labor Code for violations of hazardous child labor provisions under Executive Decree No. 19 of 2006.	2011 – 2014
Enforcement	Allocate sufficient funding for DIRETIPPAT to meet its commitments for coordination, implementation, and monitoring related to child labor.	2014
	Build enforcement capacity to address children's work in the informal sector.	2014

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)**

Area	Suggested Action	Year(s) Suggested
Enforcement	Clarify whether fines for child labor violations as sanctioned in Article 125 of the Labor Code may be applied for each affected worker.	2014
	Revise CONAPREDES assignment policies to address high turnover in personnel and ensure staff are trained to investigate cases of commercial sexual exploitation.	2011 – 2014
Social Programs	Ensure children from indigenous and Afro-Panamanian communities have access to education.	2014
	Assess the impact that existing programs such as the Network of Opportunities may have on child labor.	2012 – 2014

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