

In 2017, Panama made a moderate advancement in efforts to eliminate the worst forms of child labor. The government strengthened and clarified penalties for child labor within the Labor Code and provided training to criminal law enforcement personnel on investigating and sanctioning the commercial sexual exploitation of children. The National Commission for the Prevention of Crimes of Sexual Exploitation approved funding to assist at-risk children and to conduct a study on children engaged in illicit activities.

The Ministry of Labor also launched a child labor monitoring information system to strengthen interagency coordination on child labor cases and established agreements with the municipal councils of Chame and Colón to design and implement child labor elimination strategies. In addition, the government funded new education, meal, and recreation services for children as an alternative to participating in the coffee harvest in Chiriquí. However, children in Panama engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture. Although the government made meaningful efforts in all relevant areas during the reporting period, Panamanian law allows minors under age 16 to engage in hazardous work within training establishments. Moreover, inadequate resources, including an insufficient number of inspectors, hamper the Labor Inspectorate's capacity to enforce laws on the worst forms of child labor.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Panama engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture. (1; 2; 3; 4; 5; 6; 7; 8) 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 to 14	4.7 (32,858)
Attending School (%)	5 to 14	94.9
Combining Work and School (%)	7 to 14	4.9
Primary Completion Rate (%)		96.7

Source for primary completion rate: Data from 2014, published by UNESCO Institute for Statistics, 2018. (9)

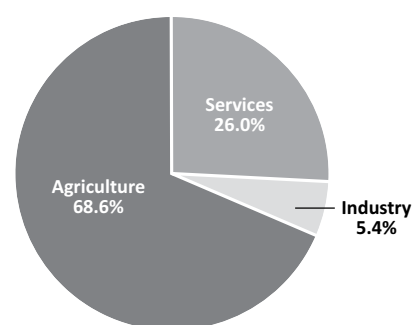
Source for all other data: Understanding Children's Work Project's analysis of statistics from Encuesta de Trabajo Infantil (ETI), 2014. (10)

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 beans, cereal grains, coffee, corn, melons, oilseeds, onions, pineapple, rice, and tomatoes (5; 6; 11; 12; 13; 14; 15; 16) (17; 18; 19; 20; 21; 8; 22)
	Raising livestock, including cattle (1; 2; 3; 5; 16; 8)
	Fishing,† including harvesting shellfish (1; 2; 3; 4; 16; 23; 24; 8; 25)
Industry	Construction,† including mixing cement and welding (1; 3; 4; 26)
Services	Scavenging the ocean for metal and other items (5)
	Domestic work† (1; 3; 4; 11; 12; 16; 23; 26) (27; 8; 22)
	Assisting bus drivers by collecting fares† (28; 29)
	Bagging in supermarkets (5; 29; 30; 31)

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



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**Table 2. Overview of Children’s Work by Sector and Activity (cont)**

Sector/Industry	Activity
Services	Street work, <sup>†</sup> including vending, <sup>†</sup> washing cars, shining shoes, <sup>†</sup> and collecting recyclables (3; 4; 5; 32; 6; 16; 21; 23; 26; 33) (29; 30; 31; 34; 35; 36; 37; 38) (39; 40; 8; 25)
Categorical Worst Forms of Child Labor <sup>‡</sup>	Forced domestic work (41)
	Use in the production of pornography (4; 8)
	Commercial sexual exploitation, sometimes as a result of human trafficking (4; 7; 42)

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




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

Some children in Panama are subjected to commercial sexual exploitation, mainly in tourist areas in Panama City and in beach communities. (5; 6) According to the results of Panama’s 2016 survey on child labor, the highest prevalence of child labor is in rural areas and autonomous indigenous areas, or *comarcas*. The *comarca* Ngäbe Buglé and the provinces of Panama and Bocas del Toro had the highest number of children engaged in child labor. (1) Panamanian children from rural areas and children from indigenous and Afro-Panamanian communities face barriers to accessing education, including long distances to schools, poor roads, and limited transportation, particularly in the *comarcas*. (4; 43; 44; 45; 8) Children of indigenous descent often travel significant distances to reach school and experience frequent interruptions of their education due to family migration to work in agriculture. (5; 44; 45)

## II. LEGAL FRAMEWORK FOR 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 (Table 4). However, gaps exist in Panama’s legal framework to adequately protect children from the worst forms of child labor, including with regard to hazardous work and light work.

**Table 4. Laws and Regulations on Child Labor**

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	14	Article 70 of the Constitution; Articles 508–509 and 716 of the Family Code; Articles 117, 119, and 123 of the Labor Code (46; 47; 48)
Minimum Age for Hazardous Work	No	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 (47; 48; 49; 50; 51)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 2, 2A, and 2B of Executive Decree No. 19 of 2006; Article 118 of the Labor Code; Article 510 of the Family Code (47; 48; 50; 51)
Prohibition of Forced Labor	Yes		Articles 157–158, 205–208, and 456 of the Penal Code; Article 489 of the Family Code; Article 21 of the Constitution (46; 47; 49; 52)

**Table 4. Laws and Regulations on Child Labor (cont)**

Standard	Meets International Standards: Yes/No	Age	Legislation
Prohibition of Child Trafficking	Yes		Articles 205–208 and 456 of the Penal Code; Article 489.17 of the Family Code (47; 49; 52)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 179–187, 189–191, 202–203, 207, and 456 of the Penal Code (49; 52)
Prohibition of Using Children in Illicit Activities	Yes		Articles 318, 333, and 336 of the Penal Code; Article 489.16 of the Family Code; Article 2.16 of Executive Decree No. 19 of 2006 (47; 49; 50)
Prohibition of Military Recruitment			
State Compulsory	N/A†		
State Voluntary	N/A†		
Non-state	Yes	18	Article 448 of the Penal Code (49)
Compulsory Education Age	Yes	15	Articles 34 and 45 of the Law on Education; Article 489 of the Family Code; Article 95 of the Constitution (46; 47; 53; 54)
Free Public Education	Yes		Articles 34 and 41 of the Law on Education; Article 95 of the Constitution (46; 53; 54)

† No standing military (46; 55)

In 2017, the Government of Panama modified Article 125 of the Labor Code, which previously established a fine range of \$50 to \$700 for child labor violations. The modified article sets the fine at \$700 and clarifies that this penalty can be applied for each child laborer. (48; 56) Although the Constitution, Family Code, and Labor Code set the minimum age for employment at age 14, the Family Code and Labor Code specify exceptions for domestic and agricultural work. (46; 47; 48) Article 716 of the Family Code permits children ages 12 to 14 to perform domestic and agricultural work as regulated by the Labor Code. (47) 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. The Labor Code, however, does not define the kinds of tasks children may perform as light work or the total number of hours they may work. (48) Although Panama has a list of hazardous occupations prohibited to children under 18, it exempts children age 14 and older if performed in a training facility, in violation of international standards. (51)

### III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of the Ministry of Labor (MITRADEL) that may hinder adequate enforcement of their child labor laws.

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

Organization/Agency	Role
Ministry of Labor (MITRADEL)	Enforce child labor laws through 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. (37) The Labor Inspection Directorate enforces the Labor Code in areas where children may be working, particularly in the formal sector. DIRETIPPAT is responsible for overseeing the enforcement of laws related to working children in the formal and informal sectors, plans and executes public policies, and carries out education programs on child labor for employers, parents, and children. (37; 57; 58; 59) Refer cases of children found in exploitative work to the Child and Adolescent Courts, or to the National Secretariat for Childhood, Adolescence, and Family (SENNIAF). (37)
Attorney General's Office	Investigate and prosecute crimes of sexual exploitation. Investigations initiated by the Judicial Investigative Directorate, cases passed to the prosecutors. (60)
SENNIAF	Conduct inspections to identify children and adolescents engaged in child labor, particularly in the informal sector. (3) Monitor and coordinate a network of government services to address needs of vulnerable populations. (31; 37) Run shelters for victims of human trafficking, including minors. (61)
Childhood and Adolescence Police	Conduct inspections to identify children and adolescents engaged in child labor, particularly in the informal sector. (3) Support SENNIAF inspections in areas with high rates of child labor. (31)

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### *Labor Law Enforcement*

In 2017, labor law enforcement agencies in Panama took actions to combat child labor (Table 6). However, gaps exist within the operations of MITRADEL that may hinder adequate labor law enforcement, including with regard to human resource allocation.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2016	2017
Labor Inspectorate Funding	\$1,743,733 (4)	\$1,712,293 (8)
Number of Labor Inspectors	85 (4)	79 (8)
Inspectorate Authorized to Assess Penalties	Yes (4)	Yes (8)
Training for Labor Inspectors		
Initial Training for New Employees	Yes (4)	Yes (8)
Training on New Laws Related to Child Labor	Yes (4)	Yes (8)
Refresher Courses Provided	Yes (4)	Yes (8)
Number of Labor Inspections Conducted	15,331 (4)	16,720 (8)
Number Conducted at Worksites	15,331 (4)	16,720 (8)
Number of Child Labor Violations Found	88 (4)	80 (8)
Number of Child Labor Violations for Which Penalties were Imposed	37 (4)	42 (8)
Number of Child Labor Penalties Imposed that were Collected	37 (4)	Unknown
Routine Inspections Conducted	Yes (4)	Yes (8)
Routine Inspections Targeted	Yes (4)	Yes (8)
Unannounced Inspections Permitted	Yes (4)	Yes (8)
Unannounced Inspections Conducted	Yes (4)	Yes (8)
Complaint Mechanism Exists	Yes (4)	Yes (8)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (4)	Yes (8)

During the year, labor inspectors received training on agricultural labor inspections and occupational safety and health. (62) The number of labor inspectors is likely insufficient for the size of Panama's workforce, which includes more than 1.6 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in industrializing economies, Panama would employ roughly 109 labor inspectors. (63; 64; 65) Furthermore, the total number of labor inspections suggests that each labor inspector conducted roughly 211 labor inspections; this is a high number and it is unknown whether this affects the quality of labor inspections. MITRADEL has noted that the budget for the Directorate Against Child Labor and for the Protection of Adolescent Workers (DIRETIPPAT) was insufficient to meet its commitments for coordination, implementation, and monitoring. (44; 66; 67) Civil society groups have stated that labor inspections in Panama focus primarily on the formal sector, leaving children in the informal sector vulnerable. (6; 68) Moreover, unannounced labor inspections are not conducted in agricultural areas outside of Panama City. (5)

### *Criminal Law Enforcement*

In 2017, the government's criminal law enforcement agencies appeared to function adequately in addressing child labor (Table 7).

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2016	2017
Training for Investigators		
Initial Training for New Employees	Yes (4)	Yes (8)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (4)	Yes (8)
Refresher Courses Provided	Yes (4)	Yes (8)
Number of Investigations	781 (69)	920 (69)
Number of Violations Found	Unknown	4 (69)
Number of Prosecutions Initiated	Unknown	4 (8)
Number of Convictions	Unknown	4 (8)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (4)	Yes (8)

In 2017, 60 officers from the Childhood and Adolescence Police, personnel from the National Secretariat for Childhood, Adolescence, and Family (SENNAF), and other government agencies, received training on investigating and sanctioning the commercial sexual exploitation of children. Criminal law enforcement agencies investigated 920 reports of commercial sexual exploitation of children during the year and prosecuted and sanctioned 4 violations. (8; 69)

#### IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including with regard to the coordination between agencies.

**Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role and Description
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, and representatives from civil society and organizations of workers and employers. (70) Conduct a National Child Labor Survey every 2 years. (5) Met several times in 2017 on implementing plans to address child labor. (8)
Subcommittee to Combat Child Labor	Incorporate Panamanian Institute for Sports and the Ministry of Education in efforts to address child labor and its causes. Subcommittee of the CETIPPAT. (6; 44; 59; 71)
Provincial Coordination Mechanisms	Identify and report cases of child labor at the local level and coordinate with CETIPPAT at the national level. Established in Bocas del Toro, Colón, and Darién with plans for expansion to achieve national coverage. (8)
National Commission for the Prevention of Crimes of Sexual Exploitation (CONAPREDES)	Coordinate, advise, and implement public policies for the prevention and eradication of sexual exploitation through specific actions, projects, and programs; study related trends and prevalence. (70) 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. (36; 70) In 2017, approved funding for three new projects to assist at risk children and prevent the commercial sexual exploitation of children, and to conduct a study with the University of Panama analyzing data on children engaged in illicit activities. (8)

MITRADEL has noted the need for increased coordination on efforts to address child labor, including within the Ministry, and with social service agencies and referral mechanisms. (44) During the reporting period, MITRADEL launched a new child labor monitoring information system to strengthen interagency referral and follow-up services for child labor cases. (72)

#### V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including with regard to mainstreaming child labor issues into relevant policies.

**Table 9. Key Policies Related to Child Labor**

Policy	Description
Roadmap Towards the Elimination of Child Labor (2016–2019)	Aims to eliminate all forms of child labor in Panama by 2020 by strengthening anti-poverty, health, and educational programs and policies. (73; 74; 75)
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 by providing services to victims, strengthening CONAPREDES, and raising awareness. Implemented by CONAPREDES, with support from the Public Ministry. (36; 37; 70; 76)
National Plan Against Trafficking in Persons (2012–2022)	Aims to combat human trafficking through prevention, victim assistance, and international cooperation. Includes provisions to protect child victims of human trafficking. (77; 69)
Districts Free of Child Labor	Aims to establish cooperation agreements between MITRADEL and municipal councils to design and implement child labor eradication strategies. (8) MITRADEL adopted this new approach in October 2017 and announced it at the IV Global Conference on the Sustained Eradication of Child Labor, held in Buenos Aires, Argentina in November. In December, the municipal councils of Chame and Colón were the first two councils to sign agreements with MITRADEL. (8; 78)

The Coordination Agreement on Labor Migration between the Ministries of Labor of Costa Rica and Panama aims to strengthen dialogue on labor migration between the two countries, with an emphasis on indigenous Panamanian migrant workers, to ensure social protection of migrant workers and their families. The policy includes a bilateral technical committee to promote joint action

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to combat human trafficking, exchange information, and develop cooperative strategies and projects. (79) Although potentially a useful policy tool to combat child labor, child labor elimination and prevention strategies do not appear to have been integrated into this policy.

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2017, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including with regard to reaching the most vulnerable populations.

**Table 10. Key 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 for sports activities, and social monitoring. (6; 80) In 2017, approximately 1,500 children received scholarships for schooling. (69)
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. (31; 36)
National Child Labor Survey†	Committee for the Eradication of Child Labor and the Protection of Adolescent Workers survey conducted every two years by the National Institute of Statistics and Census with funding from SENNIAF and MITRADEL. (5) Most recently conducted in 2016 and published in 2017. (1)
National Council of Private Businesses (CoNEP) Corporate Social Responsibility Program	Joint effort created by MITRADEL and the National Council of Private Businesses that involves a partnership with businesses across Panama to sign the Voluntary Agreement of Corporate Social Responsibility to prevent and eradicate child labor. (81; 82)
MITRADEL and Fundación Telefónica Cooperative Agreement (2014–2016)	MITRADEL public-private partnership with <i>Telefónica Móviles Panamá S.A.</i> to prevent and eliminate child labor by improving access to education and providing trainings to teachers and private employers. (6; 83)
USDOL-Funded Projects	USDOL projects that aim to eliminate child labor, including its worst forms, through research, improved monitoring and enforcement, policy development, and awareness-raising. These projects include Educafuturo: Combating Child Labor, a \$8.1 million, 5-year project implemented in Ecuador and Panama by Partners of the Americas; Building Effective Policies Against Child Labor, a \$4.3 million, 5-year project implemented in Ecuador and Panama by the ILO; CLEAR II, implemented by Winrock International and partners Verité and Lawyers Without Borders in seven countries; and Global Action Program on Child Labor Issues, implemented in approximately 40 countries by the ILO. For additional information about USDOL's work, please visit our website. (84; 85; 86; 87; 88)
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. (89)
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 the acquisition of a birth certificate. Offers training to project participants to improve income-generating opportunities. (36; 90)

† Program is funded by the Government of Panama.

In 2017, the Office of the First Lady funded education, meal, and recreation services to provide child laborers in the coffee-producing region of Renacimiento, Chiriquí as an alternative to participating in the coffee harvest. (8) Although Panama has expanded programs that reach children in rural areas and from indigenous and Afro-Panamanian communities, the scope of these programs is insufficient, and these children remain vulnerable to the worst forms of child labor. (41; 43; 62)

### VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in Panama (Table 11).



**Table 11. Suggested Government Actions to Eliminate Child Labor**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Establish regulations that define the number of hours and types of activities that children between the ages of 12 and 14 can undertake as light work to ensure that they are not exposed to hazardous labor.	2009 – 2017
	Ensure that the law protects children from hazardous work by establishing a minimum age of 18 for all children or by ensuring that children receive adequate training in the type of work being done and that the health, safety, and morals of the children are protected in accordance with international standards if children age 16 or 17 are allowed to perform hazardous work.	2013 – 2017
Enforcement	Allocate sufficient funding for DIRETIPPAT to meet its commitments for coordination, implementation, and monitoring related to child labor.	2014 – 2017
	Increase the number of labor inspectors to meet the ILO's technical advice and to address child labor in the informal sector and agricultural areas outside of Panama City.	2014 – 2017
	Determine whether the inspection ratio for each labor inspector is appropriate to ensure the quality and scope of inspections.	2017
	Strengthen the inspection system by conducting unannounced inspections in agricultural areas outside of Panama City.	2015 – 2017
	Publish information on the number of penalties collected for child labor violations.	2017
Coordination	Increase coordination on efforts to address child labor, including within MITRADEL, and with social service agencies and referral mechanisms.	2016 - 2017
Government Policies	Integrate child labor elimination and prevention strategies into the Coordination Agreement on Labor Migration between the Ministries of Labor of Costa Rica and Panama.	2015 – 2017
Social Programs	Enhance efforts to eliminate barriers and make education accessible for all children, including children from rural areas and indigenous and Afro-Panamanian communities, by expanding existing programs, including for school transportation.	2014 – 2017

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