



**Convention on the Elimination
of All Forms of Discrimination
against Women**

Distr.: General
13 March 2009

Original: English

ADVANCE UNEDITED VERSION

**Committee on the Elimination of Discrimination
against Women**

Pre-session working group

Forty-fifth session

January – February 2010

**List of issues and questions with regard to the consideration
of periodic reports**

Panama

The pre-session working group examined the combined fourth, fifth, sixth and seventh periodic reports (CEDAW/C/PAN/7).

General

1. Please provide information on the process of preparing the report. This information should include which Government departments and institutions were involved in the preparation and the nature and extent of their participation, whether consultations were held with non-governmental organizations and whether the report was adopted by the Government and submitted to the Parliament.

2. The report contains very limited statistical data disaggregated by sex on the situation of women in areas covered by the Convention. Please provide information on the status of data collection and analysis in the country in general, and to what extent such data is collected on a sex-disaggregated basis. Please indicate how the Government intends to improve the collection of data disaggregated by sex pertaining to all the areas of the Convention, and how such data is used in policy and programme development and in monitoring progress towards the achievement of de facto equality of women and men.

Constitutional, legislative and institutional framework

3. Please clarify the legal status of the Convention in Panama and, in particular, if its provisions are directly applicable in the courts. If so, please provide information on whether the provisions of the Convention have been invoked in national courts, and provide examples of any pertinent case law.

4. In its previous concluding observations, the Committee recommended that the State party revise all legislation to provide expressly for the elimination of discrimination against women. The report refers to different laws and measures that have been adopted to reduce and eliminate discrimination against women. Please provide detailed information on the efforts carried out by the Government for the effective implementation of these laws and measures in the whole country during the period under review.

5. The report refers to Law No. 4 of 29 January 1999 as the instrument regulating and establishing the policy governing the State party's treatment of women, based on the principle of "non discrimination". Please provide additional detailed information on the Decree No. 53, issued in 2002 to regulate the application of the Law, and how it has brought about equal opportunities for women, as stated in paragraph 19 of the State's report. Kindly provide more detailed information on the institutional mechanisms and procedures that, according to the report, have been established for its implementation.

6. In its previous concluding observations, the Committee noted with concern the failure to disseminate and publicize the Convention at various levels of Panamanian society and recommended that a major campaign be mounted to disseminate the principles of the Convention and provide education and training in this context, especially among judges, lawyers, journalists, teachers and Panamanian women. Please provide information on any campaign or any other initiatives carried out by the Government in order to disseminate the principles of the Convention. Please outline steps taken by the Government to provide adequate information and training for legal professionals, including lawyers, judges and prosecutors, and other actors responsible for the implementation of the Convention, on the State party's legal obligations under the Convention.

National machinery for the advancement of women

7. Please provide detailed and additional information on the national machinery for the advancement of women in Panama, which is the Ministry of Youth, Women, Children and the

Family, including its role in the governmental structure and its relations with other State mechanisms in terms of public policies. Please provide detailed information on its human and financial resources at all levels and how the Government evaluates whether its budget is commensurate with its mandate.

Programmes and Action Plans

8. The report refers to the National Plan against Domestic Violence and policies for harmonious relations between citizens, which has been in place since 2004. Please provide additional information on the National Plan, including detailed information on financial and human resources that are allocated to the Plan and whether indicators, as well as time bound targets, have been established to assess the implementation of this Plan in all regions of the country.

Violence against women

9. Please provide statistical information on how many cases of violence against women and girls have been reported during the period under consideration. Please also include detailed information on how many perpetrators of acts of violence against women have been prosecuted and punished during the same period. Please include statistical information on how many women have been murdered per year as a result of domestic violence during the period under consideration. The report refers to a project aimed at constituting a single data registration system for statistics on gender-based violence. Please provide information on the development of this project, between the National Directorate of Women in the Ministry of Social

Development (Ministerio de Desarrollo Social - MIDES) and the Directorate of Statistics and Census of the Office of the Controller General of the Republic.

10. The report refers to the National Plan for Preventing and Addressing Domestic Violence and for Civil Coexistence, which is structured around five main areas, including prevention, care and rehabilitation, and including local level programs on the strengthening of local domestic violence prevention and care activities. Please provide information on the plans the Government has to extend the local networks to all areas of the country, including the indigenous and most deprived areas, as well as the provision of shelters. Also, please provide detailed information on how many women and girls, at the local level, have benefited from these protective measures during the period under review.

11. Please specify whether rape in marriage is considered a crime. If not, does the Government have plans to criminalize it?

Trafficking and sexual exploitation of women

12. The present report notes that in recent years, for the first time, an effort has been made to investigate the factors, fundamental causes, and repercussions associated with trafficking in persons and the exploitation of prostitution, and to analyze the modus operandi of those engaged in such practices. However, the report does not provide information on the findings of such studies. Please provide information on commercial and sexual exploitation of women, girls and adolescents, including through trafficking, its incidence, causes and consequences.

Please also provide information on any programmes or measures carried out to address this problem.

13. The report refers to different provisions that punish criminal practices associated with trafficking in persons and the exploitation of prostitution. Please provide statistical information on how many persons have been prosecuted and sentenced during the period under review, for these crimes and how many women have alleged to be victims of trafficking and sexual exploitation. Please also specify the efforts that are being made to make women and girls aware of the importance of reporting trafficking and exploitation of prostitution.

14. In its previous concluding observations, in 1999, the Committee expressed concern at the discriminatory treatment received by women engaged in prostitution in Panama, especially regarding the difficulties involved in seeking legal redress in the case of rape. Please provide information on any efforts or measures carried out to tackle these difficulties. Also, please specify whether any special unit has been established in this regard.

Political participation and participation in public life

15. According to the report, Law No. 4 “instituting equal opportunities”, which amended the Electoral Code, establishes the obligation of the Government to guarantee the participation of at least thirty percent (30%) of women as ministers, vice-ministers and directors of autonomous and semi-autonomous authorities and other government entities. Please provide detailed information on the measures taken in order to implement Law No. 4. Also, please provide

information on any campaigns or training programmes that have been carried out to encourage participation of women in politics, decision-making positions and public life, following the previous recommendation of the Committee.

16. The report also refers to Law No. 6 of 17 December 2002, which establishes the obligation “to allocate at least ten per cent of said funding to the training of women”. Please provide detailed information on whether this obligation has been implemented and the results of such implementation.

Education and stereotypes

17. The report points out that, despite the feminization of university enrolment that the country is experiencing, analysis of the programmes in which women students predominate suggests that there are still cultural factors which prevent them from choosing certain non-traditional programmes. Please provide specific information on these programmes and on the efforts carried out by the Government to eliminate remaining stereotypes that discriminate against women in the field of education.

18. In paragraph 129 the report states that, according to a report by the Institute for Training and Progress in Human Resources (Instituto para la Formación y Aprovechamiento de Recursos Humanos – IFARHU), women receive more scholarships than men at every level: primary, secondary and/or university. Please provide detailed information disaggregated by subject and urban/rural areas on the scholarships received by women.

19. Please provide information on the incidence of teenage pregnancy in Panama, and its impact on girls' educational achievement. Please also provide information about support for pregnant adolescents or young mothers to continue their education, including statistical information on how many young mothers have benefited from support programmes in order to continue their studies. In this regard, the report refers to Law No. 2 of 3 June 2002, guaranteeing the health and education of pregnant adolescents. Please specify what supervisory mechanisms, if any, exist to ensure the effective implementation of this law.

Employment

20. The report points out that 72.7% of the non-economically active population are female. It also states that employed women are principally engaged in wholesale and retail trade, domestic service, manufacturing, hotels and restaurants and teaching. Please provide information on plans the State party has to reduce the high rate of unemployment among women. Also, please provide information on the levels of remuneration for women and men performing the same jobs in the public and private sector. Also, please include detailed information on the activities and conditions of women working in the informal sector.

21. In paragraph 135 the report refers to different actions that have been drawn up to eliminate discrimination against women in employment. Please provide detailed information on these actions and their impact. Also provide additional information on the activities carried out by the Labour Ministry's Gender and Work Commission to foster institutional capacity for gender

mainstreaming at work, including information on its composition, functioning, structure, activities.

22. The report states that although Panama does not have laws specifically targeting sexual harassment, there are laws that punish such activities. Please specify whether the Government is planning to criminalize sexual harassment in the workplace.

Health

23. In its previous concluding observations, in 1999, the Committee expressed deep concern in connection with the reproductive health of Panamanian women and an apparent setback to the right to abortion, in cases where the pregnancy is a result of rape. The Committee recommended that Panamanian women who are pregnant as a result of rape should be granted an opportunity to seek termination of pregnancies. Please provide detailed and specific information regarding any measures carried out by the Government to follow the Committee's recommendation. Please also provide statistical information on how many abortions have been occurred on women who are pregnant as a result of rape. Please provide information on measures taken to raise victims' awareness of the importance of seeking medical treatment and reporting after sexual and other assaults.

24. The report refers to the health of adolescent girls and, in this regard, it states that 29.1% of pregnant adolescents receive pre-natal care. Please explain why the rate is so low and provide

information on what measures the Government is taking to increase the percentage of pregnant adolescents receiving pre-natal care.

25. The report refers to the 2005 Report on Women's Health in Panama, which identifies the five leading causes of death among women as: upper respiratory tract infections, influenza, skin and subcutaneous tissue infections, diarrhea, and urinary system diseases. Please explain whether any epidemiological assessment has been done to analyze the reasons for these causes of death and if any of them are related to women's living environment or any work-related activity. Please also provide statistical information on rates of maternal mortality, as well as on other causes of death for women, disaggregated by urban/rural areas. Also, please provide information on access to health services by elderly women.

26. The report does not provide any information on current rates of women infected with HIV/AIDS. Please provide statistical and updated information of women and girls infected with HIV/AIDS, as well as detailed information on the activities and initiatives carried out by the Government to combat this problem. In this regard, please provide additional information on the consolidation of the NGO and HIV/AIDS Network and the organization and development of the religious sector's network for HIV/AIDS prevention, which is mentioned in the report as one of the initiatives to combat this issue.

27. In paragraph 152, the report refers to the progress made with sexual and reproductive health policy in Panama, including a decline in the overall fertility rate from 2.7 in 1990-1999 to 2.43

in 2004. Please provide updated and statistical information for fertility rates during all the period under review, disaggregated by age. Also, please provide information on Law 48 of May 13, 1941 allowing sterilization: content of the Law and if it is still in effect.

Social and economic benefits

28. Please provide specific and detailed information on any limits women may face to access lines of credits, mortgages and other forms of financial assistance. Please specify if any efforts are being carried out by the Government in order to eliminate any de facto inequality between women and men on these issues.

Indigenous and rural women

29. According to the report, almost all (98.4%) of the indigenous population is poor and that 90% live in extreme poverty. Please indicate what measures have been taken by the Government to improve the living conditions of indigenous and rural women, as well as access to employment. Also, please provide information on results achieved in order to provide indigenous women and girls with access to health services and education.

30. In its previous concluding observations, the Committee expressed concern that 53 per cent of the female population was illiterate, the majority of these being indigenous women. Please provide information on the efforts and initiatives carried out to decrease the percentage of illiteracy among indigenous and rural women, as well as the outcomes of such initiatives. In this regard, please provide information on the implementation of the indigenous women's

literacy program from the Ministry of Education's Intercultural Bilingual Unit. Kindly provide additional information on the "Get Ahead for Panama" (*Muévete por Panama*) Literacy campaign and on the Opportunities Network Programme. Please specify what have been the outcomes of these programs during the period under review.

31. The report refers to the so-called "With You Rural Woman" (*Contigo Mujer Rural*) project, which grants micro-credits to women in rural and indigenous communities. Please provide information on any efforts taken to increase the access of rural and indigenous women to these micro-credits.

Migrant women

32. Please provide information on the situation of migration of women and girls in Panama, both internally and internationally, including information about the number and profile of migrant women and girls, and steps being taken to protect migrant women from abuse, exploitation and violence.

Marriage and family relations

33. Paragraph 178 of the State party's report indicates that the minimum age for marriage is 14 years for girls and 16 years for boys. Please indicate if any measures have been taken to increase the minimum age of marriage for girls, in accordance with the Convention on the Rights of the Child. Please provide information on any measures or initiatives carried out to prevent and eliminate the practice of early marriage.

