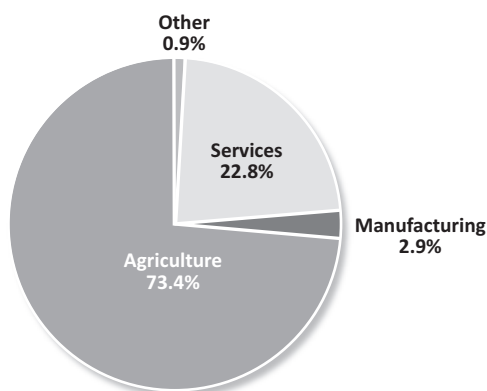


In 2012, Panama made a moderate advancement in efforts to eliminate the worst forms of child labor. The Ministry of Labor conducted a child labor survey in October 2012 and increased the funding for child labor inspections. The Ministry of Health added child labor into Executive Decree 268, which determines the health categories that require immediate notification to health or local authorities. Additionally, the Ministry of Labor increased the number of scholarships offered to child laborers to attend school as part of its direct action program. However, the National Action Plan for the Prevention and Elimination of Commercial Sexual Exploitation of Children and Adolescents and the National Plan for the Eradication of Child Labor and the Protection of Young Workers have not been finalized and gaps remain in legal prohibitions on some worst forms of child labor. Children continue to engage in the worst forms of child labor, including dangerous activities in agriculture and street work in urban areas.

Statistics on Working Children and Education

Children	Age	Percent
Working	5-14 yrs.	7.3 (47,963)
Attending School	5-14 yrs.	93.2
Combining Work and School	7-14 yrs.	7.6
Primary Completion Rate		101.2

Working Children by Sector, Ages 5-14



Sources:

Primary completion rate: Data from 2011, published by UNESCO Institute for Statistics, 2013.(1)

All other data: Understanding Children's Work Project's analysis of statistics from ETI Survey, 2008.(2)



Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children are engaged in the worst forms of child labor in Panama, primarily in dangerous activities in agriculture and street work in urban areas.(3-6) Children cultivate coffee, tomatoes, melons, and sugarcane.(7-14) Although limited, there is some evidence that the worst forms of child labor are also used in the production of beans, rice, bananas, corn, yucca, and onions.(9, 10, 14-16) Children from indigenous communities frequently migrate with their families to work in agriculture.(10, 14, 17) Farm owners often pay wages according to the amount harvested, leading families to bring their children to work alongside them to harvest greater amounts.(11, 14) Children in Panama are engaged in dangerous activities in agriculture. Children working in agriculture may use dangerous tools, carry heavy loads, and apply harmful pesticides.(5) Limited evidence indicates that children in Panama are engaged in fishing.(6, 14) These children may work long hours, perform physically demanding tasks, and face dangers such as drowning.(15, 18-20)

In urban areas, children work in hazardous activities on the streets selling goods, shining shoes, washing cars, and assisting bus drivers by collecting fares.(6, 14, 21). Children working on the streets may be vulnerable to severe weather, traffic accidents, and crime.(15, 20, 22-26) Limited evidence suggests that children also scavenge the ocean for metal and items from boats that can be sold, an activity that may also expose them to drowning and injuries.(6, 14, 18, 20, 26)

Many children, mostly girls of indigenous descent, work as domestic servants, and there are reports of abuse, including domestic servitude.(3, 6, 19, 23, 27-29) Some children are victims of sex trafficking in other countries, but most are exploited within the country.(14, 29) Children from Panama are also recruited by Colombian non-state armed groups.(30, 31)

According to the Government of Panama, 25.5 percent of indigenous children between the ages of 5 and 17 are in child labor.(19, 23, 32) Children of indigenous descent face greater barriers to access education services; many must

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travel significant distances to reach school, increasing the risk that these children will enter the workforce rather than attend school.(19)

The Government of Panama, through the General Comptroller of the Republic and the National Institute of Statistics, published the results of the 2010 Survey on Child Labor. According to the survey in 2010, there were 60,702 children and adolescents economically active or working, compromising 7.1 percent of the population between ages 5 to 17.(3, 6, 15, 32) The results indicated that boys (10.3 percent) are more likely to work than girls (3.7 percent). The ILO has indicated that government policies may have contributed to a decline in the rate of child labor between 2008 and 2010.(33, 34)

Laws and Regulations on the Worst Forms of Child Labor

Panama’s Constitution, Family Code, and Labor Code set the minimum age for employment at 14, and at 15 for children who have not completed primary school.(35-37) Similarly, the Law on Education establishes that children under age 15, the age to which education is compulsory, cannot work or participate in other activities that deprive them of their right to attend school regularly.(38) Panama provides free and compulsory education for children between the ages of 4 and 15.(6)

International Conventions and Selected Laws on Child Labor and Education

	C138, Minimum Age	✓
	C182, Worst Forms of Child Labor	✓
	CRC	✓
	CRC Optional Protocol on Armed Conflict	✓
	CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓
	Minimum Age for Work	14
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	15
	Free Public Education	Yes

The Constitution allows children under the minimum age to work under conditions established by the laws.(35, 39) The Family Code and the Labor Code allow for light work in agriculture starting at age 12, as long as it does not impede school attendance.(14, 36, 37) The Labor Code states that minors ages 12 to 15 may be employed in agriculture if the work is outside regular school hours and limits work of minors under 16 to 6 hours per day and 36 hours per week.(37, 40) Similarly, the Agriculture Code permits children between ages 12 and 14 to perform agricultural labor, as long as the work does not interfere with their schooling.(36, 37, 41) Neither provision defines the kind of light work that children may perform in agriculture.(14, 36, 37)

Various laws and an executive decree govern dangerous work performed by children. The Family Code and the Labor Code prohibit children under age 18 from certain activities and types of hazardous work, including work in venues where alcohol is sold, in public transport, with electricity, with toxic substances, and underground.(6, 36, 37) Both the Labor Code and the Penal Code establish penalties for employing children in dangerous or illegal occupations.(37, 42) Panamanian law also criminalizes the use of children in certain activities involving illegal substances.(42) Executive Decree No. 19, of 2006, provides a list of hazardous work for children, banned both by the Labor Code and by the Penal Code. The Decree clarifies the types of work considered unsafe for children under age 18, including work under water or on ships and work that involves exposure to pesticides or extreme weather conditions. The Decree also prohibits children from using heavy equipment or dangerous tools, carrying heavy loads to transport goods or people, and recycling trash.(26) The Decree indicates that violations related to hazardous child labor will be sanctioned in accordance with existing laws, although it is unclear what penalties are applicable.(26, 43)

The Constitution, the Penal Code, and Law 79 on Trafficking in Persons and Related Activities, afford related protections that can be used to sanction forced labor.(14, 35, 42, 44, 45) For example, the Penal Code prohibits the sale of children and provides increased penalties if actions result in sexual exploitation, forced labor, or servitude of children; moreover, the Constitution states that no one can be deprived of their liberty.(14, 35, 42) The Family Code guarantees children protection against being kidnapped, sold, or trafficked for any purpose, but it does not include penalties.(36)

There are additional protections in the Panamanian Penal Code against the worst forms of child labor. The Penal Code prohibits soliciting and paying a minor for prostitution as

well as benefiting from the proceeds of child prostitution.(42) Additionally, the Penal Code provides comprehensive prohibitions against child pornography, including its production, distribution, possession, or promotion. Child sex tourism is also prohibited.(14, 42) Trafficking of minors domestically and internationally for sexual purposes is punishable with prison and fines.(42, 46) Law No. 79 on Trafficking in Persons and Related Activities prohibits trafficking of adults and minors, forced prostitution, forced labor, prostitution, slavery, and related activities. Articles 50, 51, and 53 correspond to the treatment and services that minors who are victims of trafficking are entitled to receive.(20, 45) Additionally, Law 79 adds offenses involving trafficking in persons activities to the Penal Code.(20, 45)

Panama does not have armed forces; therefore, there is no military conscription.

During the reporting period, the National Assembly drafted and sent to first debate Law No. 412, which prevents and eradicates child labor in coffee growing and other agricultural regions.(6) Additionally, the Ministry of Health (MINS) added child labor into Executive Decree 268, which determines the health categories that require immediate notification to health or local authorities.(47, 48)

Institutional Mechanisms for Coordination and Enforcement

The Committee for the Eradication of Child Labor and the Protection of Adolescent Workers (CETIPPAT) coordinates various efforts to combat child labor. CETIPPAT is led by the First Lady of Panama and comprises the Ministries of Labor (MITRADEL), Education, Health, and Agriculture, as well as representatives from civil society and workers' and employers' organizations.(49) In addition, the National Commission for the Prevention of Crimes of Sexual Exploitation (CONAPREDES) coordinates government efforts to combat the commercial sexual exploitation of children; it is led by the Office of the Attorney General. Members of the CONAPREDES include the Attorney General as well as the Ministries of Labor, Education, Social Development, and Health.(50)

The MITRADEL is charged with enforcing child labor laws. It established the National Bureau against Child Labor and for the Protection of Adolescent Workers (DIRETIPPAT). The Bureau oversees child labor inspections; carries out education programs for employers, parents, and children on child labor; and implements the National Plan for the Eradication of Child

Labor and the Protection of Young Workers.(15, 51, 52) The MITRADEL employs 138 labor inspectors, 7 of whom are assigned to child labor issues in Panama City.(6) However, all labor inspectors are trained to look for evidence of child labor.(53, 54) In 2012, MITRADEL had a budget of \$2.1 million, with \$1.3 designated for the Labor Inspectorate and \$815,000 for DIRETIPPAT, to conduct inspections, coordination, and programs, among other activities. The budget allocated for child labor inspection was \$188,472, an increase of \$18,472 from 2011.(55, 56) MITRADEL had sufficient resources such as vehicles and computers to carry out activities in 2012.(55) During the reporting period, the MITRADEL carried out 3,340 labor inspections and found 30 child labor violations.(6) In 2012, DIRETIPPAT removed 1,700 working children from the street and from hazardous labor.(6) Additionally, MITRADEL investigated 48 complaints of child labor offenses, found 30 to be substantiated, and issued fines.(6)

Complaints related to child labor may be filed through hotlines run by the MITRADEL or the Ministry of Social Development (MIDES), in person at one of the MITRADEL offices or at social service centers run by MIDES throughout the country.(15, 22) The MITRADEL refers cases of children found in exploitative work in the informal sector to the Child and Adolescent Courts and the National Secretariat for Childhood, Adolescence, and Family (SENNIAF).(15)

The Organized Crime Unit within the Public Ministry is responsible for investigating trafficking cases and operates a unit dedicated to investigating trafficking in persons for sexual exploitation.(15, 22) CONAPREDES has three units within the section of Sexual Exploitation that conduct investigations. Turnover in personnel of these units results in a lack of permanently trained staff at CONAPREDES.(20) In 2012, CONAPREDES worked with the government of the United States to train two specialized units within the CONAPREDES organized crime unit.(6) During the reporting period, there were 25 investigations for child pornography and one for commercial sexual exploitation.(6)

Panama also is a member of the Regional Conference of Migration, which implements an action plan with a special focus on child migrants and their repatriation.(57, 58) During 2012, five workshops with 111 participants were carried out, nationally targeting labor inspectors and social workers who covered issues on the rights of migrant workers as well as children's rights in Latin America.(6)

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Government Policies on the Worst Forms of Child Labor

The Government of Panama continues to implement the National Plan for the Eradication of Child Labor and the Protection of Young Workers (2007-2011).(6, 49, 59) The National Plan is administered through CETIPPAT; it includes raising awareness, strengthening national legislation, improving the quality of life of at-risk families, reintegrating child workers into the educational system, and producing systems to monitor working children.(49) Although CETIPPAT representatives consulted with various stakeholders such as institutions, private business, employers, and civil organizations to draft the new National Plan for the Eradication of Child Labor, a new National Plan was not finalized.(6, 59) Currently the National Action Plan for the Prevention and Elimination of Sexual Commercial Exploitation of Children and Adolescents 2008-2010 continues to be implemented.(6) However, a new National Action Plan for the Prevention and Elimination of Commercial Sexual Exploitation of Children and Adolescents was not finalized.

Panama continued to implement the Roadmap towards the Elimination of Child Labor, which aims to achieve the goals of the National Plan to Eliminate the Worst Forms of Child Labor by 2015, and all child labor by 2020, by strengthening anti-poverty, health, and educational programs and policies.(6, 60)

In August 2012, the Government of Panama hosted the Meeting of Labor Ministers from Central America, Belize, and the Dominican Republic to highlight good practices and lessons learned. At the end of this meeting, the Ministers signed the Panama Declaration, committing themselves to specific actions by country to eradicate the worst forms child labor.(61, 62) During the meeting, the Minister of Labor of Panama highlighted the Direct Action Program that has benefited 3,499 beneficiaries by providing scholarships.(63, 64) Participating Labor Ministers had the opportunity to identify remaining challenges to eradicate child labor in the region as they prepare for the Global Conference on Child Labor in Brazil in 2013.(63) Also in preparation for the Conference in Brazil, the Government of Panama, in collaboration with Fundación Telefónica, hosted the Fourth International Meeting on Child Labor in October 2012.(65, 66)

Social Programs to Eliminate or Prevent the Worst Forms of Child Labor

During the reporting period, the Government of Panama carried out a child labor survey.(6, 67) The Government of Panama continues to implement social programs to combat poverty among the most vulnerable and to increase the access of children and families to basic and vocational education. A conditional cash transfer program, Network of Opportunities, provides cash transfers to families based on their participation in health and education services.(6, 68) The 2010 Survey of Child Labor indicates that in indigenous areas, there was a decrease in the percentage of children involved in hazardous work, and an increase in educational opportunities. The Government of Panama attributes these trends to the high participation rates in the program.(32) The cash transfer program also offers training to beneficiaries to improve income-generation opportunities.(14, 68, 69) The impact of this conditional cash transfer program on child labor does not appear to have been assessed.

SENNIAF implemented programs to identify children engaged in the worst forms of child labor and commercial sexual exploitation, remove them from exploitative situations, and provide them necessary services.(6, 14) DIRETIPPAT, together with Fundación Telefónica, carried out two workshops in 2012. The first workshop was on child labor and human rights and the second workshop was a certificate program in strategies to prevent and eradicate child labor, facilitated by the Universidad Especializada de las Americas (UDELAS).(6)

The office of the First Lady sponsored a march in June to celebrate World Day Against Child Labor. There was participation from private business, NGOs, and government institutions.(70, 71) MITRADEL joined the National Council of Private Businesses (CoNEP) in creating a partnership with 105 businesses across Panama to sign the Voluntary Agreement of Corporate Social Responsibility to prevent and eradicate child labor. The agreement was signed during the Meeting of Ministers.(62, 72)

Additionally, MINSAs prepared a guide for comprehensive health attention for children and adolescents who are victims of commercial sexual exploitation. The national coordinator of the children and adolescents' program at MINSAs together with an interagency team gave awareness and training seminars on the guide to doctors to ensure proper usage of the guide.(6, 47)

An alliance among 10 coffee plantations to address child labor in the coffee sector remains in the early planning phase with participation of the office of the First Lady.(10-13) As part

of the MITRADEL's program to prevent and eradicate child labor, the Ministry continued to grant scholarships to child laborers throughout the country to guarantee their access to education through the Institute for Training and Utilization of Human Resources.(16, 73) The Government of Panama offered 1,483 new scholarships to child laborers, an increase of 1,200 from 2011.(20, 55, 74) As a result of an agreement signed in 2011, the Government of Panama began discussions with Telefónica Movistar to coordinate programs to eradicate child labor.(75, 76)

The Government of Panama also participates in two USDOL-funded regional projects funded in 2012 to combat child labor among vulnerable groups and to promote lesson sharing between Panama, Ecuador, and other countries. The \$3.5 million project strengthens policy and enforcement of child labor laws and occupational safety, and the \$6.5 million project combats 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 Ecuador, both projects are piloting efforts to address the link between child labor and disabilities.(77, 78)

Additionally, Panama participated in the USDOL-funded, 4-year Global Action Program on Child Labor Issues Project, which is active in approximately 40 countries. In Panama, the project aims to strengthen legal protections and social service delivery for child domestic workers.(79)

Although the Government of Panama has implemented programs to address the commercial sexual exploitation of children, research found no evidence that it has carried out programs to assist children involved in domestic service, a sector in which indigenous children are more likely to be involved.

Based on the reporting above, the following actions would advance the elimination of the worst forms of child labor in Panama:

Areas	Suggested Actions	Year(s) Action Recommended
Laws and Regulations	Establish clear regulations for the conditions under which children between ages 12 and 14 may engage in light agricultural work, to ensure they are not exposed to hazardous labor.	2009, 2010, 2011, 2012
	Clarify what penalties apply for violations of Executive Decree No. 19.	2011, 2012
Coordination and Enforcement	Revise Ministry of Public Security assignment policies to address turnover in personnel so that CONAPREDES has permanently trained staff.	2011, 2012
Policies	Update and implement the National Action Plan for the Prevention and Elimination of Commercial Sexual Exploitation of Children and Adolescents.	2011, 2012
	Finalize and implement the National Plan for the Eradication of Child Labor and the Protection of Young Workers.	2012
Social Programs	Expand social programs that address child labor in urban informal work.	2010, 2011, 2012
	Assess whether the conditional cash transfer program- Network of Opportunities has an impact on child labor.	2012
	Take special measures, through social and educational programming, to protect children of indigenous descent from labor abuses and labor law violations, with a particular focus on agriculture and domestic service.	2010, 2011, 2012

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