

PANAMA

MODERATE ADVANCEMENT

In 2023, Panama made moderate advancement in efforts to eliminate the worst forms of child labor. Panama passed Law 409, which establishes judicial procedures for cases involving children and adolescents and reaffirms a child’s right to education and protection from child labor. The government also approved the National Plan Against Trafficking in Persons for a 5-year period and extended its policy to convert Panama into a country free of child labor for the 2022–2024 period. In addition, the government continued to implement the “Child Labor Free Districts” strategy to identify cases of child labor in local municipalities. However, labor law enforcement agencies lack the financial and human resources necessary to fulfill their mandates. Moreover, Panamanian law allows minors to perform hazardous work within training facilities starting at age 14, in violation of international standards. Existing social programs are also insufficient to address the full scope of the child labor problem in the country, in particular for children living in rural areas and from indigenous, migrant, and Afro-Panamanian communities.

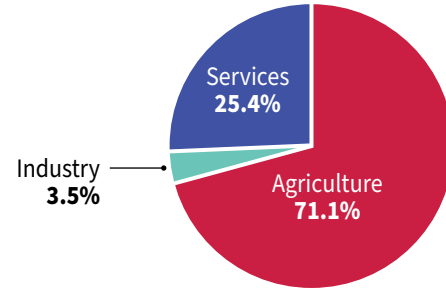


PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Statistics on Children’s Work and Education

Children	Age	Percent of Population
Working	5 to 14	4.5% (33,594)
Hazardous Work by Children	15 to 17	Unavailable
Attending School	5 to 14	95.7%
Combining Work and School	7 to 14	5.0%

Working Children by Sector, Ages 5-14



Children in Panama are subjected to 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.

Overview of Children’s Work by Sector and Activity



Agriculture

Working in agriculture, including in the production of coffee and melons. Raising livestock and fishing.†



Industry

Construction,† including in painting and carpentry.



Services

Domestic work and street work† as vendors,† shoe shiners,† car washers, and collecting recyclables.† Working in waste collection in garbage dumps.†



Categorical Worst Forms of Child Labor‡

Forced labor in domestic work. Commercial sexual exploitation, including in the production of pornography, sometimes as a result of human trafficking. Use in illicit activities, including in drug production and drug trafficking.

† 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.



SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

The suggested government actions below would close gaps USDOL has identified in Panama’s implementation of its international commitments to eliminate the worst forms of child labor.

Legal Framework

Establish a uniform minimum age of 18 for hazardous work or require adequate training in the type of work being done and protection mechanisms for training programs that are in line with international standards.

Establish regulations that define the types of activities that children ages 12 to 14 can undertake as light work.

Raise the minimum age for work from age 14 to age 15 to align with the compulsory education age.

Enforcement

Allocate sufficient funding for resources such as telephones, laptops, and vehicles so that the labor inspectorate can meet its commitments for coordination, implementation, and monitoring related to child labor.

Increase the number of labor inspectors from 100 to 130 to ensure adequate coverage of the labor force of approximately 1.9 million workers.

Collect and make available information on the number of investigations, violations found, prosecutions initiated, convictions obtained, and penalties imposed and collected related to the worst forms of child labor.

Provide additional training for judges on laws related to forced labor, the worst forms of child labor, and human trafficking to ensure that these crimes can be effectively prosecuted.

Ensure that the number of inspections conducted by labor inspectors is appropriate to ensure the quality and scope of inspections.

Social Programs

Eliminate barriers and make education accessible for all children, including children from rural areas, children from indigenous, migrant, and Afro-Panamanian communities, and children with disabilities, by increasing the availability of schools in rural and remote areas, hiring additional teachers, improving existing infrastructure, and offsetting transportation costs.

Establish programs and ensure sufficient funding to programs that provide services to human trafficking survivors, including high-risk communities such as indigenous and migrant children.

Report on specific activities taken to implement the Network of Opportunities Plan.



CHILDREN AT HIGHER RISK

Indigenous, Afro-Panamanian, and migrant children are particularly vulnerable to child labor. Children from indigenous communities are especially vulnerable to child labor in the services and tourism-industry sector, including carrying suitcases and acting as guides in the jungle. Cases of commercialized sexual exploitation also occurs in the three largest indigenous regions (*comarcas*). NGOs have reported that nearly half of the children found working in urban areas were migrants without proper documentation.



BARRIERS TO EDUCATION ACCESS

Although the Panamanian Constitution recognizes the right to education without discrimination, indigenous, migrant, and Afro-Panamanian children in rural communities face barriers to accessing education due to a lack of transportation, documentation, infrastructure, quality sanitation, technology, and teachers, particularly in autonomous indigenous areas. Some schools lack potable water and electricity, and in some cases, students in different grades are forced to share the same classroom. Children of indigenous descent often live in difficult-to-reach areas and face severe inequity in education access. Indigenous children have very low school enrollment rates, especially in secondary and higher education. Panamanian law requires that schools integrate children with disabilities, but most public schools do not have adequate facilities for these children.



LEGAL FRAMEWORK FOR CHILD LABOR

Panama has ratified all key international conventions concerning child labor. However, Panama’s laws do not meet international standards on the worst forms of child labor, including regulations that permit children to perform hazardous work starting at age 14 while participating in training programs.

Child Labor Laws and Regulations	Meets International Standards	Legislation
Minimum Age for Work, 14 Years		Article 70 of the Constitution; Articles 508, 509, and 716 of the Family Code; Articles 117, 119, and 123 of the Labor Code; Articles 202 and 203 of the Penal Code
Minimum Age for Hazardous Work, 18 Years		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
Identification of Hazardous Occupations or Activities Prohibited for Children		Articles 2, 2A, and 2B of Executive Decree No. 19 of 2006; Article 118 of the Labor Code
Prohibition of Slavery, Debt Bondage, and Forced Labor		Articles 207, 456-A, and 456-D of the Penal Code; Article 489 of the Family Code; Articles 4 and 63 of Law 79 on Human Trafficking; Article 21 of the Constitution
Prohibition of Child Trafficking		Articles 205–208 and 456 of the Penal Code; Article 489.17 of the Family Code; Article 63 of Law 79 on Human Trafficking
Prohibition of Commercial Sexual Exploitation of Children		Articles 179–187, 190, 202, 203, 207, and 456-A of the Penal Code; Article 63 of Law 79 on Human Trafficking
Prohibition of Using Children in Illicit Activities		Articles 202, 203, 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
Minimum Age for Voluntary State Military Recruitment	N/A†	
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A†	
Prohibition of Military Recruitment by Non-state Armed Groups		Article 448 of the Penal Code
Compulsory Education Age, 15 Years		Articles 34 and 45 of the Law on Education; Article 489 of the Family Code; Article 95 of the Constitution
Free Public Education		Articles 34 and 41 of the Law on Education; Article 95 of the Constitution

† Country has no standing military

Panama has a list of hazardous occupations prohibited for children under age 18, but it permits children to perform hazardous work in training programs starting at age 14, in violation of international standards. 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 agricultural work. Article 119 of the Labor Code allows children between the ages of 12 and 15 to perform light work in agriculture if the work is outside of regular school hours. The Labor Code, however, does not define the kinds of activities children may perform as light work, particularly in agriculture and domestic work. In addition, the minimum age for work is lower than the compulsory education age, which may encourage children to leave school before the completion of compulsory education.



ENFORCEMENT OF LAWS ON CHILD LABOR

In 2023, labor and criminal law enforcement agencies in Panama took actions to address child labor. However, insufficient financial resource allocation and a lack of enforcement data hindered enforcement efforts.

Agencies Responsible for Child Labor Law Enforcement

Ministry of Labor: Enforces 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 (DIRETIPAT), and the Labor Inspection Directorate. DIRETIPAT is responsible for overseeing compliance with laws related to working children, planning and executing public policies, and carrying out education programs on child labor for employers, parents, and children. DIRETIPAT 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), which conducts inspections in the informal sector. The Labor Inspection Directorate enforces the Labor Code in areas in which children may be working, particularly in the formal sector.

Attorney General's Office: Investigates and prosecutes crimes of sexual exploitation. Investigations are initiated by the Judicial Investigative Directorate, after which cases are passed to the prosecutors.

Enforcement Mechanisms and Efforts

Has a Labor Inspectorate	Yes	Has a Complaint Mechanism	Yes
Able to Assess Civil Penalties	Yes	Imposed Penalties for Child Labor Violations	Unknown
Routinely Conducted Worksite Inspections	Yes	Conducted Criminal Investigations for Worst Forms of Child Labor Crimes	Unknown
Unannounced Inspections Permitted	Yes	Imposed Penalties for Worst Forms of Child Labor Crimes	Unknown

In 2023, **100** labor inspectors conducted **10,672** workplace inspections, finding **19** child labor violations. It is **unknown** whether investigations into suspected cases of the worst forms of child labor were conducted, prosecutions were initiated, or perpetrators were convicted.



COORDINATION, POLICIES, AND PROGRAMS

<p>Key Mechanism to Coordinate Government Efforts on Child Labor</p> <p>Panama established a mechanism to coordinate its efforts to address child labor.</p>	<p>Committee for the Eradication of Child Labor and the Protection of Adolescent Workers (CETIPPAT): Public-private institution led by the First Lady of Panama that includes the Ministry of Labor, the Ministries of Education, Health, and Agriculture, and representatives from civil society and organizations of workers and employers. The committee conducts various efforts to address child labor, including national child labor surveys. During the reporting period, CETIPPAT maintained its calendar of quarterly meetings to review actions on its roadmap and evaluate specific actions carried out by its commissions. Provincial CETIPPAT subcommittees also carried out inspections, home visits, and planning meetings during the year.</p>
<p>Key Policies Related to Child Labor</p> <p>Panama has established policies that are consistent with relevant international standards on child labor.</p>	<p>Direct Government Action Program for the Prevention and Eradication of Child Labor: Provides a network of social and economic services to child workers and children at risk of child labor, including food and scholarships, support for sports activities, and monitoring areas in which children are at risk of child labor to ensure that they attend school. Led by the Ministry of Labor and implemented through the Institute for Training and Utilization of Human Resources. During the reporting period, the government provided over 60 scholarships to students in the province of Veraguas as part of the Direct Government Action Program for the Prevention and Eradication of Child Labor.</p>

Coordination, Policies, and Programs (Cont.)

<p>Key Policies Related to Child Labor</p> <p>Panama has established policies that are consistent with relevant international standards on child labor.</p>	<p>National Action Plan for the Prevention and Elimination of Commercial Sexual Exploitation of Children and Adolescents: Seeks to prevent and eliminate the commercial sexual exploitation of children and adolescents, including by providing services to survivors, strengthening the National Commission for the Prevention of Crimes of Sexual Exploitation (CONAPREDES), and raising awareness. Implemented by CONAPREDES, with support from the Public Ministry. During the reporting period, the government held a forum on Advances and Challenges in the Eradication of Child Labor in Panama, with the topic being commercial sexual exploitation of children. The aim of the forum was to raise awareness among members of the Confederation of Workers of Panama.</p> <p>National Plan Against Trafficking in Persons (2022–2027): Addresses human trafficking through prevention, victim assistance, and international cooperation. Includes provisions to protect child victims of human trafficking. During the reporting period, the Government of Panama approved the National Plan Against Trafficking in Persons for a 5-year period.</p>
<p>Key Social Programs to Address Child Labor</p> <p>Panama funded and participated in programs that include the goal of eliminating or preventing child labor. However, these social programs are inadequate because they lack the ability to reach the most vulnerable populations, including indigenous, Afro-Panamanian, and migrant children.</p> <p><small>† Program is funded by the Government of Panama.</small></p>	<p>SENNIAF Programs:† Provide services to children engaged in the worst forms of child labor. The Prevention and Eradication of Child Labor program 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. Maintains a case processing system to efficiently manage reports and help reduce report processing times. The Prevention and Care for Child and Adolescent Victims of Sexual Violence program 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 survivors of sexual violence. SENNI AF programs were carried out in urban and rural areas during the reporting period. SENNI AF coordinated with the Ministry of Labor to launch public awareness campaigns about children who work, which were disseminated on social networks and traditional media. Other public awareness campaigns took the form of convening forums, organizing an interinstitutional family fair, distributing flyers and creating murals, and touring areas that are particularly vulnerable to child labor.</p> <p>Network of Opportunities:† Ministry of Social Development program that provides families in extreme poverty with cash transfers that are 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. Although research indicates that this program was active during the reporting period, the government did not report specific activities conducted to implement the program.</p> <p>El Plan Colmena:† Seeks to reduce poverty and inequality via a multisectoral strategy that includes local governments, public institutions, the private sector, civil society, and community leaders. The plan prioritizes 12 areas of intervention, including comprehensive childhood care, improved nutrition, access to clean water and basic sanitation, health, education, and the development of productive capacities to ensure the sustainability of communities. In 2023, the government implemented the “Child Labor Free Districts” strategy, as part of the <i>Colmena</i> Plan, which seeks to engage with local municipal governments to identify cases of child labor.</p>

For information about USDOL’s projects to address child labor around the world, visit dol.gov/ILABprojects
 For references, please visit dol.gov/ChildLaborReports