

2RP: Responses to Recommendations & Voluntary Pledges

PANAMA

Second Review Session 22

Review in the Working Group: 6 May 2015
Adoption in the Plenary: 24 September 2015

Panama's responses to recommendations (as of 17.09.2015)

In the Report of the Working Group:	In the Addendum:	During the plenary:	Summary:
111 Accepted 14 Noted	No addendum available	No additional information provided	Accepted: 111 Noted: 14 Total: 125

Paragraph headers are as in the Report of the Working Group, but the nature of responses to recommendations may have subsequently been changed.

List of recommendations contained in Section II of the Report of the Working Group A/HRC/30/7:

90. The recommendations formulated during the interactive dialogue listed below have been examined by Panama and enjoy the support of Panama:

A - 90.1 Consider ratifying or acceding to ILO Convention No. 169 on indigenous and tribal peoples in independent countries. Peru is ready to share its experience on this issue with Panama (Peru);

A - 90.2 Ratify ILO Convention No. 169 (Chile);

A - 90.3 Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Portugal);

A - 90.4 Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Spain);

A - 90.5 Continue its efforts for the full implementation of the Convention against Torture (Indonesia);

A - 90.6 Fully align its national legislation with the Rome Statute of the International Criminal Court (Montenegro);

A - 90.7 Fully align its national legislation with the Rome Statute of the International Criminal Court (Slovenia);

A - 90.8 Implement the Rome Statute of the International Criminal Court into national law (Portugal);



A - 90.9 Bring its national legislation in line with the Rome Statute of the International Criminal Court and, in particular, incorporate the necessary provisions to fully cooperate with the Court when it comes to investigating and prosecuting for genocide, crimes against humanity and war crimes in its national courts (Spain);

A - 90.10 Take all necessary measures to ensure that its national legislation and policies are brought in line with the obligations as set out in the Convention on the Elimination of All Forms of Discrimination against Women, and to adequately fund the institutions responsible for implementation of this framework (Namibia);

A - 90.11 Enhance efforts to ensure the protection of children's rights, as outlined in the Convention on the Rights of the Child and its Optional Protocols (Italy);

A - 90.12 Adopt legislation on comprehensive protection of children's and adolescents' rights (Montenegro);

A - 90.13 Continue efforts to enact a law on the comprehensive protection of the rights of the child (Peru);

A - 90.14 Consider amending its legal provisions to further ensure protection of children's rights, especially by raising the minimum working age in agricultural and domestic service (Thailand);

A - 90.15 Repeal the constitutional provision making it possible to refuse naturalization on the grounds of physical and/or mental disability (Mexico);

A - 90.16 Step up actions to strengthen the national mechanism for the prevention of torture (Paraguay);

A - 90.17 Conclude the drafting and adoption of the national preventive mechanism against torture and other ill-treatment in accordance with the Optional Protocol to the Convention against Torture (United Kingdom of Great Britain and Northern Ireland);

A - 90.18 Establish a national mechanism for the prevention of torture, in line with the Optional Protocol to the Convention against Torture (Brazil);

A - 90.19 Strengthen the system for monitoring international recommendations, by giving the permanent national commission sufficient resources to carry out its mission (Paraguay);

A - 90.20 Establish a mechanism to create an effective system for the protection of children (Angola);

A - 90.21 Consider developing human rights indicators as an instrument that allows for a more precise and coherent evaluation of national human rights policies (Portugal);

A - 90.22 Continue efforts aimed at promoting the rights of children, in particular children belonging to indigenous groups and children with disabilities and HIV/AIDS (Ukraine);

A - 90.23 Submit its overdue reports to the treaty bodies (Ghana);

A - 90.24 Submit its overdue reports to the relevant treaty bodies (Sierra Leone);

A - 90.25 Strengthen the ongoing efforts in promoting women's rights (Timor-Leste);

A - 90.26 Strengthen the institutions in the field of women's rights and organize training, sensitization and awareness-raising activities on the matter (Uruguay);



A - 90.27 Continue working on its national policy on equal opportunities for women in order to enhance their participation and empowerment in public processes (Nicaragua);

A - 90.28 Consider reviewing its labour laws with a view to addressing the wage gap between women and men and the elusive opportunities for working women to occupy leadership and decision-making positions (Philippines);

A - 90.29 Take further steps to achieve gender equality through ensuring equal opportunity in the workplace (Singapore);

A - 90.30 Continue efforts to increase women's representation in decision-making positions on an equal footing with men (Rwanda);

A - 90.31 Adopt public policies to achieve the full political and economic participation of women in Panamanian society (Chile);

A - 90.32 Take steps to increase the participation of women in politics, including through the implementation of measures on affirmative action or quotas (Costa Rica);

A - 90.33 Continue initiatives aimed at promoting the participation of women, and continue literacy efforts, particularly for indigenous women (Ecuador);

A - 90.34 Ensure the equal treatment and non-discrimination of all children, irrespective of their ethnicity, including equal opportunity to access education at the same level (Namibia);

A - 90.35 Continue efforts in the fight against discrimination in all areas, paying special attention to vulnerable groups (Nicaragua);

A - 90.36 Adopt a legislative framework to fight racism and discrimination, and implement educational, social and economic public policies to prevent discrimination (France);

A - 90.37 Adopt legislation prohibiting discrimination on all grounds including race and ethnicity (Ghana);

A - 90.38 Enact comprehensive anti-discrimination legislation prohibiting discrimination on all grounds (Brazil);

A - 90.39 Bring its legislation into conformity with its commitment to equality and non-discrimination, including by prohibiting discrimination based on sexual orientation (Canada);

A - 90.40 Adopt and implement comprehensive anti-discrimination legislation which prohibits discrimination on all grounds, including on the basis of race, ethnicity, sexual orientation and gender identity (Ireland);

A - 90.41 Adopt comprehensive anti-discrimination legislation, including on the basis of sexual orientation and gender identity (Netherlands);

A - 90.42 Adopt legislation prohibiting acts of discrimination on the grounds of sexual orientation and gender identity, and adopt measures to promote the rights of lesbian, gay, bisexual, transgender and intersex people and prevent their discrimination (Chile);

A - 90.43 Adopt the necessary judicial and administrative measures to ensure effectively the investigation and punishment of cases of discriminatory treatment by law enforcement officers, in particular against lesbian, gay, bisexual, transgender and intersex people (Argentina);



A - 90.44 Include sexual orientation and gender identity and expression among the prohibited grounds of discrimination (Uruguay);

A - 90.45 Increase efforts to protect the rights of indigenous people and persons of African descent, including by adopting and strengthening tailored programmes to reduce poverty and discrimination among these groups (Germany);

A - 90.46 Intensify its efforts to deal with discrimination to ensure that indigenous peoples and people of African descent fully enjoy economic, social and cultural rights, as enshrined in the Universal Declaration on Human Rights (Trinidad and Tobago);

A - 90.47 Ensure equal access to the enjoyment of rights such as education, health, political participation, access to justice and integration into the labour market for indigenous and Afro-descendant populations (Uruguay);

A - 90.48 Take all necessary measures, including awareness-raising and education, as well as legislative measures, to eliminate discrimination against Afro-Panamanian people (Namibia);

A - 90.49 Intensify efforts to ensure the realization of the human rights of Afro- descendant populations (Rwanda);

A - 90.50 Enforce laws which further ensure the integration and socioeconomic participation of Afro-Panamanians and other people of African descent (Sierra Leone);

A - 90.51 Continue to adopt legislative and policy measures to fight racial discrimination against persons of African descent (Algeria);

A - 90.52 Adopt public policies aimed at the full integration of persons of African descent that incorporate measures to prevent stigmatization, racial discrimination and xenophobia (Chile);

A - 90.53 Take appropriate legislative and public policy measures with a view of continuing the promotion of the rights of Afro-Panamanians and the fight against racism and xenophobia (Colombia);

A - 90.54 Enact anti-discrimination laws which would better protect the rights of indigenous communities (Sierra Leone);

A - 90.55 Increase efforts and resources to reduce the gap between indigenous people and other Panamanians in terms of access to health, education and economic development (Timor-Leste);

A - 90.56 Adopt measures to curb ill-treatment meted out by police officers to persons deprived of their civil liberties (Ghana);

A - 90.57 Take steps to put an end to overcrowding in detention facilities, including by ensuring compliance with the requirements established in article 10 of the International Covenant on Civil and Political Rights and application of the Standard Minimum Rules for the Treatment of Prisoners (Germany);

A - 90.58 Step up its efforts to ease overcrowding in the prison system and especially look for alternative non-custodial measures for adolescents (Netherlands);

A - 90.59 Continue to take steps to improve overall living conditions for prisoners (Australia);



A - 90.60 Continue adopting measures to respect and protect the rights and human dignity of detainees (China);

A - 90.61 Continue to implement the process of penitentiary reform based on the three pillars established by the Government (Cuba);

A - 90.62 Continue the implementation of laws to combat violence and discrimination against women (France);

A - 90.63 Take additional measures to protect victims of domestic violence through effective implementation of its legislation (Georgia);

A - 90.64 Increase protection for women victims of domestic violence by implementing the existing legislation, investigating and punishing the perpetrators, creating a sufficient number of shelters and providing police protection (Germany);

A - 90.65 Strictly apply without delay Law No. 82/2013, which criminalizes violence against women (Ghana);

A - 90.66 Take all necessary measures to ensure that Law No. 82/2013, punishing acts of violence against women, is quickly followed by an implementing regulation, and that protocols are developed to guarantee its proper enforcement (Belgium);

A - 90.67 Ensure prompt and effective implementation of the legislation to eliminate violence against women (Slovenia);

A - 90.68 Continue with the efforts to combat violence against women through increased institutional coordination permitting the effective punishment of crimes of violence against women and comprehensive assistance to women victims (Spain);

A - 90.69 Take measures to ensure the effective implementation of legislation to eliminate violence against women, including by thorough investigation and prosecution (Canada);

A - 90.70 Take further measures to prevent the murder of women by their partners, prosecute perpetrators and improve awareness of the issue (Canada);

A - 90.71 Effectively implement existing legislation and provide enough resources for the investigation and punishment of crimes of violence against women (Chile);

A - 90.72 Take all adequate measures to promptly eliminate all forms of violence against women and children, including abuse and neglect of children (Portugal);

A - 90.73 Take further measures to combat gender-based violence, trafficking in women and girls and sexual exploitation (Ukraine);

A - 90.74 Eliminate all forms of violence against children by adopting proper legislation and ensure its implementation (Slovenia);

A - 90.75 Explicitly prohibit all corporal punishment of children in all settings, including in the home, and repeal the power to "correct" in the Family Code and the Civil Code (Sweden);

A - 90.76 Increase the availability of specialized services for the victims of forced labour and trafficking for sex, in partnership with civil society, including by implementing the dedicated victim assistance fund as required by law (United States of America);



A - 90.77 Take appropriate measures to end illegal child labour, not least concerning indigenous children (Sweden);

A - 90.78 Strengthen the fight against trafficking in human beings, in particular women, by implementing educational and awareness-raising campaigns and enhancing support measures available to victims (Italy);

A - 90.79 Continue to provide adequate human and other resources to its anti- human trafficking programmes (Philippines);

A - 90.80 Adopt measures to guarantee the independence of the judiciary (Romania);

A - 90.81 Continue its efforts to strengthen the independence of the judiciary at both the legal and implementing levels (Belgium);

A - 90.82 Continue the reforms aimed at limiting the use of preventive detention and implement a uniform penal system (France);

A - 90.83 Take steps to end lengthy pretrial detention and reduce prison overcrowding, such as by increasing the number of court hearings per week and fully implementing pending reforms to the justice system (United States of America);

A - 90.84 Implement the adversarial criminal justice system throughout Panama (United Kingdom of Great Britain and Northern Ireland);

A - 90.85 Continue to expand the new accusatory system to those provinces and districts where the system is not yet in place (Australia);

A - 90.86 Continue implementing throughout the country the criminal accusatory system, ensuring the same criminal procedure for the whole population (Chile);

A - 90.87 Continue proceedings to expedite the trials of detainees with all the guarantees and to improve the living conditions of the prison population (Spain);

A - 90.88 Bring the juvenile criminal justice in line with international standards (Chile);

A - 90.89 Strengthen the necessary measures to fight impunity for the authors of the events occurred in Bocas del Toro in 2010 (Argentina);

A - 90.90 Adopt administrative, budgetary, legislative and awareness-raising measures that ensure the right to birth registration of children of indigenous or African origin and from rural areas (Mexico);

A - 90.91 Adopt measures to guarantee birth registration of its citizens (Romania);

A - 90.92 Intensify its efforts to ensure birth registration for everyone, especially children and adolescents in rural areas (Thailand);

A - 90.93 Fully respect its international obligations regarding the freedoms of assembly and association, in particular with regard to the activities of trade unions, and ensure that its national legislation complies with these obligations (Ireland);

A - 90.94 Take steps to ensure that Law No. 14/2010 does not affect the rights of assembly and demonstration enshrined in international instruments (Costa Rica);



A - 90.95 Take appropriate measures to abolish the illegal practice of making women take pregnancy test to gain employment, as previously recommended (Slovenia);

A - 90.96 Strengthen the social policies aimed at integrating minorities into the labour market (Angola);

A - 90.97 Continue strengthening its policies and social programmes in order to increase the standard of living of its people, in particular of the most excluded groups (Bolivarian Republic of Venezuela);

A - 90.98 Continue to implement sustainable policies to alleviate poverty and increase employment opportunities (Singapore);

A - 90.99 Continue the implementation of measures and strategies to directly, temporarily and comprehensively alleviate the immediate needs of households in extreme poverty (Cuba);

A - 90.100 Give priority to measures that may guarantee access to safe drinking water for all citizens (Uruguay);

A - 90.101 Continue its efforts to increase access to health services and strengthen the delivery of high-quality health care (Singapore);

A - 90.102 Continue the efforts to promote the right to health, in particular by giving priority to primary health care and by strengthening the attention paid to mental health problems. Likewise, promote the right to health of persons with disabilities and lesbian, gay, bisexual, transgender and intersex persons (Colombia);

A - 90.103 Extend education services to rural zones and guarantee access for all persons to a quality education without distinction, including persons belonging to indigenous and Afro-descendant communities, in order to reduce inequality in the country (Honduras);

A - 90.104 Take the necessary measures to ensure access to education for all, in particular for populations in remote zones (Algeria);

A - 90.105 Continue increasing inputs in education to effectively protect the right to education for the people of Panama, including indigenous people (China);

A - 90.106 Continue promoting the right to education, in particular access to education for boys and girls from Afro-Panamanian, indigenous, rural and migrant communities (Colombia);

A - 90.107 Consider incorporating human rights programmes in the Panamanian system of education (Peru);

A - 90.108 Continue taking all necessary measures to incorporate the rights of disabled persons in all aspects of public policies, including by strengthening the national secretariat for persons with disabilities to standardize protocols and guidelines for the implementation of rehabilitation services at the national level (Honduras);

A - 90.109 Take appropriate measures to meet the needs of indigenous and rural populations that still have clear difficulties to access to safe drinking water and sanitation (Spain);

A - 90.110 Continue to work to reduce the levels of poverty in indigenous communities (Australia);

A - 90.111 Take all measures to ensure that indigenous children can fully exercise their rights and establish support programmes for migrant children (Honduras).



91. The recommendations below did not enjoy the support of country Panama and would thus be noted:

N - 91.1 Continue working on the adoption of those international instruments to which it is not State party, including the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Nicaragua);

N - 91.2 Continue its efforts to ensure a comprehensive approach to migrant workers' rights by considering its accession to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Indonesia);

N - 91.3 Consider ratifying or acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Peru);

N - 91.4 Consider the ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Ecuador);

N - 91.5 Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Ghana);

N - 91.6 Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and ILO Convention No. 169 (Guatemala);

N - 91.7 Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Honduras);

N - 91.8 Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Paraguay);

N - 91.9 Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and ILO Convention No. 189 (Philippines);

N - 91.10 Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and ILO Convention No. 169 (Sierra Leone);

N - 91.11 Adopt a legislative framework for the protection of children, in particular by raising the minimum age of marriage and the age of criminal responsibility (France);

N - 91.12 Implement a national policy on children's rights including the amendment of legislation on juvenile justice and immediately address the reduction of preventive detention for persons under 18 and the harmonization of the age of criminal liability in accordance with the Convention on the Rights of the Child (Mexico);

N - 91.13 Increase the minimum age of marriage and of criminal responsibility in line with international standards (Italy);

N - 91.14 Adopt legislation prohibiting all forms of discrimination, including on the grounds of sexual orientation and gender identity, and abolish all provisions of Executive Decree No. 204/1997 determining homosexuality as a serious misconduct for members of the national police (Slovenia).