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Summary of Stakeholders' submissions on Panama*

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a summary of 22 stakeholders' submissions[1] to the universal periodic review, presented in a summarized manner owing to word-limit constraints. A separate section is provided for the contribution by the national human rights institution that is accredited in full compliance with the Paris Principles.

II. Information provided by the national human rights institution accredited in full compliance with the Paris Principles

2. The Ombudsman's Office (DPP) reported that Panama has not yet ratified the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights. It has also not yet ratified the International Labour Organization (ILO) Indigenous and Tribal Peoples Convention, 1989 (No. 169).[2]

3. The Ombudsman's Office stated that there is still no law prohibiting discrimination in all its forms, including discrimination on the grounds of sexual orientation, and that there is also no law on gender identity.[3] The Office reported that, although Act No. 7 of 14 February 2018 establishes penalties for harassment, sexual harassment, racism and sexism in various settings, it does not expressly provide protection for lesbian, gay, bisexual, transsexual and intersex persons.[4] The Office added that, pursuant to Executive Decree No. 204 of 3 September 1997, homosexuality is still considered very serious misconduct for members of the police force.[5]

4. The Ombudsman's Office recognized that progress had been made on various administrative issues affecting persons deprived of their liberty but noted that access to medicinal drugs and medical treatment was still insufficient. The Office also drew attention

* The present document was not edited before being sent to United Nations translation services.

to the controversial maximum security prison on the island of Punta Coco, in the Pearl Islands Archipelago, which houses the country's most dangerous prisoners.[6]

5. The Ombudsman's Office reported that the national mechanism for the prevention of torture, which is attached to the Office, was established by law in 2017 as an autonomous institution with its own budget.[7]

6. The Office stated that the adoption of the adversarial criminal justice system had reduced recourse to pretrial detention to 44 per cent. It also noted that Act No. 53 of 2015, on the judicial profession, is not yet fully implemented.[8]

7. The Office reported that Panama has made progress in the prevention and punishment of offences of trafficking in persons, particularly in terms of the institutional framework, having created special units for the identification and care of victims of trafficking in persons. In addition, in July 2019 a counter-trafficking unit to coordinate action taken by the security forces was created.[9]

8. The Ombudsman's Office reported that, although progress had been made in labour matters, there was still a long way to go to close the gender gap apparent in the labour market and in wages.[10]

9. The Office indicated that Panama has various different laws which regulate women's rights but lacks a comprehensive legal instrument on sexual and reproductive health. It added that the guidelines for applying existing laws on sex education had not been implemented, and that this could be having an impact on the rate of teenage pregnancy.[11]

10. The Ombudsman's Office reported that the State Equal Opportunities Policy had been adopted in 2012 and that, in 2016, an action plan for implementing the policy in the period 2016–2019, had been agreed. However, no reports that would provide a basis for assessing the level of implementation of the plan were available. The Office added that, in 2017, the National Women's Institute had been given the smallest budget of all the decentralized government institutions.[12]

11. The Ombudsman's Office stated that, even though the Government had adopted a number of important legal instruments for combatting violence against women, including Decree No. 100 of 2017, which contained preventive measures and introduced the specific offence of femicide to the Criminal Code, indicators of violence against women remained at high levels.[13] The Office noted that no specialized prosecutors' offices or courts had been created to deal with cases of gender-based violence and that the Special Reparations Fund for women victims of violence was not operational.[14]

12. The Ombudsman's Office reported that Panama has various laws promoting women's participation in politics and decision-making positions but that women's representation in senior government positions remains low.[15]

13. The Ombudsman's Office reported that the country does not have a law on comprehensive protection for children and adolescents but that Ministry of Social Development Resolution No. 002, issued on 16 January 2018, incorporates the principles established in the Convention on the Rights of the Child.[16] The Office noted that no proposals to repeal the power to use corporal punishment established in article 319 of the Family Code had been made.[17]

III. Information provided by other stakeholders

A. Scope of international obligations[18] and cooperation with international human rights mechanisms and bodies[19]

14. The International Human Rights Clinic-University of Oklahoma (IHRC-OU) recommended that Panama ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (OP-CRC-IC).[20] Joint Submission 4 (JS4) and IHRC-OU recommended that Panama ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (OP-ICESCR).[21]

15. Joint Submission 2 (JS2), the Environmental Advocacy Centre (Centro de Incidencia Ambiental, or CIAM) and Cultural Survival (CS) noted that Panama had not ratified ILO Convention No. 169, despite having accepted multiple recommendations to that end.[22] CIAM, IHRC-OU, JS4 and Joint Submission 7 (JS7) recommended that Panama ratify ILO Convention No. 169.[23]

16. IHRC-OU recommended that Panama ratify the UNESCO Convention against Discrimination in Education.[24]

17. IHRC-OU recommended that Panama extend a standing invitation to the Special Rapporteur on the right to education, to the Special Rapporteur on the right to development and to the Special Rapporteur on violence against women.[25]

18. The Center for Global Nonkilling (CGNK) saluted the fact that Panama had supported the Declaration on the Right to Peace.[26] The International Campaign to Abolish Nuclear Weapons (ICAN) noted with appreciation that Panama had ratified the UN Treaty on the Prohibition of Nuclear Weapons on 11 April 2019.[27]

B. National human rights framework[28]

19. The Inter-American Commission on Human Rights (IACHR) highlighted the Ombudsman's Office functional autonomy and independence.[29] Joint Submission 8 (JS8), on the other hand, questioned the autonomy of the Ombudsman's Office.[30]

20. JS2 reported that the proposed constitutional amendment that had been referred to Congress by the executive branch in July 2019 recognized and respected the identity and cultural diversity of the "national aboriginal" peoples and their collective rights and systems of organization and governance, but did not recognize the country as a plurinational and pluricultural State. JS2 added that there were no provisions in the text of the proposed amendment that expressly recognized the rights of indigenous women.[31] JS2 recommended that Panama should recognize not only the ethnic diversity of Panama but also, specifically, the diversity of its indigenous peoples, with a view to expressly recognizing in the Constitution that Panama is a plurinational, pluricultural and plurilingual State. JS2 also recommended that Panama ensure that clear methodologies for achieving the effective and inclusive participation of indigenous peoples, and indigenous women in particular, be established as part of the constitutional amendment process.[32]

21. JS7 reported that the State had established a committee to assume responsibility for following up on the recommendations of international bodies but noted that civil society was not represented on the committee.[33]

C. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Cross-cutting issues

Equality and non-discrimination[34]

22. Joint Submission 1 (JS1) noted that there is no law prohibiting and punishing discriminatory acts committed against lesbian, gay, bisexual, transsexual and intersex persons, and that these persons are subjected to verbal, psychological, property-related, economic and physical violence.[35] JS2 stated that Act No. 7 (the Anti-Discrimination Act) prohibits acts of racism, sexism, harassment and sexual harassment but does not address sexual orientation or the concept of gender.[36] Similar observations were made by JS7 and JS8.[37] JS2 observed that the law also failed to address intersectional discrimination, thus leaving indigenous women who face multiple discrimination based on their gender, ethnicity and social and economic status without protection.[38]

23. JS1 mentioned that the Government of Panama needed to commit to ensuring respect for the right to equality and non-discrimination of lesbian, gay, bisexual, transsexual and intersex persons, undertaking to adopt laws and public policies for countering

discrimination on the basis of sexual orientation and gender identity, and that it should act in a manner consistent with the pledge to "Leave No-one Behind" that is central to the Sustainable Development Goals and to which it committed when adopting Agenda 2030.[39]

24. JS1 stated that, under the disciplinary regulations of the National Police adopted in 1997, homosexuality and lesbianism are still considered very serious misconduct within the Panamanian State security forces.[40]

25. The Society of Friends of the Afro-Antillean Museum of Panama (Sociedad de Amigos del Museo Afroantillano de Panamá, or SAMAAP) drew attention to the discrimination faced by the black population in Panama.[41] JS4 and JS7 noted the need to end exclusion and discrimination against the Afrodescendent population, especially women, in respect of employment and wages.[42]

26. Joint Submission 3 (JS3) drew attention to discrimination on the grounds of gender, involvement in sex work, migration status and serological status.[43]

27. JS8 referred to the discrimination and violence suffered by older persons, noting that Act No. 36 (2016) on comprehensive protection for the rights of older persons distorted the content of the Inter-American Convention on Protecting the Human Rights of Older Persons.[44]

Development, the environment, and business and human rights

28. CIAM reported that the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (the Escazú Agreement) was before the National Assembly pending adoption, but that it had still not been discussed.[45]

29. CIAM reported that the strategic environmental impact assessment process had been regulated since February 2017 but that, in the absence of an official list of policies, plans and programmes subject to mandatory assessment, the process remained voluntary.[46] JS2, for its part, recommended that Panama adopt environmental education policies to promote the protection of the environment and encourage better waste management in indigenous territories, the recovery of traditional crops and seeds and the reforestation of degraded areas.[47]

30. Joint Submission 5 (JS5) referred to the adverse effects of the plan to lay an electric power transmission line (Transmission Line Four) that would run for more than 330 kilometres along the Atlantic coast of Panama.[48] JS5 stated that the line would have a devastating impact on indigenous communities, would put the region's high biodiversity at risk, and would cause extensive environmental and social damage, notably because a coast road connecting the provinces of Colón and Bocas del Toro would probably be built.[49] In addition, JS5 reported that there had been inadequate consultation with the indigenous peoples prior to the start of the plan, and that the legal recognition and protection of the lands and territories of several indigenous peoples would be compromised.[50] JS5 recommended that Panama take immediate preventive measures to suspend implementation of the "Transmission Line Four" project.[51]

2. Civil and political rights

Right to life, liberty and security of person[52]

31. JS1 and JS7 referred to the invisibility of the everyday violence that lesbian, gay, bisexual, transsexual and intersex persons suffered. JS7 also drew attention to the abuse that persons of different sexual orientations received at the hands of the security forces.[53]

32. JS3 recommended that Panama take appropriate steps to combat institutional violence, stigma and discrimination, with a view to upholding sex workers' integrity, safety and right to a life free from violence.[54]

33. SAMAAP stated that black and indigenous persons were held in prison without justification because they did not have the financial means to contract the services of a competent lawyer to help them to resolve their cases.[55]

Administration of justice, including impunity, and the rule of law[56]

34. JS7 drew attention to the functioning of the justice system and recommended that judges and prosecutors be appointed through competitive examinations, as established in the State Covenant for Justice, and that, in order to achieve effective justice, all staff involved in legal processes received training.[57]

35. JS4 recommended that the Act on the Adversarial Criminal Justice System be amended in order to prevent early release or sentence reductions being agreed in cases of rape and femicide, among other offences.[58]

36. JS7 recommended that action should be taken to ensure that the Attorney General's Office allocates specialized resources to cases of femicide and that information about how the prosecution service handles cases of femicide should be published.[59]

37. JS2 referred to the discrimination in access to justice suffered by indigenous women within their communities.[60] JS2 recommended that Panama set up a round table for consultation with indigenous peoples to improve coordination between traditional justice and criminal justice, analysing legal lacunae and incorporating the perspective of indigenous women.[61]

38. JS3 stated that the complicity between the judiciary and the police made sex workers more vulnerable since they were not even able to report violence and abuse suffered at the hands of the security forces. It recommended that investigations be conducted with a view to identifying any sexual offences perpetrated against sex workers by the security forces.[62]

Fundamental freedoms and the right to participate in public and political life[63]

39. The Inter-American Court for Human Rights (IACHR) reported that its Special Rapporteurs had noted with concern that journalists and media organizations had been the subject of multiple criminal and civil suits brought either to protect the privacy and reputation of political actors or in response to the disclosure of information about issues of public interest. The Court was also concerned that these disproportionate actions had the potential to undermine the economic sustainability of media organizations, owing to the large sums required and the economic outlay that the media would have to make in order to develop protective measures.[64]

40. CS stated that indigenous communities did not have access to media through which they could openly discuss issues such as human rights and opposition to private sector development on their lands, without fear of reprisal. CS noted that the government used bureaucratic procedures to deny indigenous peoples their rights, including their freedom of expression via access to radio frequencies.[65]

41. CS was concerned for cases of violence against human rights defenders, especially those who were vocally opposed to the Barro Blanco dam. It added that perpetrators continued to enjoy impunity for acts of violence against human rights defenders.[66]

Prohibition of all forms of slavery[67]

42. ECPAT International (ECPAT) noted that research had indicated that Panama was a destination country for trafficking victims due to its outstanding economic development, and a higher minimum salary in comparison to other countries in the region, among other reasons.[68]

43. ECPAT noted that the National Commission against Trafficking of Persons had recently approved a new National Plan on Human Trafficking for the period 2019–2022.[69]

Right to privacy and family life[70]

44. The Panamanian Institute of Law and New Technologies (Instituto Panameño de Derecho y Nuevas Tecnologías, IPANDETEC) stated that, although Panama had adopted a law on the protection of personal data (Act No. 81 of March 2019), the Act had shortcomings in that it did not specify the body responsible for monitoring compliance and was not applicable extraterritorially.[71] Joint Submission 6 (JS6) noted that the data protection bill lacked fundamental protections for data subjects, and did not take a user

rights-centred approach with clear liabilities and exceptions, among other failings.[72] IPANDETEC recommended that Panama should begin developing implementing regulations for the Act, with the active participation of members of civil society, and should provide the lead agency with the necessary budget.[73] A similar recommendation was made in JS6.[74] In addition, IPANDETEC recommended that the State should expedite discussions concerning the possibility of legislating to criminalize cybercrime, in accordance with international standards.[75]

45. JS1 pointed out that denying the civil right to marry to persons of the same sex limited their enjoyment of other civil, economic and social rights, in that it had implications for property ownership, inheritance, social security, employment benefits in the event of death and the possibility of adoption.[76]

46. JS2 noted that geographical accessibility is a major obstacle to obtaining civil records of various forms for indigenous communities. It was difficult for indigenous persons to travel to offices of the Electoral Tribunal, as they were located in city centres. JS2 therefore recommended that the Electoral Tribunal be allocated the budget required to enable it to establish a presence in all indigenous territories.[77] JS2 also recommended that Panama should continue its efforts to modernize and decentralize its civil registry offices and ensure that these offices have the capacity, including sufficient staff and budgets, to provide services in rural areas and places where indigenous languages predominate.[78]

3. Economic, social and cultural rights

Right to work and to just and favourable conditions of work[79]

47. The International Transport Worker's Federation (ITF) was concerned because the Government had denied Panama Canal workers the right to strike and had failed to ensure sufficient compensatory guarantees to offset that restriction of freedoms to assembly and associations under ILO Convention 87.[80]

48. JS2 noted that progress had been made in relation to the right to work, in particular by empowering women to engage in innovative agricultural and handicraft production activities. It points out, however, that there is still a lack of recognition for the professional capacities and work abilities of indigenous women.[81] JS2 recommended that Panama create job opportunities for indigenous women, promoting training for business undertakings and income sources within indigenous territories with the aim of keeping to a minimum the number of young indigenous women who are forced to transplant themselves to urban centres.[82]

49. JS4 stated that pay parity figures attest to a debt towards women, while JS7 noted that women of African descent suffer higher unemployment and lower wages.[83]

50. The Congregation of Our Lady of Charity of the Good Shepherd (Congregación de Nuestra Señora de la Caridad del Buen Pastor, CLCGS) recommended that Panama strengthen social programmes targeting the most disadvantaged segments of the population in order to improve their capacity for labour market integration.[84]

51. JS3 recommended that Panama establish a legal framework that recognizes sex work as a lawful activity and protects the rights of those involved in work of this kind.[85]

Right to an adequate standard of living[86]

52. CLCGS observed that, despite Government efforts to reduce levels of poverty and extreme poverty, the programmes that had been implemented needed to have greater reach, as evidenced by the fact that wealth distribution remained a problem in the country.[87] JS4 stated that, although the State budget had been expanding, the Governments of the last decade had not used the increased funds to address poverty and improve the people's quality of life.[88] ECPAT noted that, in 2018, 32.8 per cent of children in Panama lived in poverty,[89] while JS4 and JS7 observed the poverty present in the Ngäbe Bugle and Guna Yala regions.[90]

53. CIAM recommended that Panama upgrade the country's sanitation services and drinking water management and supply systems, impose penalties on projects that do not

comply with environmental regulations and are thus detrimental to water resources, and adopt new water management regulations.[91] JS2 stated that indigenous peoples' right to drinking water and sanitation needed to be taken into consideration in questions of land and natural resources, noting that in some indigenous communities the rural aqueducts were in such a poor state of repair that it was impossible to guarantee that the water was suitable for drinking.[92] JS2 also noted that the Plan for the Comprehensive Development of the Indigenous Peoples of Panama did not accord any specific attention to access to the right to drinking water.[93]

54. CLCGS noted that the new housing programmes had not benefitted young adolescent girls, pointing to a need to extend the reach of such programs.[94]

55. CS noted that indigenous peoples' access to basic services like health care remained minimal, resulting in higher levels of malnutrition in indigenous children.[95] CS affirmed that indigenous children disproportionately suffered from malnutrition.[96]

Right to health[97]

56. ADF International (ADF) stated that maternal mortality was linked to economic inequality, with Panama's gaps in antenatal and postnatal care between polarized income groups. It noted that access to care for rural women was inhibited by geographical barriers.[98] ADF recommended that Panama improve the health-care system and specifically provide further measures on infrastructure and resources to maternal health, with a focus on health care for mothers and babies through pregnancy and childbirth.[99]

57. CLCGS noted that, although children and adolescents visited the health centres, where they received excellent medical services, there was a severe shortage of medicinal drugs in the country and specialist medical services were not sufficiently widely available.[100]

58. JS2 reported that the country had adopted a law that provided protection for traditional indigenous medicine and that progress had been made in the area of indigenous women's reproductive health. However, it also noted the need to raise awareness of Act No. 17 of 2016, the absence of a public policy for integrating traditional and Western medicine, and the inadequacy of the State budget for recruiting and maintaining health workers in indigenous territories.[101]

59. ADF noted that Act No. 219/2017 allowed for the possibility for a patient to make an advance refusal of life-prolonging medical treatments, and affirmed that while this legislation did not formally regulate either euthanasia or assisted suicide, it achieved this result in practice.[102]

Right to education[103]

60. CLCGS recommended that the tools for imparting human rights education within the education systems for children and adolescents with learning disabilities should be improved.[104]

61. JS2 referred to the implementation of the law on bilingual intercultural education and recommended that the corresponding Ministry of Education budgets should be increased.[105] IHRC-OU recommended that Panama develop a comprehensive strategy concerning how to best structure the classroom for indigenous students, and ask the indigenous peoples whether multi-grade institutions are best for the students.[106] IHRC-OU also recommended that Panama prioritize the education of indigenous women and girls in order to improve the literacy rate among women, and provide information regarding the efforts and initiatives carried out in order to improve these statistics.[107] JS2 recommended that the Ministry of Education's budget for extending the reach of indigenous education policies should be increased, with special attention being accorded to indigenous districts and territories, disaggregated by indigenous people and women.[108]

62. SAMAAP pointed out that there was not enough information in school textbooks about the arrival of enslaved Africans, nor about the Afro-Antilleans who came to the country to build the railway and the Panama Canal, and that the Ministry of Education had to re-construct history to fill this gap.[109] JS4 recommended that an awareness of history

should be built into the educational curriculum from the early childhood years, reflecting the contributions of women, persons of African descent and indigenous peoples.[110]

63. JS1 reported on the difficulties that transsexual persons faced in enrolling in universities according to their gender identity.[111]

4. Rights of specific persons or groups

Women[112]

64. IACHR drew attention to the implementation of the "Mujer Emprende" (Women in business) programme; the reduction in the number of cases of femicide; and the development of a scholarship programme for victims of gender-based violence and their children.[113]

65. JS4 and JS7 recommended that the effectiveness of measures taken to protect the rights of women should be guaranteed by allocating a more generous budget to the National Women's Institute and increasing the participation of civil society organizations.[114]

66. IHRC-OU stated that Panama's partial implementation of some recommendations regarding women's rights had been noted through the broadened access for women to opportunities in the economic, social, cultural, and political spheres. It added that despite these efforts and the establishment of the National Institute for Women, whose mandate was to coordinate and monitor State compliance with improvement in areas regarding equal opportunities for women, the needs of indigenous women from the Ipetí and Piriatí Emberá communities had yet to be prioritized.[115]

Children[116]

67. CLCGS observed that a range of plans, programmes and protection measures benefiting children and adolescents had been implemented following the creation of the National Secretariat for Children, Adolescents and the Family and that prevention and support services had increased following the opening of regional directorates.[117]

68. Global Initiative to End All Corporal Punishment of Children (GIEACPC) stated that according to the Family Code 1994, corporal punishment was lawful in the home, in alternative care settings, in early childhood care and in schools under the right of persons with parental authority.[118] GIEACPC hoped that States make a specific recommendation that Panama draft and enact legislation as a matter of priority to explicitly prohibit all corporal punishment of children in all settings.[119]

69. ECPAT noted that Panama had amended the Family Code and raised the minimum legal age to marriage to 18 years for both boys and girls; however, if a marriage was celebrated and one of the parties was under 18, the union was considered valid anyway and it was only the marital contract regarding property transfers and inheritance that was declared invalid.[120]

70. ECPAT recommended that Panama draft a new National Action Plan on sexual exploitation of children for 2019–2025.[121] ECPAT recommended that Panama amend articles 184, 185 and 187 of the Criminal Code to criminalize conducts related to online child sexual exploitation such as grooming, live streaming of sexual abuse and online sexual extortion using the right terminology.[122] ECPAT also recommended that Panama create specialized police and prosecution units for the investigation of crimes related to online child sexual exploitation and allocate budget to equip them with technology and specialized staff.[123]

Persons with disabilities[124]

71. CLCGS reported that a study to assess the current situation in inclusive schools for persons with disabilities was being carried out with a view to developing a national plan for inclusive education.[125] JS2 recommended that a quantitative and qualitative analysis of the extent to which indigenous children with disabilities were able to enjoy their rights should be carried out.[126]

Minorities and indigenous peoples[127]

72. IACHR drew attention to the implementation of the Plan for the Comprehensive Development of the Indigenous Peoples of Panama, a component of which specifically focused on the situation of indigenous women.[128] CLCGS noted the emphasis being placed on the comprehensive development of indigenous peoples, with 7 indigenous peoples and 12 traditional communities, which had been involved in formulating the National Development Plan, contributing to the drive.[129] JS2 noted that the Plan's regulations and financing, and the lack of gender equity, constituted challenges to its implementation.[130] JS2 recommended that the Women's Advisory Committee should be guaranteed effective representation, on an equal footing, in the Council for the Comprehensive Development of the Indigenous Peoples of Panama in order to ensure that the gender perspective was given sufficient consideration in the implementation of the Plan for the Comprehensive Development of the Indigenous Peoples.[131]

73. CS recommended that Panama implement the National Action Plan on Indigenous Peoples.[132]

74. JS5 reported that the right to consultation and free, prior and informed consent was protected under Act No. 37 of 2016. However, there was a pattern of non-compliance with consultation procedures in respect of projects that could have an impact on lands recognized or claimed by indigenous peoples.[133] JS2 stated that the adoption of Act No. 37 itself had not been preceded by systematic prior consultations that resulted in a consensus of indigenous peoples and indigenous women.[134] CIAM noted that the law on prior consultation adopted in 2016 was not being implemented due to a lack of implementing regulations.[135] IHRC-OU recommended that Panama adopt concrete mechanisms to guarantee consultation between indigenous communities in compliance with Act No. 37 of 2016.[136]

75. JS2 indicated that, despite the advances that were recognized to have been achieved as a result of Act No. 17, on traditional medicine, and Act No. 88, on intercultural bilingual education, the two laws' adoption had not been preceded by a process of genuine, participatory consultation with indigenous peoples, and particularly indigenous women.[137]

76. IACHR was concerned about indigenous peoples' situation in respect of land and territory and about the high levels of poverty faced by this group.[138] CS noted that the Government violated indigenous land rights by refusing to title collective lands.[139] Similar observations were made by JS2 and CIAM.[140] CIAM stated that the failure to recognize the territory of indigenous peoples, including the Naso and Bribri peoples in the west of the country, had an adverse effect on the full and effective enjoyment of economic, social and cultural rights.[141] JS2 recommended that a comprehensive policy of indigenous land titling that improved governance systems and incorporated the perspective of indigenous women should be developed.[142]

77. CS noted that the Government had prioritized large-scale national development projects, which had led to human rights abuses such as displacement without compensation, violent eviction, food insecurity, and loss of cultural and spiritual sites.[143] JS2 reported that there had been clashes between indigenous people and settlers and that the Ministry of the Environment had approved licences for logging on indigenous territory without the consent of the indigenous people concerned.[144]

78. JS2 reported that, although internal laws for the indigenous districts and national laws such as Act No. 20, on the appropriation of intellectual property, had been adopted in Panama, indigenous designs and indigenous intellectual property continued to be plagiarized, in violation of customs, values, history, art and culture, resulting in an economic loss for indigenous peoples in general.[145] JS2 recommended that Act No. 20 be properly implemented, with adequate coordination between ministries, the allocation of the necessary resources and prior consultation with indigenous women, and that the Ministry of Culture be decentralized so that it has administrative offices in each of the country's 12 indigenous territories.[146]

79. JS4 and JS7 recommended that the Act on the Secretariat for the Development of Persons of African Descent should be amended to give the Secretariat its own budget and to

strengthen its structure.[147] JS7 recommended that the Plan of the International Decade of People of African Descent should be adopted by means of a national law.[148]

Migrants, refugees, asylum seekers and internally displaced persons[149]

80. IACHR highlighted the entry into force of Decree No. 613 of October 2018, which opened up the possibility of applying for asylum or refuge on humanitarian grounds to persons from a third country and the creation of an office of humanitarian affairs to process visa applications from persons from this third country. It noted that the country was granting visas on humanitarian grounds to persons from a third country, but it was concerned that some of the deportations carried out might have involved persons in need of international protection.[150]

81. JS2 reported that indigenous communities in border areas, especially the Emberá and the Wounnan communities located in the Province of Darién, were being affected by irregular migration, which had an impact on health and security conditions in their communities, bringing disease and even epidemics.[151]

82. JS2 reported that internal displacement in communities of indigenous peoples had increased but that no accurate statistics were available.[152] JS7 referred to the problems associated with climate refugees and persons displaced by climate change.[153]

Notes

[1] The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org. (One asterisk denotes a national human rights institution with "A" status).

Civil society

Individual submissions:

ADF	ADF International (Switzerland);
CGNK	Center for Global Nonkilling (Switzerland);
CIAM	Centro de Incidencia Ambiental Panamá (Panamá);
CLCGS	Congregation of Our Lady of Charity of the Good Shepherd (Congregación de Nuestra Señora de la Caridad del Buen Pastor) (Switzerland);
CS	Cultural Survival (United States of America);
ECPAT	ECPAT International (Thailand);
GIEACPC	Global Initiative to End All Corporal Punishment of Children (United Kingdom of Great Britain and Northern Ireland);
ITF	International Transport Worker's Federation (United Kingdom of Great Britain and Northern Ireland);
ICAN	International Campaign to abolish nuclear weapons (Switzerland);
IHRC-OU	International Human Rights Clinic-University of Oklahoma (United States of America);
IPANDETEC	Panamanian Institute of Law and New Technologies (Instituto Panameño de Derecho y Nuevas Tecnologías) (Panama);
SAMAAP	Society of Friends of the Afro-Antillean Museum of Panama (Sociedad de Amigos del Museo Afroantillano de Panamá) (Panama).

Joint submissions:

JS1	**Joint submission 1 submitted by**: Fundación Coalición Internacional de Mujeres y Familias (CIMUF); Fundación de Independientes Pro Derechos Humanos (IPDH); Fundación (en formación) World Pride Panama (WPP) (Panamá);
JS2	**Joint submission 2 submitted by**: Asociación de Mujeres Ngäbe, ASMUNG; la Coordinadora Nacional de Mujeres Indígenas de Panamá, CONAMUIP y la Organización de Mujeres Indígenas Unidas por la Biodiversidad de Panamá, OMIUBP (Panamá);
JS3	**Joint submission 3 submitted by**: Mujeres con Dignidad y Derecho de Panamá; Red de Mujeres Trabajadoras Sexuales de Latinoamérica y el Caribe (RedTraSex); Akahatá-Equipo de Trabajo en Sexualidades y Géneros y la Iniciativa por los Derechos Sexuales (SRI) (Argentina);

JS4 **Joint submission 4 submitted by**: Voces de Mujeres Afrodescendientes en Panamá (VOMAP), Asociación Familiar Afrosanteña, Asociación Panameña de Personas Trans (APPT) (Panamá);

JS5 **Joint submission 5 submitted by**: Movimiento por la Defensa de los Territorios y Ecosistemas de Bocas del Toro (MODETEAB); Organización Territorial Ngäbe, Bugle y Campesina de la Región Norte de Santa Fe; Alianza para la Conservación y el Desarrollo (ACD), y Centro para el Derecho Ambiental Internacional (CIEL) (Panamá);

JS6 **Joint submission 6 submitted by**: Access Now and IPANDETEC (United States of America);

JS7 **Joint submission 7 submitted by**: Red Continental de Personas; Mayores de América Latina y el Caribe; Voces de Mujeres Afrodescendientes en Panamá; Unión Nacional de Mujeres Panameñas; Red de Jóvenes Frente al Cambio Climático de Panamá; Fundación Coalición Internacional de Mujeres y Familias; Fundación de Independientes Pro Derechos Humanos; Fundación World Pride Panamá (Panamá);

JS8 **Joint submission 8 submitted by**: Red Continental de Personas Mayores (United States of America).

National human rights institution:

DPP Ombudsman's Office (Defensoría del Pueblo de Panamá) (Panamá).

Regional intergovernmental organization(s):

IACHR Comisión Interamericana de Derechos Humanos (United States).

[2] DPP contribución al Examen Periódico Universal, Panamá, Tercer ciclo, p. 2.
[3] DPP contribución al Examen Periódico Universal, Panamá, Tercer ciclo, p. 6.
[4] DPP contribución al Examen Periódico Universal, Panamá, Tercer ciclo, p. 6.
[5] DPP contribución al Examen Periódico Universal, Panamá, Tercer ciclo, p. 6.
[6] DPP contribución al Examen Periódico Universal, Panamá, Tercer ciclo, p. 4.
[7] DPP contribución al Examen Periódico Universal, Panamá, Tercer ciclo, p. 2.
[8] DPP contribución al Examen Periódico Universal, Panamá, Tercer ciclo, p. 4.
[9] DPP contribución al Examen Periódico Universal, Panamá, Tercer ciclo, p. 3.
[10] DPP contribución al Examen Periódico Universal, Panamá, Tercer ciclo, p. 5.
[11] DPP contribución al Examen Periódico Universal, Panamá, Tercer ciclo, p. 5.
[12] DPP contribución al Examen Periódico Universal, Panamá, Tercer ciclo, p. 5.
[13] DPP contribución al Examen Periódico Universal, Panamá, Tercer ciclo, p. 5.
[14] DPP contribución al Examen Periódico Universal, Panamá, Tercer ciclo, p. 6.
[15] DPP contribución al Examen Periódico Universal, Panamá, Tercer ciclo, p. 5.
[16] DPP contribución al Examen Periódico Universal, Panamá, Tercer ciclo, p. 2.
[17] DPP contribución al Examen Periódico Universal, Panamá, Tercer ciclo, p. 3.
[18] The following abbreviations are used in UPR documents:

ICERD International Convention on the Elimination of All Forms of Racial Discrimination;
ICESCR International Covenant on Economic, Social and Cultural Rights;
OP-ICESCR Optional Protocol to ICESCR;
ICCPR International Covenant on Civil and Political Rights;
ICCPR-OP 1 Optional Protocol to ICCPR;
ICCPR-OP 2 Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty;
CEDAW Convention on the Elimination of All Forms of Discrimination against Women;
OP-CEDAW Optional Protocol to CEDAW;
CAT Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
OP-CAT Optional Protocol to CAT;
CRC Convention on the Rights of the Child;
OPAC Optional Protocol to CRC on the involvement of children in armed conflict;
OP-CRC-SC Optional Protocol to CRC on the sale of children, child prostitution and child pornography;
OP-CRC-IC Optional Protocol to CRC on a communications procedure;
ICRMW International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;
CRPD Convention on the Rights of Persons with Disabilities;

OP-CRPD Optional Protocol to CRPD;
ICPPED International Convention for the Protection of All Persons from Enforced Disappearance.

[19] For relevant recommendations see A/HRC/30/7, paras. 90.1–90.11; 90.23–90.24; 91.1–91.10.
[20] IHRC-OU, p. 2.
[21] JS4, p. 2 and IHRC-OU, p. 2.
[22] JS2, p. 1; CIAM, p. 1 y CS, p. 3.
[23] CIAM, p. 2; IHRC-OU, p. 4; JS4, p. 2 and JS7, p. 3.
[24] IHRC-OU, pp. 2–6.
[25] IHRC-OU, p. 2.
[26] CGNK, p. 4.
[27] ICAN, p. 1.
[28] For relevant recommendations see A/HRC/30/7, paras. 90.19; 90.21.
[29] IACHR, p. 8.
[30] JS8, para. 3.
[31] JS2, p. 1.
[32] JS2, p. 3.
[33] JS7, p. 5.
[34] For relevant recommendations see A/HRC/30/7, paras. 90.35–90.44; 90.48: 90.54; 91.14.
[35] JS 1, p. 2.
[36] JS2, p. 7.
[37] JS7, p. 18 and JS8, p. 3.
[38] JS2, p. 7.
[39] JS1, p .6.
[40] JS1, p. 3.
[41] SAMAAP, p. 1.
[42] JS 4, pp. 1–4 and JS7, p. 2.
[43] JS3, p. 2.
[44] JS8, pp. 1–2.
[45] CIAM, p. 2.
[46] CIAM, p. 1.
[47] JS2, p. 6.
[48] JS5, p. 1.
[49] JS5, pp. 1–2.
[50] JS5, pp. 2–6.
[51] JS5, p. 13.
[52] For relevant recommendations see A/HRC/30/7, paras. 90.16–90.18; 90.56–90.61.
[53] JS1, p. 5 y JS7 pp. 7 and 19.
[54] JS3, p. 3.
[55] JS5, pp. 2–6.
[56] For relevant recommendations see A/HRC/30/7, paras. 90.43: 90.71; 90.80–90.89.
[57] JS7, p. 11.
[58] JS4, p. 6.
[59] JS7, p. 11.
[60] JS2, p. 8.
[61] JS2, p. 9.
[62] JS3, pp. 3–5.
[63] For relevant recommendations see A/HRC/30/7, paras. 90.93–90.94.
[64] IACHR, p. 10.
[65] CS, pp. 1–2.
[66] CS, p. 5.
[67] For relevant recommendations see A/HRC/30/7, paras. 90.76; 90.78–90.79.
[68] ECPAT, p. 2.
[69] ECPAT, p. 4.
[70] For relevant recommendations see A/HRC/30/7, paras. 90.90–90.92.
[71] IPANDETEC, p. 2.
[72] JS6, p. 2.
[73] IPANDETEC, p. 2.
[74] JS6, p. 2.
[75] IPANDETEC, p. 2.
[76] JS1, pp. 3–4.
[77] JS2, p. 10.
[78] JS2, p. 11.

[79] For relevant recommendations see A/HRC/30/7, paras. 90.95–90.96.
[80] ITF, p. 2.
[81] JS2, pp. 11–12.
[82] JS2, p. 12.
[83] JS4, p. 7 and JS7, p. 6 and p. 15.
[84] CLCGS, p. 5.
[85] JS3, p. 1.
[86] For relevant recommendations see A/HRC/30/7, paras. 90.55; 90.97–90.100; 90.109–90.110.
[87] CLCGS, p. 4.
[88] JS4, 1.
[89] ECPAT, p. 1.
[90] JS4, p. 10 and JS7, p. 17.
[91] CIAM, p. 3.
[92] JS2, p. 13.
[93] JS2, p. 14.
[94] CLCGS, p. 4.
[95] CS, p. 1.
[96] CS, p. 6.
[97] For relevant recommendations see A/HRC/30/7, paras. 90.101–90.102.
[98] ADF, p. 4.
[99] ADF, p. 5.
[100] CLCGS, p. 4.
[101] JS2, p. 12. See also: CS, p. 6.
[102] ADF, pp. 1–2.
[103] For relevant recommendations see A/HRC/30/7, paras. 90.103–90.107.
[104] CLCGS, p. 5.
[105] JS2, p. 13.
[106] IHRC-OU, p. 2.
[107] IHRC-OU, p. 5.
[108] JS2, p. 12.
[109] SAMAAP, p. 1.
[110] JS4, p. 5.
[111] JS1, p. 4.
[112] For relevant recommendations see A/HRC/30/7, paras. 90.25–90.33; 90.61–90.73.
[113] IACHR, p. 7.
[114] JS4, p. 6 and JS7, p. 15.
[115] IHRC-OU, p. 3.
[116] For relevant recommendations see A/HRC/30/7, paras. 90.12–90.14; 90.20; 90.22; 90.34; 90.74–90.75; 90.77; 90.111; 91.11–91.13.
[117] CLCGS, p. 2.
[118] GIEACPC, pp. 2–3.
[119] GIEACPC, p. 1.
[120] ECPAT, p. 3.
[121] ECPAT, p. 4.
[122] ECPAT, p. 4.
[123] ECPAT, p. 6.
[124] For relevant recommendations see A/HRC/30/7, paras. 90.45; 90.108.
[125] CLCGS, p. 3.
[126] JS2, p. 10.
[127] For relevant recommendations see A/HRC/30/7, paras. 90.45–90.47; 90.49–90.53.
[128] IACHR, p. 7.
[129] CLCGS, p. 3.
[130] JS2, p. 3.
[131] JS2, p. 4.
[132] CS, p. 7.
[133] JS5, p. 8.
[134] JS 2, p. 4.
[135] CIAM, p. 1. See also: CS, p. 3; JS2, pp. 4–5; IHRC-OU, p. 2.
[136] IHRC-OU, p. 2.
[137] JS2, p. 5.
[138] IACHR, p. 7.
[139] CS, p. 1.
[140] JS2, p. 6 and CIAM, p. 4.

[141] CIAM, p. 4.
[142] JS2, p. 6.
[143] CS, p. 3.
[144] JS2, p. 6.
[145] JS2, p. 14.
[146] JS2, p. 14.
[147] JS 4, p. 5 and JS7, p. 11.
[148] JS7, p. 11.
[149] For relevant recommendations see A/HRC/30/7, para. 90.111.
[150] IACHR, p. 9.
[151] JS2, p. 15.
[152] JS2, p. 15.
[153] JS7, p. 18.