



Convention on the Rights of the Child

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Committee on the Rights of the Child Fifty-eighth session

Summary record of the 1650th meeting

Held at the Palais Wilson, Geneva, on Monday, 26 September 2011, at 10 a.m.

Chairperson: Mr. Zermatten

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The meeting was called to order at 10 a.m.

Consideration of reports of States parties *(continued)*

Combined third and fourth periodic reports of Panama on the implementation of the Convention on the Rights of the Child (CRC/C/PAN/3-4, CRC/C/PAN/Q/3-4 and Add.1)

1. *At the invitation of the Chairperson, the delegation of Panama took places at the Committee table.*
2. **Ms. Palacios** (Panama) said that protecting human rights was a priority for Panama. A declining child population and relatively rapid economic growth had enabled the State to boost social investment and strengthen its child and adolescent protection policies. However, large inequalities still existed and needed to be addressed. In response to the Committee's earlier recommendations, a bill for the comprehensive protection of children and adolescents had been drawn up in collaboration with civil society and, even though the bill had not prospered, it had resulted in the establishment of the National Secretariat for Children, Adolescents and the Family, as well as new child protection policies. Furthermore, a new bill was now under preparation.
3. Several broad programmes had been implemented to protect children's rights. Conditional transfers and family food grants were being distributed to those living in the indigenous regions that made up 30 per cent of Panamanian territory, and intercultural and bilingual education was provided in those areas. More recent developments included the submission of a bill to the National Assembly to grant permanent resident status to the 975 victims of armed conflicts who had fled to Panama from neighbouring countries. Meanwhile, thanks to the efforts of the electoral tribunal, the proportion of unregistered births had dropped from 14 per cent to approximately 4.5 per cent since 2009.
4. Support programmes for families had been implemented to uphold children's right to live with their families. Those initiatives included a parenting course, a special programme for dysfunctional, socially vulnerable families and a programme whereby the right of abandoned children to grow up in a family environment was restored through fostering, adoption or other arrangements. A special unit to monitor and supervise shelters ensured that the rights and guarantees of children in care were duly respected.
5. The population of children with disabilities exceeded 17,000 according to the 2010 census. Since 2005, the Government had been investing in facilities, materials and teacher training to make inclusive education available to children with disabilities. The National Secretariat for Persons with Disabilities had been established in 2007.
6. Free health care was provided to all children under 5. The mortality rate for children under 5 had fallen from 22 to 18 per 1,000 live births between 2000 and 2010, but Panama was far from achieving the targeted two-thirds reduction. An innovative network of primary health-care centres had been set up to address the problem, which was particularly serious in rural and indigenous regions. Neonatal screening for congenital illnesses and participation in national vaccination schemes for children were mandatory. The vaccination schemes had been highly successful in reducing the number of deaths from measles and now included the vaccination of girls against cervical-uterine cancer, making Panama the first country in which the vaccination was compulsory and available free of charge.
7. Panama had attained the Millennium Development Goal for universal primary education in 2003. Equal access for girls and women to all levels of education had also been achieved, and the literacy rate had reached 94.5 per cent in 2010. The Government was now focusing efforts on reducing school dropout rates and improving the content and

quality of education through US\$ 750 million in investments in infrastructure and training in 2009–2014.

8. The Ministry of Social Development had launched a campaign for the formulation of comprehensive policies for adolescents through community organizations and networks, which would serve as forums where adolescents could voice their opinions and participate in programme design and implementation. Meanwhile, youth assemblies, which had been organized in the legislature for the past eight years, enabled students to participate in the discussion of key legislation on matters such as the location of waste disposal centres, student transportation fares and financial incentives for university students.

9. A national early childhood policy and the Early Childhood Advisory Board had been established in 2009. Children under 6 years of age were accordingly recognized as rights-holders whose biological, psychological and social needs must be met. All children under 6 received nutritionally balanced and fortified school meals, and a complementary food programme for members of poor, rural, indigent and marginalized communities, among other vulnerable groups, was implemented through health centres.

10. Panama had opened inquiries into the regrettable incidents involving adolescents in detention centres and had revised and accelerated the implementation of its improvement plan for such facilities. Existing centres were being rebuilt and refurbished, and a new US\$ 12 million facility was being built. Training was being given to guards, and new rehabilitation and skills-building programmes had been developed for detainees.

11. The inter-agency committee for the elimination of child labour had developed a comprehensive strategy to prevent the entry of children into the labour market by raising the awareness of children, parents, employers and workers about the causes and consequences of child labour. The 2011–2013 National Plan for the Elimination of Child Labour and the Protection of Working Minors had been implemented with the aim of eliminating the worst forms of child labour by 2015 and all forms by 2020. The 2010 survey on child labour showed that the number of child workers had fallen from over 89,000 to just over 29,000 since 2008.

12. The Government was committed to upholding the rights and best interests of the child and making every effort to bring about the social, political, economic and cultural changes required to eliminate violence and poverty and build a democracy that would offer equal opportunities to children and adolescents.

13. **Mr. Cardona Llorens** (Country Rapporteur) said that the reporting procedure presented three valuable opportunities for State parties. First, the preparation of the State party report was an opportunity to weigh up the strengths and weaknesses of the implementation of children's rights in the country as a basis for future improvements. That process called for collaboration with international agencies and civil society organizations, and he would like to know whether the United Nations Children's Fund (UNICEF), the United Nations Development Programme (UNDP), the Office of the United Nations High Commissioner for Refugees (UNHCR) and civil society organizations working with children in Panama had been involved in the preparation of the State party's report (CRC/C/PAN/3-4) and its written replies to the Committee's list of issues (CRC/C/PAN/Q/3-4/Add.1). Second, the dialogue with the Committee was an opportunity to obtain recommendations for enhancing the promotion and protection of children's rights. And, third, those recommendations provided an opportunity for establishing a new dialogue with all stakeholders in Panama and for raising awareness of the Convention. In that regard, he wished to know whether activities to promote the analysis and discussion of the recommendations that would emerge from the current meeting were planned and, if so, whom they might involve. He would also like to know whether the State party intended to launch a campaign to promote and disseminate information on children's rights. The

Committee was concerned by the fact that certain sectors and media had been propagating a misguided perception of the Convention as a threat to family unity.

14. Since 2005, several child protection bills had been considered but none had been passed into law, and the State party's written replies suggested that Panama was now considering passing a law on the family instead. What the Committee had recommended, however, was that the State party should adopt a comprehensive children's code that was in compliance with the Convention, since experience in other nations, including Latin American countries, had shown that legislation of that sort was more effective. The Committee therefore wished to know whether Panama intended to draw up a comprehensive children's code, since its non-existence meant that, at the moment, the State party did not have a global child protection policy. Nor did it have any specific records on the State's economic and social investment in children. The lack of a coordinated child policy and the disperse regulation of children's rights created problems in several key areas. For example, although all persons under the age of 18 were considered children, the marriageable age was still 14 for girls and 16 for boys. During the universal periodic review at the beginning of 2011, the State party had undertaken to raise the marriageable age, and the Committee would like to know if and when it would do so, whether that age would be the same for both sexes and what it would be.

15. The fundamental principle of the primacy of the best interests of the child had been introduced into constitutional law through a series of Supreme Court rulings in 1996. However, according to the State party's report, the absence of a comprehensive law protecting children's rights in accordance with the Convention and the continued existence of the "guardianship" approach embodied in the Family Code meant that the principle was often not applied in court decisions. The Code allowed children classified as socially at risk to be taken from their families and placed in care, and such cases currently accounted for some 2,000 of the 4,000 children in care, suggesting that greater efforts should be made to support families so that their children could remain with them.

16. In a similar application of the "guardianship" approach, the Government seemed to have opted for protecting children by removing them from the streets rather than by fighting crime and respecting freedoms. Moreover, curfew enforcement seemed to discriminate against certain ethnic groups and neighbourhoods. Disaggregated data on persons taken into custody would be appreciated. At the moment, the State party was promoting prejudice against indigenous and Afro-descendent communities through its imposition of the curfews, and he wished to know whether it was considering combating prejudice through awareness-raising activities instead.

17. Although children's right to be heard was protected by law, no studies had been done on the subject, and the State party had asserted that neither family nor juvenile courts were suitable forums for children. He wished to know whether any steps had been taken to remedy the situation.

18. **Ms. Maurás Pérez** (Country Rapporteur) said that there were worrying signs that the legal and institutional protection of children's rights in such areas as adoptions, justice and discrimination, was being eroded. The failure to address the issue of teenage pregnancies and the negativism displayed towards children and adolescents in certain public statements about the rights of parents and children were also cause for concern.

19. She wished to know why the National Council for Children and Adolescents had been replaced by the National Secretariat for Children, Adolescents and the Family, which had neither sufficient resources nor the authority or scope of action to function even as a coordinating agency for the implementation of the Convention, and the Early Childhood Advisory Board. She asked which body would assume overarching responsibility for the high-level inter-agency coordination of the promotion and protection of the rights of all

persons up to the age of 18 in order to fill the political and institutional vacuum that the change had created. She also enquired about the role of the Office of the First Lady in that regard.

20. The Committee would like to know whether there was a comprehensive plan for implementing the Convention and, if not, how the State party intended to proceed, given that there was neither a comprehensive law nor an institutional framework for the protection of all children's rights. More details would also be appreciated on the decentralized public institutions that had been created to coordinate national policies and on how they took the place of the State in the performance of its duties towards children and adolescents.

21. More detailed information on budget allocations for child and adolescent health, education and housing would be useful. More specifically, what percentage of the education budget and of GDP did the US\$ 750 million in investment planned for 2009–2014 represent? She welcomed the implementation of the recommendation made by the Special Rapporteur on indigenous land rights regarding the Chan-75 hydroelectric project and of related environmental protocols. However, she wondered why, under Act No. 41/2007, the protection of human rights and the environment or consultations with indigenous populations were not prerequisites for the issuance of licences to multinational corporations based in Panama.

22. The Committee was particularly concerned by the adverse effects of the curfew being enforced in Panama City, Colón and San Miguelito, since it infringed the civil rights of children and adolescents. More than half the minors who had been taken into custody had been detained for nothing more serious than loitering, yet they had apparently had to pay fines before being released. Were there facilities set aside for children deprived of their liberty? It would be useful to know what neighbourhoods, cities and ethnic groups the children in question were from and if there were considerations of public order that justified such measures.

23. **Ms. Lee** said that she welcomed the State party's acceptance of most of the Committee's recommendations during the last universal periodic review. However, there were ongoing shortcomings in data collection, particularly with regard to disaggregated data on vulnerable populations. The Committee shared the concern raised by the Committee on the Elimination of Racial Discrimination as to the reliability of census data which did not provide information on the composition of the population of African descent. She enquired if there were plans to conduct a new census, what was being done to ensure the availability of disaggregated data in the future, and whether the State party was considering acting upon the recommendation that it should seek technical assistance in order to improve data collection. She would welcome further details on the registration of births in Afro-descendent and indigenous communities. Given the recurrence of fires in juvenile detention centres, had there been full investigations into each incident? Were reports of complacency on the part of detention centre security staff accurate? What was the status of the long-overdue initial reports on the two optional protocols?

24. **Mr. Kotrane** said that he wondered if there were instances in which international conventions had been invoked in the courts. The question was particularly pertinent in the light of the apparent regression in the protection of children's rights under Panamanian legislation and of discrepancies between domestic laws and the Convention and, for example, International Labour Organization (ILO) Convention No. 138 on the question of the minimum working age. He enquired about the status of the draft code on the rights of the child which had been stalled in the legislature since 2007.

25. **Mr. Pollar** said that further information was needed on any legal provisions that extended freedom of expression to children, on the mechanisms in place to protect that right

and available remedies when it was violated. Was there a monitoring body that could assess the extent to which freedom was respected? Had the State party identified any traditional or societal attitudes that hindered the enjoyment of the freedom of expression? He would like to know if children had access to the media as a way of expressing themselves, if minority and indigenous children were able to exercise their right to play, and if there were opportunities for children with disabilities to express themselves. He wondered whether, in keeping with article 13 of the Convention, the law explicitly defined the freedom of expression of children and whether it set forth any conditions or restrictions to it.

26. He wished to know whether there was any conflict between implementation of the freedom of thought, conscience and religion, on the one hand, and traditional forms of religious observance in Panama. He would like to know how schools managed the issue of dietary restrictions and religious attire, if compulsory education provided for freedom of religion, if certain religions received preferential State funding, and if children's right to privacy as it related to the disclosure of their religious beliefs was respected. Were children in custodial facilities able to exercise their freedom of religion fully? He also wondered whether religious institutions were given information on disability-related issues and whether the clergy received disability awareness training.

27. **Mr. Madi** noted that registration of births continued to pose difficulties for indigenous groups and populations in rural, remote or border areas. An unacceptably high proportion of births in the Ngöbe Bugle region went unregistered in 2009 owing to deficient logistics and translation services. Children born to refugees also often went unregistered because officials were not sufficiently knowledgeable about the laws governing nationality. He asked what additional efforts the State party was undertaking to overcome those problems.

28. **Ms. Al-Shehail** said that she welcomed the various policies and new institutions put in place to combat discrimination, but was aware that, in practice, persons of African descent and indigenous populations still encountered considerable difficulties in exercising their rights, and the crime rate for children of African descent was disproportionately high. Inequality remained in the enjoyment of social and economic rights, in particular the rights to education, health and access to electricity, water and sanitation. Children still suffered cruel and degrading treatment in border areas with Costa Rica and Colombia. What measures was the Government taking to mitigate those situations?

29. **Ms. Al-Asmar** said that she lamented the apparent exclusion of disabled children from public life and wished for further details on what steps had been taken to ensure that children could make their voices heard and on their access to information. The State party was to be commended on its establishment of schools for indigenous children where they were taught in their own mother tongue. Did non-indigenous children who were interested in enrolling in such schools and studying indigenous languages have the opportunity to do so? She asked whether the principles of the Convention were covered in school curricula and to what extent they were addressed at the university level in fields such as medicine and law. Had the Convention been translated into indigenous languages? It would be useful to know if the Government intended to launch a new plan now that the current National Plan of Action for Children and Adolescents had been evaluated.

30. **Ms. Sandberg** asked for further information on allegations that the Government purchased and withdrew purchases of advertising space according to the stance adopted by given members of the media on the Government. She would also appreciate an update on the status of legal actions brought against journalists by the former Government which appeared to still be pending. While those concerns dealt with freedom of expression in general, the exercise of that freedom by children would also, clearly, be constrained by such practices. She wished to know if there were any plans to re-examine the policy of not

offering sexual and reproductive health information in schools or in health centres unless a child was accompanied by an adult.

31. **Ms. Aidoo** said that the State party was to be commended for having awarded US\$ 2.6 million in subsidies to some 70 NGOs that were implementing programmes for children and adolescents. She would welcome more detailed information on the involvement of civil society in raising awareness of children's rights and in formulating policy and monitoring and evaluating programmes. Details would also be appreciated on how the Government cooperated with local associations in determining the needs of people of African descent and indigenous groups and in designing policies and programmes for them. What role had NGOs played in drafting the report and written replies?

32. She regretted that no clear progress had been made since 2004 towards doing away with corporal punishment, despite long-standing recommendations to that effect. In the face of a documented rise in the mistreatment of children and adolescents, were there any plans for legislation that would abolish corporal punishment and set appropriate penalties? She asked if any measures or strategies would be implemented to raise awareness that corporal punishment was a violation of children's rights and to educate all segments of the population about the benefits of non-violent forms of discipline.

33. **Mr. Gastaud** asked for information on follow-up to the recommendations made by the Office of the Ombudsman. He enquired whether the new Code of Criminal Procedure had entered into force and if it contained provisions for minors.

34. **Ms. Varmah** said that she welcomed the reforms contained in Acts No. 31/2006 and No. 17/2007 and the implementation of national birth registration campaigns. However, barriers to accessing birth registries persisted for people of African descent, indigenous groups and populations living in rural or remote areas. She enquired whether there were plans to provide registration officials with further training, particularly regarding nationality laws, and whether the State party would consider introducing mobile registration units for rural and remote areas.

35. **Ms. Wijemanne** asked whether there had been any review of the legal age of sexual consent, which was 14, given that all persons less than 18 years old were considered children under the Convention.

The meeting was suspended at 11.20 a.m. and resumed at 11.45 a.m.

36. **Ms. Lozano de Díaz** (Panama) said that, although the initial proposals for a children's code had not been approved, a very broad law had been adopted in 2009 that was designed to promote institution-building and consolidate the comprehensive system for the protection of children's rights in Panama. That system was composed of a set of administrative and judicial structures that promoted the rights of children and adolescents through public policies and programmes in which members of civil society and Panamanian citizens also participated.

37. **The Chairperson**, returning to a previous question, asked whether the State party had abandoned its attempts to pass a comprehensive law on child protection. It seemed as though children under the age of 5 had been separated out from other children and that an opportunity to implement a comprehensive law covering all ages and issues had been missed.

38. **Ms. Lozano de Díaz** (Panama) said that the National Secretariat for Children, Adolescents and the Family (SENNIAF) was the highest administrative authority for children's affairs in her country and that it coordinated the implementation of all policies and programmes for children and adolescents. It was also responsible for creating inter-agency structures and coordination mechanisms, as well as cooperating with public and private institutions to promote decentralized activities aimed at ensuring the enjoyment of

the rights of children, adolescents and the family. A range of ministries were involved in SENNIAF, including the finance, labour and education ministries. The structure of SENNIAF was the same as that of the National Council for Children and Adolescents, which had stopped meeting in 2006, and both the membership and functions of the two bodies were so similar that SENNIAF was virtually a direct replacement for the National Council. SENNIAF was in fact represented on the Early Childhood Advisory Board.

39. The Panamanian State did intend to introduce a comprehensive children's code that would encompass the full legal framework for children and adolescents with the consensus of civil society and other interested parties.

40. **The Chairperson** asked why services for early childhood had been separated from the other services, which posed a problem not just in theory, but also in practice in terms of coordination. The Early Childhood Advisory Board was the only child-related service that was under the aegis of the Office of the First Lady, and he wondered what the functions of the Office of the First Lady were.

41. **Ms. Lozano de Díaz** (Panama) said that perhaps the way that the comprehensive early childhood plan had been explained was misleading. The Office of the First Lady had promoted social policies that had led to the creation of a national plan focused on very young children; the Ministry of Social Development was in charge of promoting children's services under that plan.

42. **Ms. Aidoo** said that the involvement of the First Lady raised questions about the institutional sustainability of the Advisory Board, since the Board seemed to be attached both to the Office of the First Lady and the Ministry of Social Development.

43. **Ms. Nores de García** asked what responsibilities were assigned to the Office of the First Lady by the Constitution of Panama, whether the Office had its own budget, what types of advisers it had and what the status of the Office was.

44. **Ms. Palacios** (Panama) said that the Constitution of Panama did not define set functions for the First Lady, who had helped to raise the profile of early childhood programmes. The Advisory Board was presided over by the Office of the First Lady but was administered by the Ministry of Social Development. The Board's budget came under the Ministry of Social Development, which ensured its continuity. The plan for early childhood, which covered the entire country, including Afro-Panamanians and indigenous peoples, focused on the care of children under 5 and was designed to improve young children's opportunities and quality of life.

45. There had been visible progress in eliminating discrimination against indigenous children and children of African descent. For example, 9.2 per cent of Panamanians had self-identified as Afro-descendants in the 2010 census, a figure that was within the census omission rates regarded as acceptable by the United Nations. A secretariat for the black ethnic community had been established to reinforce efforts to combat discrimination, and there was a body in charge of coordinating public policies targeting that community.

46. Children in the three indigenous regions — Ngöbe Bugle, Emberá and Kuna Yala — benefitted from intercultural education, which included instruction in their mother tongues at the preschool and primary education levels. There had also been progress in implementing the Government plan for improving education and health and reducing poverty in the indigenous regions. The plan focused on a number of key areas, including food security, bilingual and intercultural education, and infrastructure.

47. **Ms. Maurás Pérez** asked whether that Government plan for the indigenous community focused only on the three indigenous regions just mentioned, or whether it covered the entire indigenous population. Persons of African descent, no matter what percentage of the population they comprised, were an important group in society, and

discrimination against them should be countered. Information submitted to the Committee suggested that data on ethnic groups had not been collected in the 2010 census. Clarification of that matter would be appreciated.

48. **Ms. Palacios** (Panama) said that the plan for indigenous peoples was indeed being implemented in the three existing indigenous regions; the two newer regions were in fact integral parts of the Kuna Yala and Emberá regions, and members of the local communities there were involved in the execution of the plan. Gathering information on the size of the population of African descent had been the first step in developing policies to increase the visibility of Afro-Panamanians and ensure their enjoyment of their rights. A number of initiatives had been aimed at regularizing the residency status of children born to non-Panamanian parents and improving birth registration rates in indigenous areas. A joint project with UNICEF had succeeded in significantly reducing under-registration.

49. **Ms. Maurás Pérez** asked for more precise details on what was deemed to be adequate evidence for registering a child who had been born in Panama to non-Panamanian parents.

50. **Ms. Palacios** (Panama) said that the evidentiary requirement had been lowered from five witnesses to three witnesses who could confirm that the birth had taken place in Panama. All children born in Panama were considered Panamanian. Children whose parents had an irregular status in the country were helped to regularize their own residency status and had the same rights as other children in the country.

51. **Ms. Lozano de Díaz** (Panama) said that information on the rights of the child was distributed by SENNIAF in cooperation with a number of other organizations and that between 2009 and 2011 over 9,000 children had participated in workshops dealing with children's rights. Meetings held with the Colombian Institute of Family Welfare under a bilateral agreement had also given both countries an opportunity to exchange experiences and best practices relating to children's rights in the context of implementation of the Convention. A large-scale media campaign highlighting children's rights would be launched in the coming days in her country. Her country actively celebrated Universal Children's Day, and there had been significant media coverage of the activities organized for the twentieth anniversary of the Convention, which had been accompanied by door-to-door distribution of information on the Convention.

52. **Mr. Cardona Llorens** asked whether school curricula and university course programmes, especially in the law, teacher training and journalism faculties, included instruction on children's rights. He wished to know whether specific training was provided for all professionals involved in protecting children's rights.

53. **Ms. Lozano de Díaz** (Panama) said that the Judicial College offered seminars and training throughout the year on the subject of human rights in general and children's rights in particular. The national police and the juvenile police unit received training in all aspects of children's rights. Discussions were also under way concerning the possible inclusion of the Convention on the Rights of the Child as a separate subject in the curriculum.

54. **Ms. Palacios** (Panama), in response to concerns expressed by the Committee about resource allocation to social investment, said that 46 per cent of the national budget was set aside for social programmes, including the renowned Opportunity Network Programme, which offered subsidies, food vouchers, vitamin and mineral supplements, and nutritional instruction to the poorest communities. Panama was fully aware of the need to strengthen measures to guarantee children's rights and was making every effort to fulfil its commitment in that respect.

55. **Ms. Maurás Pérez** said that 46 per cent was an impressive figure, but she wished to know how the precise impact of such investment on children and adolescents could be

determined. She asked what steps were being taken to create a budget specifically for children and adolescents, as stipulated in the Convention. The problem was that, without a comprehensive policy and/or national plan for children, it would be difficult to create a specific budget for them. She requested information on individual budget allocations for housing, sanitation, water and education.

56. **Ms. Palacios** (Panama) said that it was important to work towards adopting a comprehensive children's code and to bring all initiatives under a single budgetary framework so as to see exactly how much was being invested in children. With regard to earlier questions on freedom of expression, it should be pointed out that several initiatives had been launched in that area, such as a hotline that children could call to talk about their concerns and youth assemblies where young people could meet to exchange information and voice their concerns to the Government. Indeed, it was thanks to the work of youth assemblies that students had been granted subsidized public transport and tuition vouchers for public and private universities.

57. **The Chairperson** invited the Committee to ask questions on the family environment, education, health and special protection measures.

58. **Ms. Maurás Pérez** asked what proportion of the population living in poverty was covered by the Opportunity Network Programme. A subsidy of US\$ 50 was inadequate for the average family of seven and, in any event, a programme based on subsidies alone could not bring about a sustainable change in poverty levels. She wished to know what structural measures had been adopted alongside the Opportunity Programme to address the root causes of poverty. She asked whether free basic health care could be extended to all women and children and whether clean drinking water and adequate housing could be guaranteed for all poor communities. The Committee would be interested to learn what steps were being taken to reduce the school dropout rate and facilitate students' transition to secondary school and then on to vocational training or university. She enquired whether special attention was given to children in urban areas. Overall, was the current infrastructure meeting the needs of the programme?

59. Panama was a country of origin, destination and transit for women and child victims of human trafficking, much of which involved forced prostitution. However, human trafficking had not yet been prohibited under Panamanian law. It would be useful to have an update on the progress of the bill on the prohibition of human trafficking currently before the National Assembly. Clarification would also be appreciated as to why, despite the apparently high number of trafficked persons, the number of cases coming to trial and sentences handed down had fallen. She asked what steps had been taken to prevent the sexual exploitation of children in the tourism industry and to eliminate child labour, particularly in informal agricultural activities and the coffee industry. More detailed information on the juvenile police unit would be of interest.

60. **Mr. Cardona Llorens** said that Panamanian legislation on adoption, which was currently under reform, on the whole complied with the provisions of the Convention on the Rights of the Child and the Hague Convention on the Protection of Children and Cooperation in respect of Intercountry Adoption. Clarification would be helpful, however, on several areas where it appeared that domestic legislation was given priority over the Convention and even contradicted Panama's own Constitution. What differences were there between national and international adoption procedures?

61. Panama had strengthened its juvenile criminal justice system, with the result that the juvenile crime rate had not increased over the past 10 years. Why had stricter measures concerning juveniles in conflict with the law been introduced despite the positive figures? Had they further improved the situation? A better approach might be to tackle the root causes of marginalization.

62. Clarification would be appreciated on the discrepancy between the figure given for the number of children with disabilities in 2010 in the opening statement and the figure given in the State party report, which was more than double. As it appeared that only 29 per cent of children with disabilities attended mainstream schools, it would be of interest to learn what provision for the education of the remaining 71 per cent had been made.

63. **Ms. Nores de García** said that giving the Office of the First Lady a prominent role in promoting and coordinating early childhood policies was necessary only because Panama lacked a comprehensive children's code.

64. Turning to Panama's indigenous minority groups, she said that it was the State's responsibility to guarantee appropriate reparations in the event of their displacement due to development projects, and the State should provide clean water, sanitation services, health care, education and employment for displaced communities. While economic development was welcomed in all parts of the world, due respect should be accorded to the individuals living in or near the site of development projects. Furthermore, greater efforts should be made to provide a bilingual education to indigenous children, as, currently, only three of the country's seven indigenous communities boasted bilingual schools, and 45 per cent of the children were left out of the school system. There was a very high grade repetition rate in schools because of poverty, a lack of infrastructure and a dearth of trained bilingual teachers. Birth registration had increased in the indigenous communities, but children were still not allowed to keep their natural name in their mother tongue. Basic measures to improve the supply of drinking water and sanitation must be adopted to reduce the high incidence of child and maternal mortality in indigenous communities due to respiratory and parasitic infections. Special attention should be given to the communities along the border with Colombia and Costa Rica to prevent children from being forced to work in coffee plantations, drug trafficking and the sex trade. The high disability rate in the indigenous communities should also be addressed.

65. **Ms. Herczog** asked whether provision had been made for preparatory parenting courses for young people and for support for victims of abuse and neglect. If so, were the results of such programmes being measured? She would also like to know whether a follow-up mechanism was in place for monitoring children once they had left residential care facilities.

66. **Mr. Koompraphant** asked what steps the State party was taking to monitor the working conditions of children and adolescents and ensure their protection and welfare, especially in the case of those working on plantations. What measures had been adopted to protect children who worked with their parents, particularly undocumented children? He wished to know what measures had been adopted to protect child victims of sexual abuse, especially those who had been sold. In that respect, how effectively was the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography being implemented? He enquired about the legal obligations of parents, when sexual abuse occurred in the home. What steps were taken to detect sexual abuse within the family?

67. **Mr. Madi** said that, despite improvements in the legislation on refugees, there were still some serious gaps, such as a lack of State support for families during the lengthy refugee status application process, as a result of which many children lived in unsuitable conditions, and the absence of a policy that would enable children to submit an individual application. A guardianship mechanism existed, which could in theory allow a legal guardian to be appointed to submit an application on behalf of a separated or unaccompanied child, but, owing to a lack of funds, it was out of the question in practice. There was also poor coordination between the public bodies responsible for children and those overseeing the asylum system. Furthermore, the law did not currently grant asylum-seekers the right to work while their applications were being processed, which also meant

that their children were living in substandard conditions and were more vulnerable. What assistance could the Government provide to asylum-seekers and their families during the application process?

68. With regard to the displacement of indigenous communities, it was a cause of concern that violence was sometimes used, including against children, to repress demonstrations against large-scale development projects. He asked what role the Government played in negotiations on relocation and compensation between private companies and indigenous groups.

The meeting rose at 1 p.m.