



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women
Nineteenth session**

Summary record of the 391st meeting

Held at Headquarters, New York, on Tuesday, 30 June 1998, at 10.30 a.m.

Chairperson: Ms. Khan

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The meeting was called to order at 10.45 a.m.

Consideration of reports submitted by States parties under article 18 of the Convention (*continued*)

Combined second and third reports of Panama
(CEDAW/C/PAN/2-3)

1. *At the invitation of the Chairperson, Ms. Calderon (Panama) took a place at the Committee table.*

2. **Ms. Calderon** (Panama), after reviewing the events which had led to the formulation of the Women and Development Action Plan 1994-2000, said that in November 1993, all the Presidential candidates had publicly signed a commitment stating that, if elected, they would see to the implementation of the Plan and would establish the necessary government bodies for that purpose. Currently there were 13 government mechanisms dealing with women.

3. In 1996, an agreement on the promotion of equal opportunities in Panama had been signed with the European Union. The objective was to support the implementation of the Women and Development Action Plan, formulate and implement policies for equality of opportunity, and integrate a gender perspective in all public policies. Under the agreement the European Union undertook to provide 9.8 million ECUs — the national contribution would be \$7 million — for a programme consisting of six projects: gender in public policies, non-sexist education, gender methodology, civic empowerment and participation, action against violence, and awareness-raising and social communication.

4. Currently the situation looked promising: political will existed and there was a general recognition of the need to improve the status of women, in certain aspects; however, there were also obstacles such as traditions and a shortage of financial resources.

5. In October 1996, the National Women's Office had presented its first report on the status and situation of women in Panama; the general conclusion was that the situation of Panamanian women was unequal and contradictory; despite their high levels of education and extensive social and political participation, Panamanian women did not hold positions of power in any sphere. Moreover, despite efforts to introduce laws

for promotion and respect for the human rights of women, there were still explicit and implicit provisions which impeded the implementation of the constitutional principle that there should be no discrimination based on sex.

6. Under Act No. 22 of 14 July 1997, the electoral code had been reformed and other provisions had been adopted, in particular a requirement that 30 per cent of candidates for election to party posts or elected positions should be women. The Law had been the result of efforts made by the National Forum of Women in Political Parties.

7. The first national report on violence against women would soon be submitted to the Special Rapporteur on violence against women of the Commission on Human Rights. In addition to documenting the phenomenon of violence against women, the report sought *inter alia* to promote a coordinated approach by government bodies and the general population and to formulate a national policy for the elimination of domestic violence. Workshops had been held in different parts of Panama with the participation of civil society in general, members of women's organizations, and representatives of the judicial, police and administrative authorities.

8. The Ministry of Youth, Women, Children and the Family accorded priority to institutional action to assist vulnerable population groups. Work had been intensified with rural women through the promotion of programmes to strengthen agricultural and entrepreneurial networks. So far, six forums for rural women had been held in the different provinces, so as to determine the needs of rural women and formulate plans of action. The process of demarcation of indigenous communities and allocation of territory to those peoples had been completed; her Government was now embarking on the stage of structuring the administrative authorities to promote development within those communities.

9. Turning to the questions contained in the report of the pre-session working group (CEDAW/C/1998/II/CRP.1/Add.3), she said that there were no laws in Panama that defined discrimination against women, other than article 19 of the Constitution. While Panama had undertaken to enhance women's role in society, to improve their living conditions and to eliminate all obstacles to their participation in all spheres of life, cultural, political

and social factors combined to impede women's enjoyment of their constitutionally protected rights.

Article 2

10. Many studies had been undertaken on the implications of codes, laws and decrees which contained discriminatory provisions against women. It had been determined that the provisions of some of the codes were concerned mainly with the function of women as mothers, that there was a strong tendency to limit the access of women to property, land and credit and that prejudices and sociocultural patterns continued to hinder the advancement of women in the public and private spheres despite the existence of a large body of laws prohibiting discrimination. The Supreme Court of Justice had declared that certain articles of the Family Code, the Commercial Code and the Administrative Code were unconstitutional because they infringed on the rights of women. The recently established Ministry of Youth, Women, Children and the Family recognized the urgent need for a law on equality and it hoped to submit a bill on the subject to the Legislative Assembly in the near future.

11. Dissemination of the Convention was one of the most important actions undertaken by the National Women's Office and the National Women's Council; extensive training activities for public officials had also been carried out. The Convention had also been disseminated through leaflets and pamphlets provided to all State bodies and civil society in general. It had been proposed that a leaflet should be prepared on the international and national mechanisms for the protection of human rights within the context of the fiftieth anniversary of the Universal Declaration of Human Rights.

12. A bill on the prevention, punishment and eradication of sexual harassment had been rejected in second reading by the Legislative Assembly during the 1995-1996 session. The legislators, most of whom were men, had not regarded sexual harassment as punishable behaviour. Moreover, the bill had been promoted by a small group of women, and had therefore become politicized. It would be resubmitted through the National Women's Office and the National Women's Council of the Ministry of Youth, Women, Children and the Family, and efforts would be made to mobilize support in civil society.

13. Executive decree No. 23 of 10 February 1998 had extended Act No. 5 of 26 October 1977 approving the 1951 Convention and 1967 Protocol relating to the Status of Refugees and provided for new provisions for temporary protection on humanitarian grounds. The executive decree specifically applied to both male and female refugees. A refugee was defined as a person who, because of well-founded fear of persecution by the authorities of his country of origin or habitual residence, was unable to return to that country. A request for protection could include the applicant's spouse or live-in partner, including a same-sex partner. The National Office for the Care of Refugees (ONPAR) provided psychosocial guidance to applicants and, in cases of sexual abuse or violence, ensured medico-psychological care and specialized legal services.

14. Panama had made important progress in adopting laws of special interest to women. Apart from those listed under article 2, Part II, of the report (CEDAW/C/PAN/2-3), a body of legislation had been enacted since 1995 to strengthen existing laws in several areas, including domestic violence, protection of nursing mothers, women in political life and women refugees.

Article 3

15. The project entitled "Promotion of equal opportunities in Panama" which was part of the agreement between Panama and the European Union sought to help implement the Women and Development Action Plan in the areas of health, education and domestic violence. The Ministries of Health and Education, the University of Panama and the National Vocational Training Institute all had training and information programmes for personnel in the health sector and teaching institutions which were designed to improve support to victims of domestic violence. The basic infrastructure for the creation of statistical and medical registers, and communications was supported by several agencies, including the Pan-American Health Organization.

16. Regrettably, there had been no evaluation of the impact of programmes and projects implemented by the national machineries. However, such evaluation was envisaged as part of the cooperation agreement between the Government and the European Union.

17. The small-scale funding project had been highly successful. The approximately 35 women who had

joined the project in each year of its existence were still working in their small businesses. There were also projects to provide credit and advice on small business management to poorly educated rural women who were the heads of households and had no steady income.

18. The newly established Ministry of Youth, Women, Children and Family handled all matters concerning the advancement of women. With regard to coordination between the National Women's Council and the National Women's Office she said that because of its commitment to the Beijing Platform for Action the Government was obligated to establish follow-up mechanisms. The activities outlined in the Women and Development Action Plan matched those in the Beijing Platform for Action.

19. The creation of the National Women's Council and National Women's Office had led to important advances in the development of public policies with a gender-specific focus. Offices, programmes and projects had been established in 14 public entities to introduce the gender approach at all levels and to ensure that public policies took equality fully into account.

Article 4

20. The establishment of the National Women's Council, the National Women's Office and the creation of the Ministry of Youth, Women, Children and Family, and the signing of the agreement with the European Union were all designed to promote equality between men and women.

21. Responding to the question on affirmative action, she said that the general objective of the empowerment and participation project covered by the agreement on the promotion of equal opportunities was to promote participation by women in joint, mixed or women's organizations, increase their leadership capabilities, promote respect for the aspirations and contributions of working women in urban areas, and for the potential of indigenous and rural women.

22. The agreement with the European Union had been negotiated because, in the early 1990s, a representative group of women, recognizing the need to join forces with the Government and other women's groups in order to implement social policies on women, had managed to forge the first political pact on agreed reconciliation among the various ethnic, social, cultural, political and religious groups, leading to the

establishment of the Women and Development Forum. The European Union had been invited to join in the process of developing the Forum.

23. Under article 68 of the Constitution, working women could not be dismissed because they were pregnant and were entitled to mandatory maternity leave for six weeks prior to, and eight weeks following, childbirth. Upon returning to work, they could not be dismissed for a period of one year. However, the Supreme Court had ruled that those rights did not apply to workers on fixed-term contracts.

Article 5

24. Since the passage of Act No. 27, which criminalized domestic violence and child abuse, the Government had launched a media campaign in cooperation with non-governmental organizations in order to increase public awareness of those offences and encourage victims to report them. During the past year, 5,484 such cases had been reported in urban areas; the number of cases in rural areas was increasing also but no reliable statistics were available.

25. Efforts were being made to increase teachers' awareness and reporting of child abuse, and a streamlined procedure had been established to ensure automatic investigation of all reports of ill-treatment. Publicity campaigns focused on the rights of the child in order to increase parental awareness of the consequences of child abuse. Three Prosecutors' Offices for Family Affairs have been established in the regions with the greatest frequency of domestic violence, which were also those with the highest percentage of poor families. Between January 1996 and December 1997, there had been 1,291 complaints of domestic violence and child abuse, of which 1,000 involved women and girls. To date, however, there had been only 28 convictions for such offences. A special office of the Judicial Police had been established to cooperate with Prosecutors' Offices for Family Affairs in receiving complaints. Anyone aware of a case of child abuse was legally obligated to report it, and a national campaign had been implemented to increase awareness of the problem in the areas of health, education and, in particular, the administration of justice, including training programmes for judges and the police.

26. With regard to measures taken to implement the Committee's general recommendation 19 on violence

against women, a national network to combat violence against women and the family involved representatives of the Government and civil society in a cooperative effort to develop mechanisms and strategies for preventing and eliminating such violence. The National Women's Office had helped to sponsor a campaign entitled "We have the right to a life without violence" within the framework of commemoration of the fifth anniversary of the Vienna Declaration, and the Government was currently implementing a programme to provide shelters for victims of domestic violence and their children, which would be funded by the Government and run by NGOs. A national report on violence against women, coordinated by the National Women's Office, would make possible the development of a national policy on that matter.

27. With respect to dissemination of information on sociocultural patterns of conduct of men and women, a three-year multimedia awareness campaign had been implemented in order to change attitudes on gender issues, eliminate discrimination and sexism in the media, increase awareness of existing gender discrimination and the need to remedy it, encourage non-sexist attitudes in young people and promote social and political activity among rural and urban women.

28. A social awareness and communication project included action to promote democratic values and incorporate a gender perspective into the training of journalists, 40 per cent of whom were women. A proposal for media self-regulation in the areas of sexism and violence was currently under discussion.

29. The Ministry of Education had promoted the development of pilot programmes on sex education and had begun implementing them in the schools. To date, the Church had made no objection to such programmes.

Article 6

30. The selling of sexual services by a third party was punishable by 2-4 years' imprisonment (3-6 years if the victim was a girl under the age of 12 or a boy under the age of 14, or if the act involved coercion or intimidation or was committed by a relative or guardian of the victim). Anyone who profited from the sexual earnings of another person was subject to 1-2 years' imprisonment. Trafficking of women and girls for purposes of prostitution was punishable by 2-4

years' imprisonment (2-6 years if any of the above-mentioned aggravating factors applied). Efforts to enforce those provisions had been increased during the past two years. Panama had participated in the World Congress against Commercial Sexual Exploitation of Children, held at Stockholm in August 1996.

31. With respect to article 7 she said that although Panamanian women were well-educated, they suffered from wage discrimination and held few high-level posts in the public or private sector. Women had been the first to suffer from the social disturbances of 1980-1990, as shown by the decline in the number of women ministers and deputy ministers from 16.6 per cent in 1980 to 8.3 at present. However, those numbers were expected to increase in the near future.

32. Some 48 per cent of members of Panama's 11 political parties were women. Decree No. 2 of 13 January 1998, which included recommendations for implementation of the electoral code reform (Act No. 22 of 14 July 1997), required political parties to ensure that women made up 30 per cent of their lists of candidates for election to public office. Some parties had amended their statutes to comply with that requirement, and women party members were being offered training to prepare them for candidacy. Two government committees were currently chaired by women.

Article 8

33. Statistics on the percentage of women in the foreign service and the ranks held by such women were unavailable but there had been significant improvement in that regard. Her Government hoped to provide the Committee with additional information at a later date.

Article 10

34. The low rate of school attendance of girls aged 15-19 in rural areas was due in part to cultural stereotypes which were particularly prevalent in indigenous communities. Girls were expected to care for their younger siblings and to marry at an early age. Furthermore, many girls moved to the cities and took jobs as domestic workers at the end of the sixth grade in an effort to improve their own living conditions and those of their families. In 1997, programmes had been established to encourage teenage mothers to remain in school and to provide scholarships for rural and indigenous women.

35. In 1995, 12,382 students had been enrolled in literacy and adult education programmes. Enrolment in such programmes was 8 per cent higher for women than for men, and 80 per cent of graduates of those programmes were women. Some 35.9 per cent and 53.2 per cent of indigenous men and women, respectively, were illiterate. The Ministry of Education's literacy programme focused on rural and indigenous women and girls, and bilingual and Spanish literacy courses were offered for women members of the three largest indigenous groups. The Covenant for Children, in cooperation with civil society, sponsored programmes to eliminate illiteracy among girls in rural areas, and the United Nations Educational, Scientific and Cultural Organization (UNESCO) sponsored a literacy programme which targeted indigenous children and incorporated a gender perspective.

36. School textbooks were revised every year in accordance with the 1995 Organic Law on education, which made it obligatory to remove sexist language from textbooks. In addition, since 1993 there had been a coordinating unit within the Ministry of Education responsible for the treatment of gender in the school curriculum. In the cooperation programme entitled "Promotion of equal opportunities in Panama", a special sub-component dealt with curriculum reform in a gender perspective.

37. A new government mechanism, the Women's Office at the Institute for Human Resources Training, handled vocational training for women, especially in technical subjects, and the National Institute for Science and Technology had set up a Commission for Women which encouraged women to enter scientific and technical occupations, and arranged funding for them to do so.

Article 11

38. The salaries of working women amounted on average to only 80 per cent of the salaries paid to men. Changing that situation meant changing attitudes, and making women themselves aware of pay inequalities. Trade unions were deeply involved in the process of awareness raising, seeking to ensure that workers demanded their constitutional right to non-discriminatory treatment.

39. Regarding the social security system, she said that pregnant teenagers were not covered by social security, which was clearly discriminatory; however,

they did qualify for public health care. Housewives were covered by social security if their husbands were, but there was concern about the low social security coverage among elderly women, whose life expectancy was higher than men's; 51 per cent had no pension entitlement. In rural areas, there were many families without any social security protection.

40. Bill No. 42, which was currently being revised by the National Women's Office, would provide a clear definition of sexual harassment in the workplace and educational institutions, a reliable procedure for reporting such cases in confidence, and protection for witnesses.

41. In 1992, the National Women's Office had developed a training programme on women's rights at work, and had since worked with the trade unions and the Ministry of Labour to implement the relevant ILO conventions and the Beijing Platform for Action. Its current programme focused on developing an effective mechanism to quantify and evaluate information about women in the workplace, and on disseminating national legislation and international labour standards ratified by Panama, so as to raise awareness among government officials, non-governmental organizations, workers' organizations and women themselves. Two training workshops had been held on international labour standards affecting women: one for officials of the Ministry of Labour, the other for trade union officials. A third workshop was in preparation for business leaders. The overall approach was to encourage dialogue leading to the development of a policy of equal rights in the workplace. The Women and Development Action Plan also embraced equal opportunities.

Article 12

42. Teenage pregnancies were increasing especially among girls below the age of 19. The problem was being tackled in the public sector through the women's health programme, and by a health services department within the National Women's Office, which had special sections for girls and adolescents. School programmes about pregnancy and related issues were in preparation, with the help of the United Nations Population Fund (UNFPA). Programmes at the municipal level also focused on particular groups in the population. The problem was also addressed by some non-governmental organizations, including the Panamanian Family Planning Association, which was engaged in

setting up health centres for teenage girls with the support of UNFPA. A new law made it illegal to expel a pregnant teenage girl from the education system; such girls were now allowed to complete their education.

43. Indigenous women, on average, had three children each, which indicated some use of family planning measures; however, the 1990 census showed an increase in births among indigenous women over the age of 15. Maternal mortality rates varied from province to province, but were higher among the indigenous population. The efforts of the Ministry of Health to reduce mortality focused on those areas, with special emphasis on prenatal care and training. Much effort was now being devoted to the provision of hospital treatment and the establishment of health centres closer to women's homes. In rural areas the population was scattered, which made it more difficult to provide facilities. No breakdown was available of relative mortality rates for infant boys and girls.

44. There was an ongoing programme of information and training relating to the health of indigenous women in rural areas. Traditional healers worked together with the medical authorities, and such cooperation produced excellent results. The Inter-American Development Bank provided assistance for projects for indigenous women.

Article 14

45. The targets set in the programmes of the National Women's Office, gave priority to the needs of indigenous and rural women. Meetings were held with rural women to spread awareness of their rights, and with other target groups such as women in small businesses. In 1997, a meeting of heads of State and Government of member countries of the Organization of American States had sought to analyse the situation of rural women and identify their particular problems. A new approach consisted of holding rural women's forums, held over two days and involving 150 to 200 women in discussions about their rights and the obstacles to be overcome in achieving them. All such efforts were geared to encouraging the involvement of women's groups and opening up new possibilities; agriculture was not the only field of work open to women in rural areas, as some women were highly trained in crafts and could develop small business opportunities for themselves.

46. Regarding whether rural women were represented in decision-making bodies at all levels in their communities, she said that the only information she had concerned indigenous women; they were rapidly gaining representation. There was a multi-ethnic coordinating group of indigenous women which held regular congresses. An indigenous woman had been elected to the presidency of one of the provincial assemblies, and many indigenous women were involved in community action at the local level. No figures were available for women's representation at the local level; however, women were very active in the local health committee. In addition, there was one indigenous woman in the national legislature.

The meeting rose at 1 p.m.