

**Concluding comments of the Committee on the Elimination of
Discrimination against Women: Panama**

Combined second and third periodic report

175. The Committee considered the combined second and third periodic report of Panama (CEDAW/C/PAN/2-3) at its 392nd and 393rd meetings, on 30 June 1998 (see CEDAW/C/SR.392 and 393).

Introduction by the State party

176. In introducing the report, the representative of Panama stated that Panama had recently gone to great efforts to advance the status of women. Those efforts had included the establishment of institutional mechanisms, the formulation of national action plans and programmes for the advancement of women and measures to promote the political participation of women and to combat violence against women.

177. The representative noted that, in 1995, the Government of Panama had established the National Women's Council and the National Women's Office, both of which were attached to the Ministry of Labour and Social Welfare. She indicated that the Ministry of Youth, Women, Children and the Family had been created in 1997 and that one of its main functions was the promotion of gender equality. The Ministry of Youth, Women and Children would shortly submit a draft law on equality for the consideration of Parliament. In addition, most Government institutions had established special offices and programmes for the advancement of women.

178. The representative indicated that Panama had introduced various plans and programmes to raise the status of women. Non-governmental organizations had also been active and had formulated the Women and Development Action Plan. During 1993, all presidential candidates had committed themselves to implement the Plan. In 1997, a series of projects had also been launched under the Equal Opportunities Programme, a five-year programme supported by the European Union that seeks to mainstream gender in all public policies and programmes.

179. The representative informed the Committee of measures to increase the participation of women in political decision-making, including the Electoral Code, which now provided that at least 30 per cent of candidates in public elections should be women.

180. The representative indicated that the Government of Panama had prioritized the issue of violence against women and that the submission of a report to the Special Rapporteur on violence against women, its causes and consequences had initiated the formulation of a national policy to address the underlying causes of violence against women.

181. The representative emphasized that, although much had been achieved, women in Panama still faced gender discrimination and negative cultural attitudes continued to reinforce the subordination of women. Women in Panama earned less than men and were not equally represented in positions of decision-making, while institutional mechanisms for gender equality lacked financial resources. She concluded by stressing the importance of sustained dialogue between the Government and civil society.

Concluding comments of the Committee

Introduction

182. The Committee welcomes the presence of the Minister of Youth, Women, Children and the Family and the fact that the delegation was at such a high level; it also thanks the Republic of Panama for submitting its combined second and third reports, noting that the report follows the Committee's guidelines and a format, which offered a better overview of the general situation of women and the implementation of the Convention than the previous report submitted to the Committee.

183. The Committee appreciates the Minister's efforts to reply to questions in her oral report, but notes that it would have been more useful to the experts if the questions asked by the group prior to the session had been answered in writing, thereby providing a reference tool for dialogue with the representative of the Republic of Panama.

Positive aspects

184. The Committee commends the establishment of the Ministry of Youth, Women, Children and the Family as the government body in charge of implementing the Convention at the national level.

185. The Committee commends the Government for its support for non-governmental organizations.

186. The Committee commends the promulgation of Act No. 22 of 14 July 1997, which reforms the Electoral Code and provides that at least 30 per cent of the candidates for public election must be women.

187. The Committee also commends the promulgation of Act No. 27 of 16 June 1995, which qualified domestic violence and child abuse as crimes, thereby linking them with the institutional system established to deal with such violence. It also welcomes the establishment of family courts following the adoption of the Family Code.

188. The Committee also welcomes the Government's efforts to make the mass media more aware of, and to eliminate, sexism and the projection of women as sex objects in the media.

Factors hindering and blocking the implementation of the Convention

189. The Committee considers that one factor hindering the implementation of the Convention has been the difficult and special political, economic, social and legal situation in Panama.

190. The unequal distribution of wealth, which has kept 45 per cent of the population below the poverty level, as well as the institution of coercive measures and structural adjustment programmes also hinder the implementation of the Convention.

191. The high rate of unemployment in the metropolitan and in the rural areas is also an inhibiting factor.

Areas of concern and recommendations of the Committee

192. The Committee is concerned that neither the constitution of the Republic of Panama nor any other legislative provision made clear or specific reference to the elimination of discrimination against women.

193. The Committee recommends that all legislation be revised to provide expressly for the elimination of discrimination against women.

194. The Committee notes with concern the failure to disseminate and publicize the Convention at various levels of Panamanian society.

195. The Committee recommends that a major campaign should be mounted to disseminate the principles of the Convention and provide education and training in them, especially among judges, lawyers, journalists, teachers and Panamanian women.

196. The Committee requests that the next report should contain gender-specific statistics so as to shed light on the results of the various programmes proposed and awaiting realization.

197. The Committee expresses deep concern at the general situation of working women in Panama. Despite the legal provisions guaranteeing equal pay for equal work, the reality was different. Women continue to be discriminated against in the workplace. In addition, women have no effective protection with respect to maternity leave and breastfeeding breaks. Further, although often better educated than men, women accounted for only 28 per cent of the economically active population.

198. The Committee recommends the initiation of a campaign by the national machinery to guarantee equality of treatment in the workplace. It further recommends that legislation on the right to maternity leave and breastfeeding breaks be implemented vigorously to ensure adequate protection for women.

199. The Committee is concerned that 53 per cent of the female population is illiterate, the majority of these being indigenous women. It also expresses concern at the persistence of gender stereotypes, which results in a large number of adolescent girls terminating their education at an early age to marry or to undertake domestic work.

200. The Committee recommends that, as a matter of urgency, the Government of Panama should mount an aggressive educational campaign designed to ensure that all Panamanian girls and women have a full education and to reduce sharply the number of adolescent girls leaving school early to work in unskilled employment or to marry.

201. The Committee expresses deep concern in connection with the reproductive health of Panamanian women and an apparent setback in the treatment of the right to abortion in cases where the pregnancy is the result of rape. The Committee recommends that multidisciplinary measures should be taken to provide special care to the victims of sexual violence which should include legal and psychological assistance for the victim. It also recommends that Panamanian women who are pregnant as a result of rape should be granted the opportunity to seek termination of such pregnancies.

202. The Committee recommends training programmes for women political leaders and encourages the large-scale participation of women in democratic activities and decision-making.

203. The Committee expresses concern at the discriminatory treatment received by women engaged in prostitution in Panama, especially the statement that a prostitute would find it difficult to seek legal redress in the case of rape since the Code still requires the victim in that situation to be chaste and virtuous in order to be able to institute legal proceedings.

204. The Committee recommends that a serious effort be made to eliminate entrenched stereotypes.

205. The Committee requests the wide dissemination in Panama of the present concluding comments in order to make the people of Panama, and particularly Government administrators and politicians aware of the steps that have been taken to ensure de facto equality for women and the further steps that are required in that regard. It also requests that the Government continue to disseminate widely, and in particular to women's and human rights organizations, the Committee's general recommendations and the Beijing Declaration and the Platform for Action.