

In 2016, Panama made a significant advancement in efforts to eliminate the worst forms of child labor. The Government ratified the ILO Protocol to the Forced Labor Convention, updated the list of hazardous occupations for children, and signed an agreement with the Governments of Guatemala and the Dominican Republic to advance the elimination of child labor through research and the exchange of information. In addition, a regional committee to coordinate on child labor issues was created in Veraguas, the National Institute of Statistics conducted a national child labor survey, and the Directorate Against Child Labor and for the Protection of Adolescent Workers institutionalized a national training agenda for child labor inspectors. However, children in Panama perform dangerous tasks in agriculture. Children also engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Panamanian law does not adequately define light work and allows minors under age 16 to engage in hazardous work within training establishments. Moreover, inadequate resources, including an insufficient number of inspectors, hamper the labor inspectorate's capacity to enforce laws on the worst forms of child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Panama perform dangerous tasks in agriculture. Children also engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. (1-10) Table 1 provides key indicators on children's work and education in Panama.

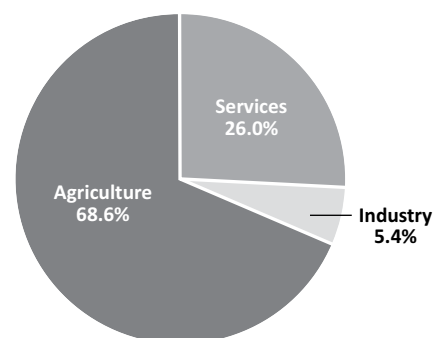
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	4.7 (32,858)
Attending School (%)	5 to 14	94.9
Combining Work and School (%)	7 to 14	4.9
Primary Completion Rate (%)		102.0

Source for primary completion rate: Data from 2013, published by UNESCO Institute for Statistics, 2016.(11)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Encuesta de Trabajo Infantil (ETI), 2014.(12)

Figure 1. Working Children by Sector, Ages 5-14



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Production of beans, cereal grains, coffee, corn, melons, oilseeds, onions, pineapple, rice, sugarcane, and tomatoes (5-7, 13-24)
	Raising livestock, including cattle (1-3, 5, 6, 19)
	Fishing,† including harvesting shellfish (1-4, 6, 19, 25, 26)
Industry	Construction,† activities unknown (1, 3, 4, 27, 28)
Services	Scavenging the ocean for metal and other items (5, 6)
	Domestic work† (1, 3, 4, 6, 13, 15, 19, 25, 27-30)
	Assisting bus drivers by collecting fares† (31, 32)
	Bagging in supermarkets (5, 32-34)
	Street work, including selling goods on the street, washing cars, shoe shining, and collecting recyclables (3-7, 19, 24, 25, 27, 29, 32-43)

Panama

SIGNIFICANT ADVANCEMENT

Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor [†]	Forced domestic work (44)
	Use in the production of pornography (4, 6)
	Commercial sexual exploitation, sometimes as a result of human trafficking (4, 8-10)

[†] Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.




[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Some children in Panama are subjected to commercial sexual exploitation, mainly in tourist areas in Panama City and in beach communities.(5, 7, 10) According to the results of Panama’s 2016 biennial Survey on Child Labor, the highest prevalence of child labor is in rural areas and autonomous indigenous areas. *Comarca* Ngäbe Buglé and the provinces of Panama and Bocas del Toro had the highest number of children engaged in child labor.(1) Panamanian children from rural areas and children from indigenous and Afro-Panamanian communities are particularly vulnerable to the worst forms of child labor. These children face barriers to accessing education, including long distances to schools and insufficient roads and transportation, particularly in the indigenous *comarcas*.(4, 10, 44-47) Children of indigenous descent often travel significant distances to reach school and experience frequent interruptions of their education due to family migration to work in agriculture.(5, 6, 46, 47)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Panama has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

In 2016, Panama ratified the ILO Protocol to the Forced Labor Convention.(48, 49)

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Panama’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	14	Article 70 of the Constitution; Articles 508–509 and 716 of the Family Code; Articles 117, 119, and 123 of the Labor Code (50-52)
Minimum Age for Hazardous Work	No	18	Article 510 of the Family Code; Article 203 of the Penal Code; Article 4 of Executive Decree No. 19 of 2006; Article 118 of the Labor Code (51-55)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 2 and 3 of Executive Decree No. 19 of 2006; Article 118 of the Labor Code; Article 510 of the Family Code (51, 52, 54)
Prohibition of Forced Labor	Yes		Articles 157–158, 205–208, and 456 of the Penal Code; Article 489 of the Family Code; Article 21 of the Constitution (50, 51, 53, 56)

Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Prohibition of Child Trafficking	Yes		Articles 205–208 and 456 of the Penal Code; Article 489.17 of the Family Code (51, 53, 56)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 179–187, 189–191, 202–203, 207, and 456 of the Penal Code (53, 56)
Prohibition of Using Children in Illicit Activities	Yes		Articles 318, 333, and 336 of the Penal Code; Article 489.16 of the Family Code; Article 2.16 of Executive Decree No. 19 of 2006 (51, 53, 54)
Minimum Age for Military Recruitment			
State Compulsory	N/A†		
State Voluntary	N/A†		
Non-state Compulsory	Yes	18	Article 448 of the Penal Code (53)
Compulsory Education Age	Yes	15	Articles 34 and 45 of the Law on Education; Article 489 of the Family Code; Article 95 of the Constitution (50, 51, 57, 58)
Free Public Education	Yes		Articles 34 and 41 of the Law on Education; Article 95 of the Constitution (50, 57, 58)

† No standing military (50, 59)

Although the Constitution, Family Code, and Labor Code set the minimum age for employment at age 14, the Family Code and Labor Code specify exceptions for domestic and agricultural work.(50-52) Article 716 of the Family Code permits children ages 12 to 14 to perform domestic and agricultural work as regulated by the Labor Code.(51) Article 119 of the Labor Code allows children ages 12 to 15 to perform light work in agriculture if the work is outside regular school hours, and Article 123 allows children over the age of 12 to perform light domestic work. The Labor Code, however, does not define the kinds of tasks children may perform as light work or the total number of hours they may work.(52)

Article 118 of the Labor Code and Article 510 of the Family Code allow minors to perform hazardous work in training establishments, when the work is approved by the competent government authority and carried out under its supervision, but neither law establishes a minimum age for this work.(51, 52) In 2016, the Government updated the list of hazardous occupations for children, including by adding Article 2-A establishing age 14 as the minimum age for hazardous work within training establishments.(55)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor (MITRADEL)	Enforce child labor laws through two directorates with direct authority over child labor matters: the Directorate Against Child Labor and for the Protection of Adolescent Workers (DIRETIPPAT) and the Labor Inspection Directorate.(40) The Labor Inspection Directorate enforces the Labor Code in areas where children may be working, particularly in the formal sector. DIRETIPPAT is responsible for overseeing the enforcement of laws related to working children in the formal and informal sectors; plans and executes public policies; and carries out education programs on child labor for employers, parents, and children. (40, 60-62) Refer cases of children found in exploitative work to the Child and Adolescent Courts or to the National Secretariat for Childhood, Adolescence, and Family (SENNIAF).(40)
Attorney General's Office	Investigate and prosecute crimes of sexual exploitation. Investigations initiated by the Judicial Investigative Directorate; cases passed to the prosecutors.(63)
SENNIAF	Conduct inspections to identify children and adolescents engaged in child labor, particularly in the informal sector.(3) Monitor and coordinate a network of government services to address needs of vulnerable populations.(34, 40) Run shelters for victims of human trafficking, including minors.(64)

Panama

SIGNIFICANT ADVANCEMENT

Table 5. Agencies Responsible for Child Labor Law Enforcement (cont)

Organization/Agency	Role
Childhood and Adolescence Police	Conduct inspections to identify children and adolescents engaged in child labor, particularly in the informal sector.(3) Support SENNIACF inspections in areas with high rates of child labor.(34)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Panama took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	\$1,747,599 (5)	\$1,743,733 (4)
Number of Labor Inspectors	85 (5)	85 (4)
Number of Child Labor Dedicated Inspectors	4 (5)	4 (4)
Inspectorate Authorized to Assess Penalties	Yes (5)	Yes (4)
Training for Labor Inspectors		
Initial Training for New Employees	Yes (5)	Yes (4)
Training on New Laws Related to Child Labor	Yes (5)	Yes (4)
Refresher Courses Provided	Yes (5)	Yes (4)
Number of Labor Inspections	17,935 (4)	15,331 (4)
Number Conducted at Worksite	17,935 (4)	15,331 (4)
Number Conducted by Desk Reviews	0 (4)	0 (4)
Number of Child Labor Violations Found	78 (65)	88 (4)
Number of Child Labor Violations for Which Penalties Were Imposed	29 (65)	37 (4)
Number of Penalties Imposed That Were Collected	1 (65)	37 (4)
Routine Inspections Conducted	Yes (5)	Yes (4)
Routine Inspections Targeted	Yes (5)	Yes (4)
Unannounced Inspections Permitted	Yes (5)	Yes (4)
Unannounced Inspections Conducted	Yes (5)	Yes (4)
Complaint Mechanism Exists	Yes (5)	Yes (4)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (5)	Yes (4)

In 2016, the Ministry of Labor (MITRADEL) conducted 1,404 child labor inspections, an increase from the 1,337 child labor inspections MITRADEL conducted in 2015.(4, 5) Also during the reporting period, the Directorate Against Child Labor and for the Protection of Adolescent Workers (DIRETIPPAT) institutionalized a national training agenda for child labor inspectors and removed 1,280 children from situations of hazardous child labor, incorporating these children into the Direct Government Action Program for the Prevention and Eradication of Child Labor.(4) MITRADEL reported that the budget for DIRETIPPAT was insufficient to meet its commitments for coordination, implementation, and monitoring related to child labor.(46)

The number of labor inspectors is insufficient for the size of Panama's workforce, which includes more than 1 million workers. According to the ILO's recommendation of 1 inspector for every 15,000 workers in developing economies, Panama should employ roughly 107 labor inspectors.(66-68) Enforcement of child labor laws remains challenging due to the lack of resources for inspections, and MITRADEL noted that the number of labor inspectors employed and labor inspections conducted were insufficient.(46) Civil society groups have stated that labor inspections in Panama focus primarily on the formal sector, leaving children in the informal sector vulnerable.(7, 10) Moreover, unannounced labor inspections are not conducted in agricultural areas outside of Panama City.(5) MITRADEL has also indicated that Article 125 of the Labor Code sanctions fines ranging from \$50 to \$700 for child labor violations but does not specify whether the employer can be charged this amount per each affected worker.(3, 5, 7)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Panama took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Yes (5)	Yes (4)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (5)	Yes (4)
Refresher Courses Provided	Yes (5)	Yes (4)
Number of Investigations	16 (64)	Unknown
Number of Violations Found	5 (64)	Unknown
Number of Prosecutions Initiated	2 (64)	Unknown
Number of Convictions	1 (64)	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (5)	Yes (4)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Committee for the Eradication of Child Labor and the Protection of Adolescent Workers	Coordinate various efforts to combat child labor. Led by the First Lady of Panama and includes MITRADEL; the ministries of Education, Health, and Agriculture; and representatives from civil society and organizations of workers and employers.(69) Conduct a National Child Labor Survey every 2 years.(5) In 2016, opened a regional committee in Veraguas.(70)
Subcommittee to Combat Child Labor	Incorporate Panamanian Institute for Sports and the Ministry of Education in efforts to address child labor and its causes. Subcommittee of the Committee for the Eradication of Child Labor and the Protection of Adolescent Workers. (7, 46, 62, 71)
National Commission for the Prevention of Crimes of Sexual Exploitation (CONAPREDES)	Coordinate, advise, and implement public policies for the prevention and eradication of sexual exploitation through specific actions, projects, and programs; study related trends and prevalence.(69) Members include the Attorney General as well as the Ministries of Labor, Education, Social Development, and Health. Refer cases of sexual exploitation to the Attorney General's Office.(39, 69)

MITRADEL has noted the need for increased coordination on efforts to address child labor, including within MITRADEL and with social service agencies and referral mechanisms.(46)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
Roadmap Towards the Elimination of Child Labor (2016–2019)	Aims to eliminate all forms of child labor in Panama by 2020 by strengthening anti-poverty, health, and educational programs and policies.(72-74)
National Action Plan for the Prevention and Elimination of Sexual Commercial Exploitation of Children and Adolescents	Aims to prevent and eliminate the sexual commercial exploitation of children and adolescents, including by providing services to victims, strengthening CONAPREDES, and raising awareness. Implemented by CONAPREDES, with support from the Public Ministry.(39, 40, 69, 75)
National Plan Against Trafficking in Persons (2012–2017)	Aims to combat human trafficking through prevention, victim assistance, and international cooperation. Includes provisions to protect child victims of human trafficking.(76)

In June 2016, the Governments of Panama, Guatemala, and the Dominican Republic signed an agreement to conduct research and exchange information to advance the elimination of child labor.(77) The Coordination Agreement on Labor Migration between the Ministries of Labor of Costa Rica and Panama aims to strengthen dialogue on labor migration between the two countries, with an emphasis on indigenous Panamanian migrant workers, to ensure social protection of migrant workers and their families, and includes a bilateral technical committee to promote joint action to combat human trafficking, exchange information, and develop cooperative strategies and projects.(78) Although potentially a useful policy tool to combat child labor, child labor elimination and prevention strategies do not appear to have been integrated into this policy.

Panama

SIGNIFICANT ADVANCEMENT

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor

Program	Description
Direct Government Action Program for the Prevention and Eradication of Child Labor†	MITRADEL program implemented through the Institute for Training and Utilization of Human Resources that provides a network of social and economic services to child workers and children at risk of child labor. Services include provision of food and scholarships, support for sports activities, and social monitoring.(7, 79) Scholarships for schooling have been provided to approximately 5,500 children. In 2016, 1,289 children were incorporated into the program after being removed from hazardous work.(4, 80)
Prevention and Eradication of Child Labor†	SENNIAF program that identifies children engaged in the worst forms of child labor, removes them from exploitative situations, and connects them to a network of social and economic services offered by the Government.(34, 39)
National Child Labor Survey†	Committee for the Eradication of Child Labor and the Protection of Adolescent Workers survey conducted every two years by the National Institute of Statistics and Census with funding from SENNIAF and MITRADEL.(5) Most recently conducted in 2016.(4)
National Council of Private Businesses (CoNEP) Corporate Social Responsibility Program	Joint effort created by MITRADEL and the National Council of Private Businesses that involves a partnership with businesses across Panama to sign the Voluntary Agreement of Corporate Social Responsibility to prevent and eradicate child labor.(81, 82) In 2016, CoNEP and MITRADEL recognized nine companies for their efforts to prevent child labor in their supply chains.(83)
MITRADEL and <i>Fundación Telefónica</i> Cooperative Agreement (2014–2016)	MITRADEL public-private partnership with Telefónica Móviles Panamá S.A. to prevent and eliminate child labor by improving access to education and providing trainings to teachers and private employers.(7, 84)
USDOL-Funded Projects	USDOL projects that aim to eliminate child labor, including its worst forms, through research, improved monitoring and enforcement, policy development, and awareness-raising. These projects include Educafuturo: Combating Child Labor , a \$6.5 million, 4-year project implemented in Ecuador and Panama by Partners of the Americas; Building Effective Policies Against Child Labor , a \$3.5 million, 4-year project implemented in Ecuador and Panama by the ILO; and Global Action Program on Child Labor Issues , implemented in approximately 40 countries by the ILO. For additional information about USDOL's work, please visit our Web site .(85-88)
Prevention and Care for Child and Adolescent Victims of Sexual Violence†	SENNIAF program that identifies children engaged in commercial sexual exploitation, removes them from exploitative situations, and provides them with social services. Conducts training workshops nationwide for professionals providing direct care to child and adolescent victims of sexual violence.(89)
Network of Opportunities†	Ministry of Social Development program that provides conditional cash transfers to families in extreme poverty, conditioned on their children's participation in health and education services and the acquisition of a birth certificate. Offers training to project participants to improve income-generating opportunities.(39, 90)

† Program is funded by the Government of Panama.

Although Panama has programs that reach children in rural areas and from indigenous and Afro-Panamanian communities, the scope of these programs is insufficient, and these children remain vulnerable to the worst forms of child labor.(44, 45)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Panama (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Establish regulations that define the number of hours and types of activities that children between the ages of 12 and 14 can undertake as light work to ensure that they are not exposed to hazardous labor.	2009 – 2016
	Ensure that only minors age 16 and older who have received adequate, specific instruction or vocational training are permitted to perform hazardous work, and that their health, safety, and morals are fully protected.	2013 – 2016

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Enforcement	Allocate sufficient funding for DIRETIPPAT to meet its commitments for coordination, implementation, and monitoring related to child labor.	2014 – 2016
	Increase the number of labor inspectors trained and responsible for providing enforcement of child labor laws to meet international standards and to address child labor in the informal sector and agricultural areas outside of Panama City.	2014 – 2016
	Strengthen the inspection system by conducting unannounced inspections in agricultural areas outside of Panama City.	2015 – 2016
	Clarify whether fines for child labor violations, as sanctioned in Article 125 of the Labor Code, may be applied for each affected worker.	2014 – 2016
	Publish information on the number of investigations, violations, prosecutions, and convictions related to the worst forms of child labor.	2016
Coordination	Increase coordination on efforts to address child labor, including within MITRADEL, and with social service agencies and referral mechanisms.	2016
Government Policies	Integrate child labor elimination and prevention strategies into the Coordination Agreement on Labor Migration between the Ministries of Labor of Costa Rica and Panama.	2015 – 2016
Social Programs	Enhance efforts to eliminate barriers and make education accessible for all children, including children from rural areas and indigenous and Afro-Panamanian communities, by expanding existing programs, including for school transportation.	2014 – 2016

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Panama

SIGNIFICANT ADVANCEMENT

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