

Panama - Summary Report

WPS National Action Plan (NAP) Status:

Although Panama does not have a NAP, the Institute of Women has a Strategic Operative Plan that carries out a variety of activities to promote gender equality in government and society.¹

Overall Assessment:

Panama has been developing a robust legal framework to enhance gender equality. In May 2020, the government of Panama and UN Women signed a five-year agreement to develop a strategy to improve gender equality and women's empowerment in the country.² In terms of its national security structure, Panama does not have a military but does have a Ministry of Public Security that oversees four law enforcement branches: the National Police, the National Aeronaval Service, the National Borders Service and the National Migration Service. While the overall national commitment to gender equality is high, its application in the Ministry of Public Security is relatively low. It was enhanced with the creation of a Gender Advisor (GENAD) office in 2017, which has progressively and steadily increased its activities.

National Importance/Political Will:

Gender equality is mentioned in Article 19 of Panama's constitution. It explicitly states that there shall be no discrimination on the basis of race, birth, disabilities, social class, sex, religion and political thought.³ Furthermore, the legal framework that supports gender equality is composed of at least 20 laws, three executive resolutions and four public policy tools. This remarkable framework includes activities for all levels of the citizenship. For example, Law number 6, approved in 2000, made it mandatory for all school texts and materials to include a gender perspective. Law number 54, approved in 2012, reformed the electoral code and requires political parties to have at least 50% of women on electoral lists for primary elections.

In 2017, Executive Decree No. 100 mandated that every ministry and governmental institution create an office for women and/or gender issues, with a special unit to deal with cases of domestic violence, sexual harassment, and abuse. These offices are financed by the National Committee Against Violence against Women (Comité Nacional contra la Violencia en la Mujer). The Committee is part of the National Institute for Women, which works with an overall budget of US \$6,516,551 in 2019 and US \$5,747,864.00 in 2020.⁴

¹ National Institute for Women (INAMU) Memoria Institucional 2019 (Panama, 2019), at: <https://inamu.gob.pa/wp-content/uploads/2020/09/INAMU-Memoria-2019-comprimido.pdf>

² ONU Mujeres, *Gobierno de Panamá y ONU Mujeres firman acuerdo de cooperación* (May 11, 2020), at: <https://lac.unwomen.org/es/noticias-y-eventos/articulos/2020/05/onu-mujeres-y-gobierno-de-panama-firman-acuerdo-de-cooperacion>

³ Official Gazette *Constitución Política de la República* (November 15, 2004), at: <https://pdba.georgetown.edu/Constitutions/Panama/vigente.pdf>

⁴ All the mentioned laws and its respective links can be found at the National Institute for Women (INAMU), *Normativa*. (Panama, 2020), at: <https://inamu.gob.pa/normativa/> additional information for the budget can be found here <https://inamu.gob.pa/wp-content/uploads/2020/10/PROYECTOS-INVERSIÓN-SEPTIEMBRE.pdf>

In 2017, the Congress approved Law 56, which established quotas for the participation of women in state boards of directors. Article 2 requires that any institution supported by the Central government, including decentralized, public companies, should assign at least 30% of seats on their administrative councils, boards of directors, or similar entities to women.⁵

The government of Panama created the National Institute for Women in 2008. Its main task is to monitor and oversee the public policies related to gender equality and equal opportunities.⁶ The Institute of Women has worked with the Ministry of Public Security in furthering gender equality. The 2018 Activities Report of the Institute mentions that it worked with the police and provided special training to police on issues related to gender-based violence. Subsequently, the police created a service specialized in gender-based violence. This service is now housed in the offices of the different police zones in Panama and is in charge of dealing with cases of domestic violence.⁷ In 2019, the Institute and the National Police carried out a presentation about gender equality and violence against women. The Institute's Annual Operative Plan for 2020 shows that the activities carried out during the year included two sensitization workshops for the national police. Such workshops focused on how to prevent the revictimization of victims during police and judicial investigations⁸

In terms of the Ministry of Public Security, it created the *Office of Gender Equality and the Equality of Opportunities* in 2018 (Oficina de Equidad de Género y Equiparación de Oportunidades) in compliance with the executive decree No. 100 published in 2017. Its organizational structure includes a director and sub-director, psychologists, sociologists, and social workers. The Office is composed of different divisions, including one that focuses on generating statistics, and two specialized units: 1) equal opportunities; and 2) gender issues.⁹ Moreover, the manual of the Office of Gender Equality, published in 2019, presents a detailed description of the tasks and responsibilities of each position and each area within the Office. Such activities include: the creation of an annual operational plan regarding gender issues to be formulated in coordination with the national police, the National Migration Service, the National Borders Service, and the National Aeronaval Service; the coordination of gender-sensitization campaigns; and the provision of legal and juridical advice to women facing violent events.

Institutional Policy and Practice:

Strategy, Plans, and Policy

The principles of WPS/gender equality are sometimes integrated into police exercises, operations, and activities, as evidenced by the Organizational Manual of the Ministry of Public Security. The Office of Citizen Participation (Oficina de Participación Ciudadana) is the office in charge of

⁵ See page 18-19, Official Gazette, Ley N.54 (Panama: Government of Panama, July 11, 2017), at: https://www.gacetaoficial.gob.pa/pdfTemp/28320/GacetaNo_28320_20170712.pdf

⁶ See Ley N°71 Official Gazette, Ley N.71 (Panama: Government of Panama, December 30, 2008), at: <https://docs.panama.justia.com/federales/leyes/71-de-2008-dec-30-2008.pdf>

⁷ See page 62, National Institute for Women (INAMU) Memoria Institucional 2019 (Panama, 2019), at: <https://inamu.gob.pa/wp-content/uploads/2019/07/MEMORIA-INAMU-LISTA-PARA-IMPRIMIR.pdf>

⁸ National Institute for Women, *Activity Report 2020* (Panama, 2020) <https://inamu.gob.pa/wp-content/uploads/2020/09/POA-2020-SECRETARIA-GENERAL-fusionado.pdf>

⁹ See Oficina de Equidad de Género y Equiparación de Oportunidades, *Manual of the Gender Equality Office*, (Panama, 2019), at https://www.minseg.gob.pa/wp-content/uploads/2019/04/MANUAL_OEGEO.pdf

preparing plans and programs, with a strategic focus on citizen security with a gender perspective.¹⁰ This Office integrates the group of administrative units of the Ministry of Public Security in an auxiliary support level. In this regard, the Ministry of Public Security is the ministry in charge of citizen security and the promotion of the participation of community leaders and civil groups to strengthen security strategies and policy implementation.

The Strategic Plan of the Ministry of Public Security of Panama does not present a list of actions to improve gender equality or gender perspective in the law enforcement forces of Panama. Instead, it outlines that the next actions are to: “Begin a consultive process to update the goals, results and activities of the Strategy, considering the incorporation of some subjects such as the environment, the indigenous peoples and gender in a transversal (cross-cutting) way.”¹¹

Gender in the Ranks (Police)¹²

Service	Men	Women	Percent Women
National Police	17,102	3,459	16.8
National Aeronaval Service	3,531	463	11.6
National Borders Service	3,596	367	9.3
National Migration Service	888	566	38.9
Total	22,637	4,855	16.2
Senior Ranks	560	98	14.9

All police positions are open to women. That said, there are few women serving in some of the institutions like the National Air-Sea Service and the National Borders Service, but this is attributed to the fairly recent creation of both institutions in 2008.

Work Environment

Family Policies: Article 107 of the Labor Code establishes that paid maternity leave lasts 14 weeks: six weeks prior to delivery and 8 weeks after delivery.¹³ In 2017, three days of paid paternal leave were added.¹⁴ The employees of the Ministry of Public Security have access to the same social benefits as other governmental ministries, including childcare centers.

Anti-Harassment and Abuse: Article 178 of the Penal Code of Panama was modified in 2018 to include sexual harassment. The reform dictates that sexual harassment at work is an offense that

¹⁰ See page 46, Office of Institutional Development, *Manual de Organización del Ministerio de Seguridad Pública* (Panama: Ministry of Public Security, 2015), at: <https://www.minseg.gob.pa/wp-content/uploads/2015/06/Manual-de-Organizacion-y-Funciones.pdf>

¹¹ See page 2, Ministry of Public Security, *Estrategia País De Seguridad Ciudadana*, (June, 2015), at: <https://www.minseg.gob.pa/wp-content/uploads/2015/06/Resumen-Estrategia-Pais-de-Seg-Ciudadana.pdf>

¹² Information provided by the human resources office of each institution.

¹³ Ministry of Labor and Laboral Development (MITRADEL), *Código de Trabajo* (December 31, 1971), at: <https://www.mitradel.gob.pa/trabajadores/codigo-detrabajo/>

¹⁴ MITRADEL, *Ejecutivo sancionó ley de Licencia de Paternidad* (May 25, 2017), at: <https://www.mitradel.gob.pa/ejecutivo-sanciono-ley-licencia-paternidad/>

can be punishable with 2-4 years in jail.¹⁵ In addition, the Organic Law of the National Police explicitly prohibits any type of discrimination.¹⁶

Equipment and Facilities: There are some women specific uniforms but no personal protective equipment designed for women. Moreover, there are facilities, including bathrooms and billets, available for women in police facilities, and they are provided during deployments.

Training, Education, and Exercises

Training in gender affairs and gender perspectives are conducted at entry, mid- and senior-level positions. The Office of Gender Equality and Equal Opportunities in the Ministry of Public Security and the National Institute of Women provide training on gender and gender perspectives to the police.

The Office of Gender Equality and Equal Opportunities has substantially increased its activities throughout the two years of its existence. The 2019 report has a detailed description of its accomplishments, including: activities of sensitization; introduction courses and self-care course; new facilities for the Office; and courses on intervention for first respondents on violent crimes. Planned activities include: building a webpage for the office; providing courses and workshops about gender equality; developing educational material; creating a workplan for training entry level personnel as well as training for senior ranks; and the creation of a police unit specialized in gender violence as part of the national police.¹⁷

Monitoring/Reporting and Evaluation:

The monitoring and evaluation of gender policies and programs is undertaken by the Institute of Women. In terms of the security sector, the evaluations are carried out by the Office of Gender Equality and the Office of Equality of Opportunities of the Ministry of Public Security. Additionally, NGOs like the Konrad Adenauer Foundation are also monitoring gender policies in Panama¹⁸.

Recommendations:

Panama has a robust legal framework with respect to gender equality. Given many new policy developments, it might be time to update the Organization Manual of the Ministry of Public Security. It was published in 2015 and does not include the new Office of Gender Equality and Equal Opportunities that started operating in 2018.

Furthermore, the Strategic Plan of the Ministry of Public Security should consider including concrete objectives about how to promote and advance gender equality beyond the prevention of

¹⁵National Assembly, *Propuesta de Ley que Modifica el artículo 178 del Código Penal* (Panama, September 10, 2020), at <https://www.laestrella.com.pa/nacional/180216/ley-acoso-sexual-vigencia>

¹⁶Legislative Assembly, *Ley Orgánica de la Policía Nacional* (Panama, Jun 3, 1997), at: https://tbinternet.ohchr.org/Treaties/CAT/Shared%20Documents/PAN/INT_CAT_ADR_PAN_25554_S.PDF

¹⁷ Ministry of Public Security, *Memorias 2019* (Panama, 2019), at: <https://www.minseg.gob.pa/descargas/Memoria2019.pdf>

¹⁸Alejandro Marin Leiva, “Violence against women and the COVID-19 pandemic in Panama” (Panama: Konrad Adenauer Foundation, August 12, 2020), at: <https://www.kas.de/en/web/panama/event-reports/detail/-/content/violencia-contra-la-mujer-y-la-pandemia-en-panama-1>

gender-related violence. For example, it could establish a plan to provide protective equipment for all the women in the police forces and address how to recruit and retain more women.

In a similar vein, the gender training provided by the Office of Gender Equality and Equal Opportunities should include more information on gender analyses and gender perspectives. Currently, the training is focused on investigative actions of violence against women. In addition, more attention should be paid to the promotion opportunities of women within the police.

Report Contributors:

Cristobal Fundora Sitton

Elvira Méndez

Nadia Montenegro

Rosa Broce

Sophia Wendderburn

Xiomara Edwards

Gloria Guerra

Carmen Solano

Zuleika Roa

Juan Gonzalez

Gitzel Bolaños

Isbel Valderrama

December 2, 2020