

Congregation of Our Lady of Charity of the Good Shepherd
PANAMA
Individual Submission to the 22nd Session of the Universal Periodic Review
April / May 2015

KEY ISSUES:

1. Women domestic workers
2. Pregnant Teenagers after sexual abuse and incest

EXECUTIVE SUMMARY

(1) From its work with women and girls the organization is familiar with the situation of labour exploitation, discrimination and violence against women.

(2) Panama under its Universal Periodic Review in the first cycle on 2nd November 2010 committed to eliminate gender-based and social discrimination. Despite its efforts to do so discrimination persists and disparities still exist. For example, the domestic workers who are essentially women – often migrants – are not treated equal: as regards minimum wage, social security.

(3) Discrimination against women is often based on cultural and traditional practices, with consequences as incest and sexual abuse, often leading to teenage pregnancy (18,9%).

(4) These situations are infringements of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Convention on the Rights of the Child (CRC) which Panama already ratified but faces difficulties to comply with.

BACKGROUND AND FRAMEWORK

(5) The **organisation**: The Congregation of Our Lady of Charity of the Good Shepherd is an international organisation of religious women, in special consultative status with the Economic and Social Council of the United Nations (ECOSOC) since 1996 and present in 73 countries. The organisation works with women and children especially those who are forced to migrate and oppressed by abject poverty. A further issue is Economic justice.

(6) The organization is present in Panama since 1966 with two projects: The Queen Mary project with 28 girls at high social risk. They are often brought up by single mothers, working as domestic employees, 20% have migrant background.

The socalled Hogar Rosa Virginia project started in 2012 with 10 places for teenagers after sexual abuse and incest. The Ministry of Development, the Ministry of Social Development and the various Juvenile Courts of Panama place the girls. Most of these young girls come from rural areas with low education and malnutrition problems.

Promotion and protection of Human Rights

1. Women domestic workers: right to work in just and favourable conditions

(7) Women domestic workers have to work up to 12 hours a day and often face mistreatment by their employer. Furthermore, social security depends on the will of the employer.

(8) According to available data 80% of some 50,000 domestic workers laboring in Panama come from Dominican Republic, Nicaragua, Colombia, Haiti, Honduras and some countries of Europe.

(9) The Executive Order established on December 30, 2013, the new amount of the minimum wage in general was set at 624 dollars. However, for domestic workers it is between 200 and 225 dollars. In practice, the payment depends on the agreement between the domestic worker and the employer. Some pay 400 dollars.

(10) A study by the Women's Economic Agenda WEA entity of UN Development Fund for Women in 2001 and 2007 revealed that 67% of domestic workers in Panama do not have housing included, and this reality is not reflected in salary adjustment for this group. (1) It was pointed out that most employers prefer domestic workers housing at the work place, but most women prefer to travel daily to their workplace. (1)

(11) The Ministry of Labour reported that 48% of the complaints they receive are from domestic workers concern payment of social insurance, unfair dismissal, Abuse by employers, maternity leave and holidays.

(12) Recommendations made in UPR-Session 9 (1 to 12 November 2010) have been examined by Panama and enjoy its support (A/HRC/16/6 N° 68):

- Consider ratifying, signing or adhering ... to the Convention on the Protection of the Rights of All Migrant Workers and their Families (A.68.2; A.70.3 and A.70.5 Uruguay, Argentina, Ecuador).

(13) **The Organization recommends the following:**

- **To ratify the International Convention on the Right of All Migrant Workers and their Families,**
- **To ratify the ILO Convention N° 189 for decent work for domestic workers.**
- **Implement policy to fight against “moonlight work” by sensitizing people to their rights and taking measures to enforce dispositions of the Labor Code especially regarding monthly wage and social security rights. Finally modify the legislation in order guarantee rights to every worker especially women.**

2. Pregnant Teenagers after sexual abuse and incest

(14) Although legislative amendments that had introduced new measures for the protection of Family violence victims, France contended in the first cycle of the UPR in 2010 (A/HRC/16/6 N° 27) that the phenomenon remained a subject of concern. And the following recommendations were made:

Implement fully and immediately measures of protection for victims of domestic violence (France).

Adopt a comprehensive law on the protection of children and young people (A.70.9 Hungary). –

Pay more focused attention to the issues of gender discrimination and domestic violence (A.69.6 Trinidad and Tobago);

Implement fully and immediately measures of protection for victims of domestic violence (A.69.11 France).

Redouble efforts made to prevent and support victims of domestic violence, in particular children and women (A.68.21Peru).

(15) Discrimination against women and girls are based on cultural and traditional practices. The superior male thinking persists in all groups of the society. Victims of rape or violence are often blamed, that themselves were causing the rape through their behavior to justify the fact.

(16) A 14 years old pregnant teenager in the project gave birth to a premature baby. Her brother for raping her gave her alcohol and cigarettes. In addition to rape and the problem of alcoholism a mental retardation and behaviour disorder was determined. Furthermore the complexity of problems of the teenage mother such as alcoholism use of cigarettes and psychiatric problems require treatment in special institutions, which are not in the country.

(17) According to data based on the Standards of Living Survey in 2008 conducted by the Department of Economic and Social Analysis of the Ministry of Economy and Finance of Panama, it was reported that 17% of adolescent girls between 15 and 19 became pregnant at least once. The percentage was higher in indigenous rural areas: 37.7%. According to the study, the fact that teenage pregnancy predominates in indigenous and rural areas it is due to cultural aspects as early sexual activity, lack of education, sexual education, education on Human Rights and health services, etc. (2)

(18) According to the Judicial Technical Police (PTJ) from Chorrera, incest cases are numerous. For example in the district of Capira half of the reported incidents in this sector are for incest.

(19) The latest report of the National Integrated System of Criminal Statistics (SIEC) reveals that the year 2011 ended with 1,042 sexual abuses of women. It reached 1,190 women in 2012. To April 2013, 340 women were registered by sexual abuse. (3)

(20) **The Organization recommends the following:**

- **To create a comprehensive care program for teenage mothers with psychiatric problems and alcoholism.**
- *Improve access of indigenous people to health care.*
- *Bring awareness campaign and sexual education to reduce early pregnancy of indigenous girls.*
- **Create a prevention policy against cultural patterns (habits and opinions) that encourage sexual abuse in order to raise awareness of this problem in institutions such as health centres, churches, schools, community centres, etc...**