

# Panama - Human Rights Scorecard <sup>1</sup>

Panama, officially the Republic of Panama, is a country situated in between Costa Rica to the west and Colombia to the east. The country seceded from Spain in 1903. Since the US military intervention in 1989, Panama has been healing from the wounds of a military dictatorship which was propped up by the US government. Today, Panama has gained control of the vital Panama Canal and is one of the fastest growing economies in Latin America.

**Official language:** Spanish

**Ethnic groups:**; 71.8% Mixed; 12.3% Native Panamanian; 9.2% Afro-Panamanian; 6.7% White Panamanian

**Government:** Presidential Constitutional Republic

- President: Juan Carlos Varela
- Isabel Saint Malo

**Population:** 4.03 million

**Life expectancy:** 77.3 years

**Under-5 mortality:** 19 per 1000

**Adult literacy:** 94.1%

**Death penalty:** Abolished



## Section 1: Overall Development

The overall development of a country – considering education, health, income, and other factors – is a strong indicator of whether average citizens have a reasonable chance to enjoy social and economic well-being and mobility.

### Human Development (UNDP Human Development Index (HDI)) <sup>2</sup>



#### 0.788 – High Human Development <sup>3</sup>

According to the UNDP, Panamanians enjoy a gross national income per capita of \$19,470 and can expect to have an average 9.9 years of schooling. Compared to other countries with similar gross national income per capitas, this is an average HDI.

## Section 2: Respect for the Integrity of the Person

Respect for the integrity of the individual is the most fundamental of human rights groupings. It guarantees protection of the person to ensure the right to life, and freedom from torture. It also prevents arbitrary detention, and disappearances, and ensures the right to a free and fair trial when accused.

### Freedom from arbitrary or unlawful deprivation of life



#### Respected <sup>4</sup>

There were no reports of unlawful or arbitrary killings by the government in 2017.

### Freedom from disappearance



#### Respected <sup>5</sup>

There were no reports of disappearances by government authorities in Panama in 2017.

### Freedom from torture and other cruel, inhuman or degrading treatment or punishment



#### Largely disrespected <sup>6</sup>

Prison conditions are harsh and inadequate in Panama, and violence has been reported against prisoners.

### Freedom from arbitrary arrest or detention



#### Respected <sup>7</sup>

The freedom from arbitrary arrest is generally protected in Panama.

### Freedom from denial of fair public trial



#### Largely disrespected<sup>8</sup>

The law calls for an independent judiciary, though the judicial system is often susceptible to corruption and outside influence. Accusations of procedural inconsistencies are occasionally made.

### Freedom from arbitrary interference with privacy, family, home or correspondence



#### Respected<sup>9</sup>

The government generally respects the right to privacy, and has enforced additional protections against wiretapping and surveillance.

## Section 3: Respect for Civil Liberties

*Civil liberties are a basic category of internationally recognized human rights. They include the freedoms of expression, assembly, association, education, and religion. These are inalienable rights which should not be breached by government, and should ensure the rights of all, including women and minority groups.*

### Freedom of speech and press (*Reporters Without Borders Press Freedom Index*)<sup>10</sup>



#### Score: 30.56, Rank: 91 / 180 – Partially controlled, limited, or intimidated<sup>11</sup>

Journalists who criticize the government are often targeted with judicial proceedings under the premise of defamation. Access to information and advertising remains strictly controlled by the state.

### Freedom from academic censorship



#### Respected<sup>12</sup>

There are no government restrictions on academic freedom.

### Freedom of peaceful assembly and association



#### Respected<sup>13</sup>

The government generally respects the right to peaceful assembly and association.

### Freedom of religion



#### Respected<sup>14</sup>

Freedom of religion is ensured by Panamanian law and the rights of religious minorities are generally upheld.

### Freedom of movement



#### Respected<sup>15</sup>

Panama generally respects the right for freedom of movement within the country and internationally.

### Protection of refugees and stateless persons



#### Partially Respected<sup>16</sup>

Asylum seekers in Panama face long wait times without the right to work and without access to basic services. The government worked to recognize hundreds of stateless persons living near the border region with Colombia.

### Overall protection of civil liberties (*FreedomHouse Civil Liberties Index*)<sup>17 18</sup>



#### 2 / 7 – Free<sup>19</sup>

Freedom of expression and association are generally respected, though corruption and racial discrimination remain pressing problems.

## Section 4: Respect for Political Rights

Political rights ensure all members of society are able to influence the political process. The assessment of political rights includes an examination of the electoral process and the selection of representatives, the political empowerment of the general public, the tolerance of dissent, the accountability of government, etc.

### Overall protection of political rights (*FreedomHouse Political Rights Index*)<sup>20</sup>



**2 / 7 – Free**<sup>21</sup>

Panama's institutions are overall democratic and the Panamanian government has engaged in electoral reform.

## Section 5: Corruption and Lack of Transparency in Government

The civil, political, economic and social rights exercised within a country are often modulated by the degree of transparency and freedom from corruption. Various international metrics assess transparency and corruption, including the OECD anti-bribery convention, the Bribe Payers Index, and the Open Budget Index.

### Transparency and freedom from corruption (*Transparency International Corruption Perceptions Index*)<sup>22</sup>



**Score: 37%, Rank: 96 / 180 – Highly Corrupt**<sup>23</sup>

The law orders criminal penalties against corrupt officials, and the government does effectively implement these laws. However, corruption remains a widespread problem in all branches of government; there are issues of bribery, money laundering, and forgery.

## Section 6: Governmental Response to Criticism

This section deals specifically with the response heads of state have to civil society or international human rights reports.

### Governmental attitudes vis-à-vis independent investigations of alleged human rights violations



**Respected**<sup>24</sup>

A number of Panamanian and international human rights groups operate freely within Panama, and the government generally expresses positive and cooperative responses to their opinions.

## Section 7: Discrimination and Societal Abuses

Legal and social discriminatory practices related to sex, race, creed or sexual orientation, are violations of human rights. Countries with strong civil liberty traditions should have a fair legal system that ensures the rule of law, allows free economic activity, and ensures equality of opportunity for all.

### Endangered Minorities (*Peoples Under Threat – Minority Rights Group International*)<sup>25</sup>



**No threat listed – Limited dangers to minorities**<sup>26</sup>

According to Minorities Rights Group International, Panama does not have any minorities which face an immediate threat of violence.

### Rights of women (*World Economic Forum Gender Gap Index*)<sup>27</sup>



**Score: 72.0%, Rank: 46 / 142 – Very unequal rights**<sup>28</sup>

Women in Panama are protected from discrimination under Panamanian law, but there are not enough resources for survivors of sexual violence and domestic abuse. Some employers continue to enact discriminatory hiring practices such as the forcing of pregnancy tests.

### Rights of Children (*KidsRights Index Overall Score*)<sup>29</sup>



**Score: 69.1%, Rank: 104 / 165 – Somewhat protected**<sup>30</sup>

Sexual exploitation of children - particularly indigenous children - in tourist zones remains a pertinent issue in Panama.

### Rights of persons with disabilities



**Partially respected**<sup>31</sup>

Most transportation and many municipal buildings do not meet the government's accessibility requirements for persons with disabilities. The government does, however, provide funding to children with disabilities.

### Rights of national/racial/ethnic minorities (e.g. discrimination, Islamophobia, anti-Semitism etc.)



#### Partially Respected<sup>32</sup>

Ethnic and racial minorities have largely been integrated into mainstream Panamanian society, but discrimination against minorities as well as recent immigrants persists.

### Freedom from abuse and discrimination based on sexual orientation or gender identity



#### Partially Respected<sup>33 34</sup>

Although same sex sexual activity is not criminalized in Panama, LGBTQ+ individuals face widespread discrimination and harassment. However, major Panamanian government officials have been outspoken in support of LGBTQ+ communities and movements.

## Section 7: Workers' Rights

*Workers' rights are a group of legal rights relating to labour relations between workers and their employers. At their core are things like the ability to negotiate pay, benefits, terms of employment, and safe working conditions. These rights often devolve from the right to unionize and access to collective bargaining.*

### Rights to freedom of association and to collective bargaining



#### Largely disrespected<sup>35</sup>

Although the law allows for unionizing and striking in the private sector and certain collective bargaining groups in the public sector, the government limits their capabilities, and often fails to enforce labour laws adequately.

### Freedom from forced or compulsory labour



#### Partially respected<sup>36</sup>

Panama generally protects citizens from forced labour, although forced prostitution is still a persisting issue even though prostitution is a legal practice.

### Freedom from forced labour for children, and a minimum age of employment



#### Partially respected<sup>37</sup>

The Panamanian Ministry of Labour enforces restrictions on child labour within the formal sector, though children often work in urban informal sectors.

### Right to acceptable conditions of work



#### Respected<sup>38</sup>

The Panamanian government generally enforces minimum wage and safe working condition standards, though there are some reports of excess hours worked particularly in the maritime sector.

### Right to employment



#### 4% - Reasonable unemployment<sup>39</sup>

While the unemployment rate in Panama has dropped somewhat over the last three years, it is projected to climb in the coming years.

<sup>1</sup> A hybrid human rights and freedoms model, leveraging both legal principles and intuitive classifications, has been used for this human rights assessment. The CJPME Foundation has sought to integrate as many independent sources and metrics into its summary analysis as possible. In many cases, for qualitative material pertaining to the respect for a particular right in a country, the CJPME Foundation has drawn on material from Human Rights Watch and the US State Department country reports. Human Rights Watch (HRW) publishes a World Report which assesses the respect for human rights in each country. HRW uses a methodology of local reporting and interviewing, combined with research and analysis to assess the level of respect of human rights. The U.S State Department keeps an updated publication on the state of human rights internationally. Their system of research and accountability draws from the research of official US State Department officials, as well as local civil-society and international human rights organizations.

<sup>2</sup> The UN Development Program HDI was created to emphasize that people and their capabilities should be the ultimate criteria for assessing the development of a country, not economic growth alone. The HDI can also be used to question national policy choices, asking how two countries with the same level of GNI per capita can end up with different human development outcomes. These contrasts can stimulate debate about government policy priorities. The Human Development Index (HDI) is a summary measure of average achievement in key dimensions of human development: a long and healthy life, being knowledgeable and have a decent standard of living. Accessed Jan. 8, 2017 <http://hdr.undp.org/en/composite/HDI>

<sup>3</sup> "Table 1: Human Development Index and its components, Panama" UNDP, based on 2014 or the most recent year available. Accessed Jan. 8, 2017. <http://hdr.undp.org/en/composite/HDI>.

<sup>4</sup> "Country Reports on Human Rights Practices for 2013 Panama." U.S Department of State. January 1, 2013. Accessed November 23, 2014. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

- <sup>5</sup> Ibid. U.S Department of State. For purposes of the present analysis, a “disappearance” is different than simple arbitrary detention because a “disappearance” is considered permanent.
- <sup>6</sup> Ibid. U.S Department of State.
- <sup>7</sup> Ibid. U.S Department of State.
- <sup>8</sup> Ibid. U.S Department of State.
- <sup>9</sup> Ibid. U.S Department of State.
- <sup>10</sup> The Press Freedom Index published by Reporters Without Borders ranks the level of freedom of information in 180 countries. This is determined through the polling of local NGOs and freedom of expression civil society organizations across the globe. This index is also determined by local correspondents and follow-up work done on reports of infringement to press freedom where ever it takes place. Their methodology looks at six different indicators: 1) Media pluralism, 2) Media independence, 3) Media atmosphere and self-censorship, 4) the Law around media, 5) Media transparency, and 6) Media infrastructure. The score from these six indicators is combined with a rating for the violence against journalists in the country to create an overall score. The CJPME Foundation classifies the Press Freedom Index as follows: 0 – 14.99 (16 countries), Largely free, diverse and independent; 15 – 24.99 (37 countries), Mostly free, diverse and independent; 25 – 29.99 (31 countries), Partially free, diverse and independent; 30 – 39.99 (39 countries), Partially controlled, limited or intimidated; 40 & higher (57 countries), Highly controlled, limited or intimidated.
- <sup>11</sup> "World Press Freedom Index." Reporters Without Borders: For Freedom of Information. January 1, 2014. Accessed November 23, 2014. <http://rsf.org/index2014/en-index2014.php>.
- <sup>12</sup> "Country Reports on Human Rights Practices for 2013 Panama." U.S Department of State. January 1, 2013. Accessed November 23, 2014. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.
- <sup>13</sup> "Panama." World Report 2014: Panama. January 1, 2014. Accessed November 25, 2014. <http://www.hrw.org/world-report/2014/country-chapters/Panama>.
- <sup>14</sup> "Panama." International Religious Freedom Report for 2013. January 1, 2013. Accessed November 25, 2014. <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper>.
- <sup>15</sup> "Panama." World Report 2014: Panama. January 1, 2014. Accessed November 25, 2014. <http://www.hrw.org/world-report/2014/country-chapters/Panama>.
- <sup>16</sup> "Panama." World Report 2014: Panama. January 1, 2014. Accessed November 25, 2014. <http://www.hrw.org/world-report/2014/country-chapters/Panama>.
- <sup>17</sup> Freedom House is an internationally recognized NGO based in the U.S which documents and rates the quality of democratic practice in a given country. Freedom House splits its grading system between the two areas of civil and political rights in a country. On each scale, the Freedom House rating is 1-2.5 (free), 3-5.5 (partly free) and 6-7 (not free).
- <sup>18</sup> Freedom House's Civil Liberties index measures things such as a) freedom of expression and belief, b) associational and organizational rights, c) the rule of law, and d) personal autonomy and individual rights. Freedom House rates countries as 1-2.5 (free), 3-5.5 (partly free) and 6-7 (not free). Accessed Dec. 9, 2014 <https://www.freedomhouse.org/report/freedom-world-2014/methodology#.VldwWzHF98F>
- <sup>19</sup> "Panama." Freedom in the World 2014: Panama. January 1, 2014. Accessed November 25, 2014. <https://freedomhouse.org/report/freedom-world/2014/Panama-0#.VIIIHzGG9e8>.
- <sup>20</sup> See footnote about the Freedom House organization above. The Freedom House Political Rights assessment looks at a) the electoral process, b) political pluralism and participation, and c) the functioning of government. Accessed Dec. 9, 2014 <https://www.freedomhouse.org/report/freedom-world-2014/methodology#.VldwWzHF98F>
- <sup>21</sup> "Panama." Freedom in the World 2014: Panama. January 1, 2014. Accessed November 25, 2014. <https://freedomhouse.org/report/freedom-world/2014/Panama-0#.VIIIHzGG9e8>.
- <sup>22</sup> Transparency International (TI) publishes a “Corruption Perceptions Index” annually, which is based on independent research and polling. The main categories of corruption are broken down within the index to provide particulars on issues including things such as perceptions of corruption, control of corruption, and financial secrecy. A country receives a score on 100; the higher the score, the less corrupt the society. The CJPME foundation has classified them into categories as follows: 80-100 (11 countries): Very limited corruption; 60-79 (27 countries): Limited corruption; 40-59 (41 countries): Some corruption; 20-39 (80 countries): Highly corrupt; 0-19 (15 countries): Extremely corrupt
- <sup>23</sup> "Panama." Corruption by Country. January 1, 2014. Accessed November 25, 2014. <http://www.transparency.org/country#BHR>.
- <sup>24</sup> "Country Reports on Human Rights Practices for 2013 Panama." U.S Department of State. January 1, 2013. Accessed November 23, 2014. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.
- <sup>25</sup> The Peoples under Threat assessment by Minority Rights Group International highlights countries most at risk of genocide and mass killing. The ranking is created by compiling data on the known antecedents to genocide or mass political killing. Accessed Jan. 8, 2017 <http://peoplesunderthreat.org/>.
- <sup>26</sup> "Panama." Peoples under Threat, Minority Rights Group International. 2015, or most recent data. Accessed Jan. 8, 2017. <http://peoplesunderthreat.org/>.
- <sup>27</sup> This metric is based on the World Economic Forum's Gender Gap Index. 0.00 denotes inequality between the sexes, and 1.00 denotes fully equality between the sexes. This index looks at four subdomains: economic participation and opportunity; educational attainment; health and survival; and political empowerment. Each country is given a percentage score; the higher the percentage, the better the protections. The CJPME Foundation classed the percentages as follows: 80-100% (5 countries): Almost equal rights; 70-79% (60 countries): Somewhat unequal rights; 0-69% (77 countries): Very unequal rights
- <sup>28</sup> "Panama." World Economic Forum. January 1, 2014. Accessed November 25, 2014. <http://reports.weforum.org/global-gender-gap-report-2014/economies/#economy=BHR>.
- <sup>29</sup> This metric is based on the KidsRights Index Overall Score. This index has five subdomains: life expectancy and maternal mortality; health; education; protection; and child rights environment. Each country is given a percentage score; the higher the percentage, the better the protections. KidsRights classes the countries according to these percentages, and the CJPME Foundation has given each class a term as follows: 70-100% (77 countries): Protected; 60-70% (29 countries): Somewhat protected; 45-50% (33 countries): Slightly vulnerable; 30-45% (12 countries): Highly vulnerable; Lower than 30% (11 countries): Extremely vulnerable
- <sup>30</sup> "The KidsRights Index: Overall Ranking." The KidsRights Index. Accessed November 25, 2014. <http://www.kidsrightsindex.org/>
- <sup>31</sup> "Country Reports on Human Rights Practices for 2013 Panama." U.S Department of State. January 1, 2013. Accessed November 23, 2014. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.
- <sup>32</sup> Ibid. U.S Department of State.
- <sup>33</sup> "ILGA World Map." International Lesbian Gay and Intersex Association. January 1, 2014. Accessed November 25, 2014. <http://ilga.org/>. See also Ibid. U.S Department of State.
- <sup>34</sup> ILGA, the International, Lesbian, Gay, Bisexual, Trans and Intersex Association, was founded in 1978 on the principle of highlighting state sponsored homophobia where it exists around the world. ILGA annually publishes a map with an accompanying report on sexual and gender based harassment, which focuses on both the legal and non-legal acts of state sponsored discrimination.

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<sup>35</sup> "Country Reports on Human Rights Practices for 2013 Panama." U.S Department of State. January 1, 2013. Accessed November 23, 2014. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

<sup>36</sup> Ibid. U.S Department of State.

<sup>37</sup> Ibid. U.S Department of State.

<sup>38</sup> Ibid. U.S Department of State. See also a well-done Wikipedia comparison of wage, income and work week metrics across countries at [http://en.wikipedia.org/wiki/List\\_of\\_minimum\\_wages\\_by\\_country](http://en.wikipedia.org/wiki/List_of_minimum_wages_by_country)

<sup>39</sup> "Global Employment Trends." International Labour Organization. January 1, 2013. Accessed December 7, 2014. [http://www.ilo.org/global/research/global-reports/global-employment-trends/2014/WCMS\\_233936/lang--en/index.htm](http://www.ilo.org/global/research/global-reports/global-employment-trends/2014/WCMS_233936/lang--en/index.htm).