**BRIEFING ON PANAMA FOR THE
COMMITTEE ON THE RIGHTS OF THE CHILD
77th session, January – February 2018**

*From the Global Initiative to End All Corporal Punishment of Children, December 2017*

**This briefing provides an update on the opportunities to prohibit corporal punishment in Panama. In Panama, corporal punishment of children is still lawful in the home, in alternative care and day care settings, and in schools.**

**We hope the Committee, in its concluding observations on Panama’s fifth/sixth periodic report, will recommend that prohibition of all corporal punishment of children, in all settings, is included in the draft law on the rights of the child.**

**1 Opportunities to prohibit all corporal punishment in Panama**

* 1. In its July 2016 state report to the Committee on the Rights of the Child, the Government stated that the draft law on the rights of the child was in consultations phase and would shortly be presented to the Cabinet for approval.[[1]](#footnote-1) This was reiterated in the Government’s reply to the List of issues in November 2017.[[2]](#footnote-2)
	2. In August 2017, the Government reported to the Committee Against Torture that a technical commission had been established to remedy the lack of an explicit prohibition of corporal punishment.[[3]](#footnote-3) It was specified in November 2017 that the commission would “address the updating of current legislation in the field of childhood and adolescence” within the National Strategy on the Prevention of Violence Against Children.[[4]](#footnote-4) These amendments would presumably not be enacted until 2019 at the earliest.

**2 Panama’s commitment to prohibit all corporal punishment of children**

* 1. The Government committed to enacting prohibition by accepting recommendations made during the Universal Periodic Review of Panama in 2010, and reiterated this commitment in 2015. Both the Committee Against Torture and the Committee on the Rights of Persons with Disabilities have issued recommendations in August 2017 to enact legislation explicitly prohibiting all corporal punishment of children in all settings.[[5]](#footnote-5)
	2. This provides additional context for the Government to enact a legal prohibition of all physical punishment in childrearing. A provision to that end must be included in the draft law on the rights of the child and enacted as a matter of priority.
	3. **We hope the Committee will remind the state party of its commitment and obligation to explicitly prohibit all corporal punishment of children in legislation and recommend that** **prohibition of all corporal punishment of children in all settings is included in the draft law on the rights of the child.**

*Updated briefing prepared by the Global Initiative to End All Corporal Punishment of Children*

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1. 7 July 2016, CRC/C/PAN/5-6, Fifth-sixth report, paras. 1-4 [↑](#footnote-ref-1)
2. 1 November 2017, CRC/C/PAN/Q/5-6/Add.1, Reply to List of issues, paras. 1 and 2 [↑](#footnote-ref-2)
3. See <http://ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21943&LangID=E>, accessed 21 August 2017 [↑](#footnote-ref-3)
4. 1 November 2017, CRC/C/PAN/Q/5-6/Add.1, Reply to List of issues, para. 34 [↑](#footnote-ref-4)
5. [August 2017], CAT/C/PAN/CO/4, Concluding observations on fourth report, Advance unedited version, in Spanish only, paras. 48 and 49; and 29 August 2017, CRPD/C/PAN/CO/1 Advance unedited version, Concluding observations on initial report, in Spanish only, paras. 22 and 23 [↑](#footnote-ref-5)