

PANAMA (Tier 2)

Panama is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Most Panamanian trafficking victims are exploited in sex trafficking in the country. The majority of foreign trafficking victims found in Panama are adult women from Colombia and, to a lesser extent, from neighboring Central American countries and the Dominican Republic. Most of these women migrate voluntarily to Panama to work, but are subsequently exploited in sex trafficking or in domestic servitude. In recent years, authorities have identified several East European women working in nightclubs as potential sex trafficking victims. NGOs report that some Panamanian children, mostly young girls, are subjected to domestic servitude in the country. Some Chinese men and women have been smuggled into the country to work in grocery stores and laundries, apparently in situations of debt bondage. There were reports that Nicaraguan migrants were also vulnerable to forced labor in Panama.

The Government of Panama does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the year, authorities convicted three sex trafficking offenders and launched a national anti-trafficking action plan. The government did not initiate any new trafficking prosecutions and the lack of police and victim care experts with specialized training hindered law enforcement efforts. Victim services and victim identification efforts remained inadequate; while two victims received shelter and other assistance, the majority of potential victims reported by authorities during the year were offered no specialized services or shelter after interacting with officials, leaving some to engage in prostitution for survival.

Recommendations for Panama: Increase funding for specialized victim services, particularly for adult victims, in partnership with civil society; ensure that identified victims are referred to appropriate services and shelters; intensify law enforcement efforts to investigate and prosecute both labor and sex trafficking crimes, and convict and sentence trafficking offenders, including officials complicit in trafficking offenses; strengthen government-provided training for police officers, prosecutors, immigration officials, social workers, and other government officials in anti-trafficking laws and victim identification and care; develop formal guidelines for identifying trafficking victims among vulnerable populations, particularly people in prostitution and migrant workers, to standardize victim identification and referral mechanisms; and strengthen interagency coordination mechanisms.

Prosecution

The Government of Panama convicted three sex trafficking offenders but did not initiate any new trafficking prosecutions during the year. It continued to investigate possible sex trafficking cases; however, there were no reported investigations of forced labor, and an ongoing prosecution of officials accused of trafficking complicity was dismissed. Panamanian law prohibits all forms of trafficking, with prescribed sentences ranging from six to 30 years' imprisonment, depending on the nature of the offense. These punishments are sufficiently stringent and commensurate with

those prescribed for other serious crimes, such as rape. Panamanian law also prohibits moving people for the purposes of prostitution and illegal adoption as forms of trafficking, offenses that are not considered trafficking under the 2000 UN TIP Protocol. Panamanian officials categorized cases of human trafficking that did not involve movement as different crimes, such as commercial sexual exploitation, and treated these differently than human trafficking cases involving movement.

During the reporting period, authorities reported investigating eight sex trafficking cases and no labor trafficking cases. The government initiated no new prosecutions, while three prosecutions for sex trafficking commenced in previous years continued during 2012. In January 2013 the government convicted three sex trafficking offenders in one case under commercial sexual exploitation statutes: these offenders were each sentenced to 72 months' imprisonment. The government convicted no labor trafficking offenders. During the previous reporting period, authorities prosecuted four sex trafficking offenders, but convicted none. There was no dedicated anti-trafficking police unit, and the organized crime prosecutorial unit continued to be responsible for investigating trafficking cases. The lack of systematic data collection for trafficking crimes remained an impediment to assessing anti-trafficking law enforcement efforts. A judge dismissed the prosecution of six former immigration officials for their roles in a possible forced labor case initiated in 2010; the dismissal remained under appeal. Some officials lacked understanding of human trafficking, thereby at times impeding law enforcement efforts, and some trafficking cases were categorized as other crimes with lesser penalties. In 2012 Panamanian authorities cooperated with international organizations and foreign governments to train judicial and immigration officials on human trafficking.

Protection

While authorities reported assisting two sex trafficking victims, the government failed to refer the vast majority of potential victims to victim services, raising serious concerns about victim identification and referral capacity. Authorities did not employ formal procedures for identifying trafficking victims among vulnerable populations, such as detained undocumented migrants and people in prostitution. Officials characterized 45 foreign women as potential sex trafficking victims, including 40 Colombian women in prostitution identified in one case after one victim escaped and identified herself as a victim to prosecutors. In comparison, Panamanian authorities reported identifying 80 potential trafficking victims in 2011 through law enforcement investigations. The government did not report how many children in prostitution it identified in 2012. Specialized services for trafficking victims remained inadequate, and authorities did not report funding NGOs to provide specialized services or shelter to victims or referring any potential victims to NGOs for care. Some NGOs received limited government funding for general operations, and NGOs reported identifying five victims during the year. In the absence of shelters for adults, authorities noted that they could house adult victims in hotels on an *ad hoc* basis, although they did not do so in practice during the year. In fact, after being identified as sex trafficking victims by authorities, a significant number of Colombian women remained in the lodging in which they were exploited and were reportedly locked inside for hours at a time by

police responsible for their security. Some engaged in prostitution after being identified due to the lack of support from the government for food or basic needs. Two sex trafficking victims were housed in a temporary government shelter for female victims of violence, including the self-identified victim who remained there for three weeks before being repatriated, as well as a pregnant woman.

There were no medical, psychological, or legal services provided to the majority of potential victims identified during the year, and there were no long-term services available to trafficking victims. Panamanian authorities encouraged victims to assist with the investigation and prosecution of trafficking offenders, although officials reported difficulties in obtaining victim participation in investigations and did not report how many victims did so in 2012. Panamanian law provided legal alternatives to the removal of foreign victims of trafficking to countries where they might face hardship or retribution; while the government did not report issuing any temporary resident permits for trafficking victims during the reporting period, it reported that two such permits were in process. Seven foreign sex trafficking victims were voluntarily repatriated, and in one case police officers paid out of their own pocket for some travel expenses. Trafficking victims were not known to have been penalized for unlawful acts committed as a direct result of being subjected to human trafficking. Due to the lack of victim identification guidelines, however, it was not clear that all foreign victims were identified before their deportation.

Prevention

During the reporting period, the Government of Panama strengthened efforts to prevent human trafficking through awareness activities and launching a national anti-trafficking plan. The five-year plan assigned different government entities responsibilities for increasing prosecution, protection, and prevention efforts. The government anti-trafficking commission met regularly during the reporting period; it reported conducting a month-long awareness campaign, as well as partnering with an airline to raise awareness. Child sex tourism is prohibited by law, though there were no reported investigations, prosecutions, or convictions of foreign tourists engaged in the commercial sexual exploitation of children in 2012. The government did not report other efforts to reduce the demand for commercial sex acts or for forced labor.