



USAID
FROM THE AMERICAN PEOPLE

Gender Assessment USAID/Panama



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GENDER ASSESSMENT

USAID/Panama

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Photo credit: Elisabeth Roos

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ACRONYMS

AECID	Agencia Española de Cooperación Internacional para el Desarrollo – Spanish Agency of International Cooperation for Development
ACP	<i>Autoridad del Canal de Panama</i> – Panama Canal Authority
ADS	USAID Automated Directives System
ANAM	<i>Autoridad Nacional del Ambiente</i> - National Authority for Environment
ANCON	Asociación Nacional para la Conservación de la Naturaleza – National Association for Nature Conservation
APLAFA	<i>Asociación Panameña para el Planeamiento de la Familia</i> –Panamanian Family Planning Association
AMPYME	<i>Autoridad de la Micro, Pequeña y Mediana Empresa</i>
CEDAW	Committee for the Elimination of All Forms of Discrimination against Women
CEDES	<i>Centro de Estudio para el Desarrollo Social</i> – Center for the Study of Social Development
CBO	Community Based Organization
CICH	Inter-institutional Commission of the Panama Canal Watershed
CONAMUIP	<i>Coordinadora Nacional de Mujeres Indígenas de Panama</i> –National Coordinating Group of the Indigenous Women of Panama
CSP	Country Strategy Plan
EU	European Union
FAO	Food and Agricultural Organization of the United Nations
FY	Fiscal Year
GBV	Gender Based Violence
HIV/AIDS	Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome
IIDH	Interamerican Institute for Human Rights
INAMU	<i>Instituto Nacional de Mujeres</i> – National Women’s Institute
MFS	<i>Manejo/Modelo Forestal Sostenible</i> - Sustainable Forest Management/Model
MIDA	<i>Ministerio de Desarrollo Agropecuario</i> - Ministry for Development of Agricultural and Animal husbandry
MIDES	<i>Ministerio de Desarrollo Social</i> – Ministry of Social Development
MIDUCA	<i>Ministerio de Educación</i> – Ministry of Education
MINSA	<i>Ministerio de Salud</i> – Ministry of Health
NATURA	NGO for Nature Conservation
NGO	Non-governmental Organization
PROSI	<i>Programa de Seguridad Integral</i> - Integrated Security Program
SME	Small and Medium Enterprises
REDD	<i>Reducción de Emisiones por Deforestación y Degradación</i>
REDCAMIF	<i>Red Centroamericano de Microfinanzas</i> – Central American Microfinance Network
REDPAMIF	<i>Red Panameña de Microfinanzas</i> – Panama Microfinance Network
UNFPA	United Nations Population Fund - <i>Fondo de Población de las Naciones Unidas</i>
UNICEF	United Nations Children’s Fund
UNIFEM	United Nations Development Fund for Women
USAID	<i>Agencia de los Estados Unidos para el Desarrollo Internacional</i> - United States Agency for International Development
VAW	Violence against Women
WHO	World Health Organization
WWF	<i>Fondo Mundial para la Naturaleza</i> - World Wildlife Fund

Executive Summary

The USAID programming process calls for gender analysis as a part of initial planning and design of the country strategy, assistance objectives, and programs. USAID/Panama is presently scaling up its portfolio to include activities not only in the environment and biodiversity as in the past but also in economic growth, democracy and governance, and youth. A new country strategy also will be developed during the next fiscal year.

Accordingly the Mission requested the preparation of this portfolio gender assessment, which includes analysis of existing programs and those under design, and an overview of the gender relations and concerns in the country. The report also provides recommendations for how to take account of gender roles and relations in the individual programs and for a Gender Plan of Action to build on-going gender mainstreaming into Mission operations. In USAID, gender analysis focuses on two principal questions:

1. How will the different roles and status of women and men within the community, political sphere, workplace, and household affect the work to be undertaken?
2. How will the anticipated results of the work affect women and men differently?

The field work for the assessment took place in April 2010.

The message that cuts across all sections of the report and all program areas is the relevance of gender roles and relations in the existing and new activities, and the importance of understanding these relations, incorporating them into the programs, and tracking them through gender-relevant indicators. Overall, gender analysis has not been a consistent part of the new project development, and the designs do not identify or monitor gender issues that may affect project implementation and results.

Gender considerations are present in the existing environment and biodiversity projects, as a part of the design and baseline for the new Sustainable Community Forestry in the Darien and in the participatory methodology of the Improved Management and Conservation through Critical Watersheds project, which is nearing completion. A key factor for implementing these considerations is gender analysis. The Watershed project has been successful in involving and empowering women in business development activities and local environmental management committees. The next step is to analyze and record the process that led to this success so that it can inform upcoming activities. The Community Forestry project calls for integration of gender considerations in all aspects of the project but for this to be effective it must be preceded by gender analysis in each of the communities where the project will operate. Information on gender roles and relations in the Darien, particularly in forest management, is limited and varies across ethnic and geographic groups.

The new USAID/Panama Youth-at-Risk activities are linked to and build on similar projects across Central America. These projects grew out of the concern with the growing influence and violence of youth gangs in the region, links to drug trafficking, and the threat to citizen security. In general, these projects have been focused on young men, with minimal attention

to the risks facing young women in the region and their links to youth gangs. Also, because gender relations have not been considered in the design of these programs the impact of domestic violence and child abuse in the lives of the “youth-at-risk,” as underlying causes of youth violence have not been incorporated into the activities. Recommendations focus on the need to take account of young women as youth-at-risk and include them in activities, to recognize gender relations as a factor in the targeted communities, and to focus on domestic and gender-based violence as part of the complex of community violence in the country.

The form and content of the democracy and governance program was unknown at the time of the gender assessment because the sector assessment team had just begun its work in country. The programs previously supported by USAID to increase the independence of the judiciary and support the new Criminal Procedures Code and the Criminal Code have strong support among women’s organizations, particularly because of their relevance to access to justice in cases of domestic and gender-based violence.

The European Union had funded the ten-year ProIgualdad program in Panama (1997-2006) to promote legal and institutional changes to move toward gender equality. Significant changes were achieved during this period. Since the end of the project and the most recent election, the women’s advocacy organizations have voiced concern about the internal cohesiveness of the women’s movement and the government’s antagonism toward civil society organizations. Today, these organizations are concentrating on building internal capacity and maintaining previous legal and institutional gains. The two primary gender/women’s issues identified in the assessment are domestic violence and gender-based violence against women, including *femicidio*, and women’s political participation. In spite of a 30% quota for both high level appointed positions in the government and women in elected positions, women’s representation continues to be very low under the current government.

The final projected area for USAID programming is in microfinance, with a focus on policy and an expanded menu of services and products for micro- and small enterprises. Worldwide micro-finance and micro-enterprise development have been identified as an important avenue for income generation and empowerment for poor women. In Panama, despite its status as an international banking center, the micro-finance system is underdeveloped and inadequate. Although information on the number and status of micro- and small enterprises is limited indications are that the demand for finance among women-owned businesses significantly exceeds supply. An analysis of both the barriers to finance specific to women as small entrepreneurs and of the types of services and products required should be included in the new project. Several other USAID projects, including youth-at-risk and community forestry anticipate the formation of women’s businesses as a positive result of project interventions.

Overall, significant legal and social gains toward gender equality have been recorded in Panama over the past 15 years, but gaps continue. In spite of higher levels of schooling and educational achievement among women than men, women are less likely to enter the labor force, are channeled into only a few sectors and stereotypically “women’s jobs,” are more likely than men to be unemployed, and earn less on average than employed men. Nearly half of women in the labor force work in the informal economy, with inadequate access to credit

and less access than men to land and other property. The most significant social issue in Panama is poverty and high levels of income inequality. Poverty is most prevalent in rural areas and particularly in the rural indigenous communities, where nearly everyone is classified as poor. While poverty affects the entire household, especially children, around the world increasingly poverty is a women's issue. Women's responsibility for household management and care of children, the elderly, and the sick grows as more of these tasks remain at home. Also, as the proportion of women who are heading households increases, more women provide the income as well as the care for their families.

Institutionally, the creation last year of the National Institute of Women (INAMU) as an autonomous government body with personnel, budget, and authority to implement policy was an important step forward and a potential resource for USAID in integrating gender considerations into its programs. The principal focus of INAMU is the implementation of the Law for Equality of Opportunity. An important impediment in the work of INAMU and others in dealing with women's issues is the lack of timely, accurate, and verifiable data about gender-related problems. Resources, personnel, and institutional commitment are needed to update and maintain the System of Indicators with a Gender Focus in Panama (SIEGPA) created by an Executive Decree in 2002.

In addition to the recommendations for gender integration in each Mission program area, the assessment also outlines recommended steps to create a Gender Plan of Action for the Mission, including actions at the Mission level, such as creation and promulgation of a Mission policy statement on gender, and at the level of each Assistance Objective. A particularly important recommendation, based on the relatively low level of knowledge and understanding within the Mission about the USAID gender policy and programming requirements, is to host an extended Mission-wide training and technical assistance session in the near future, after Mission staffing is complete, as a prelude to the country strategy development.

I. INTRODUCTION

USAID/Panama intends to draft a new five-year Country Strategy in the next Fiscal Year, reflecting the current significant increase in the breadth of its portfolio. This gender assessment will provide background for the new strategy. Because the portfolio is expanding, most of the programs are in design or just beginning. The assessment provides an overview of key gender issues and constraints in the new program areas, general background on the status of women and gender-related concerns and resources in the country, and recommendations for a Mission gender plan of action as guidance for the integration of gender considerations into the new activity designs, procurements, and implementation.

USAID has articulated an explicit policy to promote gender equality and guidance for gender integration throughout the programming process. This gender assessment provides broad parameters and recommendations for gender integration in each program area, but additional concrete and specific analyses and actions may be required as each project advances. Gender analysis and integration in USAID programs focus on two main questions:

1. How will the different roles and status of women and men within the community, political sphere, workplace, and household affect the work to be undertaken? (How will gender roles and status affect project implementation and results?)
2. How will the anticipated results of the work affect women and men differently? (What affect will the project have in terms of gender equality?)

USAID/Panama was designated as a close-out mission in 2008, and programming was reduced to environmental projects to protect the rich biodiversity of the country and effectively manage the watershed for the canal. Looking forward, however, during the current fiscal year and the next, the mission will be operating in five program areas, including the environment, youth-at-risk, local governance, judicial reform, and microfinance. The only projects on-the-ground today, however, are two biodiversity projects, one in the canal watershed, ending this fiscal year, and one in the Darien for community forestry that was signed in January 2010. The two projects for youth-at-risk and local governance are expected to begin implementation in the next few months, while the judicial reform, microfinance, and global climate change activities are in the initial stages of design.

Gender relations and the relative status of women and men affect the definition of results and implementation in each of the five program areas. The task of this assessment is to identify these issues, discuss the extent and effectiveness of attention to these issues under current activities and make recommendations for future activities. While, for the purposes of the

assessment, the various program areas are discussed separately, it is important to recognize the strong interrelationships among them. Gender is a cross-cutting variable and issues of the environment or citizen security cannot be separated from economic empowerment or access to justice, and gender-based violence.

USAID/Panama carried out a similar gender assessment in 2004 for the current country strategy, including a gender plan of action for the mission. The mission reported only minimal impact of these recommendations for the current programs, e.g. gender statements in solicitation documents and disaggregation of participation indicators. The downsizing of the



mission in the intervening years and staff turnover, as well as a major shift in the direction of programming minimized the importance of the previous work. Most of the current staff was unaware of the 2004 document.

The present assessment was conducted by a team of three consultants: Virginia Lambert (Washington, D.C.), Elisabeth Roos (resident of Veraguas), and Silma Pinilla (Panama City).

Information was collected through the review of background documents (from the USAID mission, NGOs, other donors, and government agencies), interviews with key informants from government agencies, NGOs, and donor organizations, and a short-field trip to the Darien province to visit field offices, local organizations, and communities in Santa Fe and Meteti. Field work and interviews were completed over a two-week period in April 2010.

Only a fraction of the materials and information collected during this time are reflected in this short report. As the programming process moves forward in the Mission the two members of the team resident in Panama could be valuable resources to be tapped for additional project-specific analysis or technical assistance with design issues or indicators.

II. GENDER IN USAID

In its Automated Directives System (ADS), USAID has set out specific requirements to ensure that appropriate consideration is given to gender as a factor in development. The newly revised Series 200 and 300 (revised 11/5/2009) include guidance on the procedures for gender integration in project design, implementation, monitoring, evaluation, and

procurement criteria (ADS Series 300, Acquisition & Assistance). The guidance also includes a statement of USAID policy on gender equality.

“...the United States Agency for International Development (USAID) is striving deliberately to promote gender equality, in which both men and women have equal opportunity to benefit from and contribute to economic, social, cultural and political development, enjoy socially valued resources and rewards; and realize their human rights.”¹

The integration of gender considerations in development entails an understanding of the relationship between men and women in society in terms of the roles they play, which are both different and interdependent, and of the relationships of power between them and their differential access to resources. Both aspects of this relationship are important in applying gender analysis to development: different but interdependent roles, and relations of power and access to resources between men and women.

Gender is a social construct that refers to relations between the sexes, based on their relative roles. It encompasses the economic, political, and socio-cultural attributes, constraints and opportunities associated with being male or female. As a social construct, gender varies across cultures, is dynamic and open to change over time.²

In order to assure that USAID assistance makes the optimal possible contribution to gender equality in developing strategic plans, AO and IRs, Operating Units must consider the following two questions: How will the different roles and status of women and men affect the work to be undertaken? How will the anticipated results of the work affect women and men differently? (ADS 201.3.9.3). The point is to look for the implications of any program or policy for men and women and to incorporate the needs and experiences of women and men as an integral part of the program design, implementation, and monitoring.

Gender integration usually – but not always – involves a focus on women because women almost always are in a subordinate position in society. USAID pays attention to gender not only because gender affects program results, but also to promote gender equality and empowerment of women.

Gender integration is a process of analyzing potential inequalities and differences between men and women and then making decisions about how to adjust programs so that they benefit both sexes. These are strategies for making women’s and men’s needs and experiences a central part of overall strategic planning, development of Assistance Objectives, program design, implementation and evaluation.

¹ ADS 201.3.9.3

² ADS 201.3.9.3.

Gender analysis is the process used to identify, understand and describe gender differences and the impact of gender inequalities on a specific program at the country level or project level. Gender analysis is a required element of strategic planning and project design and is a step to achieving gender integration.

These gender steps to conducting gender analysis include:

- Analyze sex-disaggregated data and information;
- Assess roles and responsibilities/division of labor;
- Consider access to and control over resources;
- Examine patterns of decision-making; and
- Examine the data using a gender perspective.³

USAID focuses on gender considerations throughout the programming process and specifically with respect to the following steps:

- **Program Planning: Assistance Objective.** “Accordingly, USAID planning in the development of strategic plans and AOs must take into account gender roles and relationships. Gender analysis can help guide long-term planning and ensure desired results are achieved. However, gender is not a separate topic to be analyzed and reported on in isolation. USAID’s gender mainstreaming approach requires that appropriate gender analysis be applied to the range of technical issues that are considered in the development of a given strategic plan, AOs, and activities.” And, “Conclusions of any gender analysis performed must be documented at the country strategic plan, AO, project, or activity approval stage.” (ADS 201.3.9.3)
- **Project and Activity Planning Step 2: Conduct Project-Level Analyses as Needed.**
“All projects and activities must consider gender issues in a manner consistent with the findings of any analytical work performed during development of the Mission’s long term plan or for activity design... the conclusion of any gender considerations should be documented in the Activity Approval Document. If the AO Team determines that gender is not a significant issue, this should be stated in the Activity Approval Document.” (ADS 201.3.11.6)
- **Reflecting Gender Issues in Performance Indicators.** “Performance management systems and evaluation at the AO and project or activity levels must include gender-sensitive indicators and sex-disaggregated data when the technical analyses supporting the AO, project, or activity to be undertaken demonstrate that:
 - a. The different roles and status of women and men affect the activities to be undertaken; and
 - b. The anticipated results of the work would affect women and men differently.

Gender-sensitive indicators would include information collected from samples of beneficiaries using qualitative and quantitative methodologies or looking at the

³ ADS Summary Guide to Gender Integration and Analysis. 11/5/2009

impact the project had on national, regional, or local policies, programs and practices that affect men and women.

Programs often affect men and women differently, and AO Teams should look for unintended consequences that may need to be addressed over the course of the project. (ADS 203.3.4.3)

- **As a Trigger for Evaluation.** AO Teams must conduct at least one evaluation aimed at understanding progress or lack thereof and the types of actions that need to be taken to improve performance ... In the course of implementing an AO, the following situation could serve as triggers for an evaluation:
 - Performance information indicates an unexpected result (positive or negative) that should be explained, such as unanticipated results affecting either men or women. (203.3.6.1)

- **Issuance of Requests for Proposals (RFPs, 302.3.5.15) and Requests for Assistance (RFAs and APSs, 303.3.6.3):**

The solicitation documents for both contracts and grants/cooperative agreements/APS have similar requirements for inclusion of gender considerations in the document.

 - USAID must address gender issues in all USAID-funded activities. For solicitations, the contracting Officer must ensure that the requiring office integrated gender issues in the procurement request or provided the rationale ... for why gender is not an issue for the particular activity to be implemented. AND:
 - When the procurement request integrates gender issues into the different contract performance components, the contracting officer must work with the technical office to ensure that the technical evaluation criteria correspond to these contract performance requirements.

The present report is a program-wide technical analysis and assessment intended as a basis to identify the dimensions and indicators of gender relations in each program area. It is not a stand-alone document. Gender integration requires gender analysis as a part of each sectoral assessment. This report constitutes only a baseline reference document highlighting major issues and considerations – a broad overview of the status of women in Panama. The analysis and recommendations can serve as an initial guide for the Mission to meet activity-level gender requirements, define indicators, and finalize a Gender Action Plan.

III. OVERVIEW – GENDER/WOMEN’S ISSUES IN PANAMA

The 2004 Gender Assessment for USAID/Panama stated that during the decade of the 1990s considerable progress was made in women’s rights at the political and institutional levels as a result of pressure from the women’s movement and support from the 10-year ProIgualdad program, funded by the European Union. With the conclusion of the project and shifts in the

political climate, activism on behalf of women's rights and gender equality has given way to a period of consolidation, implementation, and maintenance of previous achievements.⁴

Demographic Profile

Panama had a total estimated population of 3,395,346 people in July 2008, of which 49.6% were women. (INEC, Nov. 2009; see also annex 7.4). On average, Panama has 45 inhabitants per square kilometer. About half the population lives in the Panama City metropolitan area. In the areas where USAID works or intends to work, major differences in population density between across urban and rural areas are clear. All urban areas in Panama Province have a population density of over 230 people per square km, with San Miguelito being extremely densely populated with over 7000 people per square km. In contrast, the Darien hosts less than five people per square km.



The population is marked by ethnic and cultural diversity with sharp contrasts between the urban and rural population. About 30% of the population is rural. The indigenous peoples, composed of seven communities, account for approximately 10% of the national population including those residents of the *comarcas* and in rural and urban areas outside the *comarcas*.⁵ This diversity is reflected not only in wealth, level of living, and lifestyles but also in the cultural norms and in the definitions of the roles of men and women and the relationships of power and decision-making between them.



Historically, internal migration, permanent and seasonal, has followed economic opportunities. Two important flows reported today include young people seeking additional education who migrate temporarily from rural areas to Panama City to study, and people from the western provinces who move to the Darien and Colon for seasonal work.⁶ External migration and immigration have been roughly in balance since 2000 (pending new data from the 2010 census.) Observers report that immigration of refugees from the conflict in

⁴ IV Informe Nacional Clara Gonzalez *Situación de la Mujer en Panama* 2002-2007, page 26
2.

⁵ IV Informe Nacional Clara Gonzalez, *Situación de las mujeres en Panama*, 2002-2007

⁶ Peace Corps Volunteers survey, Jodianna Ringel, 2010

Colombia into the Darien has essentially stopped⁷. Immigration of retirees from the U.S. continues and is encouraged by the current immigration laws.

The average education of people in Panama in 2002 was 10.2 years in urban areas and 6.2 years in rural areas. As in most of Central America and the Caribbean, the rates of enrollment, completion, and average years of education are higher for girls than for boys, at all levels of schooling. Nearly two-thirds of the students enrolled in tertiary institutions (universities, etc.) are women. The exception to this pattern is the indigenous population in the *comarcas*. The average level of education is low and it is lower for girls than for boys.⁸ Many girls simply do not attend school at all. In the *comarcas*, illiteracy in 2002 was as high as 33% for the Embera and 38% for the Kuna Yala. The national rate was only 7.6%, meaning that for most of the country illiteracy is insignificant.⁹

Health statistics for the country as a whole, like education, reflect a level of development and services commensurate with an upper middle income country.¹⁰ Life expectancy (2005) was 77.7 years for women and 72.6 years for men. Life expectancy and the average age of the population is lower in rural than in urban areas, again as a reflection of the distribution of poverty. The rate of population growth has declined since 1990 (2.08%) to 1.7% in 2006, due to the decline in fertility rate during the same period. Most births are attended by a medical professional and nearly half of all women receive pre-natal control, with differences as expected between urban and rural areas. Maternal mortality rates have remained steady since 2002 at about 6.6 per 10,000 live births. The incidence of HIV/AIDS between 1984 and 2005 is 0.9%. A recent increase in cases of heterosexual transmission has contributed to infection among women more than men. The most vulnerable age group for both women and men is from 25 to 44 years old.

The high rate of adolescent pregnancy is a particular and growing concern that affects education, employment, and poverty. Although Law 29 from June 2002 guaranteed health and education access to pregnant teenage girls, the implementation has been ineffective. Only 54% of Panama's women use modern contraception (against for example 72% of the women in Costa Rica)¹¹ and teenage pregnancy rates are as high as 7.9% in 15 year olds and 29% in 19 year olds. Regular health check-ups for adolescents over the age of 10 are low, according to health center registries. Only 29.1% of pregnant adolescents receive prenatal care.¹²

Poverty and Access to Services

Despite impressive growth in Gross Domestic Product (GDP) between 2006 and 2008 (an average of 10.4%), and designation as an upper middle income country, Panama faces a

⁷ Interviews at IOM April 12, 2010; and CEALP April 15, 2010. (see contact list, annex 3)

⁸ Average years of schooling: Kuna Yala, men 5.9, women 3.7; Embera Wuanan, men 4.4, women 3.4; Ngobe Bugle, men 3.3, women 2.3. *IV Informe Nacional Clara Gonzalez Situación de la Mujer en Panama 2002-2007*, page 51

⁹ *IV Informe Nacional Clara Gonzalez, Situación de las mujeres en Panama, 2002-2007*

¹⁰ Health statistics are taken from *IV Informe Nacional Clara Gonzalez, Situación de las Mujeres in Panama, 2002-2007*.

¹¹ Save the Children – 2010 Mother's index ranking

¹² CEDAW/C/PAN/7, October 9, 2008

serious challenge of widespread poverty because of a highly skewed income distribution. Approximately a third of the population was living in poverty in 2008 and 14.4% contended with extreme poverty. Poverty is severe in the indigenous and rural areas where access to public services and economic opportunities are limited. In 2008, 96.3% of the indigenous population was poor and 84.8% were extremely poor.¹³ Although the distinction usually cited between the relative well-being in the cities and the poverty of rural areas, poverty also is increasing in the marginal urban zones and access to social services is limited economically and socially.

A part of the poverty in Panama, especially for the indigenous population in the *comarcas*, is related to isolation and a lack of access to public services, such as health and education. For example, in 2008, there were a total of 859 health installations (61 hospitals, 267 health centers and policlinics, and 531 health posts or sub-centers) in the country, and an average of 734 people per doctor. The *comarca* Kuna Yala has two hospitals, six health centers, 12 health posts, and 18 doctors. There are over 2000 Kuna people per doctor. The *comarca* Embera has only 16 health posts. In the Darien province there were 32 medical doctors in 2008 with an average of 1434 people per doctor.¹⁴

Labor Force Participation

According to the March 2008 - 2009 Household Survey,¹⁵ 62% of the men over age 15 are in the labor force, and 39% of the women. The proportion of men in the labor force is higher in rural than in urban areas but the reverse is true for women. In urban areas more than half (52%) of the adult women are either employed or unemployed (i.e., seeking employment). The unemployment rate for women (8.9%) is nearly twice the rate for men (4.7%). In addition, many women are under-employed in the informal sector through small informal businesses. Of all employed women in 2006, 47% were employed in the informal sector, without access to social security and retirement funds.¹⁶

In Panama as elsewhere in the region, the segmentation of work between men and women in the labor market and in the household is a major factor in determining their opportunities for employment and characteristics of work they do. Women tend to be concentrated in occupations considered to be “women’s work” (health, education, services, and commerce). At the same time, women are responsible for household and family care, meaning that they spend more time than men in unpaid work and that their total work burden is much greater than men’s.¹⁷ Women generally have fewer options than men in seeking paid employment because fewer jobs are open to them and they must accommodate their paid employment to the constraints of household tasks.

¹³ All statistics in this paragraph are taken from the World Bank Country Brief for Panama.

¹⁴ Source unavailable at time of publication

¹⁵ Encuesta de Hogares Marzo de 2008-2009, *Controlaría General de la Republica, Instituto Nacional de Estadísticas*.

¹⁶ IV Informe Clara Gonzalez, page 39

¹⁷ ECLAC Press Release, XI Regional Conference on Women in Latin America and the Caribbean, Brasilia, 13-16 July 2010 *Women’s Unpaid Work is an Obstacle to Their Achieving Full Equality*.

In the formal economy, half of the economically active non-indigenous population works in only four sectors: commerce, agriculture, construction, and manufacturing. These same four categories account for 62% of the men in the labor force, but only 34% of the women. About a fifth of women (21.5%) in the labor force work in commerce and 8% are employed in manufacturing. The other important categories for women are domestic work in other households (14%), education (9%) and hotels and restaurants (9%). These figures are illustrated in the graph below.

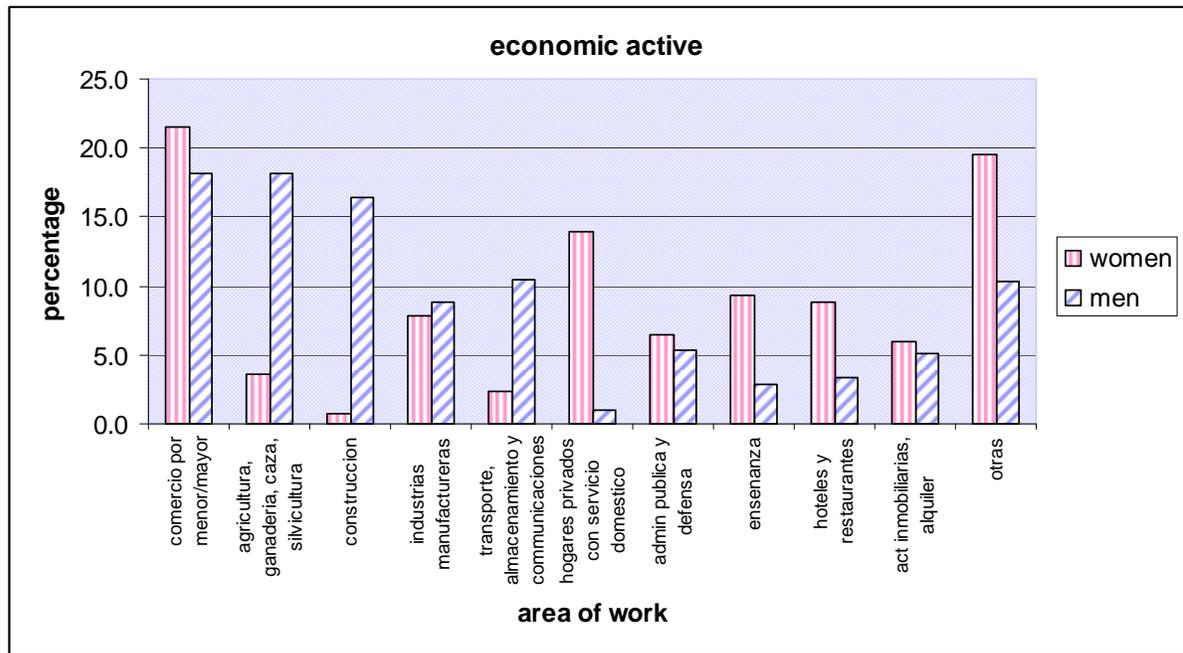


Figure 3.1: Economically active population by category and gender in 2008 (INEC)¹⁸

Another important fact about labor force participation, also duplicated throughout the region, is that in spite of higher levels of educational achievement among women than men, employed women on average earn less than employed men.¹⁹ In Panama in 2002,²⁰ the annual income per capita of employed women (B/1,675) was only about half that of employed men (B/3,004). In the region as a whole, in 2010, “the wage gap with men persists (79% of income for the same work), although this figure has declined by 10 percentage points since 1990.”²¹ Various factors may contribute to this gap depending on how it is measured but the overriding explanatory characteristic is the segmentation in the labor market.

By sector, most women work in services, while the distribution for men is much broader.

¹⁸ INEC *Panama en Cifras* 2009

¹⁹ ECLAC

²⁰ Clara Gonzalez, page 35

²¹ ECLAC

Agriculture is the most visible economic activity in rural areas, including the forestry plantations in the Darien and trade in timber products. Women working in the sector usually do not identify themselves as farmers but as housewives or in terms of other employment. Data on wood processing is available only for industrial production, omitting the large informal and sometimes illegal cutting of wood, especially in the Darien. Tourism is a rapidly growing sector in the economy. Many ministries are involved in promoting development of small and medium tourism businesses, but success in this arena requires extensive capacity building. Nine percent of the women in the labor force and three percent of the men work in hotels and restaurants. USAID and WWF have several positive examples of women playing a key role in environmental-friendly tourism businesses with contacts of larger traders seeking their product.



Priority Issues for Women and Gender

The priority issues related to gender in Panama reported in the 2004 Gender Assessment, in general, continue as key issues in 2010. The issues of poverty, labor force participation, and the earnings gap are directly and indirectly addressed by several of the USAID programs. The issues of domestic violence and gender-based violence (GBV), and civil and democratic participation have taken on greater importance in the ensuing years. In addition, the capacity to identify gender disparities and their effects and to define the parameters of the problems and appropriate responses is compromised by the inadequate sources of sex-disaggregated data across the board.

Gender-based Violence

The 2004 National Plan for the Prevention of and Services for Domestic Violence and Citizen Coexistence (*Convivencia Ciudadana*) focuses on five types of action: public education about domestic violence, prevention, detection, services, and rehabilitation. Activities include the training of corregidores/as, creation of the Access to Justice and Gender Unit of the Justice System, and the formation of a series of local networks for the prevention of and services for domestic violence. A national observatory for gender-based violence has been established in the *Defensoria del Pueblo* to coordinate and promote actions

of the various agencies involved in the prevention, adjudication, and services related to domestic violence, and to obtain reliable and verifiable data on the incidence of domestic and gender-based violence. (See Section 4.3 below.)

Two concerns are of particular relevance for USAID programs. The first is the link between violence against women/domestic violence and the broader issues of citizen security and youth violence. Several new UN projects are attempting to deal with this link, including *Ventana par la Construcción de la Paz*, an initiative of five UN agencies focused on citizen security, violence prevention, and human rights in support of achievement of the Millennium Development Goals. The second is the subject of *femicidio*, a widely publicized issue throughout Central America. *Femicidio* is defined as murder of a woman because of gender (i.e., because she is a woman). Estimates in Panama suggest that two-thirds of the murders of women (80 in 2009) are *femicidios*, the majority having been committed by the husband or other intimate partner.²² The focus is on eliminating *femicidio*, but also on clarifying the legal definition and penalties for these crimes.

Civil and Political Participation

Civil society organizations advocating on behalf of marginalized groups for human rights and democracy report that they are presently facing numerous constraints and no great advances are expected in the near future. Challenges to equality in the public sphere remain. For example:

- Many of the Offices of Women created and staffed in all Ministries under the ProIgualdad program have not survived. With the creation of INAMU, many ministries have disbanded or reduced the budget of these offices, assuming that the “women’s issue” will be centralized in the new Institute.
- Little progress has been made in correcting the under-representation of women in higher political and judicial positions, which by law should be at least 30%. Under the current government:
 - Nine percent of the seats in the legislature are held by women.
 - Three of 18 Ministries are headed by women, the Ministry of Education, Ministry of Labor and Labor Development, and the Ministry of Micro, Small and Medium Enterprises. Also only three of 17 Vice Ministers are women.
 - In the Supreme Court, all 12 judges are men. The one woman previously on the court was recently replaced by a man.

Despite a quota requiring that women make up 30% of each party’s candidates for elected office, as the following table demonstrates, little change has occurred in the number of women actually holding these positions. Particularly troubling is the 50% reduction in the number of women elected as *Diputados* in the most recent election.²³

²² *Ni una más! Del dicho al hecho: Cuanto fata por recorrer? Únete para poner fin a la violencia contra las mujeres.* Comisión Económica para América Latina y el Caribe (CEPAL) octubre de 2009.

²³ Table taken from *INFORME. Participación Política de la Mujeres Panameñas.* Elia López de Tulipano, Presidenta, Foro Nacional de Mujeres de Partidos Políticos. No date

Number of Men and Women in Elected Positions

Year/Position	1994		1999		2004		2009	
	Men	Women	Men	Women	Men	Women	Men	Women
Presidente	1	0	0	1	1	0	1	0
Diputados	65	6	64	7	66	12	65	6
Alcaldes	58	9	65	10	68	7	67	8
Representantes	456	55	528	61	558	61	557	64
Concejales	22	2	6	1	7	0	7	0
Parlacen	0	0	15	5	14	6	13	7
Total	602	72	678	85	714	86	709	85

- Women lack knowledge and understanding of their rights in areas such as justice, land, labor and credit. Access to institutions is limited, especially for women in rural areas because of lack of familiarity and cost.²⁴
 - For example, land titles are more often given to men than to women, and the average hectares is about 30% larger for men than for women.²⁵

Lack of Data

The absence of reliable, verifiable, and timely data and statistics to measure and track gender differences and issues is a significant impediment to policy formulation, program planning, and service provision. Without quantitative evidence of the differences between men and women in factors like property ownership, access to credit, school drop-outs, disease prevalence, or of the extent of gender-based violence it is not possible to demonstrate that problems exist or to analyze the causes, distribution, change over time, or impact of these differences on social well-being. Within the ProIgualdad program a first version of the Indicator System with a Gender Focus in Panama (SIEGPA) was set up and a network of government institutions was created (Decreto Ejecutivo 89, 2002) to report the data for the 400 indicators included in the system. The SIEGPA system was updated in 2006 for the *IV Informe Nacional 'Clara Gonzalez'*,²⁶ but it has languished since then because of a lack of compliance from the institutions responsible for collecting and reporting the data, and a shortage of personnel for the task.²⁷ INAMU has identified the updating of this system as a priority for the coming year, as recommended by the CEDAW Review Committee. The revision of the SIEGPA takes on additional significance with the new data that will become available through the 2010 national census. USAID could contribute to this task both by stressing its importance with partner organizations and ministries, and/or through project support.

Government and Laws

²⁴ Team interviews with CEASPA, April 13, 2010, CEALP April 15, and others. See contact list in Annex 2.

²⁵ *Dirección Nacional de Reforma Agraria*, MIDA. 2008 (*cifras de enero hasta abril de 2008*)

²⁶ *Contraloría General*, MIDES, AGEM, UNFPA. *Genero en la Estadística Nacional*. Panama 2008.

²⁷ In the past the INEC had a person to manage this system.

Even after the end of the ProIgualdad program significant positive changes have occurred in recent years including the reorganization of the Ministry of Youth, Children and Family (MINJUFA) in 2005 (Ley 29 of 1st of August), whereby the Ministry of Social Development (MIDES) was created. The previously established National Directorate for Women (DINAMU, 1997, Ley 42) within MIDES, was converted to an autonomous institute, the National Institute for Women (INAMU, Ley 71 of 23 December 2008) in 2009. The Millennium Development Goals, including the third objective focused on equality for women, were incorporate into the Social Agenda for the Government for 2009 – 2014. (Annex 7.3 provides a full list of recent legal and institutional changes.)

The national Institute for Women is a potential resource and partner for USAID. INAMU is an autonomous decentralized Institute with the authority and budget to implement national policy and programs to eliminate the causes of gender inequality. It has a staff of 40 including 10 technical specialists. The Director of INAMU is appointed by the President based on the recommendation of the *Consejo Nacional de la Mujer* (CONAMU, the National Women’s Council). The principal objective of INAMU is implementation of the Equal Opportunities Law (*Ley 4 de 1999, Igualdad de Oportunidades*). Its two broad-based priority program areas for 2010 are implementation of a National Plan against Domestic Violence, and education of the public about the Equal Opportunities Law. These programs have involved the establishment of local community networks for the prevention of domestic violence and provision of services (see annex 7.7), and a series of public meetings with grassroots organizations in all provinces about the Equal Opportunities Law and the process for implementation.



INAMU also provides direct services for women and children affected by domestic violence, including a shelter and legal assistance. In addition, INAMU has formed alliances with various government institutions to promote integration of gender concerns in the programs of those entities, including the Office of Women in each Ministry. INAMU is responsible for preparation and defense of the CEDAW report and the *Informe Nacional 'Clara Gonzalez' Situación de la Mujer en Panama*.

IV. USAID PROGRAMS

4.1 USAID Programs: Environment and Biodiversity

The environment and biodiversity programs of USAID/Panama are concentrated in two areas within the Panama portion of the Choco-Darien eco-region. These sites include the Canal Watershed (mainly the National Parks Soberania and Chagres), and some communities in the Cemaco District of the Embera-Wounaan Comarca and the three communities of the



Wargandi Comarca. The Panama portion of the Choco-Darien eco-region includes the western part of the Panama Canal Watershed through the border with Colombia (NB. The region extends through Colombia into Ecuador). This region is identified within USAID as a priority area for environmental activities that may impact on climate

change and nature conservation. The overall goal of sustainable management of natural forest resources for future generations involves both women and men.

Situational Analysis with Gender Perspective: important questions in the Darien

The biodiversity in the Choco-Darien region in Panama is still high (WWF, 2008), but despite many protected areas, the forests are being degraded and cut for timber. In the team's brief visit to the Darien, the severe degradation of forests and advanced deforestation were evident. In these areas water shortage is a direct consequence that affects the livelihoods of the people. Some blame the shortage on global climate change; others blame the cattle farmers or the teak industry. In effect, water shortage is the direct result of an increasing lack of tree coverage. Women are particularly affected because the reduced availability of water and firewood means more time is required in collection, reducing their time for other activities. Poor water quality also may affect health.

Gender inequality is a serious issue in the region and, although more research is needed, three important interlinked unresolved issues affect the environment, the population groups, and gender equality:

- land tenure: recognition of rights of communities, companies, and individuals
- land use: for protection, production, or extraction of resources
- water: policies for protection of water sources to guarantee access.

Although the law recognizes the indigenous territories Kuna Yala (law 2 from 16-2-1938 & 16 from 19-2-1953), Embera-Wounaan (law 22 from 8-11-1983), Madungandi Kuna (law 24 from 12-1-1996) and Wargandi Kuna (law 34 from 25-7-2000), many indigenous people live outside *comarcas*. In 2008, law 72 to collectively title land outside the *comarcas* was approved but the regulations have not been written yet. Several people interviewed in the field commented on this law saying that Embera-Wounaan communities as well as some Afro-descendant communities have requested collective land titles. However, they questioned whether such titles would prevent the invasion of their territories to extract resources. Sometimes such invasions are sanctioned by community leaders who accept contracts for extraction of resources without the full consent of the community, contributing to conflicts in the community and undermining of traditional values and roles.²⁸ For example, although the Embera Wounaan collectively manage their land, traditionally, the Embera Wounaan women have had the final say about the use of land. When a person or company requests land from the *cacique* (s)he must specify the reason, which is then to be discussed in a general meeting. If the women express objections these are honored as a kind of veto because their role, respected by the men, is to preserve the social relations and roles within the community. This role has not (yet) been recognized by current practice or law. Women are usually included as part of the community consultation but without reference to their specific community role.²⁹

The Afro-descendant communities, primarily located close to the sea and rivers, interact and relate with the indigenous communities, especially the Embera-Wounaan. There have even been inter-group marriages.³⁰ The cultural response to issues of deforestation and resources management are not clear for the Afro-descendant group. Although they are involved in timber logging for agriculture, the scale is still relatively small due to general access issues (transport by boat). The gender roles in this group are similar to the Latin-descendent immigrants, with a strong role for women related to cultural inheritance and dance. This status enables these women to be more visible in tourism projects.³¹

The Latin-descendent immigrants are the most recent residents of the region (beginning about 40 years ago) and have settled along the roads. The people are farmers from the western areas of Panama who initially sought seasonal labor or limited licenses or concessions in the timber industry, but later settled permanently. They have had and still have access to individually titled land for agriculture and animal husbandry. Land titles by custom have been given to the heads of household, who are usually men. The women, as housewives, have no formal property rights. These communities have increasing problems with water access because their region is deforested. There is no current clear overview or study on the various stakeholders' role in the deforestation, and particularly in term of the

²⁸ Team interviews with CONAMUIP, April 13, 2010; individuals in Arimae, April 17, 2010; WWF, April 2010

²⁹ Team interview with Mileika Gonzalez, ANCON Sociologist. April 15, 2010

³⁰ Mileika Gonzalez, ANCON Sociologist

³¹ ANAM, Meteti

involvement of women, although a small book *Your Pocket Darien* (2007)³² describes the history of logging in the region as centuries old.

Besides the timber logging in all forms from the forests, in and outside national parks, reserves and *comarcas*, the extraction of resources by large companies is increasing in the Darien. Further, as resources (both wood and gold) have diminished in some areas, large forest plantation companies also are entering the region. These companies have received assistance from the government to promote economic development. They buy large tracts of land, causing an increase in land value and a demand for labor, mostly for men for the field work although women are involved in the nurseries. At least one company with a 5000 ha of teak plantation, reported that it has had to “import” labor from the Ngobe Bugle Indians, in western Panama. Although tree plantations assist in the tree cover, they are essentially monocultures, primarily teak, originally from Asia. They do not assist the biodiversity and are wrongly denominated as reforestation.

Like the timber industry, re-forestation and forest management projects also appear to focus on the economic roles of men. In the Darien, we found no recent detailed study of forest inventory highlighting the different resource plants that women use, for example. Plants for handicrafts are also diminishing with deforestation, but since palms, including the *Tagua* (carved mostly by men), take a long time to germinate and require more investment they often are ignored by small nurseries. Biologically and in response to climate change, a lot of attention is given to the canopy cover, which is not substantially altered by the extraction of palms. Attention to non-timber forest products is relatively new and is most related to the roles of indigenous women (basketry, coloring for baskets, food gathering), in comparison to timber products generally exploited by men (carving, sale of wood). A forest inventory is a demanding task and women are rarely involved. Participatory group discussions with women about the forest plants and products they use seem not to be a standard part of any forest inventory.

USAID PROJECTS

Regional Environment Program

The environment program for the Choco-Darien region, to be managed by USAID missions in Panama, Colombia, and Ecuador, is still at a very preliminary stage and is not addressed in this assessment. The World Wildlife Foundation (WWF) has produced a detailed analysis of the region from Panama to Ecuador (WWF 2008), focused principally on the value of biological diversity of the region for the world. The value for the local people is addressed in a section on socio-economy, but virtually no attention is given to the roles of men and women related to the use of the natural resources.

³² Chang Jordan, J. 2007 *Your Pocket Darien En su Bolsito*. Printed as part of the Project Local Capacity Building and Strengthening for Self Managed Tourism in La Palma and El Real, Darien Province. September 2007.

Improved Management and Conservation through Critical Watersheds

The Panama Canal Watershed (PCW) is one of the most important economic resources for the country as well as an important source of drinking water and electricity. USAID has funded and co-funded several programs in the PCW area. The current program, implemented by IRG, is scheduled to end at the end of FY2010. The project has demonstrated positive results in both overall program objectives and gender integration because the methodology of the program was centered on participation. Even without an explicit focus on gender integration or reporting on gender indicators, the involvement of women in community organizations and enterprise development has been significant.

For example, one result of the program is the network *Cadena Verde*, a chain of eight nurseries that now operate as a business network and a union. Most of these nurseries are exclusively or majority owned and operated by women. The USAID project has facilitated several contracts for the nurseries and last year the network produced and sold 150,000 trees. Most of the production of the nurseries is based on market demand. One major client is the Panama Canal Authority (ACP) assuring a biodiversity in the production for their restoration of natural vegetation in the watershed as compensation of forest lost due to road development and canal works. However, other clients mostly demand timber trees, such as *Dipterix panamensis* and the *Caoba Africana* (non-indigenous), and ornamental plants. In total, the nurseries have about 80 different species, including some palms (both exotic and native) and fruit trees. In the three years since this activity began, these *Latina* women have evolved both economically and socially, from housewives to business women who are articulate and eager to communicate to others what they have learned. In Salamanca, plans are underway to develop a learning center for the network, with links to the Ministry of Education.³³

IRG's participatory approach has resulted in a higher than expected involvement of women with micro-businesses that use natural resources as an asset such as tourism and handicraft production (baskets). Also, the sub-watershed management councils, established by the project and officially recognized by the ACP, which is expected to provide funds to implement their action plans, have had above average participation and leadership by women.³⁴

Given the unplanned and unanticipated positive results in women's participation and gender integration it is recommended that the final project report include an analysis of the factors that contributed to these results and the potential for replicating this experience in upcoming community-based biodiversity and forest management project. Suggested Terms of Reference for this end-of-project review are included in Annex 7.6.

Sustainable Community Forestry in the Darien

³³ Telephone interview with two of the Cadena Verde managers, April 27, 2010

³⁴ Interview with IRG chief of party, Luis Costaneda, April 13, 2010; and review of quarterly reports.

The design for the new USAID biodiversity conservation program in the Darien includes requirements for a gender baseline assessment and strategy, including indicators to be monitored in project implementation. Chemonics International Inc, the prime contractor, is currently planning for these studies.

Recognizing that the extreme poverty and lack of economic opportunities in the *comarcas* of the Darien are the foundation for much of the forest degradation, unsustainable resource use and engagement in illegal activities, the project is focused on improving natural resource management practices in the communities and ecosystems to protect and conserve biodiversity, and on improving livelihoods, through improved forest and agricultural market access and alternative agricultural opportunities.

A land use plan for the target areas will be the basis for developing forest management plans to protect critical ecosystems and promote eco-friendly activities. The expected outcomes are 40,000 hectares under improved management and 300 indigenous people trained in sustainable forest and natural resources management. The agro-forestry component will create at least two public/private alliances and generate revenue for the target communities.



The project scope of work mandates targets for women's involvement in these activities, without a clear understanding of the gender-based division of labor in the communities, and role of men and women in producing and managing household income. The task of the baseline gender assessment is to define these relationships and their relevance for ensuring the participation and benefit of the project for women as well as men. For example, the baseline should collect people-level sex disaggregated data for the forest inventory - who uses what and to whose or what benefit - before potential markets are identified. The experience with involvement of women in enterprise development, income generation, and community leadership in the canal watershed activities may provide methodologies that can be adapted to the Darien setting.

Experience of Other Organizations in the Region with Gender and Environment

WWF, with the National Authority for Environment (ANAM) and the local communities has designed and implemented sustainable forestry management models and plans in the Darien, and a WWF sociologist (Clelia Mazua) is assigned in the Darien for on-going work with the communities. The communities have established businesses for the sustainable extraction of

timber and signed agreements with timber companies. However, at least one timber company involved, did not renew the contract as they found the sustainable extraction too labor intensive and expensive in terms of logistics. The WWF programs now focus on training and equipping the communities to do the initial extraction and transport, with later sale to the timber companies. In general, in the timber-related industry the men are in control, but the community sustainable forestry management committees sometimes include women.

ANAM, in 2002, developed a strategy to incorporate a gender perspective in the institution, with the support of the ProIgualdad Project. The effort floundered, however, after the project ended and currently, ANAM has only three gender specialists, operating from the Department of *Fomento de Cultura Ambiental*. Although ANAM has many women on the staff, the offices in the rural areas are rarely staffed by women, and it is a continuing challenge to assure participation and visibility of women in the consultative committees that decide about use of environmental resources. Both internal conversations at ANAM and discussions with NGOs voiced concern and disappointment about attention to gender issues in the work of the institution. Most data and indicators of the sector are neither disaggregated by sex nor people-oriented. The model for sustainable forestry is extensive and inclusive but more technical than social.

Finally, *Fundacion Natura* administers projects under the Ecological Trust Fund of Panama (FIDECO, *Fideicomiso Ecologico de Panama*). This fund was established in 1995 with initial capital of US\$25 million dollars, based on donations from the Government of Panama, USAID, and the Nature Conservancy. In 2008, FIDECO funded a consultancy for the design and implementation of integrated information system and subprogram management (SIAP), but no information on gender is included in this tool.³⁵

Conclusion

The USAID biodiversity projects in the canal watershed and the Darien have incorporated a gender perspective, in terms of participation in the watershed project and in terms of planning and analysis in the Darien Project. ANAM and MIDA give minimal attention to gender, but the NGOs active in these regions, including WWF, ANCON, and *Fundacion Natura*, have a strong social component, including gender, in their work.

Possible Environmental Gender Indicators

With regard to the environmental conservation and sustainable forestry management programs possible indicators include:

- Information gathering with women's groups to list the natural resources that they use and whether any of these are now less common in the degraded forest.
- From these lists in different areas compare and check with the women the value for household livelihood or community services.

³⁵ *Memoria, Fundación Natura Panama*. June 2005 – December 2008.

- Ensure that access and control over these resources is guaranteed and stimulated for economic development with the program's actions.

Specific Indicators:

- Increased diversity of plants in local nurseries that are typically in use by the women for the household or the community (measure number of species and % compared to the priority list of the women)
 - Decreased exotic plant cover in plantations / Increased indigenous plant cover in plantations
- Number of gender specific reports/studies on environmental issues
- Verify and increase signatures on (community) land title papers and contracts with businesses for the decision-making involvement of women.

Other possible Environmental Gender Indicators are best developed in a training workshop (by sector or project), including discussion of the methodology to obtain the supporting data. For an overview of such training see Annex 7.8.

Recommendations

1. Indicators depend on information and each program must have adequate resources for collection and analysis of gender-specific information. Information must also reach women and it is therefore essential to specifically advise women on the dates and times of meetings and to verify with them whether these are convenient for them, before confirming the meeting with male community leaders. When working with the indigenous communities, the community representative to the *Coordinadora Nacional de Mujeres Indigenas de Panama* (CONAMUIP) may assist in gaining access to women leaders and women's groups in the community. (See Contacts, annex 7.3.)

2. Some studies of gender relations in the Darien are available through WWF and ANCON and the University of Panama in Chepo. USAID could support additional gender studies for specific communities in the program areas:

- The end of project report for the Canal Watershed Project should include an analysis of gender relations and impacts.
- The design for the Choco-Darien Environment program should incorporate gender analysis, and draw on background materials cited above.
- Recognize in USAID programs and policies that the traditional knowledge and the role of women from indigenous and rural communities is critical to environmental stewardship and conservation. Social indicators including gender indicators should supplement the biodiversity and forestry indicators in the PMPs.
- A closer verification and collaboration with the forestry schools in the Darien could reveal and enhance knowledge on gender roles in forestry and resource use.

3. A major gender constraint in the Darien area is access and control over land. It is important to examine the gender impact of collective land titles compared to individual land

titles. This should include a stakeholder analysis of all groups and individuals interested in land, land use (socio-economic) and forestry resources.

- USAID projects should assist the indigenous groups with funding for regularization of collective titles and the definition of the sustainable land use as intended under the law 72 (23.12.2008). In general, these communities do not solicit individual titles as their use of land is often communal. Involvement of experienced NGOs could be sought to ensure women's involvement in the relevant committee. Provincial support also is needed, since the request for extension of indigenous land outside the *comarcas* is usually due to conflicts with other groups claiming or invading the same land.
- Recognize that women's access to land and resources requires special attention, both for environmental conservation and in development of sustainable enterprises.

4. Commit adequate resources and support to relevant ministries and institutions to fully implement the laws that conserve the natural areas while at the same time ensuring equal access and control in the use of natural resources for the indigenous people, especially the women. Develop, or support the development (in partnership with civil society partners) of practices and policies to ensure gender equality in relation to land rights, water rights and other gender specific resources used by the communities, through education, legal advocacy and other means. Women and men should be included in every phase of environmental management and especially when and where conflicts might occur.

4.2 USAID Programs: Youth-at-Risk

The 2009-10 Human Development Report for Central America, *Abrir Espacios a la Seguridad Ciudadana y el Desarrollo Humano*³⁶, highlights day-to-day security as a central concern of citizens throughout Central America and a constraint on human development. While the statistics indicate lower indices of violence and victimization in Panama than in the rest of the region, crime is widely perceived as a growing problem (Cruz 2009), and this perception alone affects governance, confidence in the government, and willingness to invest.

The new activities of USAID/Panama in response to this growing problem (the Community Youth-at-Risk Program, funded under the Merida Initiative, and the 1207-funded, Supporting Local Governance and At-Risk Youth in the Darien), focus on security issues associated with youth, and particularly youth who are vulnerable to becoming involved in criminal and violent activities such as gangs and drug trafficking. As in other parts of Central America, this focus on youth violence tends to be translated into attention to young men - to the exclusion of young women, and with minimal recognition of the importance of gender relations and gender roles in defining and countering the risk environment.

³⁶ Informe sobre Desarrollo Humano para América Central 2009-2010, PNUD, Bogotá, Colombia, October 2009

Young people, ages 15 to 29, make up approximately 25 percent of the population. Most live in urban areas (66.3%), and are single and living with parents (60.6%). Only 5.6% are married. More than half (56.9%) are in the labor force (2007); 12.6% of this group are unemployed and actively seeking work. Young men are more likely to enter the labor force than young women but women are much more likely to be unemployed (17.6% for women; 9.6% for men).³⁷ Young people also account for 57% of the homicide victims; likewise, young women are the primary victims of gender-based violence against women.³⁸

The increase in crime in Panama is widely attributed to drug trafficking and to the spillover effects of the civil war in Colombia. The increase tends to be localized in crowded urban areas and the Darien. Youth in these areas, faced with poor living conditions and few opportunities for jobs and education, are particularly vulnerable to the attraction of illicit activities and youth gangs. Among young women, adolescent pregnancy is a continuing and growing concern. Early pregnancy not only presents health risks but also effectively terminates access to schooling and cuts off opportunities for employment and social interaction. Whereas the overall birth rate in Panama is declining, the rate of adolescent births continues to grow, particularly in poor urban neighborhoods.³⁹ Today nearly a fifth of all births are to adolescent mothers (ages 10-19). The rate of pregnancy among 15 year olds is 7.9%, and it increases steadily to 29.5% in girls at age 19. The Darien had an adolescent pregnancy rate of 32.9 % in 2006.⁴⁰



The largest program for urban at-risk youth is the *Programa de Seguridad Integral* (PROSI- the Integrated Security Program, funded by the InterAmerican Development Bank) in the Ministry of Government and Justice, which started in 2006 and is operating in many

of the same locations as the new USAID program. In addition, at least 100 NGOs⁴¹ have activities directed to youth-at-risk in the cities, although most are relatively small scale and probably not sustainable, with little interaction to share resources and lessons learned.

³⁷ Juventud en Cifras 2008, MIDES

³⁸ *Ibid*

³⁹ IV Informe Nacional Clara Gonzalez. Situación de la Mujer en Panama 2002-2007. Ministerio de Desarrollo Social, Dirección Nacional de la Mujer. Panama 2008

⁴⁰ http://www.who.int/making_pregnancy_safer/events/2008/mdg5/countries/final_cp_panama_18_09_09.pdf.

⁴¹ Cited in USAID project solicitation document, RFP52FP-10-005, December 2009

The PROSI project has focused on infrastructure in the past (e.g., recreational facilities) but the vision for future programming includes a more holistic, community-based, behavioral approach to prevention of youth violence and provision of services for re-integration of youth who already have engaged in criminal acts. The project would incorporate both governmental and non-governmental organizations in the community.

Within the context of programs for youth-at-risk no programs were identified for young women, despite the documented risks and needs for young women to stay in school, avoid early pregnancy, and have access to non-exploitative employment opportunities, information, and leadership training. The possible exception may be the activities of APLAFA (*Asociacion Panamena para el Planeamiento de la Familia*, Panamanian Family Planning Association) directed to sexual and reproductive health. Also, UNFPA/Panama is now starting a small activity with PROSI related to the link between domestic violence and youth violence.⁴²

Gender considerations are important to the results and the impact of youth-at-risk programs on three levels. First, youth violence and participation in risky behavior is intimately linked to domestic violence. Although reliable statistics are not available to confirm this relationship quantitatively, across Central America organizations working with young people in urban areas report that youth involved in gangs and other criminal activities consistently refer to a background of domestic violence in their families. Violence against women in the household as well as childhood abuse are key factors in the risk environment for young people. One implication of this observation is that to effectively counter youth violence and address the causes of their behavior, attention needs to be directed to gender-based violence and domestic violence. A second implication is that violent behavior learned at home is likely to be reproduced in the relations between young men and young women, in a repeating cycle of violence and abuse. A significant component of the new USAID project in these terms is the plan to work with the parents of the young people in the program as well as with the young people themselves, to address these cross-generational factors.

Second, gender relations need to be taken into account in community-based programming for at-risk youth because the community-level actors and decision-makers in the poor urban barrios targeted by these projects are often women. The high proportion of female-headed households and the fact that women are more likely than men to remain in the community during the day, as well as the role of women in the provision of basic social services in the communities (teachers, health workers, etc.) mean that neighborhood committees, and government and NGO roles are dominated by women. The norms and expectations about how women should behave and how they interact with men in terms of decision-making and

⁴². The *Agenda Joven de Panama* (2009) – supported by CEDES and UNFPA. This set out the priorities young people in Panama have articulated for themselves. The agenda makes clear the importance of including both young men and young women at all levels and particularly in developing the leadership and direction for the future. An important lesson from this agenda is that effective programs should include youth themselves (women and men) in identifying problems and solutions and setting priorities. Youth-at-risk programs tend to be designed and implemented *for* youth rather than *with* them.

actions are likely to come into play in community activities. Understanding gender roles and gender-based constraints on decision-making is needed for effective project implementation.

Third, focusing only on young men ignores the risks faced by young women and the involvement of young women in the breakdown of citizen security. Young women and adolescent girls at risk are often hidden, inside homes as domestic workers, commercial sex workers, and adolescent mothers. Further, the experience with youth gangs elsewhere in Central America has shown that girls are intricately involved in many gang-related activities, as sisters, girl friends, and collaborators with the core male members. Again, the high rates of violence to which young women are subjected reflect this involvement. Looking beyond the immediate issues of security in the community to the perpetuation of crime and violence, these young women are also primarily responsible for socializing the next generation of community residents, and transmitting their values and roles to their children.

The same general observations apply to the planned USAID youth activities in the Darien. The focus is on young men and their risk for engaging in violent and criminal behavior to the exclusion of young women, and this omission affects the implementation of the project and the expected results. In addition, the issues linked to gender relations, and the implications for young women and men are the same as in the cities, with two important caveats. Because gender is a part of culture, the gender roles and relations vary across the four major cultural groups in the Darien, and the approaches and programs to reach youth (men and women) must be tailored to the particular group. Very little is known about the lives of young women in the remote rural communities, and any activity should begin with a local gender baseline assessment. Young women are even less visible in the remote rural communities and the indigenous *comarcas* than in the cities. While observers report that young men seem to “hang around” without anything to do, the young women are kept inside the home.

The few available studies about young women suggest high levels of abuse, early marriage and childbearing (as young as age 10), commercial sexual exploitation at a very early age, and reported abuse by police and teachers, often with the consent or collaboration of the father and/or the *cacique*. Most young women are not able to attend school beyond the primary grades because there are no schools near their communities. To continue in school, they must leave their communities and often, the Darien. One observer noted that to support themselves in this move, girls may seek a “*papi*” in the city. A specific issue affecting primarily young women (although not exclusively) is trafficking from the Darien to other parts of the country for commercial sex. The Darien also has been identified as an entry point for persons trafficked from outside Panama for commercial sex and forced labor. No reliable statistics are available on the extent of either practice. It is likely that for many entering from other countries, Panama is merely a transit point to the US or Canada. The more documented “trafficking” is the abuse of young women in the Darien by the police and other authority figures.⁴³

⁴³ Clara Gonzalez report; interviews with Juana Comarca, April 15, 2010; and Nichma Villarreal April 18, 2010.

Recommendations:

Community Youth- at-Risk

1. Provide training for all project staff in gender awareness and domestic violence. The anticipated work with the parents of young people and the entire family unit is an important component of the project to begin to approach the link between domestic violence and youth violence, and an understanding of gender relations is essential to this work. Workshops to train parents, and especially mothers, how to speak with their children on topics, such as AIDS, gangs, and pregnancy have been used as an effective tool in some instances.
2. Consider a possible alliance with INAMU to link the activities of the community youth program with the INAMU community networks against domestic violence (*Redes Locales Contra la Violencia Domestica*), some of which are located in the same communities as the Youth-at-Risk program. (See annex 7.5 for a summary about the model in use by INAMU – in Spanish.)
3. Include discussions of gender roles and relations, especially masculinity, as a part of all youth training. The topic should be addressed with both young men and young women, with particular attention to power relations and violence as well as self-esteem and respect. The *Defensoria del Pueblo, Oficina de Proteccion de los Derechos de las Mujeres*, (the Human Rights Ombudsman, Office for Protection of the Rights of Women) has experience with this type of training and could serve as a resource for trainers and materials. INAMU also has done some work in this area.
4. In seeking community involvement and collaboration, ensure that both men and women from the community are active and that young people, male and female are a part of all planning. Broad-based representative participation not only contributes to the holistic approach but also may serve as a forum to begin to discuss and resolve the diverse, often gender-related, conceptions of the community and its dangers.
5. To increase overall awareness of gender roles as a factor in the program provide gender awareness training for all project staff of the implementing organizations. To the extent possible, include evidence of gender awareness as a factor in the selection of NGOs to receive small grants.
6. Ensure that all communication materials produced under the project – radio programming, website – are unbiased and reach all young people. Have all materials reviewed by a gender analyst to ensure not only the lack of bias in the materials but also relevance for young women as well as young men.
7. Leadership training should be made available to young women as well as young men. The training should be designed with an eye toward gender roles and relations and the resulting barriers faced by men and women.

8. The project anticipates engagement with community police. There is a perception, often repeated, that the police are involved in sexual exploitation of young women and that they are often identified with domestic violence. Training with the police and other authorities should include gender awareness training. The current work of AECID in this area may serve as a point of reference and assistance.

Supporting Local Governance and At-Risk Youth in the Darien (1207)

1. First and foremost, gender considerations should be incorporated into all assessments - community assessments and the at-risk youth assessment. Given the lack of location-specific information about gender roles in the Darien communities, the primary guidance is that the assessments include both men and women as informants, and that the assessment teams include a gender analyst to specifically identify the mechanisms and patterns of women's participation in community structures. The gender analyst also should focus on adolescent girls to understand where they are, what they do, the risks and barriers they face, and the resources available to them.

2. Use the information from the assessment to ensure that women are incorporated into the community-based organizations as active participants and contributors to community decision-making. The legitimacy of these organizations will increase to the extent that the entire community, male and female, is engaged in the activities, and that the activities (through small grants) reflect their interests. Women's involvement in decision-making may be particularly important in matters related to youth, and for income-generating activities.

3. Take account of the risks faced by young women as well as young men in the design of activities to provide increased opportunities for youth in education, income generation, personal safety and security.

4. As in the urban project, given the perceived involvement of authority figures, especially the police, in exploitative sexual activities with young women, efforts to strengthen their capacity to provide security and legitimacy in the region should include gender awareness and explicit training on gender-based violence and violence against women.

Indicators and Targets: As evidenced by the general absence of gender considerations in all youth-at-risk projects, gender considerations easily fall out of view unless specific indicators and targets are used to raise the appropriate questions about participation, roles, and benefits. All information on participation of youth, of community members, of leaders, should be disaggregated by sex. The targets for participation by men and women, and male and female youth, should be set based on the baseline assessment and relationship to the project objectives. In the case of community participation, where leadership roles are almost always held by men, a qualitative indicator to reflect women's involvement may be more appropriate than simply the number of men and women in positions of authority or on a particular committee. An example might be the perception among men and women of women's influence over decisions of the organization. Outcome indicators that reflect gender

might include school dropout rates by sex, jobs/business development for young men and women, age of marriage/pregnancy, levels of violence directed to men and women, or qualitative indicators to reflect life goals.

Vanderbilt University is responsible for an impact evaluation across all youth-at-risk projects in Central America that use Merida funds. The evaluation team will be gathering baseline data in Panama immediately after the project implementation contract is signed. It is important that the evaluation include gender-relevant indicators and measures of the comparative impact and benefit for young men and women. The Vanderbilt team consulted with UNFPA in Panama in the design of this component of the database.⁴⁴ This large-scale evaluation may provide examples of indicators for other projects as well.

4.3 USAID Programs: Democracy and Governance

Because the gender assessment for the Mission was taking place at the same time as the democracy and governance assessment, specific recommendations on attention to gender in the upcoming democracy and governance activities are not possible. This section instead addresses several key gender issues related to access to justice and potential resources to be tapped in project development.

Civil Society

Women's organizations strongly support the projected activities to increase the independence and functionality of the judiciary system, to support implementation of the new Criminal Procedures Code and the Criminal Code, and to expand the use of alternative dispute resolution and Justices of the Peace. The CEDAW Committee cited the new codes as significant advances in the country in improving access to justice in cases of domestic violence. Both the government's delay in moving forward with the reforms and recent actions to decrease the independence of the judiciary and to marginalize key civil society organizations have put the entire process in doubt and caused considerable concern within the women's movement.

At present, two major issues stand out for civil society organizations focused on equality and women's issues: (1) the growing antagonism between civil society and the government; and, (2) the waning unity and energy among women's organizations needed to push the issue. A national convention (*encuentro*) of women's groups is planned for August this year with a focus on strengthening the organizations and broadening participation among young leaders, and women from the interior and the *comarcas*. In interviews, leaders of women's organizations reported that, given the priorities and focus of the present government, they are focusing on internal solidarity so that they do not lose ground during the next four years.

⁴⁴ Team interview with Dayanara Salazar, UNFPA Panama National Program, April 19, 2010

Access to Justice

Three current activities in the public sector are designed to overcome barriers in the justice system that disproportionately affect women, particularly in relation to domestic violence and more broadly, gender-based violence. The *Unidad de Acceso a la Justicia y Genero* of the judicial system (*Organo Judicial*) began work under the previous administration (2008) with strong support from a female justice on the Supreme Court. The rationale for the formation of the unit was to implement a number of international agreements signed by Panama, concerning access to justice for vulnerable groups, including women. It received funding from AECID, and assistance from INAMU and the *Fundacion de Justicia y Genero* of Costa Rica. The unit carried out an extensive participatory investigation of barriers to access within the judicial system for three “vulnerable groups,” women, adolescents, and people with disabilities, as well as workshops and seminars. The diagnostic report is internal. It served as the basis for the *Politica de Acceso a la Justicia*, which was recently approved by the Supreme Court. The policy includes a series of concrete actions to be undertaken to facilitate equality of access, which run the gamut from changes in buildings to increase physical access for individuals with disabilities, to training for justices in how to treat cases of assault to avoid re-victimization. The policy document is available on-line at <http://www.organojudicial.gob.pa/images/normas/626completo.pdf>. The Unit is now in the process of educating personnel within the judicial system and in civil society about this policy.

Both the *Defensoria del Pueblo* and INAMU have training programs for *corregidores* for dealing with cases of domestic violence. Under the present system, the *corregidor* is the person in the local community who receives the accusation of assault from the victim, is responsible for issuing any protective orders, and sends a summary of the accusation to the *fiscal* or the *procurador* for additional legal action. For a variety of reasons – lack of training, prejudice, inexperience – the actions of the *corregidores* tend to be subjective and inconsistent. The training has consisted of instruction in how to implement the legal and medical protocols associated with domestic violence as well as training in masculinity, to increase understanding of the roots of domestic violence. Turnover in personnel and long-standing practices ensure a continuing need for this training.

The absence of reliable statistics on gender-based violence, especially domestic violence, is a major barrier to justice. Many, if not the majority of cases are unreported. As a result, the victims do not enter the judicial system, and, therefore, the courts cannot respond effectively. Also, the lack of accurate evidence on the scope of the problem obstructs attempts to design legislation, procedures, and services to respond to it. In 2009, the *Defensoria del Pueblo* began an *Observatorio de Victimas de la Violencia de Genero* (Observatory of Victims of Gender-based Violence), with initial funding from AECID, and broad support in the government (the Ministries of Government and Justice, Education, and Labor, the Organo Judicial, Procurador Nacional, and INAMU.)

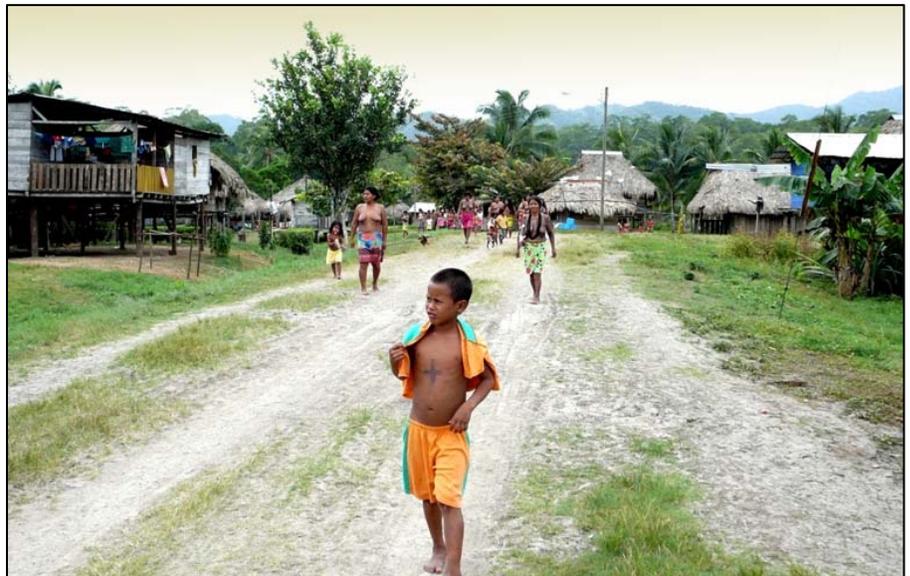
The experience of the past year has confirmed that reliable data on gender-based violence is not available from any single institution, and the numbers reported vary so widely across

organizations that it is impossible to reconcile them. The *Observatorio* has relied primarily on the reporting of deaths and crimes in the media. The 2009 annual report showed 80 deaths of women due to gender-based violence or *femicidio*. Under-reporting of deaths of women and girls in remote areas, particularly in the *comarcas*, is a continuing problem – these deaths are simply not considered newsworthy – although the situation is improving as a result of awareness-raising campaigns about violence against women. While reports of gender-based violence and death are going up it is impossible to say at this point whether the incidence of violence is increasing. As a result of greater understanding of the issue and to some extent increasing confidence in the response of the courts, it appears that more women may be making official accusations about domestic violence than in the past. The continuing and growing need for reliable statistics on gender-based violence is recommended as a potential area for intervention and support for USAID.

Traditional Justice Systems

The 1207-funded project, Supporting Local Governance and At-Risk Youth in the Darien, has two objectives. In addition to the creation of opportunities for youth, the project is also intended to strengthen local government bodies and increase the legitimacy and effectiveness of state functions in the region. Historically, the Darien province has been more or less ignored by the national government; police have been and continue to be the most significant force in the region. The task of strengthening local governance is complicated by the overlay of state and traditional institutions in the *comarcas*, including the systems of justice.

With some local variation, traditional government structures in Panama are dominated by men and have historically been seen as discriminatory for women. CONAMUIP (*Coordinadora Nacional de Mujeres Indigenas de Panama*), representing women of the seven indigenous communities, is committed to working both for the human rights of women and increased opportunities within their



communities, and for the enforcement of the laws of the state that protect women’s rights, especially “the right to live without violence.” This dual position was articulated both in the interview of the gender assessment team with members of CONAMUIP in their office in Panama City and in the statement of the organization in the CEDAW Shadow Report

submitted in February 2010.⁴⁵ Violence against women and sexual abuse of adolescent girls in indigenous communities are very difficult to document quantitatively, but they are cited by the indigenous women and outside analysts as serious problems. At the same time, the team was told, anecdotally, that indigenous women sometimes opt for resolution of their cases through the traditional system despite the presumed discriminatory judgments, because the government legal structures are unacceptably slow and inaccessible, involving travel outside the region.

Several implications may be drawn from these observations. First, in working with communities in the Darien to negotiate the relationship between traditional and national governmental structures, gender relations and the position of women should be taken into consideration. Further, because these relations vary across the cultural communities they must be investigated separately and locally. Finally, the representatives to the CONAMUIP can serve as an important resource for understanding these relationships and for gaining access to the women of the indigenous communities.

4.4 USAID Programs: Microfinance

USAID/Panama is in the initial stages of design of a new microfinance project to be underway toward the end of the current fiscal year. The activity will focus primarily on public policy, including gaps in legislation, an expanded menu of financial services for micro- and small enterprises, and requirements and barriers within the current banking legislation that constrain the flow of credit to micro- and small enterprises. The background analysis for the Activity Approval Document was completed recently, with an explicit focus on policies and institutions in need of reform.

Micro- and small enterprises historically have been an important source of income and employment for women, in both urban and rural areas. The situation in Panama is similar, although reliable sex disaggregated data on entrepreneurship and credit are generally not available.⁴⁶ Despite Panama's position as an international banking center, micro- and small businesses do not have access to the services of the majority of the traditional banks. The enterprises do not have the information or collateral required by the banking system, and the banks themselves do not have trained staff or are unfamiliar with practices to accommodate micro-finance. The underdevelopment of microfinance services in Panama means that the demand far exceeds the current supply, creating a scarcity of funds for potential borrowers and high interest rates. The government agency responsible for micro- and small enterprise finance, the Authority for Micro, Small and Medium Enterprise (AMPYME)⁴⁷, estimated

⁴⁵ Shadow Report. Situation of Women Human Rights in Panama "Monitoring of the convention on the elimination of all Forms of Discrimination Against Women (CEDAW), Session No 45 of CEDAW Committee, UN, Geneva, February 2010.

⁴⁶ IV Informe Nacional Clara Gonzalez, page 44-45

⁴⁷ Please note that although AMPYME does give some seed money for those who have completed course work with them, they do not themselves supply loans, but rather help lenders guarantee their loans. Borrowers are expected to go the banks and other lending institutions unaccompanied, which is a particularly intimidating process for potential female borrowers.

that approximately a fourth of the more than 538 thousand⁴⁸ small enterprises were in need of credit. Of those receiving credit, 39% are women,⁴⁹ suggesting a particularly large gap between supply and demand for women.

Women and Micro-enterprise Development

With a major boost from the initiatives of the Grameen Bank and BRAC in Bangladesh, micro-enterprise development became identified as a tool for poverty alleviation and broad-based economic growth, with a focus on women. The provision of small loans to women allows them to strengthen and expand traditional income generating activities like handicrafts, street foods, market stalls, poultry and eggs, etc. Numerous studies document the importance of income generated and controlled by women for their economic empowerment and decision-making in the household, self-image and confidence, and the well-being of their children.

In the USAID/Panama portfolio, the projects for watershed and forest management, the youth-at-risk projects in urban centers and the Darien, and the 1207 activity in the Darien include components for micro-enterprise development and income generation. Women are identified as targets for these activities. For these new businesses to achieve the expected long-term results of providing opportunity and stability, a sustainable source of small-scale financing must be available for these women after the project small grants end. Useful lessons may be drawn from the experience of the Canal Watershed Management project in its successful work in small business development with individual women and community groups led by women.

Microfinance Network

Ten institutions responsible for the majority of the micro-finance funds available in the current market formed the *Red Panamena de Microfinanzas* (REDPAMIF – Panama Microfinance Network) in 2006, as part of the *Red Centroamericana de Microfinanzas* (REDCAMIF), to promote microfinance services, and support institutional development, conformance with international standards for microfinance, and policy change. REDPAMIF includes various types of organizations – *Banco Delta*, *Banco Financia*, *MICROSERFIN*, *Financiera Solidaria*, *PROCAJA*, *CEPAS*, *CEEGEL*, *IDEAS*, *Cooperativas Juan XXIII y Juan Pablo I* – reflecting the current diversity in the market. An important short-term

⁴⁸ Clara Gonzalez. Additional source *Red Centroamericana de Microfinanzas Evaluación de la Industria Microfinanzas Panama* reported a slightly different figure. The network estimated that in 2007, there were 543,328 micro- and small enterprises, which employed approximately 869,503 people, including proprietors, paid workers, and unpaid family workers. (*Red Centroamericana de Microfinanzas, Red Panameña de Microfinanzas. Evaluación de la Industria de las Microfinanzas. Panama. Madeleine Gonzalez S., Consultora, Panama Sept. 2008.*)

⁴⁹ REDPAMIF, September 2008, www.redpamif.org, estimated that 44% of the recipients were women but this was updated in December 2008 to show only 39% women. (presentation by Jacoba Rodriguez Chiru, Presidenta de REDPAMIF, “*Problemas Recurrentes de Financiamiento par alas MIPYMES – Panama.*”

concern of the organization is the lack of statistics about the demand for microfinance services and the need for a survey of micro-enterprises.

REDPAMIF is a relatively young organization with limited resources and a flexible agenda. As a potential partner in the new USAID project, ensuring awareness of gender differences in micro-lending will be an important baseline consideration for the project. REDPAMIF has a gender commission that links its work to REDCAMIF, which has conducted studies and conferences focused on women/gender issues in microfinance in the region.⁵⁰ In May 2010, REDCAMIF organized the third Central American Forum of Microfinance and Gender, to strengthen the process of incorporating the gender focus and empowerment in microfinance institutions to move toward equality between women and men.⁵¹ REDCAMIF also approved a gender policy during this forum.

Government Actions to Promote Small Business Development

The government has taken a number of initiatives to support the growth of microfinance in the country. These include:

- The Seed Capital Fund (*Fondo de Capital Semilla*), providing start-up funds for new businesses with a cap of \$1000 per loan.
- The Microcredit Project to be initiated in 2011 with an initial investment of five million dollars.
- The Loan Guarantee Fund (*Fondo de Garantía de Prestamos*), with a budget of five million dollars.

The *Programa Veranera 3*, developed and managed by the Office of the First Lady, is a human development project to improve the quality of life of poor rural women, their families, and their communities through assistance and training on personal and business development. The first distribution of funds included 122 micro-loans to women in Chiriquí, Coclé, Veraguas, Los Santos, Herrera, Colon, Chepo y Capira, for a total of \$60,777, intended to be used as seed capital to start new businesses. The second distribution, in April 2010, provided loans to 142 women, for a total of \$70,167. Overall, the program has provided training and loans to 553 women for “the development of sustainable micro-enterprises and local employment.”⁵² The program covered all provinces except the Darien and of the *comarcas* only the Ngobe Bugle benefited.

⁵⁰ UNIFEM and UNOPS Report. “Programa Mujeres Y Desarrollo Económico Local” April 2008. http://www.art-initiative.org/images/users/10/files/toolkit_39_Folleto_ART_MyDEL_%20Centroamerica_ESP.pdf

⁵¹ For Panama, Jacqueline Rodríguez. Head of the Gender Comisión from REDPAMIF, participated.

⁵² The Assessment Team was unable to secure an appointment with the Despacho de la Primera Dama during the time of the study, and therefore cannot report on essential questions about the process of training, selection, management of the loans, etc.

As start-up businesses and small entrepreneurs, both women and men face the same institutional, policy, and regulatory barriers in accessing credit and financial services. At the same time, it is more difficult for women than men to get loans. Gender-linked characteristics affect access to credit. For example, women and men tend to interact differently with institutions, have differential access to information, and to calculate risk differently. An awareness of these gender-based constraints is important in developing services and reforming policies and institutions so that they do not inadvertently create a disadvantage for women entrepreneurs.



Examples of the constraints to acquiring micro-credit that affect women more than men include:

- Women tend to be more cautious and risk-averse in borrowing, in part in response to their responsibility for care of the children and the household;
- Rural women, in particular, have limited contact with institutions like banks and government offices. They are reluctant to seek services because they do not know how to behave in these settings. Further, male bank officials may treat women differently, with less attention or respect, which is further off-putting.
- On a more practical level, women have more limitations on their mobility than do men because of household tasks, childcare responsibilities, and transport costs. A woman may need to take a child with her to visit the bank - lines and delays create a special burden and a return visit is difficult. This type of constraint is evident in the Seed Capital Fund, which requires recipients to attend nine Saturday classes outside of their communities in order to qualify for funding.

- Women and men tend to get their information through different channels. The less formal channels on which women rely are likely to provide less detailed and accurate information about sources of credit, procedures, requirements, etc.
- Women, as wives, are less likely than men, as heads of household, to have access to property as collateral, a formal credit history, and a conventional business plan.
- The products and businesses of women are often different from those of men, with different requirements for growth and sustainability. Because they are different they may be less familiar to the male loan officers who are making the decisions about credit. Lack of understanding of the markets for these products and potential links to product value chains also may be a barrier to getting a loan.
- Loans in rural areas are often based on political or social affiliations, rather than project viability. Women are less likely than men to have such affiliations.

These specific constraints may or may not be important in Panama or in the rural communities and *comarcas* where USAID will be working. The implication of these examples for the upcoming USAID project is that as the project moves forward in developing products and services, and reforming regulations, the question should be asked and analysis should be done to understand how these services will be received by men and women, and whether the regulations will affect men and women differently. This analysis could be achieved by requiring that individuals with experience/knowledge of microfinance services for women participate in the design and implementation teams, or seeking an alliance with INAMU to collaborate in the analysis and implement activities to mitigate any imbalance.

Recommendations

1. Reliable statistics about the extent of the demand for micro-credit in Panama are not available. As these databases are developed, all data and indicators should be disaggregated by sex to understand the nature of the demand and track any gender differences in access and impact. Include an accurate count of the number and characteristics of women micro- and small entrepreneurs.
2. A focus solely on women will not contribute to gender equality. In order for women to benefit from the services provided it will be necessary to identify and respond to the range of gender-specific barriers.
 - Seek ways to overcome the gender-based barriers to credit, e.g., credit history or collateral, through practices such as personal references, business history, and visits to the business location.
 - Establish an alliance with the National Union of Women Lawyers to provide advice and technical assistance for the required legal steps to take out a loan and register a business.
 - Create an award for or publicize the success of financial institutions based on their efforts in providing credit to women.
 - Develop a communication campaign and materials to inform women about the availability and advantages of micro-credit.

- Consult with potential women borrowers to understand their needs and concerns, their preferences for the terms and conditions of different loans, and their interest in various types of financial services and products..
3. Incorporate gender considerations in the design, implementation, and monitoring of the impact of the USAID project, as discussed above. Include staff with experience in microfinance programs for women; create an alliance with INAMU to provide technical assistance and outreach; and, ensure that all indicators related to credit and services are sex disaggregated and tracked to measure differences in impact for men and women entrepreneurs.⁵³ Most importantly, be open to exploring alternative courses in credit and service delivery as needed in response to observed biases in the results.

V. Conclusion

The ADS requirements for gender integration define actions to take account of gender at each phase of the programming process, assuming broadly a linear process in which strategy precedes project design and analysis precedes programming decisions. The purpose of the current Mission-wide gender assessment as described in the Scope of Work is to provide analysis of gender issues in the Mission's target sectors as a foundation for the strategy. This broad assessment is to be followed as necessary by in depth analysis of gender issues for the specific activities and locations as the Assistance Objectives and projects are defined. In the Panama Mission today, however, the process is not linear. Project design is being done at the same time, or before the new Country Strategy. Activities are being designed in sectors in which the Mission has not worked for several years. The Gender Assessment report reflects this multi-dimensional situation.

The Mission has been involved continuously in environment and biodiversity programs, and will continue to work on these objectives in the future. The experience and results from attention to gender considerations in the current and previous projects can provide lessons for the future, and the assessment reflects this experience. The other new projects are at various stages of analysis and design. For these, the gender assessment discusses, to the extent possible, the context for the program in terms of gender relations and potential resources for additional analysis or technical assistance.

Several broad issues underlie the gender analysis across sectors. Panama has a strong legal framework in place to counter discrimination and to promote gender equality. Implementation of these laws remains a major weakness. Attention needs to be given to a process for building awareness among citizens and institutions of the content and requirements of these laws. A related concern is the dearth of reliable sex-disaggregated data and statistics across the board. The absence of information about women in business, the extent of gender-based violence, and the availability of forest resources essential to women's

⁵³ Widely accepted indicators related to gender and microfinance have been developed and used in microfinance programs worldwide.

livelihood, for example, obscures gender gaps and the evidence required for planning and budgeting to respond to needs.

Gender-based violence and particularly domestic violence and *femicide* are prominent issues for civil society organizations focused on women's rights, and for government organizations charged with seeking gender equality – including the legal foundation for prosecuting these crimes, access to justice for women subjected to violence, and services to support the survivors. Gender-based violence reflects and reinforces the basic power imbalance in gender relations. In the economic sphere, the issues of quality of education and preparation for the labor force as well as access and control of essential productive resources like land, information and credit stand out. Finally, the overriding and cross-cutting factor is the contrast between urban and rural areas on all dimensions, especially poverty, and the particular barriers faced by all women in isolated rural communities - indigenous, Afro-Panamanian, and *Latina* alike.

VI. GUIDANCE AND RECOMMENDATIONS FOR THE GENDER PLAN OF ACTION FOR USAID PANAMA

The 2004 Gender Assessment in preparation for the previous Country Strategic Plan provided a series of program-specific recommendations and “Next Steps” to implement the findings from the assessment and build a base in the Mission for an on-going process of gender integration in line with the ADS requirements. These “next steps” included: identifying a person to serve as the focal point for gender, assuring compliance and providing/acquiring technical assistance for Mission teams; training Mission staff and partners in gender awareness and gender analysis, and providing tools for application in their projects; including gender in portfolio reviews and quarterly reports; providing assistance to partners in developing gender-sensitive indicators, setting targets and monitoring gender impacts; and, including gender responsibilities in job descriptions and performance reviews. In the intervening years, the ups and downs of the Mission portfolio and budget as well as turnover in staff have meant that the previous assessment has had little carry-over into current programming.

The purpose of the Gender Plan of Action (GPA) is to lay a foundation for gender analysis and gender integration to become an on-going part of the way the Mission operates. The GPA should build on the recommendations from the Gender Assessment within each program area, and define priorities, a timetable, and accountability for particular actions. It should be reviewed and updated annually.

Attention to gender issues needs to be a constant and continuous part of Mission programs. Calling for attention to gender in the project agreement and recording sex disaggregated data are usually not sufficient to alert project managers to the on-going effects of gender relations through the course of the project. Likewise, unless specific attention is given to the disaggregated indicators of project results, any differences in the benefits of the project for men and women will not be noticed. Addressing gender differences should improve the

quality and effectiveness of development programs, increase sustainability, and contribute to the long-term goal of gender equality.

Creating the conditions for gender integration in Mission programming usually requires action by Mission management, the AO teams, and the projects. A key factor identified with ongoing attention to gender is the support of the leadership of the organization. The expansion of the Mission program and staff between now and October may affect the order, priority, and timing of these actions. It may make sense to initiate the process after this transition phase.

Mission-level Recommendations and Actions

- Develop a clear statement of the Mission’s commitment to gender equality, and of the importance given to gender analysis and attention to gender issues in programming. This statement is sometimes issued as a Mission Order from senior management.
- Communicate this commitment to partners and counterparts, and define the expectations for attention to gender issues in project implementation and performance reporting.
- The person responsible for ensuring implementation of the actions for gender integration in Mission programs should have clearly defined “gender” responsibilities, which are included in her/his work objectives and accompanied by concrete time allocations and access to budget to provide technical assistance and training for the teams.
- Provide gender training for Mission staff when everyone is in place to present both (1) an overview of gender analysis, gender integration requirements in USAID, and gender indicators, and (2) a review of attention to gender in past programs, and the indicators, experiences to date, and lessons learned in on-going Mission programs. Consider allocating several days to this training, perhaps in several half-day segments.
- Include systematic reporting and discussion of the gender objectives and indicators in semi-annual portfolio reviews. (This action also was included in the 2004 Assessment.)
- Identify local gender experts (including those participating in the assessment) to provide technical assistance and training with partners who need or request additional guidance on dealing with gender issues in their work. Consider potential alliances with INAMU in areas of common interest such as access to justice, women’s entrepreneurship, and the development of database of gender-relevant indicators, across sectors.

- Consider collaborating with other donors and international organizations actively implementing gender/women's programs in Panama, especially AECID, UNIFEM, and UNFPA.

Recommendations and Actions within Each Technical Area

- Define the key gender issues in the sector for each Assistance Objective (AO) and incorporate these issues into project/activity design and solicitation documents.
- Consider the recommendations for the area from the Gender Assessment and set priorities among them.
 - Carry out additional project-specific gender analysis as needed.
 - Define the methodology and steps for each recommended action, including the cost, timetable/work plan, and definition of expected results;
- Define requirements for training, technical assistance, indicators, and contribution to the work plan for the AO in collaboration with the partners for that area.
- Document the experience in each project with gender integration so that successful methodologies or activities can be shared among USAID partners and with other organizations, governmental and non-governmental, working in the same sectors.
- Require that each partner prepare a gender work plan, indicators, and targets for gender integration in the activity. Require documentation on the implementation of this plan and achievement of targets as a specific part of periodic (quarterly) reporting. Support mid-course corrections of activities or targets in response to evidence that gender factors are affecting project results, or to unexpected differences in the benefits accruing to either men or women. Provide technical assistance, as needed and requested.

ANNEX 1 ORIGINAL SCOPE OF WORK

I. INTRODUCTION

USAID/Panama extended the current Country Plan, FY 2004-2008, for Panama, through FY 2010⁵⁴, and will develop a new five-year strategy for FY 2010-2014 along with its host country government stakeholders. USAID/Panama expects to submit its new strategic plan for approval by May 2010.

In order to provide a framework and baseline for effective integration of gender considerations in new foreign assistance programs, and to comply with mandatory gender assessment requirements as set forth in the USAID Automated Directive System (ADS) 201.3.9.3, USAID/Panama will conduct a Mission Gender Assessment. The Gender Assessment will address the following programmatic objectives: i) Governing Justly and Democratically, ii) Investing in People, and iii) Economic Growth.

II. PURPOSE

The purpose of the Gender Assessment is to i) identify key gender issues and gender constraints that need to be addressed within the USAID/Panama program and ii) recommend how the mission can achieve greater gender integration in its programs. This scope of work does not call for a full and detailed program design. It is expected that additional gender analyses may be needed for key sectors as the activities progress.

There are four interrelated tasks that the gender assessment must address:

- 1) Reviewing of key gender issues and gender-based constraints in Panama;
- 2) Assessing attention to gender in current mission programs;
- 3) Assessing the institutional context supporting gender mainstreaming, both in the mission and in the country; and,
- 4) Providing recommendations for a draft gender action plan that outlines how USAID/Panama can support gender mainstreaming in its programs and achieve development outcomes that improve the status of women and men in Panama without disadvantaging one group in support of the other.

Unlike other analyses, gender is not a separate topic to be analyzed and reported on in isolation. Instead, USAID's gender mainstreaming approach requires that appropriate gender analysis be applied to the range of technical issues that are envisioned in the development of the Mission's New Strategy. Analytical work performed in the planning and development of Results Frameworks should address at least two questions: (1) how will gender relations affect the achievement of sustainable results; and (2) how will proposed results affect the relative

⁵⁴ Per Executive Notice dated 10/22/2008.

status of men and women. Addressing these issues involves taking into account not only the different roles of men and women, but also the relationship and balance between them and the institutional structures that support them.

III. BACKGROUND

In 2000, Panama signed the United Nations Millennium Declaration that includes an objective aimed at the promotion of equality between men and women and autonomy for women. Panama was also a signatory of the 2007 Quito Consensus, resulting from the Economic Commission for Latin America and the Caribbean (CEPAL) Tenth Regional Conference of Latin American and Caribbean Women. The Consensus document addresses the impact of segmenting work by gender on economic inequalities that affect women in the family, labor market, political sphere and community. It also underscores the need for gender equity in the public and social powers as a basic factor for democracy. Towards this end, Panama has a relatively adequate legal framework, compared to other countries.

In Panama, the female population is about 49.6% of the total population. Women represent 50.6% and 51.4% of the urban and indigenous populations, respectively. In the rural areas, women are 47% of the population. Girls and adolescents in the indigenous comarcas represent around 28% of the indigenous population and 54% of all the indigenous women living in these areas. Young indigenous women represent 8% of the indigenous population and 15% of the indigenous women.

Although the evolution of social and political participation by women has been positive in recent years, the progress made so far is still not sufficient to significantly close the gender gap in Panama. In the political arena, 52% of Panamanians registered in political parties are women. However, they are not represented in the same proportion in decision-making positions. This under representation is found in most levels of government and the Legislative Assembly. Presently, only xx women were elected to the Legislative Assembly, out of a total of xx, or xx%. In the municipalities, only xx women were elected Mayors out of a total xx, xx%. Out of a total of xx Ministers appointed by the President only two are women. The participation of women in decision-making positions in the private sector is similarly weak. Women hold only on average around 14% of the directive positions in services, commercial and industrial firms, most of which are in firms in the service sector.

Workforce, Informal Sector and Underemployment: The labor situation in Panama reveals that a higher percentage of women are unemployed or underemployed in the informal economy, a higher percentage of women are not in the workforce (not economically active), and salary differentials between genders are significant, double by some estimates. Poverty plays a major role in women's share in the workforce as well as the conditions of their entry in the labor market.

Even though the Panamanian population is divided nearly equally between men and women, the workforce is composed of 53.2% men and 46.8 % women. The employed workforce is 93.7%% of the total workforce. But, employed women represent only 38% while employed

men are 62% of the employed workforce. The rate of open unemployment is 4.9% for men and 8.6% for women. Approximately, 73% of the women are not part of the workforce (economically active), compared to 27% of the men. Female employment is most often concentrated in labor-intensive, low value-added activities. Women work primarily in retail and wholesale commerce, domestic services, manufacturing, hotels and restaurants, and teaching. Increased flexibility of employment marks the feminization of labor, which allows employers to reduce wage and non-wage costs, such as social insurance and other benefits.

The youth population is progressively increasing. The age group 15 to 24 years are expected to reach 650,000 by 2020. One of the characteristics of this young population is the tendency to migrate from rural areas to urban areas. The spread of violent crime and gangs in the youth population is an increasingly major security concern. Girls and young women in gangs have been less visible. Yet, gang style femicides have recently occurred in this age group.

Education: Panama's ranking is acceptable in terms of quantitative school enrollment, coverage, education levels, literacy rate, and financing education. However, the quality of education presents major barriers to equity and equality of opportunities for women in both urban and rural areas. Women and indigenous girls face the biggest challenges due to a lack of adequate educational options for their socioeconomic and cultural context. According to the education data, women are more likely than men to stay and finish school, especially in middle and high school. However, the salary paid to men is estimated to be double the salary paid to women, based on the annual per capita income of employed men compared to that of employed women in 2002. The 50% differential in income persists in spite of higher educational levels by women on average. The causes of this gap stem from the gender division of jobs, different development/training of men and women, and distinction between male and female professions/jobs unequally valued and remunerated. The income earning gap widens when it is non-wage employment.

Economic Entrepreneurship Opportunities for Women: There are approximately 538,000 women who are small entrepreneurs, of which around 137,000 need access to credit. The trend has been for women entrepreneurs to be concentrated in labor-intensive, low value-added activities. Further, women tend to be employed in buyer-driven commodity chains. Gender is imperative for gaining an understanding of the totality of production, distribution, and consumption within the economy. Gender differences in Panama may be at work in the full range of activities that comprise a value chain. A gender approach to a value chain analysis allows for the consideration of groups and individual men and women's access to productive activities; differential opportunities for upgrading within the chain; gender-based division of activities; and how gender power relations impact economic rents among actors throughout the chain.

Public Expenditures: Panama's National System of public investment has yet to incorporate a gender focus. Some efforts are underway to strengthen technical capacity in order to include a gender perspective in government budgets, working closely with the planning and budget offices and specific programs in various government and nongovernmental institutions. In 2008, the National Institute for Women (INAMU) was created as an

autonomous institution to coordinate and implement the national policy of equal opportunity for women. As a result, the Offices for Women Affairs in the various Ministries were eliminated. The incipient INAMU needs institutional strengthening and resources to achieve its mandate.

IV. TASKS

The primary tasks of the team of consultants are to:

- A. Conduct Gender Briefings:** The consultant(s) will organize and facilitate two sessions of approximately two hours each with Mission staff from Technical Offices and Support Offices, including GDO, FMO, EXO and PROG. Session topics will include but are not limited to: a background discussion on the Agency's ADS guidelines on gender integration and why integrating gender leads to more effective results in development projects.
- B. Carry out a Gender Assessment of the Mission's current and proposed Strategic Framework and Portfolio:**
1. Review the Mission's current and proposed strategic frameworks, results framework, and program portfolio in relation to gender, identify key gender-based constraints, and assess potential gender issues in a future strategic framework and/or portfolio.
 2. Review if USAID/Panama has taken into account the recommendations outlined in the 2004 Gender Assessment for USAID/EI Panama to better integrate gender issues into the design, implementation, monitoring and evaluation of program activities. Produce an assessment of possible entry-points for strengthening and/or incorporating gender and other considerations in activities that may be carried over from the current strategy and potential new programs.
 3. Provide an outline of the key gender based-constraints relevant to each Assistance Objective/Program Area.
 4. Identify resources and sources of sex-disaggregated data (and possibly other variables as appropriate i.e., age, income, and ethnicity) to develop gender-appropriate indicators. The assessment team must offer suggestions for how to analyze the potential impacts of Panama proposed strategic approaches on the relative status of men and women in the country/region and the possible consequences of not actively addressing gender issues.
 5. Identify local expertise on gender from among NGOs, academic and research institutions, Government ministries and other entities that may provide more in-depth technical assistance.
- C. Design a Gender Action Plan:** Based on this gender assessment, design a Gender Action Plan (the "Plan"), which lays out the steps for mainstreaming gender in Mission policies and activities. The Plan should be practical and developed in collaboration with the Technical and Support Offices to include their perspectives. The detailed USAID/Panama Gender Action Plan shall address fully the requirements of the ADS. It should include but are not limited to the following elements:

1. Technical advice on how to integrate gender issues under the Mission's New Strategy to reflect the key role of gender and other considerations in the achievement of USAID goals, and
2. Recommendations on indicator development, data collection and analysis disaggregated by sex.

ASSESSMENT METHODOLOGY

- A.** Comprehensive review and analysis of pertinent literature and documents; some of which will be available only in Spanish. Relevant materials might include, but are not limited to:
1. Current USAID/Panama Country Plan (FY 2004 – FY2010), FY 2009 Operational Plan (OP), FY 2009 Performance Plan and Report (PPR), Gender Assessment for USAID/Panama FY 2004;
 2. Background information on gender issues in Panama, such as UNDP and Government of Panama (GOP) reports and other in-country data; gender assessments from other countries or regions that may be used as a reference source;
 3. Implementing instruments such as cooperative agreements, contracts, and grants;
 4. National statistics on women from the GOP's General Directorate Statistics and Censuses in the Controller's General and the UNDP Human Development Index Reports;
 5. Recent literature that addresses gender issues in specific sectors and areas of strategic interest for the Mission (i.e., private sector competitiveness, business development, environment, democracy and governance, transparency, education, and youth development and gang prevention); and
 6. Other Assessments/Documents (see Annex I)
- B.** Meetings and discussions with USAID/Panama staff involved in developing the Mission program. These meetings shall include where possible:
1. Entry briefings with the Gender Analysis Coordinator, the Program Office, and the Front Office;
 2. Preliminary briefing session/s for USAID/Panama staff on the ADS requirements for addressing gender in USAID programming;
 3. Meetings with Technical Office and implementing partner(s) on specific sectors and areas of interest, to identify possible links to gender issues in each Program Area and determine whether these issues are adequately considered in the future strategy; to identify possible entry points for the incorporation of gender considerations into ongoing and future activities, and to recommend how gender considerations can be adequately treated in the mission draft Strategic Plan. To the extent possible, the consultants will coordinate with the technical offices that are in the process of conducting assessments and/or designing programs to analyze how gender issues have/have not been addressed and offer practical suggestions;
 4. Presentation of the draft gender assessment to obtain feedback from USAID/Panama staff; and

5. Exit briefing with the Gender Analysis Coordinator, the Program Office, and the Front Office.
- C. Field visits to interview select, key stakeholders and implementing partners involved in current and new programs to start during the extension period of the current strategy, including local gender expert resource groups about problems, successes, and opportunities for improving attention to gender in USAID activities.
 - D. Hold a gender issues workshop involving key stakeholders/partners from the specific sectors and areas of interest to USAID/Panama. USAID/Panama will coordinate logistics for this workshop in-house.

V. DELIVERABLES

- A. **Gender Briefings:** Upon arrival, the consultants will meet with the Program Office Director and the Gender Analysis Coordinator to review specifics, including the numbers, general content, and scheduling of the briefing sessions. Organize and facilitate two sessions.

The gender briefings will be carried out at the beginning of the assessment process. The main purpose of these briefings will be to assist mission personnel understand the ADS requirements and what is meant by the gender mainstreaming process.

- B. **Gender Assessment and Recommendation Report:** A draft Report in English and Spanish, which includes appropriate technical areas for gender emphasis and recommendations for future actions for gender integration into the new Strategy, as well as, the Action Plan shall be submitted to the mission upon completion of fieldwork, during the exit meeting of the consultant(s) with the Mission Management and Office Directors. Written comments will be provided by USAID/Panama to the consultant within 10 working days of receipt. Then, ten copies of the Final Gender Assessment and Recommendation Report and Action Plan, incorporating Mission comments shall be submitted to the Mission not later than 5 working days after receiving USAID/Panama comments. An electronic copy of the Final Report in MS-Word and/or Excel will also be forwarded to the mission. This Report shall contain a stand alone executive summary (between 2-5 pages) which will include but not be limited to a brief overview, description of methodology used, and conclusions. This summary, that can be used as a briefing paper, and the Report shall not exceed 30 pages single-spaced, excluding attachments, using font Times New Roman 12.
- C. **Gender Action Plan:** The Action Plan will use the Gender Assessment and the data from interviews and secondary sources to assess the appropriate technical areas for gender emphasis.

The Action Plan will incorporate the recommendations for future actions for gender integration, and will include clear procedures to insure sustainable gender awareness in the

Mission and implementing counterparts. In addition, the Action Plan will include mechanisms to constantly monitor gender interventions across the Mission. The Gender Action Plan may also be the basis for further training and/or technical assistance provided by USAID/Washington.

ESTIMATED LEVEL OF EFFORT (LOE) AND COST

It is anticipated that the team will be composed of one bilingual (Spanish/English) expatriate consultant and one bilingual (Spanish/English) local consultant. The expatriate consultant will be the team leader and will have the responsibility of completing the Gender Assessment and Recommendation Report and Action Plan documents. A separate scope of work for the two team members should be developed by the team leader, through discussion with the local consultant with USAID/Panama and EGAT/WID activity approval.

The total number of days will be 30 days for the team leader with travel included. The local consultant will have 25 days. A six-day workweek will be authorized if necessary with no premium. For the expatriate and the local consultant, the work will require:

- Three (3) days before the commencement of field work to review documents and to set appointments;
- Twenty (20) days of field work that includes approximately 7 to 10 days of field visits in the Darien, select communities--home to gangs and at-risk youth, the Panama Canal Watershed and buffer areas. In addition, five (5) work days will be authorized for the expatriate consultant for writing and finalizing the aforementioned documents. The specific responsibilities of the local consultant in the field will be determined in consultation with the expatriate, based on the balance of their sector expertise. The local consultant may contribute to the report either as a part of the fieldwork component, or at the team leader's discretion, may allocate some of the report time to the other consultant.

Timeframe:

- Preparation phase will be completed on or about March 4, 2010
- Field Research phase will be completed on or about March 27, 2010
- Submission of Final Report will be no later than April 2, 2010

The cost of this Gender Assessment will be divided equally between USAID's Office of Women in Development in Washington (EGAT/WID) and USAID/Panama.

PERFORMANCE PERIOD

It is anticipated that this work will begin on or about March 2, 2010 and it shall be completed on or about April 2, 2010.

TEAM QUALIFICATIONS

Education: Each consultant must have a University Degree (Bachelors level or equivalent) in development studies, sociology, anthropology, political science, economics or related field. A Masters Degree is preferred.

Experience: Team leader must have at a minimum 10 years experience in international development with significant experience in Latin America, preferably recent experience. Local consultant must have at a minimum 5 years experience in development aspects. Both candidates must have significant recent experience with gender analysis in the development context and in other USAID/Panama sector areas (i.e., justice sector and transparency, youth development and gang prevention, education, private sector competitiveness, environment, biodiversity, forestry, watershed stewardship).

Prior research experience, especially at the field level, is highly desirable for each of the consultants.

In-country and regional experience is highly desirable to minimize the background information phase, as is experience with USAID's approach to gender analysis and mainstreaming.

Languages:

Team Leader: English, spoken and written level 4/4 required; Spanish, spoken and written level 3/3 preferred.

Local Consultant: Spanish, spoken and written level 4/4 required; English, spoken and written level 3/3 preferred.

List of Other Relevant Materials

Governing Justly and Democratically

- a. Community Youth-at-Risk Activity Program Description
- b. Community Youth-at-Risk Activity Award Proposal
- c. Justice System Reform and Transparency Activity Program Description
- d. Activity Approval Document for 1207-funded activities

Investing in People

- a. Education Sector: Rapid Assessment, USAID

Economic Growth

- a. Environmental Assessment
- b. Sustainable Community Forestry in Darien Program Description
- c. Sustainable Community Forestry in Darien Award Proposal.
- d. Business Development Concept Paper

Other documents:

IV Informe Nacional “Clara Gonzalez” Situación de las Mujeres en Panamá, 2002-2007, Ministry of Social Development, September 2008.

Gender Assessment for USAID/Panama, DevTech Systems, Inc., April 2004.

Panamá Plan Estratégico de Gobierno, 2010-2014, Gobierno Nacional, República de Panamá, December 2009.

Panamá Plan Estratégico de Gobierno para la Seguridad Ciudadana, 2010-2014, Gobierno Nacional, República de Panamá, xxxx 2010.

Gender Integration in the ADS 200 and 300 Series, USAID.

Empowered and Equal, Gender Equality Strategy, 2008-2011, United Nations Development Programme, 2008.

Women, Peace and Security Secretary General’s 2004 Report to the Security Council, Responses to Questionnaire, Report on the implementation of Security Council resolution 1325 (2000) on women, peace, and security, Ministry of Youth, Women, Children and Families, Republic of Panama, July 2004.

National Report, Major Achievements and Obstacles in the Implementation of the Beijing Platform for Action, Ninth Regional Conference on Women in Latin America and the Caribbean (ECLAC), National Directorate for Women, Ministry of Youth, Women, Children and Families, Republic of Panama, June 2004.

- Instituto Nacional de la Mujer (INAMU), gender documents
- Consejo Nacional de la Mujer (CONAMU), gender documents
- United Nations Development Programme, Human Development Report, 2009
- Comptroller General, Dirección de Estadística y Censo, population reports.

Note: Technical Offices may add other relevant reading material.

Selection Criteria

Offers will be evaluated based on the following criteria:

1. In-depth knowledge of USAID gender integration principles programs and procedures in Latin America, proven ability to lead the gender analysis team, preferably with experience in drafting gender assessments reports.
2. Knowledge and previous experience working in Panama, preferably evaluating gender equality and equity.
3. Past performance on prior assessments in gender or related reports. (Contacts must be provided)
4. Knowledge of English and Spanish.

ANNEX 2 DOCUMENTS CONSULTED

ANAM. 2002. Estrategia Institucional para la incorporación de la perspectiva de género en La Autoridad Nacional del Ambiente – ANAM -. Government of Panama, Union Europea, Pro igualdad. Elaborado por Anabelle Espinoza Ovares. 50 pp.

ANAM. 2008, Junio. Plan Nacional de Desarrollo Forestal: Modelo Forestal Sostenible (MFS). Gobierno Nacional. 78 pp

ANCON. 2000. Conservación y Consolidación de la Diversidad Biológica y Cultural del Darien. Tomo 2: Diversidad Cultural. ANCON, MacArthur Foundation, Overbrook Foundation. Pages 40-206

- Unknown copy from ANCON. Plan de Conservación de Área – Sitio Darien. Pages 19 - 25.

Contraloria General de la Republica, Instituto Nacional de Estadística y Censo. Panama en cifras, anos 2004-2008. Panama, noviembre 2009. www.contraloria.gob.pa >INEC > catalogo de publicaciones

Chang Jordan, J. 2007. Your Pocket Darien En su Bolsillo. Guia practica para conocer el Darien. Municipalities Chepigana y Pinogana. Combined Spanish and English version. Cooperativa de Servicios Multiples Nueva Semilla de Darien. 164 pp.

Lambert, Virginia. 2010. USAID Gender Briefing, Overview course 20 April 2010. Powerpoint.

Ministerio de Desarrollo Social. IV Informe Nacional “Clara Gonzalez” Situacion de las mujeres en Panama, 2002-2007.UNDP. Gender Equality Strategy 2008-2011. Empowered and Equal.

OHCHR Shadow Report “La Voz de las Mujeres indígenas de Panamá.” November 2009, Office of the High Commissioner for Human Rights/CEDAW Report. http://www2.ohchr.org/english/bodies/cedaw/docs/ngos/VPIW_Panama_sp_45.pdf

USAID, Panama FY 2010 Operational Plan Summary Report, 45 pp

USAID semi annual reports for strategic objective: Economic freedom: an open, diversified and expanding economy (T&I). Program component: Increased Trade and investment; Program component: Improved sustainable management of Natural Resources and Biodiversity (NR&B).

- Oct 1, 2006 – March 31, 2007 (components T&I and NR&B)
- April 1, 2007 – Sept 30, 2007 (components T&I and NR&B)
- Oct 1, 2007 – March 31, 2008 (component NR&B)

- April 1, 2008 – Sept 30, 2008 (component NR&B)

USAID semi annual reports for strategic objective: Ruling justly: More responsive, Transparent Governance. Program component: Governing justly and Governing democratically

- Oct 1, 2006 – March 31, 2007
- April 1, 2007 – Sept 30, 2007
- Oct 1, 2007 – March 31, 2008

USAID. 2010. Descriptions.

- Assistance Objective: Governing Justly and Democratically. Justice System Reform and Transparency (JSRT) Activity.
- Assistance Objective: Governing Justly and Democratically. Community Youth-at-Risk (CYAR) Activity.
- Rapid Assessment Education Sector
- USAID. 2010. Observation Draft Action: Private Sector Competitiveness. (Via Yvette about 1207).

USAID Panama. 2010. Sustainable Community Forestry in the Darien. Performance Work Statement.

UN Shadow Report. Situation of Women Human Rights in Panama “Monitoring of the convention on the elimination of all Forms of Discrimination Against Women (CEDAW), Session No 45 of CEDAW Committee, UN, Geneva, February 2010.

UNIFEM and UNOPS Report. “Programa Mujeres Y Desarrollo Económico Local” April 2008.

[http://www.art-](http://www.art-initiative.org/images/users/10/files/toolkit_39_Folleto_ART_MyDEL_%20Centroamerica_ESP.pdf)

[initiative.org/images/users/10/files/toolkit_39_Folleto_ART_MyDEL_%20Centroamerica_ESP.pdf](http://www.art-initiative.org/images/users/10/files/toolkit_39_Folleto_ART_MyDEL_%20Centroamerica_ESP.pdf)

WWF. 2008 Plan de Acción del Complejo Ecorregional Choco-Darién. 38 pp. Incl. CD con Análisis Eco regional para la construcción de un Plan de Conservación de la Biodiversidad en el Complejo Ecorregional Choco Darién. 272 pp.

ANNEX 3 RESOURCES: CONTACTS

Institution	Name and Position	E-mail address	Phones	Comment
Alianza Ciudadana Pro Justicia	Magaly Castillo - executive director	mcastillo@alianzaprojusticia.org.pa; macasatill@hotmail.com	302 7840; 6673 3604	
ANAM - Departamento de Cuencas Hidrológicas	Joaquim Diaz; H. de Gracia		500 0866	
ANAM - gender specialist; Environmental Education; Fomento de Cultura Ambiental	Klever de Lora	k.delora@anam.gob.pa	500 0855 ext 6154	was not available
ANAM - Jefe de la oficina de public relations	Cléber David Gonzales	cleber.gonzalez@anam.gob.pa ; www.anam.gob.pa	5000804; 6480 8029	
ANCON Asociación Nacional para la Conservación de la Naturaleza	Mileika Gonzalez – Socióloga de la Dirección de Proyectos e Investigaciones	mgonzalez@ancon.org ancon@ancon.org	314 0050/60	Darien social studies
Casa Taller	Gloria Verajano	fundacioncasataller@gmail.com	317 2260 / 61	Paper production
CEASPA - Panama Centro de Estudios y Acción Social	Mariela Arce - member of national council of women; director prointegridad; representative for the Alianza de Mujeres	coordinacion@prointegridad.org g_arce_mariela@hotmail.com	226 4529/6602 6652 9143	democracy and governance
CEALP - Centro de Asistencia Legal Popular; refugee program	Fernando A. Wing S. - lawyer	fwing@cealp.org	227 5150/4980/ 2755 6671 9080	
CEDES - Centro de Estudio para el Desarrollo Social	Edith Castillo	ecastillo@cedespanama.org	202 6387 6670 6940	
Chemonics	William Cordero	wcordero@chemonics.com ligaliga24@hotmail.com		

Institution	Name and Position	E-mail address	Phones	Comment
CONAMUIP - Consejo Nacional de Mujeres Indígenas de Panama	Kuna: Fania Mendez; Sonia Enriques; Graciela Arias; Embera: Omaid Casama; Ngobe B. Bocas Toro: Norma Millar; Ngobe B. Chiriqui: Eustacia Jimenez; Ngobe B. Veraguas: Eularia Carpinteria	conamuip@sinfo.net	392 5015; 6876 67165	
Conservación de la Biodiversidad		www.usaidcbcpnana.org		
Defensoria del Pueblo - Panama Observatorio on Gender Based Violence	Joyce J Araujo Lasso -	jaraujo@defensoria.gob.pa	500 9800 ext 8884, 6696 1371	institutionality, public gender policies, women's rights
Elladrua	Isabel	www.elladruaembera.com		
Embera-Wounaan Presidente Congreso General	Dilberto Dogirama		6780 2484	he was at the meeting with WWF
FLASCO - Fac. Latinoamericana de Ciencias Sociales; Union Nacional de Abogados	Nischma Villarreal - Assessor for the Junta Directiva of the Center for Women's Development	nvillarreal68@gmail.com	6671 1883	institutionality, public gender policies
INAMU - Instituto Nacional de la Mujer	Markelda Montenegro de Herrera - directora general	markeldaherr@hotmail.com ; inamu@mides.gob.pa	500-6061/2 6507 3123	institutionality, public gender policies
INAMU - MIDES	Dora Arosemena Beitia - gender consultant			was UNPF now in INAMU

Institution	Name and Position	E-mail address	Phones	Comment
IOM - admin center for Panama	Alberto Brenes; Christopher Gascon; Stephanie Alvarez	salvarez@iom.int ; abrenes@iom.int ;	305 3353 305 3350	
IRG	Castillo			
Organo Judicial, Unidad de Acceso a la Justicia y Genero	Cristina Quiel - Abogada; Francia Abrego - Coordinador	cristinaquiel@hotmail.com	212 7494 6572 4334	
Peace Corps - coordinator	Jennifer Albee; Tess de los Rios	jalbee@pa.peacecorps.gov	317 3302	
Institution	Name and Position	E-mail address	Phones	Comment
Ministerio de Gobierno y Justicia, Oficina de Seguridad Integral - PROSI	Manuel A. Zambrano Chang - Executive director; Ricardo M. Almanza V. - Technical director	mzambrano@mingob.gob.pa ; ralmanza@mingob.gob.pa	512 2076; 6614 4210 512 2009; 6678 8704	
UNFPA	Dayanara Salazar - National Official for Gender Program	Panama.unfpa.org info@unfpa.org.pa	302 4691	
University	Juana Camargo - Coordinator for the Economic Agenda; Researcher		301 7464; 233 2853; 6747 6224	
USAID Panama	Carlos Blandon	cblandon@usaid.gov	207 7134	trade and investment; micro enterprise; dg
USAID Panama	Cristina Drost	cdrost@usaid.gov	317 5803	development; youth
USAID Panama	Cristina Maduro	cmaduro@usaid.gov		dg specialist
USAID Panama	Ivette N Malcioln	ymalcioln@usaid.gov	207 7040	general development
USAID Panama	Nilka Varela	nvarela@usaid.gov	207 7151	program development, gender
USAID Panama	Rita Spadafora	rspadafora@usaid.gov		environment, climate change
USAID Salvador	Ivan Seassal	iseassal@usaid.gov	+503 2501 3382	regional labor; 1207 funds

Institution	Name and Position	E-mail address	Phones	Comment
Verde Green - network of nurseries - APARGA; OMURVI; ST ROSA; Altos del Carmen; VIVECH; Cuevas; GRUPVA; ICAN	Carmen Soto de Garibaldi Lidia Solis Benita Quiroz		6508 1872; 6470 9924; 6723 6541	network of small businesses mostly run by women
WWF Central America - Guatemala	Mauro Salazar – Regional Forest Director	msalazar@wwfca.org	+502 23665856	
WWF Central America – Panama	Carlos Espinosa – Forestal Officer	cespinosa@wwfca.org ; www.wwfca.org	317 1826; 6671 1427	sustainable forest management
IRG	Luis Castañeda - Chief of party		317 1635	

Contacts in the Darien	Name and Position	E-mail address	Phones	Comment
ANAM Meteti – educational department, fomento	Bienvenido Lopez	bienvenido_lopez@live.com	6671 1427; 6678 9079	Originally from Sambu
Arimay – Embera indigenas	Atilio Cansaril (habitant in Arimay);			
ECODIC Santa Fe	Marcelna Noriega	ecodic1@gmail.com	6071364	organic products
Fundacion NATURA	Yolanda Jiménez M; Edeberto Tsizuilo	info@naturapanama.org ; www.naturapanama.org	232 7617; 667 8065	
Fundación Pro Niños del Darien	Ing. Rafael A. Ortega I. director regional	proyectos@darien.org.pa ; www.darien.org.pa	299 6825; 6618 4487	
Member of women’s group in Santa Fe	Maria Valle	via Alexandra Hodgkins		
Pan American Reforestation	Luis Rodriguez; Miguel Valerino; Hessel van Straaten		6070 4446; 6030 9326	teak plantations; did contract with community in WWF program
Planting Empowerment	Chris Meyer	www.plantingempowerment.com		land lease for multiple species reforestation
Pastoral Center Santa Fe, Vicariato de Darien; Mariknoll Sisters	Melinda or Joji; Ismael Gomez (Organic Production)	cpstafe@yahoo.com		
Peace Corps	Alexandra Hodgkins PCV Santa Fe; Greg Nelson PCV near Torti, Planilla	aa02@hampshre.edu	6568 8396	economic development
Torti Cooperativo	Sr. Andres	(via peace corps)		
Universidad Zamorano, Honduras	Daniela Rivas Aybar. Estudiante desarrollo socioeconomico y ambiente	daniela_mra@hotmail.com ; drivas@zamorano.edu		
WWF Darien - Meteti	Clelia Mezua		6689 8996	Was not available

ANNEX 4 PANAMA IN NUMBERS

Population

	population estimate d 1 July 2008	% of total population	nr women	% women of local population	ages 10 to 29		area superficial (km2)	inhabitants per km2
					% of total local population youth male	% of total local population youth female		
Republica Panama	3395346	100	1,683,611	49.59	17.8	17.2	75517.0	45.0
COLON	243115	7.16	120032	49.37	18.5	17.9	4868.3	49.9
Colon	209035	6.16	104472	49.98			1475.1	141.7
Chagres	9751	0.29	4416	45.29			445.4	21.9
CHIRIQUI	418518	12.33	206327	49.30	17.7	16.8	6547.9	63.9
David	143320	4.22	74171	51.75			881.0	162.7
DARIEN	45325	1.33	20458	45.14	20.2	17.8	11896.5	3.8
Chepigana	31128	0.92	13904	44.67			6995.9	4.4
Pinogana	14197	0.42	6554	46.16			4900.6	2.9
PANAMA (prov)	1725293	50.81	865041	50.14	17.3	17.0	12042.1	143.3
Arraijan	209822	6.18	104190	49.66			490.3	427.9
La Chorrera	157307	4.63	78199	49.71			661.7	237.7
Panama ciudad	861977	25.39	434875	50.45			2556.9	337.1
San Miguelito	359859	10.60	184080	51.15			50.2	7168.5
COMARCA Kuna Yala	37212	1.10	19802	53.21	18.4	18.8	2340.7	15.9
COMARCA Embera	9432	0.28	4541	48.14	20.2	19.6	4394.1	2.1
Cemaco	7156	0.21	3403	47.55			3097.6	2.3
Sambu	2276	0.07	1138	50.00			1296.5	1.8

Source: INEC 2009. *Panama en cifras*; includes additional calculations

Labor Force Participation

	poblacion de >10 anos de edad 2000			poblacion de >15 anos de edad encuesta de hogares 2007			poblacion de >15 anos de edad encuesta de hogares de 2008		
	total	hombr es	mujere s	total	hombr es	mujere s	total	hombr es	mujere s
populacion *	22068	11096	10972	23097	11329	11767	23569	11461	12107
	68	56	12	63	72	91	00	95	05
economicamente activa	11616	77705	38456	14493	89806	55125	15059	93460	57133
%	52.6	66.9	33.1	62.7	62.0	38.0	63.9	62.1	39.4
ocupados	10108	69063	32019	13569	85335	50362	14219	89372	52820
%	45.8	68.3	31.7	58.7	62.9	37.1	60.3	62.9	37.1
desocupados	15077	5	86412	92345	44714	47631	84009	40880	43129
%	6.8	57.3	42.7	4.0	48.4	51.6	3.6	48.7	51.3
no economicamente activa	10452	33260	71265	86044	23490	62553	85097	21159	63937
%	47.4	31.8	68.2	37.3	27.3	72.7	36.1	24.9	75.1

*nb total population in 2000 with over 10 yrs of age but for the 2007 and 2008 it is total population with over 15 yrs of age.

Areas of Work Non indigenous groups

R	total economic active 2008	total	%	hombres	R	%	mujeres	R	%
	total	1416663	100.0	877182		100.0	539491		100.0
1	comercio al por menor / mayor	275275	19.4	159124	2	18.1	116151	1	21.5
2	agricultura, ganaderi, caza, silvicultura	178582	12.6	159243	1	18.2	19339	10	3.6
3	construccion	148072	10.5	144243	3	16.4	3829	14	0.7
4	industrias manufactureras	119701	8.4	77628	5	8.8	42073	5	7.8
5	transporte, almacenamiento y comunicaciones	104287	7.4	91699	4	10.5	12588	12	2.3
6	hogares privados c servicio domestico	84284	5.9	8898	13	1.0	75386	2	14.0
7	admin publica ydefensa	81592	5.8	46944	6	5.4	34648	7	6.4
8	ensenanza	75834	5.4	25621	10	2.9	50213	3	9.3
9	hoteles y restaurantes	76966	5.4	29168	9	3.3	47798	4	8.9
10	act inmobiliarias, alquiler	76720	5.4	44381	7	5.1	32339	9	6.0
	cumulative % for 10 listed general, by sex		86.2			89.7			80.5
	cumulative % for first 4 general, by sex		50.9			61.6			33.6

R=rank (18 categorias en pag 240 INEC nov 2009)

Source: INEC nov 2009, page 238; source for 2000 data from the 2004 gender assessment report annex 4d

ANNEX 5 LEGAL ACTIONS OF IMPORTANCE TO WOMEN, 1990 TO PRESENT

Law No. 22 of December 7, 1990, whereby married women are given the right to decide whether to use their husband's surname.

Law No. 3 of May 17, 1994, whereby the Family Code is approved. In the first of its four books, refers to family relations, and contains the basic principles and governing generalities, including parenting norms, marriage, separation, maternity, paternity, adoption, parental relations, emancipation, diet, temporary housing, titling and family patrimony.

Law No. 9 of June 20, 1994, whereby the Administrative Career is established and regulated. This legal disposition establishes the system of selection and administration of personnel, qualification of positions and evaluation of trainees to enter into the Administrative Career. It includes within its articles the statistic of sexual harassment as the direct cause of dismissal.

Law No. 12 of April 20, 1995, whereby the Convention on Prevention, Punishment, and Eradication of Violence against Women is ratified.

Law No. 27 of June 16, 1995, whereby domestic violence and child abuse are typified as crimes. Additionally, it orders the establishment of specialized branches to handle these crimes, and reforms and expands the Judicial and Penal Code in these matters. This law was the result of work by the women's movement.

Law No. 44 of August 12, 1995, whereby labor relations are regularized and modernized, and the prohibition of sexual harassment at work is introduced as a sufficient cause for dismissal, and employers are forbidden to commit it.

Law No. 7 of February 5, 1997, which created the *Defensoría del Pueblo*. The Defensoría del Pueblo investigates the acts or omissions of authorities and public servants that constitute violations against established rights, makes studies or investigations, and incorporates international norms relating to human rights into the judicial code.

Law No. 22 of June 14, 1997, which reforms the Electoral Code and adopts other decrees. By decree of the law, it is guaranteed that 30-percent of the election candidates shall be women.

Law No. 50 of November, 23 1997, whereby breast-feeding is protected and promoted.

Law No. 31 of May 28, 1998, for the Protection of the Victims of Crimes. It creates the Department of Free Legal Counsel for the Victims of Crimes and establishes a fund to provide immediate medical or economic assistance to qualifying victims.

Executive Decree No. 3 of January 28, 1999 dictates norms for the opening and functioning of centers for the care of the elderly.

Law No. 4 of January 29, 1999, whereby Equal Opportunity for Women is established, based fundamentally in the prohibition of all forms of discrimination by sex, equality before the law, social and individual rights, condemnation of violence against women, children's rights, equality, justice and respect for human life

Executive Decree No. 23 of June 24, 1999, which created the Advisory of Senior Citizens as a civic, autonomous, and collegiate organization, the principle function of which is to achieve a cultural shift in the Panamanian population's attitudes towards aging and the elderly.

Law No. 42 of August 27, 1999, which established the development of opportunities for disabled persons. It declares the social interest of integrating this population through equal conditions in terms of the quality of life, opportunities, and rights and duties, into the rest of society.

Law No. 54 of December 7, 1999, which established The Reform of Voluntary Insurance of the Social Security Fund for the Incorporation of the Person Dedicated to the Care of their Family. According to the law, the adult man or woman, and an emancipated minor, who is exclusively dedicated to the care of their family, can voluntarily enter social security.

Executive Decree No. 33 of April 24, 2000, which declared the month of March 'Women's Month,' in order to hold activities at the national level under the brand of International Women's Day.

Law No. 6 of May 4, 2000, which establishes the obligatory use of language, content and illustrations with a gender perspective in scholarly texts and works, including videos, documents, slides and all other resources.

Executive Decree No. 99 of November 20, 2000, which created the National Commission for the elaboration of the National Plan against Domestic Violence and Politics of Careful Cohabitation. This commission designed the National Plan aimed at creating actions directly related to customs and national cultural to counteract the problem of domestic violence.

Law No. 17 of March 28, 2001, whereby the Facultative Protocol of the Convention on the Elimination of all forms of Discrimination against Women was approved. The law examines individual cases or extensive violations of human rights of women, to convert the studies into mechanisms for ratification, and the denunciation of any practices that act against the protected rights of the Convention for the Elimination of all forms of Discrimination against Women (CEDAW).

Executive Decree No. 31 of April 16, 2001, whereby the National System of Gender Training (SNCG) is created. SNCG is an organization of the Social Development Ministry, with the purpose of strengthening the means of training and sensitizing gender materials, and

training governmental and non-governmental institutions to incorporate a gender perspective in the creation, implementation and evaluation of public policies in the short, medium and long-term.

Law No. 38 of July 10, 2001, which reforms and extends articles to the Penal and Judicial Code regarding domestic violence and child abuse, and repeals articles of the Law No. 27 of 1995 and dictates other decrees. The new law eliminates the term ‘family members’ and offers a more detailed list of persons protected under this law. The law stipulates the time frame, sentencing and punishment of crimes of domestic violence and child abuse. Also under the law, sexual harassment is categorized as a crime, with the punishment of one to three years in prison. The law also details other criminal activities that are related to domestic violence and child abuse, and divides these crimes into 14 categories. A key element of this law is that it establishes 14 measures of protection in criminal activities related to domestic violence and child abuse.

Executive Decree No. 443 of November 5, 2001, which further develops Article No. 491 of Law No. 3 of May 1994, obliging the Education Ministry to guarantee the continuation of education of pregnant minors in official education centers of the government.

Law No. 68 of December 19, 2001, which establishes the titling of land together with the forms of acquiring the land and modifies articles of the Agrarian Code. The law offers a great advance in women’s access to land by stating that both members of a union have a legitimate right to acquire land.

Executive Decree No. 53 of June 25, 2002, which regulates Law No. 4 of January 1999, instituting the equal opportunity of women in order to guarantee the effective implementation of said law.

Law No. 29 of June 13, 2002, which guarantees the health and education of pregnant adolescents, in order that the adolescent receives proper health care, continues her studies and, if necessary, has legal protection.

Executive Decree No. 89 of November 20, 2002, which refers to Public Entities and Civil Producers and Statistical Information Users for the Incorporation of the Gender Focus in National Statistics. The network has the goal of contributing to the development and improvement of national statistics in relation to gender, so that public policy towards gender related issues may be improved.

Law No. 39 of May 6, 2003, which modifies and extends articles of the Family Code on Recognition of Paternity, placing the Civil Registrar in charge of notifying a supposed biological father of the existence of a child, so that if confirmed as his child, the child will be given the surname of the man.

Law No. 16 of March 31, 2004, which dictates decrees for the prevention of crimes against sexual integrity and liberty, and modifies and extends articles of the Penal and Judicial

Codes. The fundamental objective of this law is to protect children from any and all forms of sexual exploitation by establishing preventative norms and sanctions in accordance with the higher interest of childhood and adolescence.

Executive Decree No. 103 of September 1, 2004, which created the SENADIS (National Secretary for the Social Integration of Disabled Persons) to bring assistance and inter-sectoral coordination of those in charge of public policies towards disabled personas and their families.

Law 14 of May, 2007, which adopts a new Penal Code under which perpetrators of domestic violence homicides are subject to a higher number of years of imprisonment, an aggressor who bruises his victim has a raised penalty if it is an act of domestic violence, the penalty for a domestic violence crime is raised. . Under the new Code, if the prison sentence for crime of domestic violence is converted to treatment by therapy, and the perpetrator does not finish his/her treatment he/she must immediately be sent to prison to finish the term of punishment.

Law No. 22 of June 22, 2007, which adopts means for the Protection of Underage Persons with Relation to the Exhibition and Production of Pornographic Materials.

Law No. 71 of December 23, 2008, which creates the National Woman's Institute.

Law No. 14 of January 23, 2009, which creates the National Secretary of Childhood, Adolescence and Family.

ANNEX 6 SUGGESTED TOR GENDER SPECIFIC ADDITIONS FOR THE IRG END OF TERM EVALUATION

Terms of Reference

These partial specific terms of reference are provided as a guide and assistance to the IRG team writing the Statement of Work for the final evaluation of their program. The aim is to obtain lessons learned about gender successes and how to make them applicable to other USAID-funded programs. The structure below follows a general structure of a SoW document so that the paragraphs below can be integrated relatively easy into the overall SoW for the end of term assessment of this project.

STATEMENT OF WORK

I. INTRODUCTION

...

In order to provide more data for effective integration of gender considerations in new programs, it is essential that end of program assessment include an evaluation of methodology and management relative to gender-specific successes and/or failures.

II. PURPOSE

...

The purpose of the specific gender assessment is to i) identify and evaluate the key gender issues and constraints encountered within the program and ii) provide an overview of lessons learned and requirements for gender integration in program design. The interrelated tasks must address:

1. Reviewing the role of gender in the original program design;
2. Assessing the type of gender specific indicators used in the program design and their usefulness during baseline, monitoring and implementation;
3. Assessing the methodology for participation of communities and especially women;
4. Assessing the role and model of management support towards gender in this program
5. Assessing the influence on gender (positive and/or negative) of intermediaries between the contractor (IRG) and the beneficiaries (Community Based Groups/Organizations).
6. Analyze the lessons learned with an aim to provide:
 - a.) recommendations for program design to promote gender equality
 - b.) successful and practical gender specific indicators for similar programs
 - c.) a model for management to implement the program in participatory and gender friendly ways.

The analytical work should address at least two questions: 1. how did gender relations affect the achievement and sustainability of the results (*influence on decision making, household responsibilities; community roles and participation of men and women in leadership position; how the types of projects within the program have influenced gender inequalities*)

and 2. How are these results affecting the relative status of the beneficiaries, both women and men?

The USAID Automated Directive System (ADS) 201.3.9.3 has set forth mandatory gender assessment requirements. These requirements are often seen as a “burden” on top of other requirements, but in practice in many other funding agencies and other countries, addressing gender issues and constraints and to achieve true participation of the target groups has shown to be effective in results. Therefore, this analysis of practical lessons and success stories is an essential assistance to raise awareness and motivation in both USAID and program staff in Panama.

III. BACKGROUND

...

Gender

Participation of women in the development of Panama is still far less visible than that of men. This applies to the workforce (informal sector and underemployment), economic entrepreneurship opportunities for women (access to finance and adequate training) and the political participation. The watershed management and biodiversity program as implemented by IRG has had a number of successful activities with active participation of and benefits for women and during this end of program assessment, an analysis of the reasons for this success should be analyzed as potential guidance for similar upcoming programs in Panama.

IV. TASKS

...

The primary tasks for the gender consultant in the team are to:

- A. Conduct a gender briefing for the technical consultant team on the methodology of the assessment and specifically on the ADS requirements
- B. Carry out an end of program gender assessment:
 - o Review the role of gender in the original program design and seek the linkage to the implementation; from which preparatory phase was undertaken by which actor and how relevant where they for the final program design, baseline and implementation. Were any changes made and how did they affect the gender-related results (e.g., getting a potential wider coverage through work with intermediaries (NGOs or traders) as implementers or directly implement in maybe fewer communities; locations of key staff).
 - o Assess the indicators of the program for people orientation and whether they were gender specific, as set out in the design, as verified in the baseline, and as these were reported on during implementation in both internal and external documents. The sources to be used are the documents but also semi-structured interviews with the people responsible for gathering and analyzing the data.

- Assess the methodology that was used to promote community participation and the role of women therein. Sources are project staff and beneficiaries accounts and if any – documents of methodologies used.
- Assess the role and model of management support towards gender in this program and the financial resources allocated to support it. Sources are the managers and sub-management.
- Identify the various intermediaries and other stakeholders in the project (a list should be provided by the contractor) to assess their influence on gender success. It is important to interview the beneficiaries in the communities, both women and men, with regard to the gender friendliness of intermediaries as well as that of the manager. Note that such intermediaries can both be NGOs for implementing projects or Commercial traders.
- Provide recommendations for program design and implementation to achieve gender equality based on the lessons learnt, with a list of useful and practical gender specific indicators for similar programs.
- Work with all other consultants in the team towards a gender friendly model for USAID staff and program contractors (management). The model should incorporate the recommendations and lessons learnt for an implementation approach that enhances community participation and gender awareness therein (with or without intermediaries or types of intermediaries; capacity and training for program staff, etc.).

C. Gender integration in the general end of program evaluation report

- the *relevance* of gender integration in the various program components (short);
- the *efficiency* of the strategies chosen for community participation/gender equality in the organizational set up as implemented by the program and its choices of priorities and locations in relation to the budget;
- the *effectiveness* of the program’s gender related objectives and the results achieved, and consider the whether the assumptions necessary to achieve the objectives were correct or not, and how this might have affected the gender results.
- the *impact* on the beneficiaries in short and long term in the objective of achieving both conservation of biodiversity and economic development.
- the *overall quality and sustainability* of the results should be assessed against the following factors:
 - i. Policy support measures and capacity in the public sector – to which extend are the initiatives (committees, companies, groups, etc.) in the communities supported by Panama’s policy and budget. Is there guarantee for further resources (financial and personnel).

- ii. Economic and financial sustainability – to what extent are the initiatives in the communities able to support the continuation and where do their resources come from
- iii. Appropriate technology and marketing – to which extend do the initiatives fit within the local context and market, including their impact on recurrent costs (time, money) for female participants.
- iv. Institutional and management capacity in the private sectors – to which extent are the intermediary counterpart institutions committed to continue their support or alliance and to what extent are they aware of the involvement of women in the local community institutional structures.

V. ASSESSMENT METHODOLOGY

Enough time must be given for the gender consultant to travel to the various projects and do meaningful participatory assessments there with the communities besides the remaining work.

VI DELIVERABLES

1. Briefing on Gender in Evaluations
2. Gender Assessment Report
3. Gender integration in the final end of program evaluation report – with model (steps for implementation) that promotes gender equality in community participation and program implementation.

ANNEX 7 SUMMARY OF THE MODEL AS APPLIED BY INAMU FOR THE NETWORK AGAINST DOMESTIC VIOLENCE

Resumen sobre Red Contra la Violencia Doméstica, Modelo que aplicamos en el INAMU

By Nuvia Barrios – Técnica Instituto Nacional de la Mujer – tel: 5006061/62

Red Contra la Violencia Doméstica

Una red contra la VID, es un esfuerzo articulado entre organizaciones gubernamentales y no gubernamentales de mujeres, empresas con responsabilidad social, sociedad civil y la comunidad, entre otras, que nos permite compartir información, establecer estrategias de prevención y atención frente a esta problemática.

Objetivos de una Red Contra la VID

1. Fortalecer la capacidad técnica y de gestión de la comunidad u localidad elegida, para el diseño y ejecución de un plan local de prevención de violencia doméstica.
2. Ofrecer un modelo de intervención integrado y participativo para la prevención y atención de la violencia doméstica a nivel local y así dar ejecución a lo del Plan Nacional contra la Violencia Doméstica y Políticas de Convivencia Ciudadana 2004 – 2014.
3. Organizar a la comunidad y a los servicios de prevención y atención de la VID de una localidad, a fin de garantizar un atrabajo articulado que garantice una comunidad segura y en convivencia de paz.

¿Quiénes forman una Red contra la VID?

Para la conformación de las Redes Locales contra la Violencia Doméstica (VID), se han identificado, por lo menos, ocho sectores a nivel gubernamental, no gubernamental, organizaciones con responsabilidad social y sociedad civil, que deben ser integrados:

Educación; Salud; Cultura y Deporte
Autoridades Judiciales; Policía Nacional; Municipio
CONAMU; Movimiento de Mujeres
Sociedad Civil; Organizaciones Comunitarias

Instancias Contrapartes de una Red Contra la VID:

a. El Instituto Nacional de la Mujer (INAMU):

Entidad pública descentralizada, coordinadora y ejecutora de la política nacional de igualdad de oportunidades para las mujeres, conforme a sus objetivos y atribuciones, actúa como contraparte directa en la coordinación de las distintas acciones en materia de VID, con el equipo técnico, del Municipio, y actores/as, de sectores involucrados Así como también las Direcciones Regionales, Provinciales y Comarcales del MIDES.

b. Ministerio de Desarrollo Social (MIDES):

Es el ente rector de las políticas públicas con perspectiva de género. Es la instancia que trabaja de forma articulada con el Instituto Nacional de la Mujer para implementar el Plan Nacional contra la Violencia Doméstica y Políticas de convivencia Ciudadana 2004 – 2014.

c. Municipio:

El municipio se encargará de establecer los contactos a nivel político con las instancias claves de las comunidades y de los otros sectores involucrados. Se sugiere sea responsable de todo el proceso de convocatorias a reuniones y jornadas de trabajo. De igual manera deberá participar activamente en todas las fases de coordinación técnica y logística de las acciones.

d. Actores/as Claves de las Comunidades:

Son personas que ejercen liderazgo dentro de las comunidades meta, donde intervendrá la Red, entre los que se pueden mencionar: líderes y lideresas comunitarios, regidores/as, corregidores/as, personeros/as, pastores/as y/o sacerdotes, Presidentes/as de Clubes de Padres y Madres de Familia y otros que incidan en la toma de decisiones en las comunidades meta de la Red.

FASES PARA LA CONFORMACIÓN DE UNA RED LOCAL CONTRA LA VIOLENCIA DOMÉSTICA

FASE I: INSTALACIÓN DE LAS REDES LOCALES CONTRA LA VID

- **Identificación de los actores Claves:** esto significa, que tiene que contarse con un mapeo de las diferentes instituciones y sectores organizados que están presentes en la provincia, distrito, corregimiento o comunidad, en donde se espera instalar la Red, a saber Gobierno Central, Gobiernos Locales, involucrando a todos los sectores, autoridades, organizaciones de mujeres, iglesias, líderes de esas comunidades, redes de mujeres y población en general
- **Reuniones intra e interinstitucionales:** Para informar a los/as actores/as claves sobre la importancia de establecer una estrategia coordinada a nivel intersectorial para el abordaje de la violencia doméstica y organizar el equipo coordinador del proceso de conformación de la Red.
- **Instalación de la Red Local Contra la Violencia Doméstica:** aquí se definen las reglas para el funcionamiento de la Red Local Contra la Violencia Doméstica y se establecen los procedimientos, responsabilidades de los/as diferentes actores/as que conformarán la Red. Para estos efectos se debe desarrollar un acto formal en el que todas las partes, instituciones de gobierno, sociedad civil, ONG's y otros/as actores/as, se comprometan en el desarrollo de las acciones que se organicen a través de la Red.

FASE II: DIAGNÓSTICO Y ELABORACIÓN DE UN PLAN PARA EL ABORDAJE INTERSECTORIAL DE LA VIOLENCIA DOMÉSTICA

A. Desarrollo de investigaciones:

- **Investigación sobre: “Inventario de Recursos Institucionales y Comunitarios para enfrentar la Violencia Doméstica”:** a través de esta se identifican los recursos existentes gubernamentales y no gubernamentales en la comunidad u localidad seleccionada, para la instalación de la Red.
- **Investigación sobre: “Costo, Magnitud y Factores de Riesgo de la Violencia Doméstica”:** tiene como objetivo obtener una aproximación de la situación de la violencia, su magnitud, costos y factores de riesgos; en consecuencia de la necesidad de definir acciones concretas, en el área seleccionada a instalar la Red

B. Desarrollo de Talleres de Formación, Capacitación y Sensibilización:

- Etapa de Formación y Capacitación de las Redes Locales Contra la Violencia Doméstica.

C. Proceso de análisis de los hallazgos en materia de Violencia Doméstica.

FASE III: IMPLEMENTACIÓN DEL PLAN DE ACCIÓN DE ABORDAJE INTERSECTORIAL DE LA VIOLENCIA DOMÉSTICA.

Para el desarrollo del Plan de Acción se debe tener una:

- Estructura mínima de funcionamiento operativo en las Redes Locales de Prevención de la Violencia Doméstica
- Elaboración del Plan de Acción
- Divulgación del Plan Local de prevención y atención de la violencia doméstica.
- Etapa de formación dirigida a los actores/as claves de los sectores de Salud, Educación, Judicial-Policial, Administración de Justicia y Comunitario.

FASE IV: SEGUIMIENTO Y MONITOREO DE LAS REDES LOCALES CONTRA LA VIOLENCIA DOMÉSTICA

Se deberán desarrollar dos acciones claves:

- Desarrollar un sistema interinstitucional de seguimiento, monitoreo y evaluación de la atención integral de las acciones contra la Violencia Doméstica
- Definir los mecanismos operativos de gestión, coordinación, ejecución, seguimiento y evaluación técnicos-administrativos del sector gubernamental y no gubernamental, para la implementación del Plan Local de Violencia Doméstica en el distrito en referencia, mediante un proceso de concertación con los actores/as involucrados/as.

ANNEX 8: TRAINING FOR IMPLEMENTING GENDER INTEGRATION: ABOUT INDICATORS⁵⁵

Although no manual can be provided here – indicators are an essential tool for developing and monitoring programs.

Indicators –and also gender indicators- are best developed in a training workshop with program staff and contractor staff by sector or –if time is limited – by project work groups plus a plenary presentation and discussion.

The following provides examples for an environmental workgroup/workshop that aims to develop meaningful gender indicators.

1. The importance of a person-level orientation, in policy and methodology:
This usually involves a shift in thought process, which naturally starts with assuring that the general objective involves the improved sustainable livelihoods for people.
2. Verification of Objectives
When the overall objective is “*to increase production*” or “*to preserve the biodiversity*” the question needs to be answered: “*for whose benefit?*”
3. Exercise in workgroups: Humanizing indicators
A key lesson or exercise is to make all (environmental) indicators people specific and not production or number oriented.
For indicators it works as follows:
 - Not the “*number of hectares under sustainable management*” but rather the “*number of women and men involved in the sustainable management of X hectares*”
 - Not “*the number of trees available for sale*” but rather “*the number (and species) of trees sold and bought by women and those sold and bought by men.*” *Number and list of species valued by women compared to that valued by men. Value defined in categories that apply to the functions trees can have (economical once only use; economical regular use; social use/importance; environmental importance).*
4. Obtaining the supporting data.
Any environmental indicators need to be obtained separately by the men and the women involved. This section can involve some general techniques for participatory methods of gathering data.
5. Gender Analysis
The results of these indicators provide much more meaningful data that assist any program team in the analysis of the monitoring data.

⁵⁵ These notes were prepared by Elisabeth (Loes) Roos, who may be available to provide this type of training.