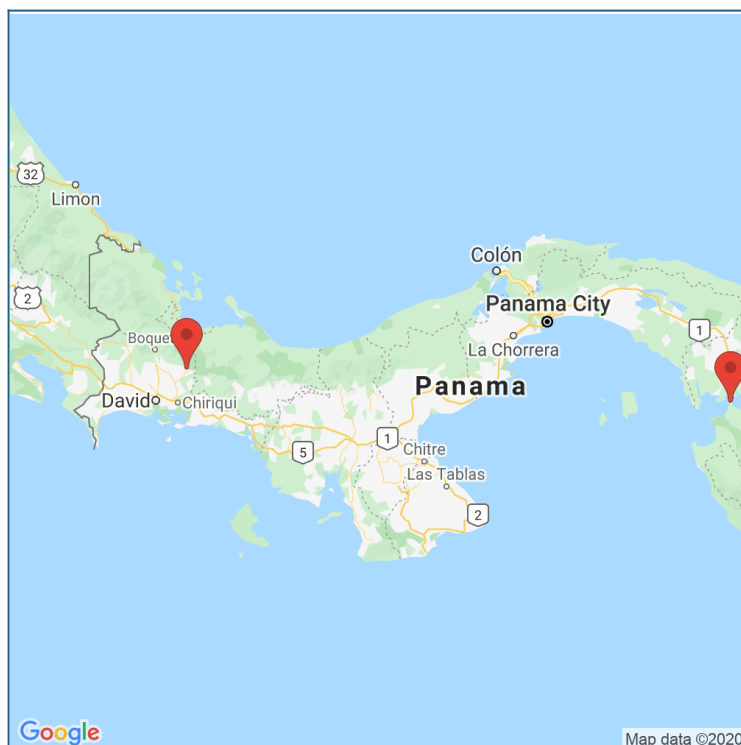


Panama Immigration Detention Data Profile



Quick Facts	
Detained minors (2017)	Not Available
International migrants (2019)	185,072
New asylum applications (2019)	9,726
Number of immigration detainees on a given day (2020)	2,527

NOTES ON USING THIS PROFILE

- Sources for the data provided in this report are available online at: <https://www.globaldetentionproject.org/countries/americas/panama>
- "Observation Dates" indicate the timeframe statistical data correspond to or other data were last validated. More than one statistical entry for a year indicates contrasting reports.

STATISTICS

Detention, expulsion, and incarceration statistics

		Observation Date			Observation Date
Number of immigration detainees on a given day	2,527	2020	Total number of detained minors	Not Available	2017
Number of dedicated long-term immigration detention centres	2	2015	Estimated capacity of dedicated long-term immigration detention centres	90	2014
Criminal prison population	17,165	2016	Percentage of foreign prisoners	10.1	2014
	14,170	2013		9.9	2012
	12,293	2010			
	11,345	2007			
	11,400	2004			
	9,626	2001			
	8,191	1998			
	6,607	1995			
	4,428	1992			
Prison population rate (per 100,000 of national population)	421	2016			
	383	2013			
	349	2010			
	337	2007			
	356	2004			
	318	2001			
	286	1998			
	245	1995			
	174	1992			

Demographics and immigration-related statistics

		Observation Date			Observation Date
Population	4,300,000	2020	International migrants	185,072	2019
	3,929,000	2015		184,700	2015
	3,600,000	2012		158,400	2013
International migrants as a percentage of the population	4.7	2015	Refugees	2,536	2019
	4.1	2013		2,518	2018
				2,432	2017
				17,292	2016
				17,322	2015
				17,665	2014

Ratio of refugees per 1000 inhabitants	4.35	2016	Total number of new asylum applications	9,726	2019
	4.7	2014		3,457	2016
	4.74	2012		1,184	2014
				756	2012
Refugee recognition rate	70.7	2014	Stateless persons	2	2018
				2	2014

DOMESTIC LAW				
LEGAL TRADITION				
Legal tradition	Name		Observation Date	
	Civil law			
LAWS AND REGULATIONS				
Constitutional guarantees?	Yes/No	Constitution and Articles	Year Adopted	Last Year Amended
	Yes	Constitution of the Republic of Panama, articles 21-23	2004	2004
LAWS AND REGULATIONS				
Core pieces of national legislation	Name		Year Adopted	Last Year Amended
	Executive Decree No. 26 of 2 March 2009			2009
	Law Decree No. 3 of 22 February of 2008 ("Nueva Ley de Migración")			2008
	Executive Decree No. 320 of 8 August 2008			2008
GROUND FOR ADMINISTRATIVE IMMIGRATION-RELATED DETENTION				
Immigration-status-related grounds	Name		Observation Date	
	Detention to effect removal		2015	
	Detention for unauthorised entry or stay		2015	
	Detention for unauthorized stay resulting from criminal conviction		2015	
GROUND FOR ADMINISTRATIVE IMMIGRATION-RELATED DETENTION				
Non-immigration-status-related grounds providing for administrative detention in immigration legislation.	Name		Observation Date	
	Detention on public order, threats or security grounds		2015	
CRIMINALIZATION OF IMMIGRATION-RELATED OFFENCES				
Has the country decriminalized immigration-related violations?	Has the country decriminalized immigration-related violations?		Observation Date	
	Yes		2014	

LENGTH OF DETENTION				
Maximum length for administrative immigration detention in law.	Number of Days		Observation Date	
	540		2015	
PROCEDURAL STANDARDS				
Provision of basic procedural standards	Name	In Law	In Practice	Observation Date
	Information to detainees	Yes		2015
	Right to legal counsel	Yes		2015
	Access to free interpretation services	No	No	2014
	Access to consular assistance	Yes	Yes	2014
	Access to asylum procedures		Yes	2014
	Independent review of detention	No	No	2014
	Complaints mechanism regarding detention conditions	No	No	2014
	Compensation for unlawful detention		No	2014
Right to appeal the lawfulness of detention	Yes	Yes	2014	
NON-CUSTODIAL MEASURES (ALTERNATIVES TO DETENTION)				
Types of non-custodial measures	Name	In Law	In Practice	Observation Date
	Supervised release and/or reporting		Yes	2014
NON-CUSTODIAL MEASURES (ALTERNATIVES TO DETENTION)				
Impact of alternatives	Name	Impact of Nature		Observation Date
	Unknown	Alternatives rarely applied		2014
VULNERABLE PERSONS				
Is the detention of vulnerable persons provided in law? Are they detained in practice?	Name	In Law	In Practice	Observation Date
	Asylum seekers	Not mentioned	Yes	2015
	Accompanied minors	Prohibited	No	2014
	Unaccompanied minors	Prohibited	No	2014
EXPEDITED REMOVAL AND RE-ENTRY BAN				
Re-entry ban	Name		Observation Date	
	Yes		2015	

COVID-19 UPDATES

	Update Status	Observation Date
	<p>Responding to the Global Detention Project’s Covid-19 survey, the director of the Panamanian section of “Fe y Alegria” an NGO part of the Jesuit Migration Network, reported that a moratorium on new immigration detention orders had been established until 8 June 2020, but that no immigration detainees were released and that those who were in detention prior to the start of the pandemic have remained in detention. The NGO indicated that authorities are carrying out tests and are monitoring migrants in the Lajas Blancas, Las Peñitas (on the Colombian border) and Los Planes (on the Costa Rican border) “albergues” (shelters or camps). In other parts of the country, migrants are only tested if they show symptoms of the disease. In addition, Fe y Alegria said that interviews to apply for refugee status or to resolve immigration status claims have been suspended along with deportation flights. He said that only “humanitarian flights” are being carried out. On 9 June, Reuters reported that Panama had confined some 200 migrants in a camp in the jungle to contain a new Covid-19 outbreak among a large group of migrants from Africa, Cuba, and Haiti, that have been left stranded by the Covid-19 crisis in the remote Darién region. During a visit of the Lajas Blancas camp on 5 June, Reuters said that some migrants were wearing masks, some were laying in tents or under tarps, enclosed by a wired fence. Medical workers were making rounds taking migrants’ temperature and blood pressure levels. Of the four migrants Reuters was able to speak to, one said that the food was of poor quality and had sickened some people at the camp. Migrants are reportedly not allowed out of the camp without authorisation, although they are allowed to buy supplies and food in nearby stores. According to Panama’s Minister of Security, six migrants in the camp have contracted Covid-19. In addition, he mentioned that the Panamanian government will soon start building a new camp with 500 spaces in the Darién region. Regarding the country’s penitentiaries, Health authorities reported a large increase in the number of Covid-19 cases on 29 May. More than 333 prisoners tested positive in the Santiago prison in Vargas. This represents around two-thirds of the total facility’s population, which was initially intended to hold 150 people. On 2 June, the prison administration announced the first death of a prisoner due to Covid-19 in the Santiago prison. Also, the Nueva Joya prison has now recorded 228 cases of Covid-19, making it the second most infected prison in the country.</p>	2020
Latest Update	<p>As reported previously on this platform (see the 1 June Panama update), Panama has shifted many undocumented migrants to the border with Costa Rica. The two countries have an agreement regarding migrant mobility, but the agreement cannot be enforced as Nicaragua has closed its borders. The director of the immigration authority in Costa Rica, Raquel Vargas, said that “non-citizens in Panama will not cross to Costa Rica” as Nicaragua has announced they would block the path for migrants. This has left thousands of third-country nationals in limbo in Panama, according to the UN human rights regional office in Panama ROCA. In an email to the GDP (5 June), the UN office reported that “in Panama, there are Humanitarian Temporary Stations for Migrants on the borders with Colombia and Costa Rica. Currently, there are more than 2,500 migrants from Haiti, Cuba, African and Asian countries who are in detention waiting for the borders to open to continue their journey to the North.” The UN office pointed to a recent ruling by the Inter-American Court of Human Rights, which was previously discussed on this platform, saying that the court had “issued precautionary measures to Panama to protect the integrity and health of these people, given that they are in overcrowded conditions and facing an outbreak of COVID-19.”</p>	2020
	<p>Responding to the Global Detention Project’s Covid-19 Survey, the UN human rights regional office in Panama (ROCA) reported that Panama has not established a moratorium on new immigration detention orders and that the country is not contemplating the measure. ROCA also explained that no immigration detainees have been released and that there are no “alternatives to detention” programs employed in the country. As regards deportations and expulsions, the UN office said that while these have been temporarily suspended, there is no specific measure prohibiting them. Panama has extended refugee applicants’ permits for the duration of the quarantine so that these do not expire during the crisis. IOM reported that per year, Panama receives around 25,000 migrants and/or asylum seekers (2,000 per month), most of whom are seeking to journey to the United States. Due to border closures caused by the Covid-19 crisis, vulnerable migrant and refugee populations are stranded between Panama, Colombia and Costa Rica. The IOM Director in Panama, said that “migrants and refugees are the most at risk and vulnerable population, and in consequence, we should not exclude them from the Covid-19 strategy response, given that protecting their rights and dignity signifies responding to the humanitarian needs of all.” IOM, in collaboration with UNHCR, has been providing food and sanitary products to alleviate the risk of contagion. In its survey response, the UN human rights office reported that immigration detainees are tested for Covid-19 in migrant reception centres. On 15 May, the UN reported in a news release that the four immigration reception centres in Panama are currently holding 2,527 persons with most originating from Haiti, Congo, Bangladesh, and Yemen. One of the centres, “La Peñita,” houses 1,724 persons, of which 500 are children. Prior to the start of the Covid-19 crisis, migrants would, on average, spend a week in immigration centres, during which fingerprints would be taken and any other medical examinations would be conducted by the Ministry of Health. However, since the start of the Covid-19 crisis, migrants have been obliged to stay in the centres until borders are re-opened, creating uncertainty as to how long they will be held. On 30 May, the Panamanian government announced that it intends to transport around 1,900 migrants, who have been stranded in the country due to Covid-19, closer to the border with Costa Rica, following a resolution by the Inter-American Court. Three days earlier, the Court requested that Panama provide “access to essential health services without discrimination to all persons that are held in the immigration reception centres of La Peñita and Laja Blanca, including Covid-19 screening.” In the former centre, at least 17 people have tested positive for the virus. The Court’s decision was motivated by several factors including overcrowding, lack of primary health services and measures to avoid contagion, as well as border closures. In relation to overcrowding, it was mentioned that one of the centres was seven times over its capacity and that the country’s explanations were insufficient to justify or demonstrate the observance of WHO standards. In consequence, the Court requested that urgent measures be adopted and asked Panama to prepare a report, before 10 June, on compliance with the requested measures.</p>	2020

INTERNATIONAL LAW

Relevant international treaties and date of ratification

International treaties	Name	Ratification Year
	OP CRC Communications Procedure	2017
	OPCAT, Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	2011
	CRSSP, Convention Relating to the Status of Stateless Persons	2011
	ICPED, International Convention for the Protection of All Persons from Enforced Disappearance	2011
	CRPD, Convention on the Rights of Persons with Disabilities	2007
	CTOCTP, Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children	2004
	CTOCSP, Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime	2004
	CRC, Convention on the Rights of the Child	1990
	CAT, Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	1987
	CEDAW, Convention on the Elimination of All Forms of Discrimination against Women	1981
	CRSR, Geneva Convention Relating to the Status of Refugees	1978
	PCRSR, Protocol to the Geneva Convention Relating to the Status of Refugees	1978
	ICCPR, International Covenant on Civil and Political Rights	1977
	ICESCR, International Covenant on Economic, Social and Cultural Rights	1977
	ICERD, International Convention on the Elimination of All Forms of Racial Discrimination	1967
	VCCR, Vienna Convention on Consular Relations	1967
Ratio of relevant international treaties ratified	16/19	

Relevant international treaties and date of ratification

Individual complaints procedure	Name	Acceptance Year
	ICERD, declaration under article 14 of the Convention	2015
	CRPD, Optional Protocol to the Convention on the Rights of Persons with Disabilities	2007
	CEDAW, Optional Protocol to the Convention on the Elimination of Discrimination against Women, 1999	2001
	ICCPR, First Optional Protocol to the International Covenant on Civil and Political Rights, 1966	1977

Relevant international treaties and date of ratification

Ratio of complaints procedures accepted	Number	Observation Date
	4/8	
	4/8	

Regional treaties, regulations, and directives			
Regional legal instruments	Name		Year of Ratification (Treaty) / Transposed (Directive) / Adoption (Regulation)
	IACPPT, Inter-American Convention to Prevent and Punish Torture		1991
	IACFDP, Inter-American convention on Forced Disappearance of Persons		1995
	CBDP, Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (Convention of Belem do Para)		1995
	APACHR, Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights		1992
ACHR, American Convention on Human Rights		1978	
Non treaty-based international human rights mechanisms			
Relevant recommendations of the UN Universal Periodic Review	Recomendation Issued	Year Issued	Observation Date
	No	2011	2017
	No	2015	

INSTITUTIONAL INDICATORS				
Governing structures				
Federal or centralized governing system	Federal or centralized governing system			Observation Date
	Centralized system			2015
Governing structures				
Centralized or decentralized immigration authority	Centralized or decentralized immigration authority			Observation Date
	Centralized immigration authority			2014
Institutions responsible for immigration detention				
Custodial authority	Agency	Ministry	Ministry Typology	Observation Date
	Servicio Nacional de Migración	Ministerio de Seguridad Pública	Internal or Public Security	2014
	Servicio Nacional de Migración	Ministerio de Seguridad Pública	Internal or Public Security	2014
Dirección Nacional de Migración y Naturalización	Ministerio de Gobierno y Justicia	Interior or Home Affairs	2007	
Institutions responsible for immigration detention				
Detention Facility Management	Entity Name		Entity Type	Observation Date
	Servicio Nacional de Migración		Governmental	2014
	Servicio Nacional de Migración		Governmental	2014
Dirección Nacional de Migración y Naturalización		Governmental	2007	

Institutions responsible for immigration detention															
Formally designated detention estate?	Formally designated immigration detention estate?				Types of officially designated detention centres							Observation Date			
		Yes				Dedicated immigration detention facilities							2015		
Institutions responsible for immigration detention															
Types of detention facilities used in practice	Immigration detention centre (Administrative)	Immigration field office (Administrative)	Transit centre (Administrative)	Reception centre (Administrative)	Offshore detention centre (Administrative)	Hospital (Administrative)	Border guard (Administrative)	Police station (Criminal)	National penitentiary (Criminal)	Local prison (Criminal)	Juvenile detention centre (Criminal)	Informal camp (Ad hoc)	Immigration detention centre (Ad hoc)	Surge facility (Ad hoc)	Observation Date
	Yes														2014
Detention monitoring institutions															
Authorized monitoring institutions	Institution				Institution Type							Observation Date			
	Servicion Jesuita a Refugiados (SJR) Panama				Non-Governmental Organizations (NGO)							2014			
	Defensoría del Pueblo				National Human Rights Institution (or Ombudsperson) (NHRI)							2013			
Detention monitoring institutions															
Does NHRI carry out visits?	Does NHRI carry out visits in practice?							Observation Date							
	Yes							2013							
Detention monitoring institutions															
Do NGOs carry out visits?	Do NGOs regularly carry our visits?							Observation Date							
	Yes							2014							
Detention monitoring institutions															
Do NGOs publish reports on immigration detention?	Do NGOs publish reports on immigration detention?							Observation Date							
	Yes							2013							

More information about immigration detention in Panama is available at the website of the Global Detention Project (www.globaldetentionproject.org)