

Fourth Cycle of the Periodic Review of Panama, to be held during the fiftieth session of the Human Rights Council

Situation of people in human mobility in Panama

Presented by:

Afroresistance: Community organization aimed at addressing the political, economic, and cultural needs of the growing Latinx and Caribbean populations in the United States, with a special focus on the most marginalized ethnic groups within the Latinx community: Afro-descendant and Indigenous peoples.

Center for Justice and International Law (CEJIL): Non-profit organization with more than 30 years of work in the defense of human rights in the Americas through strategic litigation, advocacy and communication. We use international human rights law and articulate actions with international and national organizations, maintaining the centrality of the victims.

International Detention Coalition (IDC): An organization that advocates to prevent immigration detention. IDC focuses on solutions, and we work directly with governments, policy makers, civil society organizations, UN agencies and other actors to achieve this goal, offering practical alternatives that benefit individuals, communities and society at large.

Espacio Encuentro de Mujeres: An organization that promotes the economic, political, social, and cultural empowerment of women to achieve their full integration and participation in all areas of life, both public and private; political and social decision-making; creators of a diverse future and defenders of their integrity, bodies, and health, free from physical, psychological, economic, and property violence.

Franciscans International (FI): International non-governmental organization founded in 1989 and in General Consultative Status with the Economic and Social Council of the United Nations since 1995. FI has a legal team in New York and Geneva that supports Franciscan communities and organizations and their allies to present their concerns and expertise to the UN. Through networking, we build strategies to address the structural causes of human rights violations.

Red Clamor: Network of networks that, attached to the Latin American Episcopal Council, CELAM, articulates the pastoral work of Catholic Church organizations in Latin America and the Caribbean that welcome, protect, promote and integrate migrants, displaced persons, refugees and victims of trafficking, from the Spirituality of Communion, being witnesses of a missionary, synodal, outgoing Church that walks with the impoverished and excluded.

Franciscan Migrant Network of Panama: Network of men and women, lay and religious, affiliated to the Franciscan family, who work on migration issues, to offer support, humanitarian assistance and welcome displaced persons from their territories.

Red Jesuita con Migrantes – LAC: An organization that seeks to bring unity, consistency, and effectiveness to the Jesuit commitment to the most vulnerable migrants, displaced persons, and refugees in Latin America and the Caribbean; focusing on accompanying these individuals, advocating for their rights, and promoting interprovincial and intersectoral projects in geographically conflicted borders and with marginalized populations.

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Contribution to the fourth cycle of the Universal Periodic Review (UPR) of the Human Rights Council on Panama.

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1. This report is a contribution to the Fourth Cycle of the Universal Periodic Review (UPR) of Panama, presented by Afroresistance, the Center for Justice and International Law (CEJIL), the International Detention Coalition (IDC), Espacio Encuentro de Mujeres, Franciscans International (FI), Red Clamor, the Jesuit Migrant Network – LAC, and the Franciscan Migrant Network of Panama, which are part of the *Observatory of Human Mobility in the Darien and Other Alternative Routes*, made up of 20 civil society and academic organizations from Colombia, Panama and Costa Rica. The Observatory aims to closely monitor and share accurate and updated information that facilitates understanding and addressing migratory dynamics. In addition, the undersigned organizations have accompanied, advised and represented people in a situation of human mobility in Panama and other civil society organizations working on human mobility issues. This report was prepared based on the documentation and field work carried out by our organizations, as well as the review and monitoring of legislation, practices and policies implemented by the Panamanian State after the UPR of 2020.
2. Our contribution aims to offer recommendations based on a detailed analysis of the context of human mobility in Panama, highlighting the various violations of the rights of persons in need of international protection and migrants. In addition, it addresses the particular situation of people crossing the Darien area and using alternative routes to access the territory.

A. Context of migratory situation

3. Panama's migration dynamics have been influenced by its role as a gateway to Central America. People from South America and outside the continent cross the Darien jungle to reach the country. Between 2020 and 2022, the migratory flow through the so-called Darien "Plug" increased by almost 4,000%¹, reaching a historic peak of 520,085 people in 2023², and 302,000 in 2024.³
4. Recently, the migratory flow has been affected by U.S. administration measures, such as the impossibility of applying for asylum and the militarization of borders, which has led many people to desist from continuing to the U.S. or returning to their countries of origin. Despite these changes, the need for migration management in Panama persists, with 2,637

¹ National Migration Service (SNM) of Panama. ["Irregular Transit through Darien"](#).

² WOLA. [Border Oversight](#). 2025.

³ [Panama says migrant jungle crossings fell 41% in 2024](#). January 2, 2025.

people registered in the south-north flow to date⁴ . In addition, the north-south flow registered 2,000 people in February and continues to increase.⁵

5. A significant part of the forced migration in the Darien is a consequence of the human rights crisis in countries such as Venezuela, Haiti, Colombia and Ecuador, although more than 50 nationalities have been registered⁶ . The Panamanian Ombudsman's Office highlights the increase in the number of families and the presence of women, children, the elderly and people with disabilities⁷ , groups that are in more vulnerable conditions and face increased risks⁸ . Approximately 57% of migrants transiting this route are women.⁹
6. In February of this year, Panama agreed to receive 360 Asian and Middle Eastern persons deported from the U.S.¹⁰ , detaining them and withholding documents without offering them international protection, despite the risks they faced upon returning to their countries of origin¹¹ . This agreement was made in a framework of opacity and without any type of regulation that clarifies the migratory status or protection of these people.
7. The current conditions of migratory transit in Panama so far in 2025 present notable differences with respect to the patterns recorded in previous years. However, it is still too early to fully understand the extent and timing of these changes, and the response needs that will continue to be required. For this reason, this report focuses on analyzing the conditions of the migration situation in recent years and the measures adopted by Panama to manage it. The assessment of the human rights situation in this Universal Periodic Review focuses on the period since 2020, and the objective of this report is to provide relevant information for that period.

B. Concerns in the transit of migrants through Panama

8. In recent years, Panama has experienced a change in migratory dynamics, first with an escalating south-north flow, then with an increase in the north-south flow, and now with the presence of people in forced mobility - with distinct profiles and needs - due to an agreement with the United States to manage collective expulsions to their countries of origin.

⁴ WOLA. [Border Oversight](#)

⁵ EFE. [Reverse migration flow rises and thousands of migrants enter Panama](#). February 27, 2025; In addition, for more information on south-north and north-south flows, see section b of this report.

⁶ According to data from the National Migration Service (SNM), during 2023 and the first three months of 2024, families and individuals from five countries make up 91% of the total mixed migratory flow: Venezuela (63%), Ecuador (11%), Haiti (9%), China (5%) and Colombia (6.3%). See: Ombudsman's Office of Panama. [Informe defensorial de seguimiento a la situación de Derechos Humanos de la niñez y adolescencia en movilidad humana y en las zonas de frontera de Panamá](#), 2024; p. 9.

⁷ Office of the Ombudsman of Panama. [Ombudsman's Follow-Up Report](#); op. cit.

⁸ Ibid.

⁹ Ibid.

¹⁰ El País. [Trump sends a hundred Asians to Panama, which becomes a "bridge" for deportees](#). February 13, 2025.

¹¹ For more information on Panama's role as an expeller in the chain, see section c of this report.

9. To understand the concerns related to these dynamics, it is necessary to examine the circumstances in which they develop. Panama, as a transit point to the United States¹², has seen an increase in the use of the Darien jungle, which is located on the border with Colombia¹³. This vast jungle, with its thick vegetation, mountains and rivers, acts as a natural barrier that interrupts the Pan-American Highway, making it one of the most dangerous routes for people in human mobility.¹⁴
10. Crossing the Darien involves extreme risks¹⁵, such as wildlife, steep and slippery terrain, river flows, and heavy rains and flooding¹⁶. In addition to these natural hazards, there are threats from criminal groups that operate in areas where states are absent and subject migrants to robbery, kidnapping, extortion, torture, sexual violence, disappearances and murder. The isolated location of the jungle facilitates the actions of organized crime and human trafficking.¹⁷
11. The difficulties are aggravated by the scarcity of water and food, as well as exposure to diseases typical of the region¹⁸. This situation implies serious and systematic violations of the human rights of migrants and people in need of protection, who face constant risk with no guarantees of safety or protection on their way to an uncertain future.
12. Along these lines, the situation of people in a situation of human mobility in the Darien area has been marked by the serious lack of consistent and disaggregated data with an intersectional perspective¹⁹. The absence of data management protocols prevents an adequate understanding of the specific realities faced by people during this migratory transit. In addition, this lack of information hinders the implementation of effective public policies that respond in a differentiated manner to the vulnerabilities of these groups. It also makes the needs of these groups invisible, which in turn hinders the formulation of well-targeted and evidence-based humanitarian responses.

¹² Office of the Ombudsman of Panama and OHCHR. [Human Rights Situation of Migrants and Refugees: Province of Darien](#); p. 1.

¹³ Ibid.

¹⁴ Ibid. See also: National Geographic. [Así es el Tapón del Darién, el imponente tesoro natural que ahora es una de las selvas más peligrosas del mundo](#); op. cit.; Carlos Escobar, "[Entre la incertidumbre y la esperanza: cruzar el Tapón del Darién es sólo el principio](#)", publication in "[The Storyteller](#)" (blog), IOM, January 16, 2023.

¹⁵ National Geographic. This is the Darien Gap, the imposing natural treasure that is now one of the most dangerous jungles in the world; op. cit. See also: MSF. Darien Gap: half a million migrants cross the impenetrable jungle; op. cit.

¹⁶ HRW. "[Abandoned in the Jungle. Protection and Assistance for Migrants and Asylum Seekers in the Darien Gap](#)"; op. cit.

¹⁷ National Geographic. [This is the Darien Gap, the imposing natural treasure that is now one of the most dangerous jungles in the world](#); op. cit. See also: MSF. [Darien Gap: half a million migrants cross the impenetrable jungle](#); op. cit.; Ombudsman of Panama and OHCHR. [Situación de derechos humanos de las personas migrantes y refugiadas: Provincia de Darién](#); op. cit.

¹⁸ National Geographic. [Así es el Tapón del Darién, el imponente tesoro natural que ahora es una de las selvas más peligrosas del mundo](#); op. cit. [Darien Gap: half a million migrants cross the impenetrable jungle](#); op. cit.

¹⁹ IACHR. 191st Session. [Regional Thematic Hearing: Rights of people in human mobility in the Colombian-Panamanian jungle](#). November 13, 2024.

B. i. Operation of the Controlled Flow Operation.

13. In response to the increased migratory flow through the Darien jungle, Panama implemented a policy called "Operation Controlled Flow" (OFC)²⁰, with the objective of managing the transit of migrants in an irregular situation once they entered Panamanian territory through the border with Colombia²¹. As part of this policy, people were intercepted by Panamanian authorities when leaving the Darien jungle and transferred to the Temporary Migratory Reception Stations (ERM), located in San Vicente or Lajas Blancas, in the province of Darien. These stations, managed by the National Border Service (SENAFRONT)²², operated as biometric registration, identity verification and temporary detention points.
14. In 2023, Panama and Costa Rica implemented the "Controlled Humanitarian Corridor" (CHC) to mitigate the negative impacts of the migratory flow, which helped reduce overcrowding in Paso Canoas²³, but did not solve the totality of people's mobility problems. The OFC system limited the mobility of migrants, with few opportunities to apply for asylum, and prioritized transfer to Costa Rica.²⁴
15. Following the increased migratory flow and its associated risks, as well as an agreement with the United States, Panama installed physical barriers on the border with Colombia²⁵, which redirected access to more dangerous routes, exacerbating illegal human trafficking and increasing the risks for migrants, as well as the pressure on local communities.
16. The ERMs, managed according to a 2019 manual with support from the International Organization for Migration (IOM), proved insufficient in the face of the growth of the migratory phenomenon, affecting both migrants and nearby communities²⁶. Conditions in MREs represented a risk to people's health and safety, with a lack of basic services such as hygiene, space, food and medical care²⁷. During the 2020 pandemic, the ERM continued the practice of detaining persons. The Inter-American Court of Human Rights (IACHR) found that the extremely serious and urgent situation of the persons in the ERMs of La Peñita and Lajas Blancas could have irreparable consequences to their rights to health, personal integrity and life, ordering the Panamanian State to immediately and effectively ensure access to essential health services without discrimination.²⁸

²⁰ IOM. Panama, [Monitoring of Migrant Population Flows Darien and Chiriquí](#); August 2023.

²¹ IOM. Panama, [Monitoring of Migrant Population Flows Darien and Chiriquí](#); August 2023.

²² SENAFRONT. [Joining Forces Action Plan](#).

²³ DW. [Panama and Costa Rica activate plan to relocate migrants](#); October 10, 2023.

²⁴ IOM. [Panama, Monitoreo de Flujo de Población Migrante Darién y Chiriquí](#); op. cit.

²⁵ EFE. [Panama increases closure of passes in Darien jungle to "protect" migrants](#). July 10, 2024.

²⁶ HRW. ["Abandoned in the Jungle. Protection and assistance for migrants and asylum seekers in the Darien Gap"](#); op. cit.

²⁷ Ombudsman's Office of Panama and OHCHR. [Situación de derechos humanos de las personas migrantes y refugiadas: Provincia de Darién](#); op. cit.

²⁸ IACHR Court. *Case of Veléz Loor v. Panama*. [Adoption of provisional measures](#), July 29, 2020; para. 32.

17. In addition, with the increase in the flow, the saturation of the facilities and the limited operational capacity generated tensions both for the people in mobility and for the authorities and humanitarian actors²⁹, affecting the stability of local communities. In their transit through Panama, in the implementation of the CHC, people had to pay for their transportation³⁰, which exposed them to abusive practices.

B. ii. Reverse flow³¹

18. Since 2024, there has been an increase in cases of people who decided to interrupt their journey north and returned by the same route to Panama, hoping to return to their country of origin or to another country where they could integrate³². However, the change of government in the United States and the first executive orders signed by the incoming president have increased the reverse flow southward.³³

19. Many of the people who make it to Costa Rica cross at night into Panama with the help of hired coyotes. The coyotes charge between \$700 USD and \$1,000 USD to take them from the southern border of Costa Rica to Colombia in boats that cross the Caribbean Sea³⁴. To do so, people must first evade immigration controls in Panama; otherwise, they are detained and returned to Costa Rica.³⁵

20. People in mobility have pointed out that along the route they are not allowed to take public buses, so they are forced to travel by trochas (rudimentary roads). In addition, some testimonies explain that they decided to return as soon as possible to avoid chaos when more people decide to do the same.³⁶

21. In addition to the lack of documentation and resources to initiate migration regularization procedures, the difficulty of return is compounded by the scarcity of humanitarian aid along the way³⁷, a shortage that has worsened following the withdrawal of funds by the U.S. through an executive order³⁸. Numerous organizations have been affected in their ability to continue assisting people in mobility³⁹ even as the needs have increased. This aggravates the situation of vulnerability of those who have already faced countless human rights

²⁹ Office of the Ombudsman of Panama. [Ombudsman's Follow-Up Report](#); op. cit.

³⁰ Ibid.

³¹ To see the reverse flow path, see Annex 1.

³² Information compiled by member organizations of the Observatorio de movilidad humana en el Darién and other alternate routes.

³³ Semanario Universitario. [Migrants seeking to return to their countries begin to get stuck at the southern border](#). February 5, 2025.

³⁴ Ibid.

³⁵ Semanario Universitario. [Migrants seeking to return to their countries begin to get stuck at the southern border](#). February 5, 2025; TVN. [Migrant caravan is stopped at the Panama-Costa Rica border](#). February 11, 2025.

³⁶ Ibid.

³⁷ University Weekly. [How to go back in time: closed humanitarian aid for migrants](#). February 5, 2025.

³⁸ White House. [Reevaluating and realigning United States foreign aid](#). Executive order. January 20, 2025.

³⁹ BBC News. [What consequences will Trump's development aid freeze have on Latin America](#). February 3, 2025.

violations and who, once again, find themselves in a long and endless pilgrimage through a region that offers neither protection nor integration mechanisms.

22. At a meeting between the Ministries of Public Security of Panama and Costa Rica on February 11, 2025, an initial protocol was determined to address the reverse flow, which consisted of applying the OFC in reverse, concentrating the people waiting to return at the Migrant Attention Center (CATEM) in Costa Rica, to then be transferred to Metetí or Los Planes de Gualaca in Panama, and subsequently repatriated by air or sea to their countries of origin, in coordination with the memorandum of understanding signed with the United States⁴⁰. The announcement of this protocol caused confusion among the people located on the Costa Rican border, since the thought of crossing the Darien again caused them anguish and concern.⁴¹
23. In the search to return to their countries, on February 21 of this year, it was reported that buses with migrants began their transfer to Puerto Obaldía for 177 USD, an amount that must be covered by the migrants, to be transferred to Puerto Miel on the southern border of Panama and then to Capurganá in Colombia⁴². This same night, a small boat with 19 migrants was shipwrecked and 20 people were rescued and an 8 year old Venezuelan girl died⁴³. The National Border Service (SENAFRONT) merely indicated that the driver of the vessel ignored the warnings of the swell and continued on his way⁴⁴. For its part, the General Congress of the Gunayala Comarca, in a special communiqué, stated that on February 18 it had met with SENAFRONT authorities to express its concern and the need for joint coordination to attend to the reverse flow, but that its concerns have not been addressed.⁴⁵
24. Notwithstanding the above, the use of the ERMs was maintained until March 2025, when the President of Panama announced their closure, arguing that the south-north migratory flow had decreased considerably in the first months of this year⁴⁶. Since then, organizations on the ground at Costa Rica's southern border with Panama have observed that the buses operated by the Panamanian government have suspended their functions so that people can only resort to human smuggling networks to continue their route⁴⁷. When they manage to reach Colón, they take cargo boats to reach Colombia; however, the municipality of Acandí, in Colombia, has stated that the arrival of boats and vessels with migrants coming

⁴⁰ Ministry of Public Security of Panama. [Panamanian and Costa Rican authorities establish protocols for reverse migratory flow](#). February 11, 2025; El País. [United States and Panama team up to curb migration: from barbed wire in the Darien jungle to mass repatriation](#). July 9, 2024.

⁴¹ Information provided by Observatory member organizations present in Paso Canoas and David.

⁴² X. [Alvaro Alvarado - News 180 Minutos/ Sin Rodeos](#). February 21, 2025.

⁴³ Swissinfo. [One girl dead and 20 rescued in shipwreck of boat with migrants in Panama](#). February 23rd.

⁴⁴ SENAFRONT. [SENAFRONT confirms rescue of 20 people and the death of a minor](#). February 22nd, 2025.

⁴⁵ Gunayala General Congress. [Special Communiqué: On Migrants in Gunayala](#). February 23, 2025.

⁴⁶ France 24. [Closing the Darien Gap: Panama announces the closure of migration centers in the jungle](#). March 14, 2025.

⁴⁷ Information observed by organizations belonging to this Observatory.

from Panama is prohibited⁴⁸, which evidences the lack of coordination with Colombian authorities to manage this increasing migratory flow.

25. In this regard, **we recommend** the following:

26. Ensure the existence of accessible and quality humanitarian assistance mechanisms at reception points for people in mobility and along the route, especially for particularly vulnerable groups, such as women, children and adolescents, LGBTIQ+ people, and people with disabilities.

27. Strengthen cooperation with Costa Rica and Colombia for a coherent management of migratory flows, improving coordination in the safe transfer of migrants and respecting their rights. Specific protocols should be defined and coordinated with civil society, avoiding excessive transfer costs. In addition, it is essential to address violence, especially sexual violence along migratory routes, following interim protection measures.

B. iii. Detention

28. Although the State claimed that the ERMs were shelter spaces for people in transit, the reality reflected a complex dynamic, as those who entered them were limited in their freedom of movement, which brought them closer to a situation of detention than to a shelter for humanitarian reasons. Both Lajas Blancas and San Vicente were fenced units, and in the case of San Vicente, officials acknowledged that people were not allowed to leave the facilities.⁴⁹

29. In 2022, a joint report by UN Special Rapporteurs, Working Groups and Independent Experts indicated that, although the Panamanian authorities did not consider the MREs to be detention centers, the lack of authorization for persons in mobility to leave freely - except to be transferred by security and migration agents to Costa Rica - represented a de facto deprivation of liberty⁵⁰. Similarly, the Panamanian Ombudsman's Office stated that the persons housed in the ERM of Darien were in a situation of de facto restriction of mobility.⁵¹

⁴⁸ El Colombiano. [Urabá will prohibit the arrival of boats with migrants deported from Panama](#). March 28, 2025.

⁴⁹ HRW. "[Abandoned in the Jungle. Protection and assistance for migrants and asylum seekers in the Darien Gap](#)"; op. cit.

⁵⁰ UN. [Joint report of the Special Rapporteur on the human rights of migrants, the Working Group on Arbitrary Detention, the Working Group on Enforced or Involuntary Disappearances, the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, the Independent Expert on the enjoyment of all human rights by older persons, Independent Expert on protection against violence and discrimination based on sexual orientation or gender identity, Special Rapporteur on trafficking in persons, especially women and children, and Special Rapporteur on violence against women and girls, its causes and consequences](#). 9 December 2022. P. 2.

⁵¹ Office of the Ombudsman of Panama and OHCHR. [Human Rights Situation of Migrants and Refugees: Province of Darien](#); op. cit.

30. The Inter-American Commission on Human Rights (IACHR) conducted a working visit to Panama in February 2025, where it was able to verify that people who manage to submit an asylum request must wait in detention in the ERMs of Lajas Blancas or San Vicente⁵², which means a violation of international standards and a hindrance in the access and exercise of the right to seek and receive asylum.
31. The closure of the ERMs does not address the humanitarian needs of the people who still continue their route to the north, nor the increasing flow to the south, limiting itself to stating that "we will not allow any more migrants in that area of the Darien"⁵³, ignoring the reality of natural migratory flows.
32. In this regard, **we recommend** the following:
33. Ensure that people in transit, especially those who have requested asylum, are not deprived of their de facto liberty in Temporary Migration Reception Stations, guaranteeing their free movement and access to rights, including the request and processing of asylum, without arbitrary restrictions and promoting spaces for temporary humanitarian transit assistance.
34. Design and implement viable and respectful alternatives for humanitarian attention, such as temporary shelters with access to basic services and decent living conditions, based on humanitarian principles that guarantee the safety, well-being and non-custodial care of migrants in transit.
35. Continuously train officials and authorities in charge of managing migration flows in human rights, international protection and intersectional perspective, ensuring that migration policies are respectful of fundamental rights and offer dignified treatment to all migrants and people in need of protection.

B.iv. Concerns about violence against transit groups

36. Although the OFC initiative seeks to protect and guarantee the safety of migrants, state presence remains limited and ineffective in the face of the volume of migratory flows⁵⁴. The Darien crossing has left many migrants and refugees with serious physical and psychological sequelae due to crimes such as robbery and extortion⁵⁵, which increases the risk of sexual and gender-based violence, especially for women, children and LGBTIQ+ persons.⁵⁶

⁵² IACHR. [Observations: Working visit to Panama, February 10-13](#). OEA/Ser.L/V/II.doc.2/25. 15 March 2025.

⁵³ Ibid.

⁵⁴ Ibid.

⁵⁵ Médecins Sans Frontières (Doctors Without Borders) (n.d.). [The Darien crossing: Testimonies of migrants en route to the north](#). Doctors Without Borders. December 7, 2023.

⁵⁶ Madi, Gehad. [End of visit statement - Panama \(February 13 to 19, 2025\)](#). UN Special Rapporteur on the human rights of migrants. March 4, 2025.

37. In addition, in recent years, there have been incidents of violence committed by SENAFRONT agents in the Migratory Reception Stations (ERM). The Panamanian Ombudsman's Office reports that 1 out of every 5 persons detained in these stations suffered mistreatment by the police.⁵⁷
38. According to victim testimonies, most robberies and acts of sexual and gender-based violence against people in mobility are committed by men from local communities, often accompanied by people with Colombian or Venezuelan accents⁵⁸. However, these crimes are rarely investigated or punished⁵⁹. The Ombudsman's Office also notes that 88% of crimes against migrants in the Darien go unreported due to misinformation, fear and lack of support.⁶⁰
39. In the few cases that have been investigated, it is suggested that the increase in drug and alcohol use in local communities could be related to the increase in crime in the jungle, where many incidents occur close to these communities and the perpetrators are known, but impunity persists.⁶¹
40. In this regard, **we recommend** the following:
41. To guarantee access to justice for migrants and people in need of international protection by eliminating legal barriers and practices that impede due process, and to strengthen the training of justice operators so that they provide humane treatment in accordance with their situation of mobility.
42. Guarantee conditions for reporting and sanctioning violations of the human rights of migrants and persons in need of international protection and consider a mechanism in the criminal justice system to address complaints against migrant women and girls, according to Panama's criminal code.
43. Conduct awareness campaigns in local communities to increase understanding of the seriousness of sexual crimes and take measures to ensure the safety of migrants, preventing the recurrence of sexual and gender-based violence.

B. v. Concerns about sexual violence

⁵⁷ Ombudsman's Office of Panama and OHCHR. [Situación de derechos humanos de las personas migrantes y refugiadas: Provincia de Darién](#); op. cit.

⁵⁸ Madi, Gehad. [End of visit statement - Panama \(February 13 to 19, 2025\)](#). UN Special Rapporteur on the human rights of migrants. March 4, 2025.

⁵⁹ HRW. ["Abandoned in the Jungle. Protection and Assistance for Migrants and Asylum Seekers in the Darien Gap"](#); op. cit.

⁶⁰ Ombudsman's Office of Panama and OHCHR. [Situación de derechos humanos de las personas migrantes y refugiadas: Provincia de Darién](#); op. cit.

⁶¹ Madi, Gehad. [End of visit statement - Panama \(February 13 to 19, 2025\)](#). UN Special Rapporteur on the human rights of migrants. March 4, 2025.

44. The lack of regular channels for the mobility of people, especially those in vulnerable situations, generates a scenario of irregular migration and human trafficking. In this context, migrant women and girls are forced to travel increasingly dangerous routes, exposed to traffickers, unsafe transportation, extreme weather conditions and, mainly, to sexual violence and robbery.⁶²
45. The feminization of migration flows has increased the vulnerability of women and girls, who face sexual violence, exploitation and discrimination based on their gender and age⁶³. This phenomenon -feminization of migration- has been driven by socioeconomic, labor, family and gender violence factors⁶⁴. The lack of visibility of these issues in public agendas and judicial systems makes it even more difficult to address the violence they face. The IACHR has highlighted the need for a differentiated protection approach for migrant women and girls⁶⁵, recognizing the specific risks of gender-based violence and discrimination.
46. Along the Darien migration routes, women and girls are disproportionately victims of sexual violence, including rape⁶⁶. Médecins Sans Frontières (MSF) has assisted 1,356 victims of sexual violence between April 2021 and January 2024⁶⁷, with a notable increase in cases in 2023, where 36% of the migration flow was women and girls⁶⁸. In 2024, the international organization HIAS, identified an increase in the protection needs of women survivors of gender-based violence⁶⁹. Despite the magnitude of the problem, there is a widespread context of impunity, with obstacles to accessing justice, such as difficulty in reporting, lack of diligent investigations and almost no accountability⁷⁰. Between 2021 and 2025, Panama's Public Prosecutor's Office registered 986 investigations for crimes against the migrant population, of which 332 corresponded to sexual violence⁷¹. The Ombudsman's Office has documented that the underrepresentation of complaints is due to the context of impunity, trauma, fear of reporting, lack of confidentiality and the vulnerability of migrants.⁷²
47. Sexual violence against migrants has increased significantly. Between 2021 and 2023, Médecins Sans Frontières (MSF) provided assistance to 328 victims of sexual violence in

⁶² Ibid.; para. 98.

⁶³ IACHR. [Report Human mobility - Inter-American standards](#). 2016. Para. 8.

⁶⁴ UN Women. [Migration and Gender: Challenges and Opportunities](#) (Document R-MIG-GLO-FEM-SP). 2007.

⁶⁵ IACHR. Resolution 04/2019. [Inter-American Principles on the Human Rights of All Migrants, Refugees, Stateless Persons and Victims of Trafficking in Persons](#). December 7, 2019; p. 2.

⁶⁶ Ibid.

⁶⁷ Office of the Ombudsman of Panama. [Ombudsman's Follow-Up Report](#); op. cit.

⁶⁸ Ibid.

⁶⁹ HIAS. [Cross-border protection monitoring: Colombia - Panama - Costa Rica - Honduras](#). Number 9. August - October 2024. P. 6. January 10, 2025.

⁷⁰ HRW. ["Abandoned in the Jungle. Protection and assistance for migrants and asylum seekers in the Darien Gap"](#); op. cit.

⁷¹ IACHR. [Observations: Working visit to Panama](#). OEA/Ser.L/V/II.doc.2/25. March 15, 2025.

⁷² Office of the Ombudsman of Panama. [Ombudsman's Follow-Up Report](#); op. cit.

2021, 232 in 2022 and 676 in 2023, with an increase in the brutality of attacks⁷³. In January 2024, MSF assisted 120 more victims⁷⁴, and in February of the same year, 113 people were assisted for sexual assaults perpetrated by criminal groups⁷⁵, including nine minors⁷⁶. This increase in cases is alarming, with an increase of nearly 400% from one month to the next. In addition, the characteristics of the attacks have changed, showing greater brutality⁷⁷, such as gang rapes and beatings.⁷⁸

48. In his visit to Panama in February 2025, the UN Special Rapporteur on the human rights of migrants noted that although the number of people crossing the Darien from the south has decreased, sexual and gender-based violence persists, especially against women and girls⁷⁹. Some analysts suggest that the reduction of people in mobility and the limited presence of SENAFRONT could increase the risks for them.⁸⁰

49. In this regard, **we recommend** the following:

50. Strengthen the protection of women, girls, boys and adolescents in human mobility against sexual and gender-based violence, in particular by applying relevant existing legal instruments, prosecuting and, if convicted, punishing perpetrators, creating an adequate number of shelters for survivors of gender-based violence and ensuring their protection.
51. Create and promote regular channels of mobility for migrants and people in need of international protection, especially women and girls in vulnerable situations, to ensure safe transit, integration options and avoid dependence on illegal human trafficking networks.
52. Provide adequate and accessible health services for migrant women and girls who are victims of sexual violence, guaranteeing the availability of medical care, treatment for the prevention of sexually transmitted diseases, and comprehensive psychological assistance.
53. Train officials in charge of migration flow management and security forces in human rights, international protection and gender perspective, to ensure that they respond adequately to the needs of migrant women and girls and guarantee their protection at all times.

⁷³ HRW. "[Abandoned in the Jungle. Protection and assistance for migrants and asylum seekers in the Darien Gap](#)"; op. cit., p. 15. See also: MSF. "[Sexual violence in the Darien: we attended to 676 victims in 2023](#)"; op. cit.

⁷⁴ HRW. "[Abandoned in the Jungle. Protection and assistance for migrants and asylum seekers in the Darien Gap](#)"; op. cit. p. 10.

⁷⁵ MSF (Médecins Sans Frontières). "[MSF denounces increased brutality against migrants in the Darien jungle and demands action to stop it](#)." March 2, 2024.

⁷⁶ MSF (Médecins Sans Frontières). "[MSF denounces increased brutality against migrants in the Darien jungle and demands action to stop it](#)." 02 March 2024.

⁷⁷ Ibid.

⁷⁸ MSF (Médecins Sans Frontières). "[MSF denounces increased brutality against migrants in the Darien jungle and demands action to stop it](#)." 02 March 2024.

⁷⁹ Madi, Gehad. [End of visit statement - Panama \(February 13 to 19, 2025\)](#). UN Special Rapporteur on the human rights of migrants. March 4, 2025.

⁸⁰ Ibid.

C. Role in the chain of removal of persons from the U.S.

54. Within the framework of a collaboration agreement, although the reception of 360 people had been agreed, 299 people were deported from the U.S. to Panama⁸¹ and then returned to their countries of origin⁸². Of these 111 remain in the country⁸³, having refused repatriation for fear of violations to their integrity and life. Some of these people, coming from countries such as Iran, Afghanistan, Russia and China, claim to be persecuted because of their religion, ethnicity or sexual identity⁸⁴. Some were not allowed to apply for asylum in the United States despite presenting physical and psychological symptoms of torture, mistreatment and persecution in their countries of origin⁸⁵. Despite the lack of clarity about the legality of the agreement - which is not public knowledge - the deportees were informed of their arrival in Panama only upon arrival⁸⁶, where they were detained without access to their documents or legal assistance.⁸⁷
55. The initial detention was at the Decapolis Hotel in the Panamanian capital. There, some tried to report their situation and ask for help, but the authorities prevented contact with lawyers and defenders⁸⁸. Later, they were transferred to the ERMs in Darien⁸⁹, where they reported inhumane conditions: food shortages, extreme heat, and mistreatment by the authorities⁹⁰. In addition, they did not have access to information on their migratory situation, legal assistance or international protection.⁹¹
56. Although on March 8 they were granted a 30-day temporary permit to manage their return⁹², 66 of these individuals, without resources or family in Panama, were released and abandoned by authorities during the nighttime hours in downtown Panama City⁹³, forcing

⁸¹ BBC. [Migrants deported by the U.S. who are isolated in a Panama hotel and beg for help through the windows](#). February 19, 2025.

⁸² TVN. [Reactions on agreements reached between Panama and the U.S. on migration and transit of ships](#). February 03, 2025.

⁸³ La Estrella de Panamá. [Panama negotiates with destination countries for immigrants expelled by the United States](#). March 25, 2025.

⁸⁴ La Estrella de Panamá. [Panama negotiates with destination countries for immigrants expelled by the United States](#). March 25, 2025.

⁸⁵ Physicians for Human Rights. [New evidence details credible fear of return for individuals detained and expelled from the United States to Panama](#). March 31, 2025.

⁸⁶ CNN World. ['We are in danger': Migrants deported from US were locked in hotel and held at remote camp in Panama, lawyers say](#). 22 February 2025.

⁸⁷ CNN World. ['We are in danger': Migrants deported from US were locked in hotel and held at remote camp in Panama, lawyers say](#). 22 February 2025.

⁸⁸ Infobae. [170 people deported from the U.S. to Panama agree to return to their countries of origin, authorities say](#). February 18, 2025.

⁸⁹ DW. [Migrants deported by the U.S. arrive in the Darien jungle](#). February 20, 2025.

⁹⁰ Univision. [Panama gives migrants deported by Trump 30 days to leave the country: some want to return to the U.S.](#) March 09, 2025.

⁹¹ CiberCuba. [Deported from the U.S. and abandoned in Panama: The drama of hundreds of migrants](#). March 10, 2025.

⁹² SWI. ["We are not animals": migrants reject confinement in shelters in Costa Rica and Panama](#). 08 March 2025.

⁹³ AP News. [Panama releases dozens of U.S. deportees after criticism from human rights advocates](#). March 9, 2025.

them to resort to shelters run by civil organizations with limited capacity⁹⁴. The Panamanian government has not complied with its obligations to provide access to asylum and assistance and has made it difficult to file applications for international protection⁹⁵. Local organizations have been able to verify that individuals have received rejection of admissibility to the asylum recognition process in record time, arguing that such requests are manifestly unfounded when their stories clearly demonstrate the contrary.⁹⁶

57. The abandonment by the Panamanian authorities has forced these people to rely on the solidarity of organizations such as the CLAMOR Network, which is responsible for their housing and food through donations, since state support has been nonexistent⁹⁷. In addition, although Panama has mentioned negotiations with other countries for their relocation⁹⁸, the initial detention conditions and limited access to international protection continue to be of concern to human rights organizations.

58. In this regard, **we recommend** the following:

59. Ensure that any bilateral or regional agreements adopted are consistent with international law and domestic regulations, guaranteeing the human rights of all people, including migrants and those in need of international protection.

60. Take measures to ensure that the asylum system and migration policies respond in a timely manner to new realities and strengthen protection mechanisms, in accordance with its human rights obligations.

61. Ensure strict compliance with the principle of non-refoulement, preventing migrants from being sent to places where their lives or freedom may be at risk.

62. Ensure that migrants receive basic humanitarian assistance, with safe and dignified conditions, access to medical care and the right to communicate with lawyers, without resorting to detention, and ensuring their access to international protection.

D. Receiving country of persons in human mobility

63. As has been demonstrated, due to its location Panama faces significant challenges in migration management, especially with respect to systematic human rights violations. Although some progress has been made, such as the publication of the Protocol for Access

⁹⁴ SWI. ["We are not animals": migrants reject confinement in shelters in Costa Rica and Panama](#). 08 March 2025.

⁹⁵ La Estrella de Panamá. [Migrants deported from the U.S. are taken to a new shelter](#). March 12, 2025.

⁹⁶ Information gathered by organizations that are part of this Observatory.

⁹⁷ Ibid.

⁹⁸ La Estrella de Panamá. [Panama negotiates with destination countries for immigrants expelled by the United States](#). March 25, 2025.

to Justice for Migrants in Panama⁹⁹, the increasing criminalization of migration¹⁰⁰ and xenophobia¹⁰¹ continue to predominate in the country's migration policy and in the approach to changing flows.

64. Data registration in Panama is primarily linked to cooperation with the United States to identify people heading north across the continent. It has been confirmed that data and technology are exchanged between these countries, providing training in the collection of biometric data¹⁰², which raises concerns about privacy and the use of this information.
65. The externalization of borders and the increased criminalization of human mobility specifically affect Panama, which has become a strategic location for limiting access to the north of the continent. Physical barriers at the border with Colombia¹⁰³ and the closure of access points towards the Darien jungle have forced migrants to take more dangerous routes, favoring human smuggling¹⁰⁴ and exposing them to new risks¹⁰⁵. Contrary to its international protection obligations, the Panamanian government has linked migration to increased crime and ecological damage¹⁰⁶, while imposing severe economic sanctions on those who enter irregularly¹⁰⁷, contrary to international standards.
66. In this context, on July 1, 2024, the United States and Panama signed an agreement to finance with USD\$6 million the repatriation of irregular crossers to Panama¹⁰⁸. Since the start of the project, as of mid-November 2024, 28 repatriation flights have been carried out¹⁰⁹. These flights have occurred in a context of cruel and inhumane treatment, which has affected the health of the people expelled¹¹⁰. The lack of independent monitoring has

⁹⁹ Ministry of Foreign Affairs of Panama (2025). [Protocol of access to justice for migrants in Panama](#) (Final version).

¹⁰⁰ Government of Panama. [Panama and the United States implement deportation program to combat illegal migration](#). August 20, 2024.

¹⁰¹ Vida Nueva Digital. [Red Clamor in Panama Insists on "Reception Policies" in the Face of the Migratory Crisis in the Region](#). December 16, 2024.

¹⁰² TVN. [U.S. supports Panama in training for the collection of digital and biometric data of migrants](#). July 20, 2024.

¹⁰³ BBC News World. [The barbed wire barriers with which the Panamanian government closed several passes of the Darien plug](#). July 18, 2024.

¹⁰⁴ El Tiempo. [Deepening humanitarian crisis and increased insecurity, alerts in Colombia due to Panama closures in the Darien](#). July 7, 2024.

¹⁰⁵ El Tiempo. [A body is found in a boat adrift in San Andres y Provincia; preliminary information speaks of six corpses](#). January 12, 2025.

¹⁰⁶ El Tiempo. [Deepening humanitarian crisis and increased insecurity, alerts in Colombia due to Panama closures in the Darien](#). July 7, 2024.

¹⁰⁷ Digital Official Gazette, Republic of Panama, Ministry of Public Security, [Executive Decree N°194](#) of October 25, 2024.

¹⁰⁸ El País. [United States and Panama team up to curb migration: from barbed wire in the Darien jungle to mass repatriation](#). July 9, 2024.

¹⁰⁹ Summa Magazine. <https://revistasumma.com/panama-deporta-a-133-indios-y-vietnamitas-que-cruzaron-el-darien-para-llegar-hasta-ee-uu/>. November 18, 2024

¹¹⁰ CNN. ["They treated us like thieves": 30 migrants who crossed the Darien were deported from Panama to Ecuador on Thursday](#). August 30, 2024.

raised concerns about human rights violations and non-compliance with the principle of non-refoulement.

67. On October 25, 2024, Panama issued Decree 194¹¹¹, which imposes fines for any foreign person who enters the country irregularly through the border with Colombia. This decree establishes a fine starting at US\$300 per migrant, depending on the number of times the individual has entered Panamanian territory, which must be paid in cash at the ERM of San Vicente.¹¹²
68. One of the biggest problems in Panama continues to be the limited access to seek asylum and international protection. In particular, the lack of information on the possibility of requesting refuge¹¹³ has been documented, as there is no clear formal process for accessing refugee status recognition in the MREs¹¹⁴. As mentioned above, the few people who managed to apply for refuge in the Lajas Blancas ERM were detained for months until receiving a decision on the admissibility of their applications¹¹⁵, which contravenes Executive Decree N°5 of January 16, 2018¹¹⁶, which guarantees freedom of movement while awaiting a decision on the application. This also contravenes international human rights standards which state that detention of asylum seekers is an extremely limited measure and can only occur under exceptional circumstances¹¹⁷, while in Panama, it is the general rule. In addition, asylum seekers do not receive work permits, leaving them with no means of subsistence. The slowness of the refugee recognition process means that many migrants, who meet the requirements, prefer not to apply for asylum.¹¹⁸
69. In 2024, human rights organizations reported an increase in harassment and persecution of those providing care in the Darien region, including human rights defenders and humanitarian assistance organizations. On March 4, 2024, the Panamanian government unilaterally and arbitrarily suspended the work of Médecins Sans Frontières (MSF) in the Darien region¹¹⁹. MSF, which provided comprehensive medical care to victims of sexual

¹¹¹ Ministry of Public Security, Republic of Panama. [Executive Decree N°194](#). October 25, 2024. HIAS

¹¹² HIAS. [Transboundary Protection Monitoring: Colombia - Panama - Costa Rica - Honduras](#). November 2024 - January 2025. Number 10.

¹¹³ Office of the Ombudsman of the Republic of Panama and OHCHR. [Human Rights Situation of Migrants and Refugees: Province of Darien](#).

¹¹⁴ Ibid.

¹¹⁵ Madi, Gehad. [End of visit statement - Panama \(February 13 to 19, 2025\)](#). UN Special Rapporteur on the human rights of migrants. March 4, 2025.

¹¹⁶ Ministry of Government, Republic of Panama. [Supreme Decree N° 004-2018-IN: Regulation of the Migration Law](#). January 16, 2018.

¹¹⁷ United Nations (1951). [Convention Relating to the Status of Refugees](#) (Document A/CONF.2/108/Rev.1), art. 31; United Nations (1966). [International Covenant on Civil and Political Rights](#) (Resolution 2200A (XXI), Annex), art. 9.

¹¹⁸ Information based on the experience of the member organizations of this Observatory.

¹¹⁹ Office of the Ombudsman of Panama. [Ombudsman's follow-up report](#); op. cit., p. 15. "[Abandoned in the Jungle. Protection and assistance for migrants and asylum seekers in the Darien Gap](#)"; op. cit., p. 3; and MSF (Doctors Without Borders). "[Doctors Without Borders, forced to suspend medical care to migrants in the Panamanian Darien](#)"; March 07, 2024; El Pais. "[Panama and Doctors Without Borders clash over reports of sexual violence against Darien migrants](#)"; March 08, 2024; DW. "[No help in the Darien: 'A difference between life and death'](#)"; op.

violence, was accused by the authorities of not having a current agreement with the Ministry of Health, although their attempts to renew it were unsuccessful¹²⁰. After seven months of suspension, MSF managed to resume its activities, albeit with a limited scope.¹²¹

70. In addition, humanitarian organizations in the region have been subject to harassment by influencers who hold them responsible for the migratory flow. Although the authorities are aware of this situation, they have failed to protect the work of these organizations.¹²²

71. In this regard, **we recommend** the following:

72. Ensure clear and effective access to the asylum system, providing adequate information on rights and the application process, eliminating mobility restrictions and granting work permits to applicants to avoid their situation of legal limbo and lack of access to other rights.

73. Strengthen measures to eradicate xenophobic attacks and other hate crimes against migrants, asylum seekers and refugees.

74. Guarantee the right to privacy and data protection through strict safeguards in the collection, processing and storage of data, especially biometric data, ensuring its legality, necessity, proportionality, accuracy, updating, limited storage and secure deletion.

75. Adopt and implement national guidelines that guarantee the provision of non-discriminatory services to all migrants, regardless of their migratory status, with special attention to women, children and adolescents.

76. Eliminate policies that criminalize migration, such as fines for irregular entry and economic sanctions, and instead promote human rights-based solutions, such as regularization of migration status and access to justice, to reduce the vulnerability of migrants.

77. Redouble efforts to protect the human rights and safety of migrants, refugees and asylum seekers, in particular by preventing stigmatization, discrimination, xenophobia and violence against these populations.

78. Protect organizations and individuals engaged in monitoring and humanitarian assistance by ensuring a safe environment where human rights defenders and humanitarian workers can carry out their work without fear of persecution or intimidation.

cit.; [MINSA: "The agreement with Doctors Without Borders will not be renewed in Panama"](#). Instagram. La Prensa @prensacom, 04 June 2024.

¹²⁰ MSF. [Doctors Without Borders forced to suspend medical care to migrants in the Panamanian Darien](#). March 7, 2024.

¹²¹ MSF. [Panama: Doctors Without Borders resumes activities in Darien](#). October 18, 2024.

¹²² Information provided by organizations belonging to this Observatory.