

United Nations Development Programme

Gender Equality and Women's Empowerment: Women's Situation Analysis and Action Plan

Towards the Transboundary Integrated Water Resources Management (IWRM) of the Sixaola River Basin shared by Costa Rica and Panama.

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Executive Summary

Women play a major role in the world and in the rural economy, and their participation in the agricultural sector is of vital importance, as they contribute to the eradication of poverty and hunger, access to universal education, and the ultimate promotion of sustainable development. However, this contribution is undermined by discrimination and inequalities that impact on the lives of women, making control and equal access to productive resources and services impossible.

With this in consideration, the women's situation analysis a Gender Action Plan of the project *Towards the Integrated Management of Transboundary Water Resources (IWRM) of the Sixaola River Basin shared by Costa Rica and Panama* and following the fulfilment defined in UNDP Gender Equality Strategy 2018-2021, establishes Gender Equality and Women's Empowerment as signature solution 6, aims to contribute to the reduction of the gaps of Afro-Caribbean and indigenous rural women, considering the different intersectionalities that increase their vulnerability and exclusion, and to promote their real empowerment around the Sixaola Binational River *Basin (SBRB)*.

This analysis shows how gender gaps persist in Panama and Costa Rica for indigenous, afrodescendant and rural women living in the SBRB. For example, they have higher rates of unemployment or informal work, despite the fact that they dedicate their work to agricultural production, their capacities to formalize in the market are limited, given the limited access to health and education services, they are more exposed to impacts of natural disasters, rates of teenage pregnancy and intra-family violence prevail, less participation in local water resource management, among others.

Women context accentuate the intensity of inequality those women in Costa Rica and Panama, and therefore generate greater conditions of exclusion and vulnerability. These conditions are understood as intersectionalities, in other words, conditions that intersect with each other in the countries and promote persistent inequalities in all areas for those who experience them. This intersectional is cross-cutting approach in this document to ensure a comprehensive approach to the situation of indigenous, afro-descendant and rural women around the SBRB.

The main challenges that indigenous, afro-descendent and rural women face in the Sixaola River Basin are:

- i. To eliminate discrimination against women in rural, afro descent and indigenous peoples;
- ii. To collect data on impacts and risk faced by indigenous women workers in the agricultural sector and on integrated water resources management (IWRM).
- iii. To participate in the preparation and implementation of development plans at all levels in the Binational Commission of the Sixaola River Basin (CBCRS).
- iv. To obtain access to credit and financing for productive activities linked to the agri-food sector.
- v. To access production and marketing support services.
- vi. To strengthen the economic autonomy of rural, indigenous and afro descent women for productive activities linked to the agri-food sector.
- vii. To participate in all community activities.
- viii. To strengthen women's capacities to deal with disaster risks and create a specific action Plan to protect them from the climate change impacts.



With these findings as a starting point, and according to the project objectives, the Gender Action Plan (GAP) seeks to promote the reduction of gender inequalities for rural, indigenous and afrodescendant women and improve their empowerment at different levels of the project:

- a. Project implementation unit,
- b. IWRM governance framework, and
- c. Capacities of local communities.

To this end, through the present Gender Action Plan, the project proposes indicators and activities that guarantee the incorporation of the gender perspective, and therefore strengthen the equality and the empowerment of women, especially in situations of vulnerability. Women participation in IWRM governance of the basin and project activities would improve the generation of global environmental benefits in the SBRB.



1. Introduction

This Women's situation analysis and Gender Action Plan of the project "*Towards the Integrated Management of Transboundary Water Resources (IWRM) of the Sixaola River Basin shared by Costa Rica and Panama*" aims to contribute to the reduction of the gaps of Afro-Caribbean and indigenous rural women, considering the different intersectionalities that increase their vulnerability and exclusion, and to promote their real empowerment around the Sixaola River *Basin.*

This project seeks to create the conditions for the Integrated Water Resources Management in the Sixaola River Binational Basin between Costa Rica and Panama and contribute to reducing agrochemical pollution and the risks associated with periodic flooding in the basin with a gender perspective. It seeks to promote sustainable agricultural practices through pilot projects and solid waste management types that reduce plastic pollution in the river basin.

In the longer term, the project will contribute to integrated soil and water management, such as by advancing the nexus approach in watersheds and drainage basins, contributing to reducing water pollution, reducing land-based sources of marine pollution and contributing to ecosystem-based adaptation of vulnerable human populations with a gender perspective. The overall benefits will be demonstrated through (i) increased regional cooperation, (ii) enhanced protection of globally important biodiversity, (iii) reduction of transboundary and terrestrial pollution of marine ecosystems, (iv) flood risk reduction and ecosystem-based adaptation to climate change.

This Women's situation analysis a Gender Action Plan was created through an exhaustive desk review of bibliographic sources and the compilation of the opinions of women and men during consultation with representatives of the Binational Commission of the Sixaola River Basin. The findings identified in this process are systematized in the chapter of each country and allowed recognizing the main gender gaps and challenges faced by Afro-descendant, indigenous and rural women around the Sixaola River, which also are reflected in the conclusions section and resulted in the elaboration of the Gender Action Plan that will be implemented cross-cutting during the implementation of the project, in such a way that the participation of women is promoted, gender equality and the empowerment of women are promoted in each of the results that are seeks to achieve.

There are situations that accentuate the intensity of inequality by Afro-descendant, indigenous and rural women in Costa Rica and Panama, and therefore generate greater conditions of exclusion and vulnerability. These conditions are understood as intersectionalities, in other words, conditions that intersect with each other in the country and promote persistent inequalities in all areas for those who experience them. It is worth mentioning that the intersectionality approach will be cross-cutting to the present strategy to ensure a comprehensive approach to the situation of rural, Afro-Caribbean and indigenous women around the Sixaola River Basin.



2. Costa Rica Chapter

In order to have a complete analysis of the situation of Afro-descendant, indigenous and rural women around the Sixaola River Basin in Costa Rica within the framework of the project "*Towards the Integrated Management of Transboundary Water Resources (IWRM) of the Sixaola River Basin shared by Costa Rica and Panama*", it is necessary to identify the main gender gaps and inequalities faced by them. In this chapter describe each one with an intersectionality approach to ensure a comprehensive analysis to the situation of rural, Afro-Caribbean and indigenous women around the Sixaola River Basin.

2.1. Gender Equality and Women's Empowerment in Costa Rica: Continuing Challenges to Sustainable Human Development

Costa Rica is one of the countries in the Latin American and Caribbean region that has made the greatest progress in implementing legal (regulations) and social (public policies) mechanisms for the advancement of women in all areas. However, formal or *de jure* equality has not yet achieved real or *de facto* equality, which implies two complex challenges. On the one hand, it is urgent to create greater legal and social affirmative actions, or temporary special measures, that close the gender gaps that especially affect women who belong to groups in situations of vulnerability and exclusion such as: rural and peri-urban women, indigenous women, Afro-descendants, women with disabilities, elderly women, migrants, refugees, lesbians, bisexuals, transsexuals and intersex people. And, on the other hand, the urgent transformation of the socio-cultural, political and economic conditions that continue to hinder equality for women in all spheres, with an important focus on the response of Costa Rican public institutions.

In addition to these national challenges, Costa Rica is experiencing a political and social wave of the *anti-human rights movement*¹ that threatens the legal and social advances made in the area of human rights, especially women's rights. This panorama revitalizes the importance of actions to continue promoting gender equality and the empowerment of women at all levels and in all areas, and with special attention to intervention for the protection of the rights of women who are in a greater situation of vulnerability and exclusion.

The Committee of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in its most recent report to Costa Rica (2017/C/CRI/CO/7) establishes the main barriers and failures to ensure equality for women. For example: Adopt firm measures against the expropriation of lands traditionally occupied or used by indigenous women and women of African descent and against forced evictions of these women, strengthen legal and procedural guarantees to protect them and ensure the meaningful participation of these women in decision-making processes regarding the use of traditional indigenous lands; establish and use effective consultation mechanisms to obtain the free, prior and informed consent of indigenous women and ensure benefit-sharing in the context of development projects and other uses of their lands and natural resources; and assess and mitigate the impact that the creation of protected areas and the adoption of public environmental policies mean on the rights of indigenous and Afro-descendant women; design a

¹ The anti-human rights movement is recognized for the actions of fundamentalist groups that endanger the guarantee of the rights that have been won and the progress towards equality and dignity of all people, in the legal and social spheres throughout Latin America. For more information: <u>http://www.nu.org.bo/noticias/movimientos-conservadores-grupos-antiderechos/</u>



strategy to ensure access to justice for indigenous women, women of African descent, which addresses language and information barriers to effective remedies and legal procedures that will enable these women to claim their rights, develop a strategy to ensure access to land titles and ownership for rural women and increase land tenure security for rural women, increase the effective participation of rural women in the benefits of rural development projects and further strengthen their participation in the decision-making bodies that define territorial governance in particular the steering committees of the Territorial Council for Rural Development, strengthen measures to eliminate gender stereotyped roles and intra-family inequality affecting rural women, and expand the "Rural Women, Land Rights and Expressions" programme, as well as capacity-building activities for rural women and ensure effective access for rural women to appropriate agricultural technologies, ICT and mobile networks.

World Human Development Report (2019)

Costa Rica is ranked 8th in Latin America and the Caribbean, and 68th out of 189 countries. Its Human Development Index (HDI) value is 0.794, which places it in a high position. Costa Rica ranks eighth (68th) with a Human Development Index for 2018 of 0.794, the same as in 2017, maintaining the 68th position among 189 countries. In descending order are Chile (42), Argentina (48), Barbados (56), Uruguay (57) Bahamas (60), Trinidad and Tobago (63) and Panama (67). The Gender Development Index (GDI)² **Costa Rica's 2018 GDI value is 0.977, slightly better than the 2017 record of 0.974**. This places it within the regional average. Women have a higher life expectancy (82.7 years vs. 77.5 years), more years of expected schooling (15.8 years vs. 14.9 years), as well as more years of education received (8.8 years vs. 8.5 years), but a

significant gap of 80% remains in the (GINI) GNI per capita between men and women (10,566 vs. 19,015)³.

The Gender Inequality Index (GII-D)⁴ for Costa Rica in 2018 has a GII-D of 0.285 which places it in 61st place out of 162 countries and shows an improvement over 2017 when it was 0.300. It is important to note that, in the case of this index, the value is better as it gets closer to 0. The maternal mortality rate is 25 per 100 thousand live births, the birth rate in adolescent women is 53.5 per 1000 women between 15 and 19 years old. 45.6% of the seats in the Legislative Assembly are held by women. In addition, 53.8% of women have at least some secondary education, compared to 52.3% of men. The labour market participation rate for women is 45.7% compared to 74.6% for men, which is below the regional average. The situation of exclusion of women from the labour market in Costa Rica is a gap that is well established. Despite performance on some indicators, women's labour force participation rate is lower than in Uruguay and Panama, benchmark countries selected due to their position in the Human Development Index and population size.

Important advances for gender equality must be recognized such as greater life expectancy, more years of education, low maternal mortality rate and near gender parity in Congress, but attention must be paid to the inequalities that affect women, which also end up directly affecting everyone else. Despite more years of education, women have a lower participation in income and in the

² It measures gender inequalities in the achievement of the three dimensions of human development: living a long and healthy life, having an education and having a decent standard of living. It is the rate between the HDI calculated for women and the HDI for men.

³ UNDP Human Development Report (2019)

⁴ It reflects gender disadvantages in three dimensions: reproductive health, empowerment and the labour market. The index shows the loss in human development due to inequality by comparing the achievements of women and men in these dimensions.



labour market, and even though it has decreased, the adolescent birth rate for women between 15 and 19 is unacceptably high. This is often an act of violence against women and also an obstacle to their development opportunities.⁵

For August of 2019, the National Employment Rate was 55.5%, 56.2% in the urban area and 53.4% in the rural area, where 67.7% are men and 43.2% women. The wage-earning population is 73% of the working population. The percentage of employed persons in informal employment was 46.3%, the national unemployment rate was 11.9%, with 9.9% of men and 15.0% of women. 12.3% in urban and 10.8% in rural areas, the unemployment rate for women is 39.9%, higher than the unemployment rate for men. And the percentage of employed persons in underemployment was estimated at 10.3%, with women having higher levels of underemployment than men, 14.2% and 7.8%, respectively.⁶

It is worth mentioning that households in poverty reach 20.0% and in extreme poverty 5.7%. At the regional level, the distribution is as follows: Chorotega in poverty 22.4% and in extreme poverty 5.4%, Huetar Norte in poverty 27.5% and in extreme poverty 9.2%, Huetar Caribe in poverty 26.7% and in extreme poverty 8.9%, Brunca in poverty 29.5% and in extreme poverty 10.4%, Central Pacific in poverty 29.9% and in extreme poverty 8.9%, and Central in poverty 15.7% and in extreme poverty 3.9%.⁷⁸ Of these, 25.2 per cent of households in poverty are headed by women.

It is worth mentioning that the Sixaola River Basin is surrounded by an ethnically diverse population that includes Afro-Caribbean people and six Indigenous Peoples. In Costa Rica there are two indigenous peoples: Bribri (from Talamanca and Keköldi) and Cabécares, both groups occupying territories legally constituted as indigenous reserves; and in Panama there are four indigenous peoples: Bribri, Naso and Ngäbe.⁹ See more details in the draft IPPF document (annex 4c).

Social indicators in the area show a lag with respect to national averages in both countries, and illiteracy is around 11% of the population in both countries. With regard to economic activities, the predominant one is agriculture. In the middle and upper watershed, a model of small-scale agriculture is being developed, mainly using organic cocoa and bananas. While in the lower basin there is banana and plantain monoculture by transnational companies mainly for export.¹⁰

As described in the draft IPPF (annex 4c) the indigenous governments of Costa Rica are (a) ADITIBRI, (b) ADITICA, and (c) Keköldi, and in the case of Panama the indigenous representatives of Panama are (a) Ngäbe, (b) Naso and (c) Bribri.

According to the Atlas of Cantonal Human Development of Costa Rica (UNDP, 2016), the GDI in the cantons around the Rio Sixaola Basin has been identified: Talamanca (Districts of Bratsi, Sixaola and Telire) and Limón (Valle de la Estrella District), occupy the 80th and 63rd position respectively, which shows the lowest Gender Development Indexes in the country, especially Talamanca which is in the penultimate position, as shown in the following table:

⁵ UNDP Human Development Report (2019)

⁶ INEC, 2019. Continuous Employment Survey, III quarter.

⁷ INEC, 2018. Costa Rica in Figures

⁸ IDEM.

⁹ IUCN, 2016. The Sixaola River Basin Costa Rica and Panama: Reaching an Agreement to Strengthen Transboundary Cooperation. ¹⁰ IDEM.



Table 1. Gender Development Index Costa Rica 2014

GDI 2014										
Canton	2014	Canton	2014							
Limón	0.681	Talamanaa	0.605							
Limón	Position 63 of 81	Talamanca	Position 80 of 81							

Source: Adapted from Atlas of Cantonal Human Development of Costa Rica (UNDP, 2016)

The inequality experienced by women in these cantons is much higher than in the rest of the country; their material well-being and economic empowerment, as well as their physical and political autonomy, prevent them from achieving quality human development. The conditions of poverty exclusion and poverty by exclusion (extreme poverty) are accentuated in them and gender inequalities are further exacerbated. If national gender gaps are high, for indigenous, rural and afrodescendant women around the Sixaola River Basin they are even higher due to limitations in access to the formal market, the invisibility of domestic, community and land work, and the lack of fair opportunities for social and economic development, access to services and active participation in political decision-making from the community to the local level. A detailed analysis of these gaps in different areas will be shown below, providing a clear picture of the situation of indigenous, rural and Afro-descendent women.

2.2. Intersectionalities that increase women's vulnerability and exclusion in Costa Rica

Women in Costa Rica may suffer inequality and discrimination by having less access to resources, power and influence but rural, indigenous or afro-descendent women are even more exposed to situations of violence, abuse and unequal treatment both at home, as well as in their work environment and in their communities. They are also denied opportunities to learn, earn income, make their voices heard and lead.

There are conditions that can intersect with each other and promote persistent inequalities in all areas for those who experience them. These are understood as interactions and can generate greater conditions of exclusion and vulnerability.

Around the SBRB the following organized groups of women are identified, two of them conformed by indigenous women.

- Asociación Comunal de Mujeres Indígenas de Talamanca
- Asociación de Mujeres de Sixaola
- Mujeres Artesanas (STRIBRAWPA)

P N U D Al servicio de las personas y las naciones

2.2.1. Indigenous Women

In Costa Rica there are 104,143 indigenous people and 51,709 are women.¹¹ Out of the total number of indigenous people in Costa Rica, 30,996 are women (48.5 per cent), representing 1.62 per cent of Costa Rican women.

As described in the Indigenous Peoples Participation Plan, there are eight different Indigenous Peoples: Bribri, Cabécar, Ngäbe, Malekú, Teribe, Brunca, Huetar and Chorotega; 43% of ingigenous people live in one of the 24 territories protected by the Indigenous Law. Six different indigenous languages are recognized, 50% of the population speaks only their native language, 40% Spanish and 10% are bilingual.

77.3% of indigenous women live in the provinces of Limón, Puntarenas and San José. 5,307 are women who belong to the Bribri, Kéköldi, Cabecar and Telire territories.¹² The average number of children that indigenous woman has is higher than the national average. The percentage of indigenous women with one or more shortages is 76.23%, only 23.77% have their basic needs met. 40.7% of indigenous women have no education at all, only 62% women are studying or have completed university studies (only 2.68% of indigenous women have access to this type of education)¹³. In addition, most of the burden of family support and maintenance falls on women; access to land for them is almost non-existent, are limited or depends on cultural traditions of indigenous people, protection measures against intimate partner violence are inadequate and ineffective, many women give birth at home without medical care and do not register their children at birth. Employment opportunities are much lower for women, this is due to the cultural patterns that prevail in communities and that relegate women to a gender role that perpetuates inequality.¹⁴

The work of the National Indigenous Women's Forum, which brings together two representatives from each territory in order to define an agenda of demands for the women of each community and to coordinate actions to influence indigenous issues within the country's public institutions, is of particular interest in terms of the rights of indigenous women. One of these organizations is the Warë Kané Indigenous Womens' Commission, of the National Indigenous Council. The main demands made by the women in this group are aimed at exercising their self-determination and, more specifically, at participating in the processes of consultation on the decisions that affect them (through the inclusion of structures made up of indigenous women in each of the localities), access to health services including sexual and reproductive health), access to justice and state protection (especially from the different manifestations of violence directed against them, such as sexual violence and violence by an intimate partner), access to work, training and employment, and women's access to land and natural resources.¹⁵

¹¹ INEC (2013). X National Population Census and VI Housing Census: Indigenous Territories.

¹² X National Population Census and VI Housing Census: Indigenous Territories, INEC (2013).

¹³ State of the Indigenous Population, Judicial Branch (2016)

¹⁴ Diagnosis of the human rights situation of indigenous peoples in Central America, OHCHR (2013)

¹⁵ Second State of Women's Rights, INAMU (2015)



2.2.2. Women of African descent

In Costa Rica, the total number of people who identified themselves as Black, Caribbean and/or Afro-Costa Rican was 334,437 (45,228 self-identified as Black and 289,209 as mulatto), of which almost half were women (21,498 self-identified as Black and 139,904 as mulatto)¹⁶. Additionally, the largest concentration of the Afro-descendant population is found in the province of Limón, although there are also Afro-descendants living in the cantons outside this province, the most significant ones are: San José, Alajuela, Heredia, Desamparados, the canton of Puntarenas on the Pacific coast and San Carlos on the border with Nicaragua.

Males of African descent have a school attendance rate of 66.8 per cent, compared with 71 per cent for whites and mestizos. In the case of women of African descent, attendance is 69.3 per cent and 73.6 per cent for whites and mestizos. In both cases, it can be seen that overall, women have a higher school attendance and that white and mestizo populations have the highest attendance rate. And non-insurance in the case of the Afro-descendant population is higher for rural areas (22.6%) compared to 17.4% for those living in urban areas. A higher percentage of men have no health insurance and social protection insurance (20.0%) compared to women without such insurance (17.3%). This is because women are covered to a greater extent by family insurance (46.9% in the case of women, versus 26.8% in the case of men).¹⁷

The vindication of the rights of black, Caribbean and/or Afro-Costa Rican women is of particular interest for the identification of some urgent tasks to which the Costa Rican State must respond, this is the work carried out by the National Forum of Afro-descendant Women which brings together various Afro-Costa Rican women's organizations. Some of the demands made by them are aimed at recognizing the Afro-Costa Rican mother tongue (Creole) as another official State language, creating specific regulations that criminalize all forms of discrimination based on ethnicity, rescuing Afro-Costa Rican culture, and establishing public policies and national plans to combat the double discrimination and poverty experienced by black, Caribbean and/or Afro-Costa Rican women.¹⁸

2.2.3. Rural women

As established by the IV Agricultural Census of 2014, the Costa Rican Agricultural, Livestock and Rural Sector has 80,987 producers, 84% of whom are men and 16% women. At the provincial level, Alajuela with 26%, followed by San José with 22% and Puntarenas with 16%, concentrate the largest number of producers, following the national distribution trend of women and men.

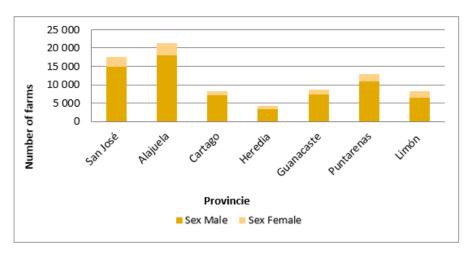
¹⁶ X National Population Census and VI Housing Census, INEC (2013)

¹⁷ Idem.

¹⁸ Second State of Women's Rights, INAMU (2015)



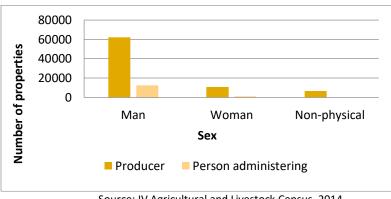
Figure 1. Agriculture producers by province and sex



Source: IV Agricultural and Livestock Census, 2014.

Costa Rica has 93,017 farms managed by a producer,¹⁹ where 62,020 farms are in the hands of men and 10,931 in the hands of women. The other farms are managed by a farm administrator²⁰, where 12,388 farms are managed by men and 1,106 by women.





Source: IV Agricultural and Livestock Census, 2014.

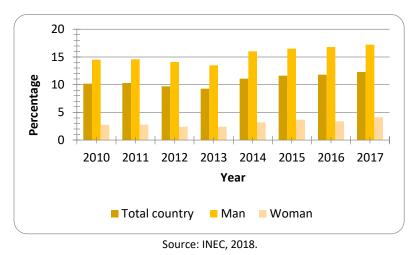
From 2010 to 2017, the labour characteristics by branch of activity in agriculture, livestock and fishing on a national level increased from 10.2% to 12.3% in general terms. The distribution by sex reflects a higher participation of men with 17.2% and 4.1% for women.

¹⁹ A producer is a natural or legal person who has full economic responsibility for the management of the agricultural farm and may or may not have a technical function.

²⁰ The administrator refers to when the producer delegates direct responsibility for the administration of the farm to a third party.



Figure 3. Percentage of labour participation in agriculture-livestock-fishing 2010-2017



The "*Gender perspective study on the state of MSMEs led by women, according to their potential*" related to the agricultural and rural sector 2019, indicates that there are significant differences between organizations led by women and organizations led by men in access to credit. This difference is presented in organizations with primary production activities, where 39% of organizations led by women have had access to credit, while in organizations led by men the percentage is 61%.

2.3. Production and land tenure of rural, indigenous and afro-descendant women: the highest inequality

In Costa Rica, the average age of *agricultural producers* is 53.9 years, 54.1 for men and 52.6 for women. In the case of women, the possibilities of being producers are absolutely reduced²¹.

Producers in the country

Of the total number of **producers** (80,972), 12,598 are women, equivalent to **15.6%** at a national level, which represents a significant gap (IV National Agricultural and Livestock Census, INEC, 2015)

The highest values, where more than a quarter are women producers, are found in the cantons of Talamanca (32.5%), Naranjo (27.3%) and San José (25.6%), and in the lowest ones less than 6% are women. Women producers are responsible for 8.1% of the land area of natural persons, and the cantons with the highest percentage were Santa Ana with 44.3% and Flores with 30.8%²².

In Talamanca the total number of production farms is 1555, of which only 506 are in the hands of women and 1049 in the hands of men, reflecting a wide disparity in production for women in the area²³. It is important to note that the statistics do not actually reflect the productive and reproductive activities of women workers on the land, as mentioned above. The data and analyses corresponding to domestic work, family care and communities, work on the land itself (in its multiple considerations) and off-farm work are not included in the surveys carried out by the country, because the inclusion of clear information on gender gaps in the agricultural sector is

²¹ VI National Agricultural and Livestock Census, INEC (2015)

²² Idem.

²³ Idem.



incipient. Even so, women's productive activities in rural and peri-urban areas are not considered to be of real value since agriculture, land and its productions (care, direct work, processing, marketing) are spaces that, supposedly, only men are responsible for, although reality shows the opposite situation.

Gaps are also identified in the distribution of payments made on the farms. At a national level,

women receive three times less permanent pay than men. The situation of women is even more serious, for example, in the canton of Talamanca, the percentage distribution is approximately 70% men against 30% women who receive permanent payment for farm work while for temporary work only 40% of women are paid (table 2).

Type of payment on the farm At the national level, 6,328 women receive permanent pay for farm work, compared to 25,346 men; for temporary paid work there are 8,497 men and 3,643 women. The few women who are counted as workers on the farm have lower incomes (IV National Agricultural Census, INEC, 2015)

Table 2. Type of payment of farmers according to gender for 2014

	Perman	ent pay	Temporary pay		
Canton	Men Women		Men	Women	
Talamanca	563	257	139	64	

Source: Adapted from the VI National Agricultural and Livestock Census, INEC (2015)

Additionally, in cases of farm work that temporarily do not receive payment, the permanence of the patriarchal culture, which places the responsibilities of domestic work on women, is once again evident. 99.8% of women who work without temporary remuneration on a farm, at the same time perform domestic work.

This unequal distribution of land limits their influence on agricultural decisions and causes them to face institutional, social and cultural obstacles that limit their right to own and use and control land. Although there is legal recognition that men and women are holders of land rights, they are still not recognized as producers but as assistants with accessory roles in rural production.

As the Executive President of the National Women's Institute (INAMU) points out, "women produce between 60 and 80% of the food in developing countries and make up 43% of the agricultural labour force. However, women's access to land tenure in Costa Rica does not even reach one fifth of the total number of farms in the hands of individuals, and the participation of men as producers appears to be five times greater than that of women. There is an urgent need for statistics that make visible and recognize the true contribution of women to the rural development of our country²⁴.

Finally, what has been called a "bundle of rights" for rural and peri-urban women must be recognized in order to guarantee the use, control and transfer of land and their work as producers: a) right of use: to use the land for recognized productive activities, such as planting, grazing or harvesting, as well as to live on it and carry out daily activities. (b) Right of control: to make decisions on the destination of land, to obtain economic benefits and to make decisions on the use of them. (c) Right of transfer: to transfer land and to reallocate use and control rights. With the recognition

²⁴ Source: <u>http://www.inamu.go.cr/mujeres-rurales-sica</u>



of these rights, the strong inequalities that affect the life and development of a large part of the country's women will be reduced.

2.4. Sexual division of labour: women's current conditions

As indicated above, the economic situation of women in Costa Rica is one of the complex gaps to be reduced, due to the consequences of the marked sexual division of labour, a product of structural gender inequalities that significantly affect women.

In 2016 the gender wage gap reached 59%, which means that if a man earns 100, a woman only earns 59 for the same work, and in most cases by working more hours. In 2008 the wage difference was 58.3% and in 2013, the best year, it was 59.9%²⁵. Also, the percentage of women entrepreneurs (2%) is almost a third less than that of men (5.2%)²⁶, to which we can add that paid economic activities have a male participation of 67.7% compared to the female participation of 43.2%,²⁷ very similar to those established in UNDP's 2019 Gender Inequality Index (GDI-D).

They earn less for the same work, something that is difficult to explain when you also consider that today a large proportion of women are better prepared and more educated than men. Or, they continue to be underrepresented in management and leadership positions; data from the 2011 National Population Census show that only 27% of these positions are held by women, maintaining vertical discrimination.

However, the unemployment rate of women measured by the Gender Gap in Unemployment index (BGD, for its acronym in Spanish), from the Continuous Employment Survey of the National

Institute of Statistics and Census, shows that for the 3rd Quarter of 2019 of the total unemployment rate (177.82) the unemployment rate of women is 39.9% higher than the unemployment rate of men:

BGD Brecha de género en el desempleo										
177,82 Relación Mujer/Hombre *100	150 140 130 VI 2015 I 2016	II 2016	III 2016	12017	II 2017 Trime	II 2018	III 2018	VI 2018	II 2019	III 2019

Figure 4. Gender Gap in Unemployment Index (GDI) 2019

Source: Taken from http://www.inec.go.cr/

Women's unemployment rate is increasing in the Huetar-Caribbean region of the country (which includes the cantons around the Sixaola River Basin) where the percentage reached 12.8% above male unemployment in 2015 and is the second highest in the country²⁸. The highest percentages of households in extreme poverty are located in Brunca (13.7%) and Huetar Caribe (11.1%) during

²⁵ Global Gender Gap Report (2016)

²⁶ Study on Women's Economic Autonomy, ECLAC (2015)

²⁷ Continuous Employment Survey, INEC (2019-III)

²⁸ Costa Rica: Regional Statistics 2010-2015, MIDEPLAN (2017)



2015, a situation that has been increasing by 1.1 and 2.8 percentage points, respectively, in relation to 2010²⁹.

Household characteristics also reveal significant differences for households living in poverty. In the country's households, 43.3% are headed by women and 20.4% by men, while 25.7% are headed by women³⁰. Households headed by women have increased steadily in almost all regions of the country during the period 2010-2015, especially in the Huetar Caribbean region where they have increased by 4.0 percentage points reaching 37.2%, the second highest in the country, as shown in table below:

Table 3. Percentage of female heads of households in 2	2010 and 2015
--	---------------

Region/Canton	2010	2015
Huetar Caribe Region	33.2	37.2
(Cantons included the Sixaola Basin)	55.Z	57.2
		1

Source: Adapted from Costa Rica: Regional Statistics 2010-2015, MIDEPLAN (2017)

All of this shows that the economic and employment gaps for women in the country lead to less access to social security and greater economic dependence; therefore, it is urgent to implement measures so that women have their own income and thus promote their own economic autonomy.

In addition, in Costa Rica, women spend 35:49 hours per week on unpaid domestic work, while men spend 13:42 hours on average, in other words, women contribute 22 hours more than men to unpaid domestic work. This behaviour is also observed by urban and rural areas, but in the latter, the gaps are greater. While in urban areas women spend about 20 hours more of their social time on unpaid domestic work than men, in rural areas this corresponds to 26 hours, which makes it difficult for them to participate in community organizations because the responsibility for this type of work falls mainly on them.³¹ As a result of the patriarchal culture which allocates the main domestic tasks (such as washing, cleaning and cooking) and the care responsibilities to women, the distribution of time that men and women dedicate to work in the family arena continues to show wide gender inequalities. These gaps increase at an early age and are maintained for life³² and are undoubtedly also reflected in rural, Afro-Caribbean and indigenous women belonging to the cantons around the Sixaola River Basin.

2.5. Women's health: key aspects in the country

The country is one of the most solid in Latin America and the Caribbean in guaranteeing the right to health for the entire population. In recent decades, the objective of ensuring that the population in a situation of poverty and exclusion, and that does not have the resources to pay insurance premiums, is reinforced by the payment of insurance on behalf of the State³³. However, there are still nodular aspects that affect women and girls in particular and are recognized as important national challenges to ensure the comprehensive protection of women.

²⁹ Idem.

³⁰ Social Compendium, State of the Nation Program, (2016)

³¹ National Time Use Survey, INAMU -INEC, 2019

³² XX State of the Nation Report, PEN (2015)

³³ Analysis of the Health Situation in Costa Rica, Ministry of Health (2014)



Despite the fact that fertility rates have been reduced due to the increase in the costs of quality of life, employment conditions and the awareness created by the country about family planning, the percentages continue to be high, especially in the cantons of interest, as the following table shows:

Table 4.	Fertilitv	rate in	2010 and	2015	(per thousand	women)
TUDIC T	rerently	iute iii	2010 0110	2015	(per thousand	womeny

Region/Canton	2010	2015					
Huetar Caribe Region	73.2	69.4					
(Cantons including the Rio Sixaola Basin)	/5.2	09.4					
Source: Adapted from Costa Pica: Pagional Statistics 2010 2015, MIDERIAN (2017)							

Source: Adapted from Costa Rica: Regional Statistics 2010-2015, MIDEPLAN (2017)

A significant gap in women's health is found in sexual and reproductive health. One barrier to improvement is limited access to modern contraceptives. The contraceptive basket of the Costa Rican Social Security Fund (CCSS) has not been reviewed for 20 years and does not incorporate existing advances in contraceptive technology from a human rights perspective, limiting the number of options available and their adaptation to people's needs and circumstances.

Data for 2014 on pregnancies in girls and adolescents are overwhelming: 1 in 13 births were related to women under 18 for a total of 12,508 births. 1 in 85 births were related to girls and adolescents aged 12 to 17, of which 509 were related to girls under 14 years.³⁴ This shows how the deep-rooted patriarchal culture and macho attitudes that still persist in the country have serious implications for the sexual health of girls and adolescents, affecting all areas of their full development. In the cantons around the Sixaola River Basin, births to girls and adolescents (Huetar Caribe) have shown the highest figures in recent years, with values of around 22%, as shown in the table below:

Table 5. Percentage of births to girls and adolescents in 2010 and 2015

Region/Canton	2010	2015
Huetar Caribe Region	22 E	21.4
(Cantons including the Rio Sixaola Basin)	23.5	21.4
	()	

Source: Adapted from Costa Rica: Regional Statistics 2010-2015, MIDEPLAN (2017)

It should be mentioned that pregnancy in girls under 13 years is considered a legal aggravation or statutory rape but it is not punished in most cases and the pregnancy is considered the responsibility of the girl or adolescent. In addition, as indicated by the Second Survey on Sexual and Reproductive Health (2016) among those who initiate sex before the age of 15, 3 out of 10 men and 6 out of 10 women do so with a person 5 years older or more, and those who initiate sex between the ages of 15 and 19 occur in 15% of men and 43% of women. For women, one in five who start having sex before the age of 15 does so with a person 10 years older or more, an analysis that applies to all the country's cantons, including those around the Sixaola River Basin.

There is hope that the Law on Improper Relationships against persons between 15 and 18 years of age will promote the sanctioning of asymmetrical relations, prevent teenage pregnancies and generate a culture of zero tolerance for sexual violence against girls.

³⁴ Vital Statistics on Births and Population Projections, INEC, 2011-2050



Moreover, regarding that agriculture is one of the main economic activity in Sixaola, it is important to recognize that the exposure to pesticides affects in a differentiated manner woman and men's health. Costa Rica is still one of the central American countries with higher indexes in the uses of pesticides. In Costa Rica, 25,000 workers have been exposed to Nemagon in the banana plantations areas, including women and their kids have been exposed to the toxicity of this product. Exposed population presented symptoms as carcinomas, sterility, dermatitis, and neuronal consequences.³⁵

2.6. Education for women: contradictory progress

Women's educational levels have increased in recent decades. Educational opportunities show an interesting evolution since, although there is a gender gap in the achievement of secondary school completion, this gap favours women, since 62% complete secondary school, compared to 54% of men. This is very similar to the data established in UNDP's 2019 Gender Inequality Index (GII-D). Thus, it is relevant to point out that women have the same or higher levels of education from primary school to higher education with postgraduate studies than men, even in the cantons around the Sixaola River Basin, as shown in table 5.

			Level of education										
Area	Total		Primary		Academic High School		Technical High School		Higher education				
7.100		lotai	Total	Total	lotai	No education	Incomplete	Complete	Incomplete	Complete	Incomplete	Complete	Undergradu ate and graduate
Huetar Caribe	400 328	38 296	104 566	98 640	76 651	37 029	7 788	5 486	29 430	2 085			
Men	197 243	19 267	54 892	50 366	37 118	17 537	3 206	2 200	11 372	928			
Women	203 085	19 029	49 674	48 274	39 533	19 492	4 582	3 286	18 058	1 157			

Source: Adapted from the National Household Survey, INEC, 2015

All this has increased women's economic participation in the labour market. However, the contradiction is based on the fact that the net participation rate for women in Costa Rica is less than 50%, while the regional average is 66%.³⁶ And most women find informal and low-quality jobs, as explained in section 3, since women are responsible for the domestic tasks (such as washing, cleaning and cooking) and taking care of dependents throughout their entire lives, which hinders their insertion and sustained stay in the labour market. They earn much less than men for doing equal work even when they are more professionally qualified, as the following graph shows:

Figure 5. Occupations by gender according to educational background in the year 2015

³⁵ Raj Chapagain K. (2011). International regulations of the use of pesticides: The Costarican experience. Escuela de Relaciones Internacionales y Diplomacia, Universidad Nacional, Heredia, Costa Rica.

³⁶ Regional Human Development Report for Latin America and the Caribbean, UNDP (2016)





Source: Taken from the National Survey of Companies, INEC (2015)

Only in the case of the intellectual and scientific professions, which are among the least employable in the country, is there a similar number of women and men, although the percentage of women is lower.

The gaps do not end there and they are characteristic of the whole country, including the cantons around the Sixaola River Basin. According to the latest study on Monitoring the Employment Status of the Graduates of the University of Costa Rica (2015), it is clear that the distribution by gender is polarized in the different areas, with education (77.7%), health sciences (72%) and social sciences (69.2%) being the areas with a strong majority of women. In contrast, with the areas of engineering (73.4%) and basic sciences (70%) which are those with a majority of men, of every 10 people who graduate in engineering and basic sciences, only 3 are women.³⁷ Contradictorily, the gaps in education also persist for women.

2.7. Women's political participation: from national to local

In Costa Rica, women have become more active as voters in the last two decades. The experience and progress made have enabled the Supreme Electoral Tribunal (TSE) to prepare a comprehensive reform of the Electoral Code in 2009, incorporating the principles of equality, non-discrimination and gender parity (50 per cent women and 50 per cent men) in party structures and in the salaries for elected officials (the latter alternating by gender), as well as definitions relating to the use of financial resources allocated to training.³⁸

According to data from the TSE, a higher percentage of women were counted as voters during the 2002, 2006 and 2010 presidential elections. For example, in 2010 72.4% of women voted compared to 65.8% of men. With regard to women's participation in positions of political power, there was a significant increase in the appointment of women as ministers. And in the last elections (2014) the percentage of women holding this position rose from 22.2% in the period 2002-2006 to 45% in the period 2010-2014, although it then fell to 38% in the period of 2014-2018. One of the reasons why it was not possible to reach 40% is because the first place on the payroll in most political parties that had members of congress was headed by men and followed by women. As multi-partyism has had an impact on the fragmentation of power, the number of parties that achieved only one seat per province increased, and women were therefore less likely to be elected.

³⁷ Follow-up on the Labor Status of graduates from the University of Costa Rica, CONARE (2015)

³⁸ THE POLICY OF PARITY AND ALTERNATION IN THE ELECTORAL LAW OF COSTA RICA. Progress in guaranteeing women's autonomy in decision-making, ECLAC (2012)



However, Costa Rica, the first country in the region to promote affirmative action in municipal elections, began implementing gender parity with the 2010 municipal elections. However, political participation in local governments still has serious gaps that need to be filled. Recurrently, the position of mayor (chair of the local government) is mostly held by men and women have been elected as deputy mayors. In 2010, 71 mayors (87.7%) and only 10 women mayors (12.3%) were appointed³⁹. In addition, during this same period, in the case of the first deputy mayors, the numbers were reversed as a result of the Gender Parity Law approved in 2009, where 87% of women occupied these positions and 17.7% in the second deputy mayor's office and with regard to municipal councillors, 39% of these positions were occupied by women and 61% by men⁴⁰.

For the recent 2016 elections, only 11 women occupied a seat in the mayor's office, which corresponds to 13.5%. This number barely exceeds that reached in 2010, when only 12.3% of mayors were women, compared to 87.7% of men, and women therefore have less political representation.

It should be mentioned that indigenous women's forms of political organization are different from the country's traditional forms, and although they participate actively in the Indigenous Development Associations (ADIs), the world view of the original peoples has cultural limitations on women's participation, which show a significant gap in the political organization of indigenous women, and the territories around the Sixaola River Basin are not the exception.

2.8. Violence against women: An outstanding debt to the right to a life with dignity

This is one of the most frequent and serious forms of discrimination against women in Costa Rica. From 2007, when the Law on the Criminalization of Violence against Women (LPVcM) was enacted, to December 31, 2018, there were a total of 339 femicides, according to <u>Report No. 1545-PLA-ES-2019 of</u> the Subprocess of Statistics of the Planning Directorate of the Judiciary. In 2018, according to data from the Deputy Gender Prosecutor's Office and the Inter-institutional Subcommittee on the Prevention of Femicide, 26 femicides out of 64 homicides against women were recorded, and in **2019 (as of December 2),** according to the Deputy Gender Prosecutor's Office, 13 femicides had been recorded: 10 which are adapted to the conduct described in article 21 of the Law on the Criminalization of Violence against Women (LPVcM) and 3 of an extended type (scenarios described by the Convention of Belem do Para); 11 of the victims were Costa Rican and 2 Nicaraguan and they occurred in the provinces of Guanacaste (2), Puntarenas (4), San José (3), Limón (2), Alajuela (1) and Heredia (1).⁴¹. The graph below shows the national situation from 2007 to 2019:

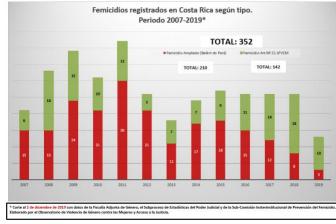
Figure 6. Femicides recorded in Costa Rica between 2007 and 2019

³⁹ Second State of Women's Rights, INAMU (2015)

⁴⁰ Taken from: <u>http://www.inamu.go.cr/campana-participacion-politica</u>

⁴¹ Observatory on Gender Violence against Women and Access to Justice, Judiciary, 2019

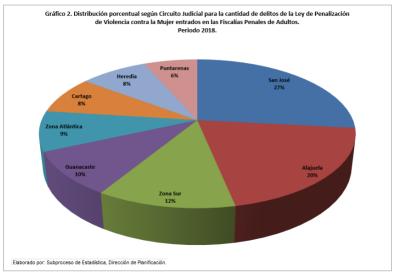




Source: Taken from https://observatoriodegenero.poder-judicial.go.cr/soy-especialista-ybusco/estadisticas/femicidio/

From 2014 to 2018, a total of 95,783 new cases were received by the Adult Criminal Prosecutor's Offices for offences against the Law on the Criminalization of Violence against Women (LPVCM). The five main cases filed with the Public Prosecutor's Office for crimes covered by the LPVCM and which represented 97.31% of the total cases filed in the period 2014 - 2018, were, in order of prevalence: mistreatment (38.02%), failure to comply with a protective measure (32.34%), offences against dignity (16.01%), threats against a woman (10.22%) and damage to property (0.72%).⁴²

As shown in the following graph, the situations relating to violence against women according to the LPVCM are worse in the areas around the Sixaola River Basin, 9% in the Atlantic Area and 12% in the southern area of the country:



Source: Taken from https://observatoriodegenero.poder-judicial.go.cr/soy-especialista-ybusco/estadisticas/femicidio/

Reports of domestic violence by women have quadrupled in recent years, and approximately 12%

⁴² IDEM.



of women report having been forced to have sex and 89% of sexual crimes are against them,⁴³ which means, according to the Gender Observatory of the Judiciary, that 4% of all reports correspond to sexual violence against women, the fourth largest crime in Costa Rica, only behind crimes against property, against life and the law criminalizing violence against women.

In addition, the results of the First National Survey on Sexual and Reproductive Health (2010) show that 15.1% of women admit to having accepted unwanted sex for fear of reprisals; nearly 21% say they have been offered something in exchange for sex; 6.3% have received threats as a way of coercing them to have sex; 8% of women were assaulted during a sexual relationship and 12.3% were forced to have sex against their will, in other words, they have been raped.⁴⁴ These data are undoubtedly also reflected in the rural, Afro-Caribbean and indigenous women who belong to the cantons around the Sixaola River Basin.

Finally, all women in Costa Rica have been victims of some form of sexual harassment at some or several points in their lives. The Second National Survey on Sexual and Reproductive Health (2016) identifies that three out of four women have suffered street harassment, with women reporting more expressions or compliments (73%), comments about their body or way of dressing (56%) and suggestive looks (65%). As is evident, violence against women affects everyone in the country, without exception in any canton, and this becomes the most serious debt that Costa Rica has in order to guarantee a dignified life for half of its population.

2.9. General regulatory gender framework in Costa Rica

In Costa Rica, strategies for the advancement of women, closing gaps in many areas, mainstreaming the gender perspective in institutions and empowering women and girls have been significant, as mentioned in the beginning of the document. Costa Rica is a country that is at the forefront of the adoption of the international normative framework on rights that affect the position and living conditions of women and girls. This has involved the creation of special measures to eliminate gaps and discrimination against girls and women, among them: the Law on the Social Promotion of Women's Equality, Law establishing the National Women's Institute, Law against Domestic Violence, Criminalization of Violence Against Women Law, Child and Spousal Support Law, Act against Sexual Harassment in the workplace and in Teaching, General Act on the Protection of Teenage Mothers and its Regulations, Act against the Sexual Exploitation of Minors, Act for the protection of Women in Conditions of Poverty and its Regulations, Act on improper relations with persons under 18 years of age, National Plan for the Care and Prevention of Domestic Violence (PLANOVI) and National Policy on Gender Equality and Equity 2007-2017 (PIEG) and the most recent Policy for Effective Equality between Women and Men (2018-2030), which is considered a primary reference point for ensuring the advancement of women in terms of public gender policy in the country.

It is worth mentioning that in 2013 the National Policy for a Society Free of Racism, Racial Discrimination and Xenophobia will address the needs of migrants, indigenous people and Afro-Costa Ricans, rescuing the particularities of women, with a clear intention to recognize and address gender inequalities. This policy contributes to the recognition of the multiple discriminations that women in Costa Rica experience. The Policy for Effective Equality between Women and Men (2018-

⁴³ Second State of Women's Rights, INAMU (2015)

⁴⁴ First National Survey on Sexual and Reproductive Health, MINSA-UNFPA, 2010.



2030) takes up the demands of migrant women, indigenous women and women of African descent, and positions some of their demands within the framework of the principle of inclusion.

In addition, as described in the draft IPPF, Costa Rica, in 1992, ratified the ILO Convention 169 on Indigenous and Tribal Peoples in Independent Countries ((Law 7316). In 2018, a mechanism for indigenous consultation was approved by a presidential decree and in August 2019, Law No. 20554 was enacted concerning the Protection of the Right to Costa Rican Nationality of Transboundary Indigenous Persons and Guarantees of Integration of Transboundary Indigenous cross-border Ngäbe population of Sixaola. For more details about the participation and FPIC processes, refer to the Indigenous Peoples Participation Plan.

It is worth mentioning that the State Policy for the Agri-food Sector and Rural Development of Costa Rica 2010-2021, establishes in its guiding framework the principle of *Inclusion with Equity, which refers to the* broad access of people and social groups to resources and services without distinction of ethnicity, gender and creed. This is critical as affirmative measures are beginning to be created to ensure the advancement of rural women in the country.

Another way to materialize progress in guaranteeing the rights of rural women in Costa Rica is related to the **creation of the National Policy on Gender Equality and Social Inclusion for the Costa Rican Agricultural and Rural Sector 2020-2030**. This effort is being carried out in synergy with the National Women's Institute (INAMU), the Inter-American Institute for Cooperation on Agriculture (IICA) and UNDP Costa Rica, and will ensure a gender transformation in the sector led by the Ministry of Livestock and Agriculture (MAG), especially closing the gaps and inequalities that women experience in accessing and enjoying agricultural and rural services and opportunities for rural economic development. The process has involved a broad series of regional consultations with women and young people in the 8 regions of the country, in order to know what their main needs are and what the challenges of MAG's institutionality are. Some of the results showed the need for women and young people to have access to technologies, financing for productive projects, institutional disarticulation, little technical assistance, the invisibility of women in the process, little access to land, lack of marketing spaces, lack of adequate infrastructure, and the absence of differentiated services in institutions, among others.

At the same time, the signing of the National Covenant for 2030 Sustainable Development Goals, recognizes the centrality of gender equality and the empowerment of women and girls to achieve sustainable, inclusive and resilient development: "Achieving gender equality and the empowerment of women and girls will make a critical contribution to progress on all Goals and targets. It is not possible to realize the full human potential and achieve sustainable development if half of humanity continues to be denied the full enjoyment of its human rights and opportunities. (...) The systematic incorporation of a gender perspective in the implementation of the Agenda is crucial". Thus, the fulfilment of the 17 goals is only possible when there is real mainstreaming of gender equality and empowerment of women and girls, which becomes a challenge for the country.



3. Panama Chapter

In order to have a complete analysis of the situation of Afro-descendant, indigenous and rural women around the Sixaola River Basin in Panama within the framework of the project "Towards the Integrated Management of Transboundary Water Resources (IWRM) of the Sixaola River Basin shared by Costa Rica and Panama", it is necessary to identify the main gender gaps and inequalities faced by them. In this chapter describe each one with an intersectionality approach to ensure a comprehensive analysis to the situation of rural, Afro-Caribbean and indigenous women around the SBRB.

3.2 Gender Equality and Women's Empowerment in Panama: Continuing Challenges to Sustainable Human Development

Panama has grown rapidly in recent years, based on the GDP for 2018, it was the ranked the 76th economy of 196 countries evaluated and according to the <u>Human Development Index (HDI) in</u> 2015 Panamanians were ranked 60 out of 188 countries. Despite the fact that Panama has led the region's economic growth with average rates of 6%, this growth has not reached all individuals and communities equally, the country still has high levels of inequality and areas of poverty which are reflected above all in the standard of living (access to basic services, income and employment). These marked differences occur mainly among women living in rural populations and regions.

Global Human Development Report (2016)

Panama is ranked 7th in Latin America and the Caribbean, and 60th out of 188 countries. Its Human Development Index (HDI) value is 0.788, which places it in a high position. According to the Global Human Development Report (2016), Panama is among the countries with high human development, but despite this, women do not obtain the same values or economic benefits from national development. The Gender Development Index (GDI)⁴⁵ for Panama is 0.997, which shows that while women have 6 more years of life expectancy and 0.8 more years of schooling expected, the economic dimension is what makes the difference between men and women, with the estimated gross national income (GNI) per capita being almost 40% more for men than for women (\$24,365 thousand vs. \$14,550 thousand). The

countries are classified into five groups according to the degree of inequality, and Panama is in group 1 *High level of equality in* HDI achievements between women and men.⁴⁶

Panama remains on the list of the most unequal countries in Latin America in terms of gender, where women do not enjoy the same opportunities as men, facing significant obstacles to participation in different spheres of society. The Atlas of Local Human Development: Panama 2015 which calculated for the first time the Gender Inequality Index (GDI) for each province reveals that in addition to high gender inequality, women face very different levels of inequality, as well as different barriers depending on the province where they live. This gender inequality means that there is a Panama for

⁴⁵ It measures gender inequalities in the achievement of the three dimensions of human development: living a long and healthy life, having an education and having a decent standard of living. It is the rate between the HDI calculated for women and the HDI for men.

⁴⁶ UNDP Human Development Report (2016)



men and a Panama for women, but also that the Panama of a woman living in the country's capital is very different from that of an indigenous woman living in one of the regions (in Spanish, *comarcas*).

The Gender Inequality Index (GDI-D)⁴⁷ for Panama is 0.457, ranking 100th out of 159 countries in the analysis. In the country, female participation in the labour market is 50.5% compared to 80.5% for men, the maternal mortality rate is 94 per 100,000 live births, and the fertility rate during adolescence is 74.5 births per 1,000 women.

By 2018, the net labour participation rate for women is 50.2% while for men it is 75.5%, the economically active population rate is 42.7% for women and 67.9% for men. The open unemployment rate is 6.3% for women and 3.9% for men. It is worth mentioning that 61.8% have permanent formal employment (59.8% for women and 63.1% for men) and 27.3% have temporary informal employment (30.2% for women and 24.7% for men)⁴⁸.

Panamanian women are over-represented among the poor, have the highest illiteracy rates in the country, are under-represented in government and decision-making bodies, have the highest unemployment rates and receive the lowest pay for equal work.

Despite significant progress in protecting women from violence, long rulings, biased interpretations, difficulty in maintaining maintenance payments and wage discrimination are some examples of the deeper challenges that women face in terms of equity and the exercise of their human rights.

In Panama, women constitute 49.6% of the population, which means that they represent half of the potential for the advancement of the population. It is extremely important to combat discrimination against women, since this causes a stagnation in social progress. Ending all forms of discrimination against women and girls is not only a basic human right, but also crucial to accelerating the country's sustainable development.

3.3 Intersectionalities that increase women's vulnerability and exclusion in Panama

Women in Panama may suffer inequality and discrimination by having less access to resources, power and influence but rural, indigenous or afro-descendent women are even more exposed to situations of violence, abuse and unequal treatment both at home, as well as in their work environment and in their communities. They are also denied opportunities to learn, earn income, make their voices heard and lead. There are conditions that can intersect with each other and promote persistent inequalities in all areas for those who experience them. These are understood as interactions and can generate greater conditions of exclusion and vulnerability.

Around Sixaola River Basin the following organized groups of women are identified:

- Mujeres cuidando montañas (ALAKÖIPA)
- Organización de mujeres unidas de Bonyik (OMUB)

⁴⁷ It reflects gender disadvantages in three dimensions: reproductive health, empowerment and the labour market. The index shows the loss in human development due to inequality by comparing the achievements of women and men in these dimensions.

⁴⁸ Labour Market Survey, INEC (2018)



During the project preparation, representatives of these organizations participated in validation workshop. However, it is important to recognize that other women organizations exists and must be identified as part of the TDA, in order to strengthen and expand capacities.

3.2.1 Indigenous Women

According to the 2010 Census, 417,559 indigenous people live in Panama out of a total population of 3.4 million, representing 12% of the total population of the Republic of Panama. Of this total, 49% are women (205,108) and 51% are men (212,451).⁴⁹ As described in the draft IPPF (annex 4c), Indigenous Peoples in Panama are represented by seven different Indigenous Peoples: Ngäbe, Buglé, Emberá, Wounaán, Guna, Naso and Bribri.

In the Sixaola river basin live three indigenous peoples Ngäbe, Naso and Bribri. Of those are 127,816 Ngäbe women, 1,963 Naso women and 531 Bribri.⁵⁰

The Naso and BriBri peoples's land management structure is as collective landowners; however, their territorial rights are still in conflict: Bribri have claimed a collective land, which is still an ongoing administrative process; Naso have also an ongoing process regarding the claiming of a *"Comarca"*. The Ngäbe annexed area is formally recognized but, it is not physically delimited. Note, that as indicated in the draft IPPF (annex 4c), these territorial rights have important implications for land, natural resources and water governance; and therefore, are a core guide of work in the project.

In Panama, in 2014 and 2015, 85 out of every 100 indigenous people were living in poverty, with the Ngäbe-Buglé *Comarca* having the highest poverty level. Although there are no data disaggregated by gender on poverty levels, the qualitative studies refer to the impact that poverty has on women in particular, because of the important role they play within their community.

The woman living in the Ngäbe-Buglé *Comarca* has less social protection; the levels of dependence and submission they suffer with the departure of their spouses make them more defenceless. The ages to start married life is 12 years, which shows a severe violation of their human rights. Bribri women start motherhood at 16 years of age and the average number of children ranges from 3 to 5. And Naso women begin their sexual life between the ages of 12 and 15, some leave their children in the care of their mothers and other relatives, especially those whose partners migrate, and, when abandoned, must seek work to support themselves outside of their families and communities⁵¹.

Among the Naso women there are single female heads of households who learned to control and make decisions about community, social and organizational commitments. Meanwhile, the Ngäbe and Buglé peoples, women expressed that men are authoritarian, and impose their discipline, and when indigenous women work outside the home they control their time and constantly harass them.⁵²

One of the main problems that women have when going to health centres, as well as hospitals, is the difficult access to them due to the lack of adequate roads, the long distances and the scarcity of economic resources that prevent them from moving. Other relevant factors are the little importance

⁴⁹ National Report. Clara Gonzalez. Situation of Women in Panama 2014 - 2016. INAMU, 2017.

⁵⁰ National Report. Clara Gonzalez. Situation of Women in Panama 2014 - 2016. INAMU, 2017.

⁵¹ Diagnosis of the Situation of Indigenous Women in Panama UNDP, 2016.

⁵² Diagnosis of the Situation of Indigenous Women in Panama UNDP, 2016.



they give to going to a health service for their prenatal check-ups; the influence of mothers, mothers-in-law and husbands when they make the decision to seek medical care for their health; the lack of technical competence and resolution capacity of the facility, lack of knowledge around the mother tongue of the users of the health care system (which impedes communication); and the low-quality service they receive at health centres when they do visit, which hinders the proper use of their services.⁵³

According to the UNDP's Atlas of Local Human Development: Panama 2015, despite the fact that the indigenous regions have a high number of young people, it is also important to note that they have the lowest rates of literacy. By 2014, the country's literacy rate will exceed 90% in most provinces, with the exception of Bocas del Toro and Darien, while the regions have literacy rates of under 80%. In addition, school attendance in the regions is between 70 and 80%, with a national average of 75% and 17.4% of indigenous households have a woman as head of household.

In 2014, the years of schooling were less than 6 years for the regions and between 7 and 9 for most of the provinces, with Colon standing out with 10 and Panama with 11 years of education on average. This is largely due to lower coverage of secondary level education in rural areas and indigenous regions and an early entry into the labour market.

3.2.2 Women of African descent

Panama has an important history on the construction of the "Afro" ethnic variable, which was initially framed under a racial connotation, rather than as a matter of law. Until the 1940 population census, the ethnic variable was researched as "race", then it disappeared from national statistics allegedly because the 1941 National Constitution introduced discriminatory patterns that classified Afro-Antillean people as "forbidden immigrants". After 60 years of invisibility in national statistics, the ethnic variable "Afro" was incorporated into the 2010 census, a product of the struggles of Afro-descendant organizations themselves.

According to the 2015 household census of the INEC of Panama, 690,584 people identified themselves as of African descent, of which 352,085 were women and 338,499 were men. In addition, the largest concentration of the Afro-descendant population is found in the provinces of Cólon and Bocas del Toro. Although outside this province there are also afro-descendants, the numbers are smaller.

It should be noted that Panama does not have robust and up-to-date statistical data on the Afrodescendant population. So far, the 2010 census is the only complete source of information, however, the data are outdated due to the number of years that have passed. For this reason, it has been necessary to review other more recent sources such as household surveys, which despite considering the ethnic variable "Afro", have the limitation of being samples that respond to a specific objective (labour market) and not necessarily other variables such as ethnicity.

For the afro-descendant population there is no complete record of population in multidimensional poverty (MP) and in conditions of vulnerability but 12.3% was recorded from the households that "self-identified" as afro-descendants in 2015.

⁵³ Diagnosis of the Situation of Indigenous Women in Panama UNDP, 2016.



When referring to the education of the "afro" population, the focus is on the high school and university level, with an emphasis on women of African descent, in other words, women of African descent are located at the highest academic levels. Although it is important to note that women in general tend to be better educated than men, women of African descent stand out most in this education indicator.

Based on information from the 2010 census and household surveys for the years 2015 and 2016, we can say that the data show gaps of gender and ethnic inequality in economic participation, which are deepening in the unemployment of the afro-descendant population, especially women. By 2010, 53 out of every 100 women of African descent and of productive age were participating in the labour market, compared to 76 out of every 100 men of African descent. With respect to the rest of the population, women of African descent showed greater participation in the labour market, exceeding the rest by almost 11 women, although in comparison to men, the gap was almost 23 percentage points for the same year.

For the period 2015-16, it is observed that participation is increasing. 57 out of every 100 women of African descent participated in economic activities, in comparison to 79 out of every 100 men of the same ethnic group. Inequality in the economic participation between men and women is significant, the gap is almost 22 percentage points to the detriment of women; however, women of African descent outperformed the rest of the women in participation in the labour market.

Visibility, identity and racism are aspects that must be addressed in a comprehensive manner, in order to explain the situation of discrimination affecting Afro-Panamanians. The general argument of considering the Afro-descendant and indigenous groups as "ethnic minorities" is related to the accentuated discrimination and marginalization of which they have been historical victims, even placing them in a situation of statistical invisibility for several decades. Even when the origin of the Panamanian society is based on the existence of these ethnic groups of long standing and marked presence in the country, making them visible is a present-day challenge as a subject of human rights and social justice.

3.2.3 Rural women

The situation faced by rural women has been a constant factor in issues such as access to health, education and the labour market, resulting in a lack of planning methods and when access is available it may not be effective. This is completely linked to the gap in educational plans or contents with a gender perspective, in which women are able, from an early age, to recognize the social differences to which they are subjected by the androcentric system itself. In the end, this has an impact on the lack of opportunities in the field of employment and therefore prevents them from achieving the economic dependence that is so necessary to be able to escape from the cycles of poverty.

Rural women not only carry out many activities directly related to production and food security, but also perform all household tasks. Indeed, in rural areas, women often work up to 16 hours a day. However, most of their work is unpaid, their contribution to production and development is



unknown and under-recorded in official statistics and is rarely considered in development policies and plans. $^{\rm 54}$

Panama does not yet have disaggregated information on the status of rural women and all the areas that affect them as human beings. This even prevents the creation of policies aimed specifically at developing and implementing specific plans or programmes that aim to improve the socio-economic conditions that affect them. The monitoring of the socio-economic conditions that can be provided to them is linked to the delivery of subsidies, a tool readily available to the State and which can be used not to make a measurement, but an estimate of the difficulties faced by rural women, in many cases receiving only the little economic support to cover part of the family needs. It is necessary to keep in mind that families in rural area are more numerous.

3.3 Production and land tenure of rural, indigenous and afro-descendant women: the highest inequality

Women's access to land is a constant challenge, since the social concept links property to the man as head of the family. Although progress has been made, it is still necessary to continue on the path of making it a reality that when a woman leads the household as head of the family, that she may own the land, the plot of land or the house, because it is one of the basic and indispensable needs of the human being, which provides security to the family and raises its living condition.

It should be noted that in Panama the institutions do not have information segregated by gender, since the gender issue is not addressed as a priority for access to land and housing ownership.

The problems of inequitable distribution and insecurity of land tenure impact women and indigenous groups differently from the rest of the rural population. In the case of women, they had - and still have - limited access to land. This has been improving a little in recent years thanks to the application of new regulations. For example, in 2001, joint titling was established in Panama as a way of acquiring land, thus guaranteeing women access to land, which previously was difficult for them, firstly, because in the families there was a false belief that the man was the one who had to work the land, while the women stayed in the houses, cooking and taking care of the children. A large number of Panamanian families promoted land inheritance only in the male line, however, and thanks to these land titling promotion programs, women have benefited from these programs.

Housing in Panama is classified by its ownership condition with regard to the Head of the household, whether man or woman, as owned, rented, transferred, and others. In general, and taking the average of 2014, 2015 and 2016, we can mention that women have 41% of homeownership versus 59% of homeownership by men.⁵⁵

⁵⁴ Pedrero, M. 1998. Agricultural Censuses and Gender - Concepts and Methodology Food and Agriculture Organization of the United Nations. http://www.fao.org/3/x2919s/x2919s04.htm

⁵⁵ National Report. Clara Gonzalez. Situation of Women in Panama 2014 - 2016. INAMU, 2017.



3.4 Sexual division of labour: women's current conditions

Although great efforts have been made in Panama to close the gender economic gap by 72 per cent, and women represent 70 per cent of university graduates, the labour participation rate of Panamanian women is still 21 points below that of men, and 71 per cent of companies in the country have no female representation at the highest executive level.

The 2015 Labour Market Survey showed that men received a monthly average wage of \$600.00 versus \$585.00 for women, which was \$15.00 more for men. The situation was similar in 2016, when women earned \$647.00 and men earned \$661.20 per month, \$14.00 with 20 cents more than women.⁵⁶

In 2018, the Ministry of Labour and Labour Development (MITRADEL) announced the progress made in Panama in the public-private strategy for labour equality between women and men, such as "Labour Equality" projects and the "Seal of Gender Equality in Business". The implementation of these projects has the support of the United Nations Development Program (UNDP), the National Women's Institute (INAMU), the Ministry of Commerce and Industry (MICI) and the Ministry of Foreign Affairs. "The Gender Equality Seal for Public and Private Enterprises will be a tool used to close wage gaps and achieve gender equality with emphasis on autonomy and empowerment".

Panama will be the 13th country in the world to have this gender seal for enterprises. Hand in hand with UNDP, Panama seeks to increase the number of women in decision-making positions, eliminate the wage gap between men and women, promote the participation of women in non-traditional jobs and eradicate sexual harassment. In Panama there is great gender inequality, women are treated as a minority group and this is noticeable in the selection of executives for decision-making positions in different companies.

3.5 Women's health: some nodular aspects in the country

In the field of health care, it is women who have the worst conditions as they continue to be burdened by the double workload; greater morbidity, the political and social inequity and the worse pay conditions for the same work as men.

Gender differences are reflected in morbidity and mortality, as well as risk factors, mental health, lifestyles and access to services. Among the basic health problems that Panamanian women face are: malnutrition in women of childbearing age which also affects the following generation; teenage pregnancy that limits young women's human development by reducing their possibilities of personal and professional fulfilment; sexually transmitted diseases, including HIV/AIDS, that affect them and their children; malignant tumours and domestic violence.⁵⁷

A quarter of the female population is head of her household, which places a significant burden of physical, emotional, economic and social responsibility on them, with consequences for the high rates of female morbidity and mortality. Women are more likely to seek external medical consultation and to suffer from noncommunicable diseases.

⁵⁶ Ídem

⁵⁷ Report on women's health in Panama, PAHO, 2017



Young women do not seek medical consultation and hardly use prenatal control, which indicates that important efforts should be made from the health and education sector to educate young women between the ages of 10 and 14 in early and preventive care of their sexual and reproductive health.

Sexual and Reproductive Health Programs should emphasize care for adolescents through the implementation of friendly services that are able to provide adequate information and care including safe contraceptive methods in order to delay the onset of sexual activity, promote safe sex and prevent adolescent pregnancy and STDs and HIV/AIDS.

The maternal mortality rate remains stagnant, especially because of continuing high rates in the indigenous regions, with a significant disparity in access to obstetric services and skilled birth attendance.⁵⁸

Domestic violence continues to claim lives and is the cause of serious family, health, economic and social problems and especially human rights. Taboos on the subject of mental health persist and many women do not seek support due to lack of information and knowledge. Menopause is not being addressed as a priority issue for mature women.

3.6 Education for women: contradictory progress

In education, Panama has one of the lowest illiteracy rates in the region - 7.8% in adults and 3% in young people aged 15-24 years. However, there are still important differences within the country, particularly for the indigenous population, where women account for 43 per cent of illiteracy and men 26.5 per cent. There are also differences in the lower income population where almost 1 in 5 men and 1 in 4 women have not attended school.

The net enrolment rate of primary school is almost universalized, secondary school is 62% and the university enrolment rate is 31% according to the PREAL "It's Time to Act" report, published in 2003.

The combined enrolment rate for Panama (primary, secondary and tertiary) education is 75%, favouring women (78% and 73% for women and men, respectively).

However, although most Panamanian children have access to and complete primary school, slightly less than half do not reach secondary school and few complete it. Women have more years of schooling in the provinces of Panama, Colón, Chiriquí, Herrera and Los Santos, and in turn, are those with fewer years of schooling in the indigenous regions of Kuna Yala, Emberá and Ngäbe Bugle.

3.7 Women's political participation: from national to local

Panama is one of the few countries in Latin America that has had a woman president (Mireya Moscoso for the period 1999 - 2004). Furthermore, in the 2014 general elections, for the first time in the country's history, a woman, Isabel Saint-Malo, was elected as vice-president.

⁵⁸Ídem



However, the participation of women in the executive branch and public administration from 2004 to 2014 reflects that the country is far from having gender parity, according to the diagnostic study: "ATENEA Panama - Mechanism to accelerate the political participation of women in Latin America and the Caribbean" revealed that for the period 2004 - 2009, women represented 20.6% in this area, while in the period 2009 - 2014, women's representation fell to 12.9%.

But the absence of women at the decision-making and power levels has other meanings, it is not a political issue, it is a matter of rights, opportunities and economic development, it shows the degree of advancement of the culture and political culture of a country so the contrasts are intense.

It should be noted that while the number of women participating in all types of structures (economic, social, business, community, etc.) in the country is increasing, there is also a decrease in women's political representation, as shown by the overall numbers of women elected and those of women in congress in particular. The anomaly and its correction is a great challenge. An examination of both dimensions establishes the paradox of the current situation, which has already been fully documented.⁵⁹

To the already mentioned paradox, it is also necessary to do an analysis that establishes how and why the current situation exists and why is it that in one of the countries with more economic growth and greater participation of women in employment, a smaller distribution of the political power is produced historically and currently. Among many other important causes, surely there will be some ranging from the structural reasons to the ones along the cultural and symbolic levels, in which those ideas that make political life an unknown world to women, are highlighted.⁶⁰

In countries where women are underrepresented in institutions, as is the case in Panama, there are significant differences between men and women with regard to access to and the equal exercise of power. The scarce representation of women weakens the legitimacy of democratic institutions; it violates the human rights of half the population because the absence of women in decision-making spheres implies the violation of the political rights to be a representative and to be represented. It makes it difficult to deliberate on women's interests in the process of designing and implementing public policies; it expresses the existence of an unequal society; it generates little space for plurality and equity in citizenship and also diminishes the opportunities for an inclusive democracy.

In the 2009 elections, 9.86% of 71 elected members of congress were women; in 2014 it improved to 18.31% and in 2019 it improved to 22.53%. It is very important to make these great advances visible, but the problem of the low participation of women in political spaces persists, even if it is less now.

3.8 Violence against women: An outstanding debt to the right to a life with dignity

Violence against women and girls is one of the most widespread forms of discrimination in the world. It is deeply rooted in roles, culture and stereotypes. Gender violence is an impediment to achieving equal opportunities and to achieve this equality we must recognize women as full legal subjects.

⁵⁹ National Report. Clara Gonzalez. Situation of Women in Panama 2014 - 2016. INAMU, 2017.
 ⁶⁰ Idem.



Panama has made significant progress in recording cases of domestic violence, by gender, but there are still limitations on the statistics regarding the impact of domestic violence on households, women, their families and society in general.

In Panama, violence against women is the second most prevalent crime. According to statistics from the Public Prosecutor's Office, between January and August 2019 there were 12 victims of femicide, five attempts at femicide and 20 violent deaths (deaths of women that the judge did not classify as femicide).

Violence against women continues to be an obstacle to achieving equality and development, which is why the country proposes to eradicate this problem by implementing laws that adopt preventive measures addressing violence against women and girls, and by reforming the Criminal Code, making femicide a form of aggression against women.

3.9 General Regulatory Gender Framework of Panama

Achieving full, sustainable and equitable human development requires public policies and legal frameworks that integrate multi-sectoriality, interculturality, respect for sexual and ethnic diversity, the integration of persons with disabilities and a focus on women that not only recognizes the human rights of each and every social actor, particularly women, but also sets out agendas and guidelines for complying with global precepts and postulates on equality and their various implementation mechanisms.⁶¹

The Panamanian State has developed different actions to help mitigate the problem of inequality between men and women, through the signing of a series of international covenants on the subject and the enactment of laws. Some of them are:

- Act No. 4 of January 29, 1999, "establishing equal opportunities for women", regulated by Executive Decree No. 53 of June 25, 2002
- Act No. 17 of 28 March 2001, approving the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, adopted by the United Nations General Assembly on 6 October 1999
- Regulation of Law 82 of 2013, which criminalizes femicide, assigning responsibility to each ministry to ensure the comprehensive development of women in all aspects.
- Law 30 of May 5, 2015 which allowed for the amendment and repeal of provisions of the Family Code.
- Executive Decree 393 of September 14, 2015 by which the Republic of Panama adopted Agenda 2030 as a guideline for inclusive human development efforts.
- Law 15 of 31 May, 2016 which reforms Law 42 of 1999, which establishes equal opportunities for persons with disabilities.
- Law 16 of June 22, 2016, which institutes Community Peace Justice and dictates other provisions on Community Mediation and Conciliation.
- Law 60 of November 30, 2016, which reforms Law 29 of 2002 on pregnant minors and contains other provisions.
- Act No. 64 of 6 December 2016 establishing the National Secretariat for the Development of Afro-Panamanians (SENADAP), which will be responsible for directing and implementing

⁶¹ National Report. Clara Gonzalez. Situation of Women in Panama 2014 - 2016. INAMU, 2017.



the policy of social inclusion of Afro-Panamanians and ensuring compliance, protection and full enjoyment of equality, equity and social justice and fundamental freedoms.

• Law 73 of December 18, 2015, through this regulation, modifies articles of Law 38 of 2001, on the procedure for domestic violence.

4. Comprehensive approaches to ensure adequate intervention for women around the Sixaola River Basin between Costa Rica and Panama

There are situations that accentuate the intensity of inequality for women in Costa Rica and Panama, and therefore generate greater conditions of exclusion and vulnerability. These conditions are understood as intersectionalities, in other words, conditions that intersect with each other in the country and promote persistent inequalities in all areas for those who experience them.

The intersectional perspective recognizes that men and women have multiple identity characteristics resulting from human experience, history and the way social and power relations operate in each culture. This means that it is possible to belong simultaneously to more than one community or social group, with such membership being associated with a series of privileges or discriminations that are interrelated, produced as a direct consequence of their combination, and which result in a series of inequalities in daily life by producing a differentiated effect on people's experiences of exercising their human rights and of actually accessing the opportunities that exist in today's world. ⁶²

This perspective links the different forms in which discrimination is expressed (be it on the basis of class, age, ethnicity, nationality, migratory status, sexual orientation and gender identity and/or expression, etc.), with the legal, socio-economic and political context which, in a structural way, reproduces and accentuates these forms of social exclusion. That is why, in addition to the gender perspective, the proposal of intersectional or multiple oppression analysis, allows us to understand how vulnerabilities increase when they are articulated with other aspects of social experience, human relations and daily life; how discrimination affects women in a differentiated way according to social categories such as sex, class, age, ethnicity, sexual orientation and gender identity and/or expression, among others; and how multiple identities, the product of human relations and diverse social categorization, produce differentiated experiences and impacts for women, particularly in relation to opportunities and real access to the exercise of their human rights. ⁶³. It is worth mentioning that the intersectionality approach is cross-cutting to the present strategy to ensure a comprehensive approach to the situation of rural, Afro-Caribbean and indigenous women around the Sixaola River Basin.

Also, one of the greatest complexities faced when analysing the situation of indigenous women is to understand and make visible the multiplicity of experiences that indigenous life represents, which is marked by the diversity of worldviews and histories of struggle and resistance that are inscribed in each territory and each people.

The different ways of being women in the indigenous world are shaped by the gender-specific characteristics of the peoples to which they belong, due to the diverse socio-territorial realities of each of them, as well as to the adaptations in relation to the dominant society. For this reason,

 ⁶² National Policy for Effective Equality between Women and Men (PIEG), INAMU, 2018-2030
 ⁶³ Idem.



indigenous women do not constitute a homogeneous group, but present a great diversity of situations, needs and demands. The complexity of the cultural construction of gender in indigenous peoples is a subject that is little explored in the literature on indigenous women. In general, the production of knowledge about gender relations and the unequal status of women has made them invisible, and therefore the information available is insufficient for sound public policy decisions.⁶⁴

For this reason, according to the draft IPPF (annex 4c) this strategy will be based on various approaches that guarantee a comprehensive approach based on respect for the diversities of indigenous, rural and Afro-Caribbean women around the Sixaola River Basin, namely:

- **Principle of Universality**. It starts from the premise that "all persons are born free and equal in dignity and rights", and therefore necessarily refers to the principles of equality, justice and non-discrimination that characterize the spirit of human rights. According to this principle, all persons regardless of their ethnicity, colour, sex, language, religion, political or other opinion, national or social origin, economic status, birth or any other condition are holders of the rights and freedoms that have been recognized for the entire population; therefore, they can demand their recognition and/or compliance, regardless of the social, cultural, political and economic context in which they live in the country⁶⁵.
- Interculturality Approach. It proposes the recognition of cultural differences, without discriminating or excluding, seeking to generate a reciprocal relationship between the different ethnic-cultural groups that coexist in a given space. This implies incorporating and assimilating as one's own the different conceptions of well-being and development of the various ethnic-cultural groups in the provision of their services, as well as adapting them to their sociocultural particularities. It also implies that policies recognize and positively value cultural diversity, and are articulated with those aimed at achieving equal rights among citizens, without discrimination and without giving up on their own customs and values, building bridges of dialogue and mutual enrichment between the state and various communities that contribute to social cohesion⁶⁶.
- Principle of Self-Determination. It is the right of people to decide its own forms of • government, to pursue its economic, social and cultural development, and to structure itself freely without outside interference. Indigenous peoples also have the right to **Autonomy**, that is, they have the right to define their own laws or rules of life, whether written or oral. (a) **Respect for the principle of free**, prior and informed consent, which implies that there is no coercion, intimidation or manipulation, that consent has been sought sufficiently in advance of any authorization or commencement of activities, that respect is shown for the time requirements of indigenous consultation/consensus processes and that full and understandable information is provided regarding the likely impact. b) Full and effective participation of indigenous peoples at every stage of any action that may affect them directly or indirectly. The participation of indigenous peoples may be through their traditional authorities or a representative organization. This participation can also take the form of co-management. c) Consultation with the indigenous peoples involved prior to any action that may affect them, directly or indirectly. The consultation ensures that their concerns and interests are compatible with the objectives of the planned activity or action. d) Formal recognition of traditional institutions, internal systems of justice and conflict

⁶⁴ Second State of Women's Rights, INAMU (2015)

⁶⁵ Policy for Effective Equality between Women and Men (PIEG), INAMU, 2018-2030

⁶⁶ Gender and Climate Change Action Plan, Peru, 2015



resolution, and types of socio-political organization and (e) **Recognition of the right of indigenous peoples** to freely define and pursue their economic, social and cultural development.

5. Conclusions of Women's situation Analysis

The previous analysis shows how gender gaps persist in Panama and Costa Rica for indigenous, afrodescendant and rural women living around the Sixaola River Basin. A summary of each of them is presented below to clearly understand the situation of these women:

In Costa Rica main gender gaps for indigenous, afro-descendant and rural women living around the Sixaola River Basin are:

- The Sixaola River Basin is surrounded by an ethnically diverse population that includes Afro-Caribbean people and Indigenous Peoples; six indigenous territories function as buffer areas for the protected areas. In Costa Rica there are two Indigenous Peoples: Bribri (from Talamanca and Keköldi) and Cabécares (Talamanca and Telire). Out of 10,775 indigenous population, 5,307 are women.
- Social indicators in the area show a lag with respect to national averages in both countries, and illiteracy is around 11% of the population in both countries.
- According to the Atlas of Cantonal Human Development of Costa Rica (UNDP, 2016), the GDI in Talamanca (Districts of Bratsi, Sixaola and Telire) occupy the 80th, which relates to the penultimate position.
- With regard to economic activities, the predominant one is agriculture. In the middle and upper watershed, a model of small-scale agriculture is being developed, mainly using organic cocoa and bananas. While in the lower basin there is banana and plantain monoculture by transnational companies mainly for export. More than a quarter of agriculture farmers are women: in Talamanca (32.5%). Also, the percentage distribution of permanent payment for agriculture producers is approximately 70% men against 30% women while for temporary work only 40% of women are paid.
- The women's unemployment rate is increasing in the Huetar-Caribbean region of the country (which includes the cantons around the Sixaola River Basin) where the percentage reached 12.8% above male unemployment in 2015 and is the second highest in the country. The highest percentages of households in extreme poverty are located in Brunca (13.7%) and Huetar Caribe (11.1%) during 2015, a situation that has been increasing by 1.1 and 2.8 percentage points, respectively, in relation to 2010.
- The Indigenous authorities or governments of Costa Rica are (a) ADITIBRI, (b) ADITICA, (c) ADIKEKÖLDI and d) ADITELIRE. It should be mentioned that indigenous women's forms of political organization are different from the country's traditional forms, and although they participate actively in the Indigenous Development Associations (ADIs), the world view of the indigenous peoples has cultural limitations on women's participation, which show a



significant gap in the political organization of indigenous women; the Sixaola River Basin is not the exception.

• The situations relating to violence against women are worse in the areas around the Sixaola River Basin, 9% in the Atlantic Area and 12% in the southern area of the country. In addition, The 15.1% of women admit to having accepted unwanted sex for fear of reprisals; nearly 21% say they have been offered something in exchange for sex; 6.3% have received threats as a way of coercing them to have sex; 8% of women were assaulted during a sexual relationship and 12.3% were forced to have sex against their will, in other words, they have been raped. These data are undoubtedly also reflected in the rural, Afro-Caribbean and indigenous women who belong to the cantons around the Sixaola River Basin.

In Panama main gender gaps for indigenous, afro-descendant and rural women living around the Sixaola River Basin are:

- In Panama around the Sixaola river basin live three Indigenous Peoples: Naso, Bribri and Ngäbe. Of those are 1,966 Ngäbe women, 1,963 Naso women and 531 Bribri (a total estimate of 4,460 women out of 9,144 people).
- In Panama, in 2014 and 2015, 85 out of every 100 indigenous people were living in poverty, with the Ngäbe-Buglé *Comarca* having the highest poverty level. Although there are no data disaggregated by gender on poverty levels, the qualitative studies refer to the impact that poverty has on women in particular, because of the important role they play within their community.
- The woman living in the Ngäbe-Buglé *Comarca* has less social protection; the levels of dependence and submission they suffer with the departure of their spouses make them more defenceless. The ages to start married life is 12 years, which shows a severe violation of their human rights. Bribri women start motherhood at 16 years of age and the average number of children ranges from 3 to 5. Naso women begin their sexual life between the ages of 12 and 15, some leave their children in the care of their mothers and other relatives, especially those whose partners migrate, and, when abandoned, must seek work to support themselves outside of their families and communities.
- One of the main problems that indigenous women have when going to health centres, as well as hospitals, is the difficult access to them due to the lack of adequate roads, the long distances and the scarcity of economic resources that prevent them from moving
- The problems of inequitable distribution and insecurity of land tenure impact women and indigenous groups differently from the rest of the rural population. In the case of women, they had and still have limited access to land.
- In Panama to close the gender economic gap by 72 per cent, and women represent 70 per cent of university graduates, the labour participation rate of Panamanian women is still 21 points below that of men, and 71 per cent of companies in the country have no female representation at the highest executive level.



• The maternal mortality rate remains stagnant, especially because of continuing high rates in the Indigenous regions ("comarcas"), with a significant disparity in access to obstetric services and skilled birth attendance.

In both countries indigenous, afro-descendant and rural women have higher rates of unemployment or informal work, despite the fact that they dedicate their work to agricultural production, their capacities to formalize in the market are limited, given the limited access to health and education services, they are more exposed to Impacts of natural disasters, rates of teenage pregnancy and intra-family violence prevail, less participation in local water resource management, among others. This allows to identify the main challenges facing indigenous, afro-descendent and rural women in Costa Rica and Panama:

- a) To eliminate discrimination against women in rural, afro descent and indigenous territories.
- b) To collect data on problems faced by indigenous women and women workers in the agricultural sector and local water management.
- c) To participate in the preparation and implementation of development plans at all levels in *the Binational commission of the Sixaola River Basin (CBCRS)*.
- d) To obtain access to credit and financing for productive activities linked to the agri-food sector.
- e) To access production and marketing support services.
- f) To participate in all community activities.
- g) To strengthen the economic autonomy of rural, indigenous and afro descent women for productive activities linked to the agri-food sector.
- h) To strengthen women's capacities to deal with disaster risks and create a specific action Plan to protect them from the climate change impacts.

6. Recommendations for the Gender Action Plan

With these findings as a starting point, the comprehensive basis of analysis and according to the objectives of the project, the Gender Action Plan seeks to promote the reduction of gender inequalities for Afro-descendant, indigenous and rural women and improve their empowerment at different levels of the intervention process.

Project Implementation Unit:

- Define gender criteria in the annual assessment of results to certify the incorporation of women and gender equality in the project.
- Create strategy of permanent monitoring to guarantee the appropriate incorporation of the gender perspective in all stages of the project.
- Develop election of technical personnel that will take part in the project respecting the criteria of parity in the hiring.
- Identify local institutions to support the implementation of the Gender Action Plan, such as the Women's Regional Authorities, Municipal Women's Offices, Gender Offices of public institutions associated with the project indigenous, Afro-descendant and rural women's organizations, private companies committed to gender equality, among others.



IWRM Governance

- Increased understanding on the situation of indigenous women, afro descent women and rural women in around the Sixaola River Basin shared by Costa Rica and Panama to strength to the formulation of the Transboundary Diagnostic Analysis.
- Strengthen gender equality capabilities in The Binational commission of the Sixaola River Basin (CBCRS)
- Collaborate with the National Women's Institutes from Panama and Costa Rica for the strengthening of gender capacities in indigenous women, afro descent women and rural women organizations to assure women's participation in the project.
- Increase the role of women participating in governance for integrated water resources management. The CBCRS champions the role of women in IWRM
- Improve legal and institutional regulations of the Binational Commission of the Sixaola River Basin to guarantee women's economic empowerment and decision making.

Capacities of Local Communities:

- Improve the role of women in IWRM practices, such as low polluting agricultural production and waste management.
- Prioritize the participation of the organizations of indigenous and afro descent women.
- Promote the inclusion of women in the binational early warning systems.

To this end, through the present Gender Action Plan the project design included indicators and products that guarantee the incorporation of the gender perspective, and therefore equality and the empowerment of women, especially in situations of vulnerability. The project will strengthen the participation of women from the Sixaola River binational basin in the Sixaola River Basin Binational Commission (CBCRS), and also will strengthen participation of women would generate global environmental benefits in the Sixaola River binational basin.

It is worth mentioning that these actions are fundamental to ensure gender equality and the empowerment of Afro-descendant, indigenous and rural women. However, it is vital to consider that during the project implementation process, especially with the results of the integral baseline study that complements to the formulation of the Transboundary Diagnostic Analysis, other gender gaps will be identified that must be taken into account in the implementation of the Gender Action Plan.

Disclaimer: Although there are critical inequalities identified in this Gender Analysis, the following Gender Action Plan will only address those related to recognising the role of women in IWRM and ensuring the that disaggregated risks and impact to women from project actions are attended.



7. Action Plan to ensure gender mainstreaming

In order to enable women's and other groups' participation along the project, civil society women organizations will be consulted about the needs and barriers to ensure their participation (i.e., the schedule for the meetings, need of childcare services, best methodologies to improve their effective participation, etc.).

<u>Project objective</u>: Strengthen transboundary multi-stakeholder action in the Sixaola River Basin shared by Costa Rica and Panama to restore riverine and coastal ecosystems, reduce pollution from agricultural production and reduce risks from hydrometeorological disasters

Outcome 1: Common understanding of the transboundary water and environmental issues, challenges and opportunities with gender perspective affecting the Sixaola river basin and agreed strategy for basin restoration and protection

Output 1. Transboundary Diagnostic Analysis (TDA) of the Sixaola River Basin prioritizes threats to this bi-national watershed identifying their immediate and root causes as technical input to preparation of the SAP

Gender-related activity	Indicator	Target	Baseline	Budget ⁶⁷	Timeline	Responsibility
Develop an integral understanding on the situation of indigenous women, afro descent women and rural women in around the SBRB to strengthen the formulation of the TDA with gender perspective in all the stages of the project <u>Note:</u> In order to enable women's participation along the project, civil society women organizations will be consulted about the needs and barriers (i.e., the schedule for the meetings, need of childcare services, best methodologies to improve their effective participation, etc.). These considerations will be taken into account in the participatory process delivered throughout the project.	Gender Action Plan related indicators (GAPI) <u>GAPI 1 (related to</u> <u>Project Indicator 5):</u> Level of understanding of key stakeholders on the situation of indigenous women, afro descent women and rural women in the SBRB regarding the environmental impacts on their lives, and their role on IWRM.	Thought an integral baseline study,Improve the level of understanding (from low-medium to high) of key stakeholders (as indicated in the Stakeholders Plan) on the situation of indigenous women, afro descent women and rural women in the SBRB regarding the environmental impacts on their lives, and their role on IWRM through the development and dissemination of a TDA.	Low	Direct: USD 56,000 Indirect: USD 22,965	Year 2	TDA Senior Expert, Socio-economic consultant, Waste management consultant and Gender and Participation Specialist

⁶⁷ <u>Direct budget</u> means allocation of staff time or activity budget fully targeting the implementation of this Gender Action Plan; <u>Indirect budget</u> refers to the amount included in other activities with wider scope, but that include certain gender-related activities of mainstreamed scope. An estimate of 15% budget n activities has been calculated to support indirectly the implementation of the GAP.



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Outcome 2: The Binational commission of the		•	• • • •				
Output 2: A Strategic basin Action Programme (SAP) for the period 2022-2032 has been designed and strengthened CBCRS legal framework an enable IWRM in the SBRB.							
Gender-related activity	Indicator	Target	Baseline	Budget	Timeline	Responsibility	
Elaborate proposals to address issues affecting differently women and/or impact positively their empowerment for IWRM (as identified in the TDA), through a participatory process with target groups and competent institutions. These proposals will be discussed during official meetings of the CBCRS. Design and deliver a training programme for the CBCRS to improve their understanding on the different role of women and men in IWRM and on the differentiated risks and impacts faced by women. This training support members of the CBCRS to ensure the accurate integration of gender-related strategic actions in the SAP.	GAPI 2 (related to <u>Project Indicator 6):</u> Number actions included in the Strategic Action Programme 2022- 2032 that focus on reducing differentiated risks and impacts to women or impact positively women's empowerment.	The CBCRS is a champion in ensuring the integration of gender-related actions in SAP, as a result, at least 2 actions (or 1/3 of the total actions) proposed in the SAP, address issues affecting differently women and/or impact positively their empowerment for IWRM.	The existing Transboundary Territorial Development Plan 2017 – 2021, does not include a gender analysis, not any strategic or concrete actions with gender perspective.	Direct: USD 14,000 <u>Indirect</u> : USD 33,600		Gender and Participation Specialist together with: IWRM and Governance and Knowledge Management Specialist.	
Elaborate a recommendation document for the updating of the CBCRS's Regulation (Reglamento) to ensure the visibility of women in the decision making, through a participatory process with target groups and competent institutions	GAPI 3 (related to Project Indicator 8): A new legal framework for CBCRS enables joint public and private investment, ensures gender empowerment & reduces differentiated risks and impacts on women in the SBRB.	Rating for Legal Framework: 4 The CBCRS's Regulation (<i>reglamento</i>) has been updated and improved to ensure the visibility of women in the decision making.	Rating for legal framework: 0 The current CBCRS's Regulation regarding the Assembly composition does not consider the specific participation of community women or women's associations, or their role on IWRM.				



Outcome 3: Demonstrative pilot interventions	generate global enviror	mental benefits in the Binat	Al servicio tional Sixaola River bas			
Output 3. Four pilot projects of innovative IWI						
Gender-related activity	Indicator	Target	Baseline	Budget	Timeline	Responsibility
Pilot 1. Design of a proposal of waste management system for the SBRB with sustainable and feasible options for local women groups and indigenous peoples. Under this pilot, the GAP proposes to give technical support to existing or new groups of women to identify potential waste management solutions. Women will participate in the diagnosis phase, and in designing solutions phase, and when feasible, in their implementation.	GAPI 4 (related to Project Indicator 9): Number of sustainable waste management solutions identified and described through technical guidelines, that aim to reduce differentiated risks and impacts on women in the SBRB.	At least 2 technical guidelines of waste management solutions. developed aiming to reduce differentiated risks and impacts on women in the SBRB.	0	<u>Indirect</u> : USD 29,625	Years 1-2	Gender Specialist with Agricultural Extensionist consultant And Community based agriculture expert Waste Management Consultant
Pilot 2. Carry out a training/exchange programme for women to discuss and improve the understanding of Land Management Tools (i.e., micro-corridors, live fences, protection zones; establishing nurseries of endemic species), their ecosystem services and benefits, and potential risks.	GAPI 5 (mandatory indicator 1): Number of direct project women beneficiaries from training/exchange programme for women to discuss and improve the understanding of Land Management Tools. GAPI 6 (related to <u>Project Indicator 10):</u> Improved management of the river margins of the Sixaola river basin	100 women Recommendations Document to be considered on the implementation of Land Management Tools	0	Indirect: USD 1,500	Year 2	



		I	Al servicio de las person	16	1	
	through forest		y las nacione	5		
	landscape					
	restoration actions.					
Pilot 3. Design and implement a sustainable	GAPI 7 (mandatory	50 women	0	Direct:	Year 2	
Musa sp. production program focused on	indicator 1): Number			USD 30,000		
women.	of direct project					
This Program will initiate with the	women beneficiaries			Indirect:		
identification of farms (Musa producers) led	sustainable Musa sp.			USD 12,750		
and/or with women involved to implement	production program					
low polluting production best practices.	focused on women					
iow politicing production best produces.	GAPI 8 (GEF7 Core	At least 20% of the area	0		Year 2	
	Indicator 4). Area of	managed or co-manage	-		Tear 2	
	landscapes under	by women				
	improved practices	by women				
	(hectares) in Musa					
	production farms					
	managed by					
	women					
Outcome 4: Capacity of communities and loca	al organizations to respon	d to flood ricks in the Six	ola rivor margin is strong	thonad		
Output 4. A binational flood monitoring and e			alla river margin is streng	ineneu.		
Gender-related activity	Indicator	Target	Baseline	Budget	Timeline	Responsibility
Train and involve women and women's		-		Direct: USD		Gender and
	GAPI 9 (related to	At least 15 people	0		Years 2-4	
organizations in the identification of risks	Project Indicator 15:	(20% of project		56,000		Participation Sp.
and needed response actions to floods, and	Number of women	target people to be				together with IWRM and
in the early warning system.	participating through	trained) involved to				
	the early warning	respond to flood risks				Governance
	system.	of the Sixaola River,				Specialist and
		are women.				Risk Management
					1	Specialist



			Al servicio					
Output 5. IWRM-relevant information available to all stakeholders in the Sixaola River Basin. de las personas ylas naciones								
Gender-related activity	Indicator	Target	Baseline	Budget	Timeline	Responsibility		
Ensure visibility and representation of	<u>GAPI 10:</u>	At least 30%	0	Direct: USD	Years	Gender and		
women in all communication materials	% of women appear			84,000	1,2,3,4	Participation		
(internal and external), highlighting their	in communication					Specialist		
contributions in all stages of the project.	materials.			Indirect		together with:		
Prepare a strategy of permanent monitoring	GAPI 11 (related to	GAPI indicators	0	USD 36,450		Monitoring &		
to guarantee the gathering of disaggregated	Indicator 19: Project	monitored				Evaluation		
information from all project activities.	M&E system					Specialist		
	generates gender							
	differentiated							
	information and							
	impact indicators for							
	decision making.							



8. Gender Action Plan team

GAP-related responsibilities of each of the members of the Project Management Unit (PMU) are described in Annex 7 of the ProDoc, which included their Terms of Reference (TOR). A brief summary of these responsibilities is included in Table 8 for reference. <u>An estimate of 15% of the PMU staff time will be dedicated to the Gender Action Plan support.</u> Also, international and local consultants will mainstream gender-related activities in their deliverables and work. Specific time is detailed in the Budget section (ProDoc, section IX. Prodoc Budget and work plan). <u>15% of time dedication is also foreseen for the international and local consultants.</u>

Gender-related team	Timeline and GAP	Responsibility
	dedication	
PMU		
Gender and Participation specialist	48 months	Conduct a detailed assessment of
	100 % dedication	gender aspects and gathering of
		baseline data on agreed upon gender
		indicators.
Binational Project Coordinator	48 months	Oversight Team and consultant work,
	15% dedication	ensuring the implementation of the
		GAP.
Monitoring & Evaluation Specialist	42 months	Gather gender disaggregated
	15% dedication	information.
		Monitor and Evaluate project activities
		(including monitoring of indicators in
		project results framework - PRF and
		Gender Action Plan when applicable).
IWRM and Governance Specialist	48 months	<u>See Annex 7</u>
Risk Management Specialist	15% dedication	
International (IC) and local consultants (LC	C)	
TDA Senior Expert (IC)	15% GAP-dedicatio	n; See budget section IX in ProDoc for
Waste management consultant (IC)	details	
Socio-economic expert (LC)		
Agricultural Extensionist (LC)		
Community-based agriculture expert (LC)		

Table 7. Gender Action Plan proposed project team responsibilities

9. Budget Action Plan to ensure gender mainstreaming

	DIRECT		INDIRE		
	Staff	Activities	Staff	Activities	TOTAL
Outcome 1	USD 56.000,00			USD 22.215,00	USD 78.215,00
Outcome 2		USD 3.500,00	USD 28.800,00	USD 31.350,00	USD 63.650,00
Outcome 3		USD 40.000,00		USD 38.625,00	USD 78.625,00
Outcome 4	USD 56.000,00		USD 28.800,00	USD 15.900,00	USD 100.700,00
Outcome 5	USD 80.000,00	USD 4.000,00	USD 25.200,00	USD 12.825,00	USD 122.025,00
TOTAL	USD 192.000,00	USD 47.500,00	USD 82.800,00	USD 120.915,00	USD 443.215,00



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