

PANAMA

Panama is a prototypical case of a country that has not developed a comprehensive strategy to proactively build links with its non-resident citizens. The migration law does not mention in any of its provisions non-resident citizens. Moreover, Panama does not have cultural, social, or symbolic policies and its administrative structure does not include units dedicated to emigrant policies. However, in the political realm, Panama has made some advances in recent years. It allows dual nationality, although with restrictions for naturalized nationals, and has granted electoral rights to emigrants for presidential and vice-presidential elections.

CITIZENSHIP/NATIONALITY

DUAL OR MULTIPLE NATIONALITY REGULATION

Panama has a restrictive regulation on dual/multiple nationalities. For instance, the criteria for the recognition of nationality by bloodline (*jus sanguinis*) are connected to residence in the country.¹

For Panamanians by birth, dual nationality is permitted; however, the exercise of dual citizenship is not. Panamanians holding dual or multiple nationalities cannot exercise citizen rights in Panama, since Panamanian citizenship is “inactive” until they give up the other nationality.²

For naturalized Panamanians, dual citizenship/nationality is not permitted.³

The Constitution of Panama does not make reference to any limit on the number of generations for which dual/multiple nationality is permitted.

LOSS OF CITIZENSHIP/NATIONALITY

Panamanians by birth do not lose their nationality or citizenship if they reside abroad permanently. However, if they acquire another nationality or enter the service of an enemy state, their citizenship will be suspended. The provisions applied to Panamanians by naturalization are more restrictive since they do lose both their citizenship and nationality if they acquire another nationality.⁴

1 Asamblea Nacional de Panamá, *Constitución Política de la República de Panamá*, Art. 9

2 Ibid. Art. 13.

3 Ibid. Art. 10.

4 Ibid. Art. 13.

SUFFRAGE

VOTING RIGHTS OF NON-RESIDENT CITIZENS

Panamanian electoral law sets out provisions for emigrants to vote. Emigrants must apply to be included in the electoral register in the district of their last residence in Panama. If they are in the country on election day, emigrants may vote in all types of elections. However, voting abroad is permitted only for presidential and vice-presidential elections.⁵

The Constitution contains no reference to external voting for national referenda. A national referendum held in 2006 on the enlargement of the Panama Canal saw no consideration of external voting.⁶

CANDIDACY RIGHTS OF NON-RESIDENT CITIZENS

The Panamanian regulation on candidacy rights⁷ makes no explicit reference to the candidacy rights of non-resident citizens.

It is also important to keep in mind that only Panamanians with no other nationality may exercise citizenship rights (and therefore candidacy rights). Furthermore, in most Panamanian political parties, candidacy rights are subject to restrictions based on residence.

For national legislative⁸ and regional executive elections, the regulation on candidacy rights for non-resident citizens also considers in-country residence as a requirement.⁹

VOTING METHODS AVAILABLE TO NON-RESIDENT CITIZENS

As mentioned previously, non-resident citizens can vote in their country for all elections. Furthermore, they can exercise their right to suffrage in presidential elections through postal and electronic voting, as well as submitting directly their vote in the *Subcomisión del voto en el extranjero*.¹⁰

5 Asamblea Nacional de Panamá, *Código Electoral*, Art. 6.

6 Asamblea Nacional de Panamá, *Ley por la que se aprueba la expansión del Canal de Panamá*; Asamblea Nacional de Panamá, *Constitución Política de la República de Panamá*, Arts. 313, 314, 325.

7 Asamblea Nacional de Panamá, *Constitución Política de la República de Panamá*, Art. 179.

8 Ibid. Art. 153.

9 Ibid. Art. 226.

10 Tribunal Supremo Electoral de Panamá, *Decreto 7 del 13 de Marzo de 2013, "Por el cual se reglamentan las elecciones generales del 4 de mayo de 2014,"* Art. 161.

REGISTRATION FOR THE FRANCHISE

The method of registration for franchise is active the first time, and automatic for residents. Non-residents must always actively register in the electoral register for Panamanians abroad. Registration can be done online in a two-step process including an application and an interview via Skype.¹¹

MODE OF REPRESENTATION

As there is no external voting for national legislative elections, this does not apply in Panama.

REGULATION OF POLITICAL COMPETITION

PARTY OFFICES IN HOST COUNTRIES AND POLITICAL CAMPAIGNS

In Panama, political competition abroad is not regulated. There are no permanent political party offices abroad. Political campaigning outside of Panama is permitted, however no systematic political campaign abroad has taken place, probably because external voting has only been in place since 2009.

MEMBERSHIP

None of the political parties in Panama excludes emigrants from party membership. However, internal candidacy rights for posts within parties are subject to restrictions based on residence.

INSTITUTIONAL PARTICIPATION

CONSULTATIVE BODIES AT NATIONAL LEVEL

The Consultative Council for Migration is an inter-administrative group composed of representatives of key ministries, such as the Ministry of Foreign Affairs. This consultative body is not, however, responsible for emigrant issues. It mostly deals with security with a special focus on immigration.¹²

¹¹ Tribunal Supremo Electoral de Panamá, *Decreto 18 de 31 de Octubre de 2012, por el cual se subroga el Decreto 9 de 2 de Julio de 2007, Relativo a la manera de inscribirse en el Registro Electoral de Panameños Residentes en el Extranjero (RERE)*.

¹² Tribunal Supremo Electoral de Panamá, *Decreto 7 del 13 de Marzo de 2013, "Por el cual se reglamentan las elecciones generales del 4 de mayo de 2014,"* Art. 8.

ADMINISTRATION

CONSULATES

As of 2015, Panama's consular network comprises 84 consulates in 69 countries, not including honorary consulates and embassies.¹³

Consulates offer legal/judicial consultancy within their capabilities. They do not provide any financial nor psychological consultancy.¹⁴

HOME COUNTRY ADMINISTRATION

Panama has no specific administration for emigrant issues.¹⁵

ECONOMIC POLICIES

RETURN POLICIES

The Ministry of Education is responsible for the recognition of academic and professional qualifications acquired abroad.¹⁶ Recognition of undergraduate and graduate degrees is handled by the *Universidad de Panamá*.¹⁷ The maximum period for recognition of qualifications is 30 days.¹⁸

There are no long-term communication campaigns aiming to convince emigrants to return to Panama. This is also the case of programs that aim to facilitate the re-integration of returnees.

OBLIGATIONS

MILITARY SERVICE, SOCIAL SERVICE, TAXES

Panama has no standing army, therefore no military service exists.¹⁹ No social service or tax obligations exist for Panamanian emigrants.

13 Ministerio de Relaciones Exteriores, "Guía Consular (Consulados de Panamá en el Mundo)."

14 Embajada de Panamá en Alemania, "Servicios Consulares."

15 Ministerio de Relaciones Exteriores de Panamá, "Organigrama del Ministerio de Relaciones Exteriores."

16 Ministerio de Educación de la República de Panamá, "Instrucciones de convalidaciones y reválida de título y créditos académicos del extranjero."

17 Secretaría General de la Universidad de Panamá, "Requisitos para la homologación de títulos o diplomas universitarios obtenidos en el extranjero."

18 Universidad de Panamá, "Reglamento para la evaluación de títulos y otros estudios."

19 Asamblea Nacional de Panamá, *Constitución Política de la República de Panamá*, Art. 310.

CULTURAL POLICIES

Panama has not implemented any cultural program for emigrants and cultural centers abroad do not exist. The Ministry of Education is the only agency addressing cultural promotion abroad.

There are, however, several private initiatives, carried out by the non-profit corporation Viva Panama Organization, which includes the consulate of Panama in California and the *Instituto Nacional de Cultura* among its affiliated members.²⁰

SOCIAL POLICIES

Emigrants have the possibility to maintain employment benefits after emigrating but not under the same conditions as resident citizens. Employment benefits are managed through consulates.

Emigrants cannot maintain healthcare benefits after leaving the country. This is only covered by private health insurance. Education programs for emigrants do not exist either. Furthermore, Panama has not signed the Multilateral Iberoamerican Social Security Agreement.²¹

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²⁰ “Viva Panama.org”.

²¹ “Revista Seguridad Social Activa - Internacional.”

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