



# General Assembly

Distr.: General  
12 February 2024  
English  
Original: Spanish

---

**Human Rights Council**  
**Working Group on the Universal Periodic Review**  
**Forty-sixth session**  
29 April–10 May 2024

## **National report submitted pursuant to Human Rights Council resolutions 5/1 and 16/21\***

### **Chile**

---

\* The present document is being issued without formal editing.



## Abbreviations

CAJ	Legal Assistance Agency
CAT	Committee against Torture
CCPR	Human Rights Committee
CED	Committee on Enforced Disappearances
CEDAW	Committee on the Elimination of Discrimination against Women
CERD	Committee on the Elimination of Racial Discrimination,
CESCR	Committee on Economic, Social and Cultural Rights
IACHR	Inter-American Commission on Human Rights
CMW	Committee on Migrant Workers
CN	National consultation
CONADI	National Indigenous Development Agency
CPT	Torture Prevention Committee
CRC	Committee on the Rights of the Child
CRPD	Committee on the Rights of Persons with Disabilities
DN	Office of the Ombudsman for Children
UPR	Universal periodic review
GENCHI	National Prison Service
NIHR	National Institute of Human Rights
JUNJI	National Kindergartens Board
LMCC	Framework Act on Climate Change
MDSF	Ministry of Social Development and Family
MINCAP	Ministry of Cultures, Arts and Heritage
MINEDUC	Ministry of Education
MINREL	Ministry of Foreign Affairs
MINSAL	Ministry of Health
MINTRAB	Ministry of Labour and Social Security
MINVU	Ministry of Housing and Town Planning
MMEG	Ministry for Women and Gender Equity
MP	Public Prosecution Service
NNA	Children and adolescents
ILO	International Labour Organization
PAN	National Action Plan on Business and Human Rights
PDI	Investigative police
PDL	Draft legislation
PNB	National Plan on the Search for Missing Persons
PNDH	National Human Rights Plan
SAE	School Admission System
SDH	Office of the Undersecretary for Human Rights

SENAME	National Service for Minors
SENDA	National Service for Prevention and Rehabilitation of Drug and Alcohol Consumption
SENADIS	National Service for Persons with Disabilities
SERMIG	National Migration Service
SERNAMEG	National Service for Women and Gender Equality
UNESCO	United Nations Educational, Scientific and Cultural Organization Culture

## **I. Introduction and methodology**

1. Chile hereby submits its national report for the fourth cycle of the universal periodic review describing the main advances in the implementation of the recommendations from the third cycle.
2. The report was prepared by the Ministry of Foreign Affairs and the Office of the Undersecretary for Human Rights on the basis of information provided by public entities of the executive and judicial branches. A first update in the form of the mid-term voluntary report was submitted in 2022<sup>1</sup> and should be seen as complementary to the present report.
3. The preparation included a consultation with civil society in which the National Institute of Human Rights, the Office of the Ombudsman for Children, the Torture Prevention Committee and the Office of the United Nations High Commissioner for Human Rights took part as observers. The report of this consultation is included herein (annex 1).
4. For ease of review, the present report groups the recommendations by theme and references in end notes the number of the corresponding recommendation from the report of the Working Group and the country that made the recommendation.<sup>2</sup>

## **II. Implementation of the accepted recommendations from the third cycle of the universal periodic review**

### **A. Cross-cutting issues and thematic priorities**

#### **1. Ratification of instruments, cooperation with international mechanisms and the 2030 Agenda for Sustainable Development**

5. In the third cycle of the universal periodic review, Chile did not accept any recommendations concerning the ratification of treaties, although some important progress has been made in this area (see section III). Chile has ratified other treaties highlighted during the national consultation, including the Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights (Protocol of San Salvador), the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement), the International Labour Organization (ILO) Violence and Harassment Convention, 2019 (No. 190) and the Agreement on the Status and Functions of the International Commission on Missing Persons.

6. Chile continues to cooperate with the human rights mechanisms<sup>3</sup> and has issued a standing invitation to the special procedures to visit the country. The Special Rapporteur on human rights and the environment<sup>4</sup> and the Special Rapporteur on torture<sup>5</sup> conducted visits in 2023, and visits by the Special Rapporteur in the field of cultural rights, the Special Rapporteur on the independence of judges and lawyers and the Special Rapporteur on the right to health are scheduled for 2024. In addition, Chile has increased its collaboration with the human rights mechanisms, responding to over 150 requests for information during the period under review (nearly 70 were made in 2023).

7. The State has a good compliance record in terms of periodic reporting. Since the last cycle, Chile has submitted reports to the Committee on Economic, Social and Cultural Rights,<sup>6</sup> the Human Rights Committee,<sup>7</sup> the Committee on the Elimination of Discrimination against Women,<sup>8</sup> the Committee against Torture,<sup>9</sup> the Committee on the Rights of the Child,<sup>10</sup> the Committee on the Rights of Persons with Disabilities<sup>11</sup> and the Committee on the Elimination of Racial Discrimination,<sup>12</sup> as well as follow-up reports to the Committee on Enforced Disappearances<sup>13</sup> and the Committee on Migrant Workers.<sup>14</sup> Constructive dialogues with the Committee on Enforced Disappearances took place in 2019, with the Committee on Migrant Workers and the Committee on the Elimination of Racial Discrimination in 2021 and the Committee on the Rights of the Child in 2022. The dialogues with the Human Rights Committee and the Committee on the Elimination of Discrimination against Women have been confirmed for 2024.

8. As for candidates to human rights bodies,<sup>15</sup> Chile has implemented a procedure based on comparative experiences and recommendations of international organizations and wishes to highlight that the candidate for the Inter-American Commission on Human Rights was designated following a process that took into account gender and regional representation and involved autonomous human rights institutions as observers. It hopes to continue progressing towards greater transparency in these appointment processes.

9. It is State policy to implement the 2030 Agenda,<sup>16</sup> as illustrated by the establishment of a national council for this purpose. Chile prepared a diagnostic report (2017), three voluntary country reports (2017, 2019 and 2023) and an implementation strategy (2023) which all had a human rights focus. Progress has also been made in terms of participation thanks to subnational dialogue processes. Gender equality is a priority in this area,<sup>17</sup> in keeping with feminist foreign policy.<sup>18</sup>

## **2. Human rights institutions**

10. Chile has adopted the National Human Rights Plan, with the aim of mainstreaming human rights. The first Plan<sup>19</sup> covered the period 2018–2021. Of the total number of commitments, 63.2 per cent have been fully implemented, 25.4 per cent have been partially implemented, 8.9 per cent have not been implemented; no information has been received about 2.5 per cent of the commitments.<sup>20</sup> The second Plan (2022)<sup>21</sup> contains fewer commitments because priority was given to quality and to pursuing higher-impact actions. Civil society can monitor progress on the commitments and receive information on the associated budgetary resources.<sup>22</sup> Regarding the gap mentioned during the national consultation as to civil society participation in the National Human Rights Plan, 16 town hall meetings were held in 2023.

11. In terms of implementing the Guiding Principles on Business and Human Rights, including environmental protection,<sup>23</sup> it is worth highlighting the National Action Plan on Business and Human Rights. The first version (2017) contained 146 actions, of which 61 per cent have been realized, 14 per cent are being implemented, 16 per cent have been partially implemented and 9 per cent were never initiated.<sup>24</sup> The second National Action Plan (2022–2025)<sup>25</sup> does not provide for commitments by companies (either public or private), which Chile recognizes is a shortcoming. Efforts were made in 2023 to begin involving public and private companies, particularly in the pre-drafting stages of the bill on due diligence,<sup>26</sup> thus addressing a gap identified during the national consultation. The hope is to involve these sectors in the third iteration of the National Action Plan.

12. The national preventive mechanism,<sup>27</sup> established pursuant to Act No. 21.154,<sup>28</sup> is in line with the Paris Principles. It began operating in 2020 and has the power and resources to conduct periodic visits to places of deprivation of liberty, a topic discussed at length during the national consultation. The National Institute of Human Rights<sup>29</sup> enjoys operational and financial autonomy in keeping with the Paris Principles<sup>30</sup> and has branches in all the regions. Lastly, the Office of the Ombudsman for Children,<sup>31</sup> established pursuant to Act No. 21.067,<sup>32</sup> also enjoys operational and financial autonomy. Its budget has been increased since 2018, chiefly for the purpose of establishing new regional branches and conducting institutional strengthening.

13. Concerning human rights training,<sup>33</sup> the Office of the Undersecretary for Human Rights has set up a human rights education platform<sup>34</sup> with three e-learning courses and eight information bulletins intended for the community. Some 25,307 public servants have taken at least one of the courses. The Judicial Academy offers courses on human rights as part of its in-service training programme.<sup>35</sup>

## **3. Equality and non-discrimination**

14. Chile has adopted anti-discrimination legislation<sup>36</sup> (Act No. 20.609 of 2012),<sup>37</sup> and a bill has been drafted to widen its scope, restructure procedures, introduce a compensation procedure, designate the Office of the Undersecretary for Human Rights as the body responsible for coordinating public policy with an intersectoral focus and establish the Council for Equality and Protection against Arbitrary Discrimination (Bulletin No. 12.748-17),<sup>38</sup> thus addressing a gap noted during the national consultation. Regarding the

protection of women, children, adolescents and Indigenous Peoples,<sup>39</sup> the law defines discrimination as arbitrary when it is based on nationality, sex, age, race or ethnicity, among other characteristics.

15. Measures are in place to ensure enforcement of anti-discrimination legislation<sup>40</sup> and increase protection for historically excluded groups.<sup>41</sup> The objectives of the Office of the Minister and Secretary-General of Government include promoting respect for diversity, interculturalism and non-discrimination, and the Office has developed a training programme on Act No. 20.609. This is in addition to the courses offered by the Judicial Academy on the Act and the principles of equality and non-discrimination, as well as courses for public servants developed by the Ministry for Women and Gender Equity regarding gender policies, gender mainstreaming and gender-based violence.

16. For information on the rights of women and girls and lesbian, gay, bisexual, transgender, queer and intersex persons, who are a priority focus of the Government, see the relevant sections below.

#### 4. Environmental protection

17. Protecting the environment is a State priority. Regarding natural disaster resilience,<sup>42</sup> the goals of the Framework Act on Climate Change (2022),<sup>43</sup> which was widely praised during the national consultation, are to address the challenges posed by climate change, transition towards low-emission development and carbon neutrality by 2050, adapt to climate change and fulfil international commitments. The National Climate Change Adaptation Plan 2024–2029 is also of note.<sup>44</sup> In addition, Chile updated its nationally determined contribution in 2020 and presented its 2050 Long-term Climate Strategy in 2021.

18. Historically excluded groups have been a part of this progress.<sup>45</sup> The Framework Act on Climate Change, which considers the principles of equality and climate justice, aims to establish fair distribution of burden, costs and benefits, while preserving the capacity of future generations and contains a gender perspective and a special emphasis on vulnerable sectors, territories, communities and ecosystems. The National Disaster Risk Reduction Policy,<sup>46</sup> spearheaded by the National Service for Disaster Prevention and Response, is designed to minimize the impact of harm resulting from the climate crisis and takes into account historically excluded populations.

19. The implementation measures under the Escazú Agreement (see para. 5) are also helping to protect the environment and create a safe environment.<sup>47</sup> The measures relate to three areas: (i) dissemination and training; (ii) identification of management measures; and (iii) the formulation, through public consultations until 1 February 2024, of a participatory implementation plan, which was also noted during the national consultation.<sup>48</sup>

20. Regarding environmental recovery,<sup>49</sup> it is worth noting the Environmental and Social Recovery Programme,<sup>50</sup> which was designed in a participatory manner and has been rolled out in Huasco, Quintero-Puchuncaví and Coronel with a view to ensuring the environmentally sustainable development of these areas, taking into account the Guiding Principles on Business and Human Rights, including dialogue with representatives of the business and productive sectors.

21. As for environmental quality,<sup>51</sup> since 2019, primary standards on air quality have been revised or formulated with regard to sulphur dioxide, PM10 and PM2.5 particulate matter, arsenic, nitrogen dioxide and benzene; standards will also be set for lead, carbon monoxide, ozone and sulphur dioxide. Standards for light pollution and odours (pig farming industry) were established in 2022, and a primary standard on noise pollution is being determined. Furthermore, progress has been made on defining secondary environmental quality standards for continental waters and the ocean.

22. Other measures to address the environmental impact of development projects<sup>52</sup> and safeguard the right to live in a contaminant-free environment<sup>53</sup> include: Act No. 21.202 of 2020<sup>54</sup> on the protection of urban wetlands;<sup>55</sup> Act No. 20.920 of 2016<sup>56</sup> establishing a framework for waste management, extended producer responsibility and the promotion of recycling, which was mentioned during the national consultation; the National Energy Policy aimed at reaching carbon neutrality by 2050;<sup>57</sup> the roll-out of 21 prevention and

decontamination plans;<sup>58</sup> environmental education and citizen engagement measures, in particular the National Environmental Information System,<sup>59</sup> the pollutant release and transfer register<sup>60</sup> and the participatory implementation plan under the Escazú Agreement; and the establishment of the Equitable Socio-Ecological Transition Office.<sup>61</sup>

23. The climate change policy has a gender focus,<sup>62</sup> including with regard to disaster management (see para. 18), thus addressing a concern raised during the national consultation. There is a Gender and Risk Management Round Table, and gender is explicitly mentioned in the Framework Act on Climate Change, the National Climate Change Adaptation Plan and the citizen engagement guidelines issued by the Environmental Evaluation Service. Furthermore, the Ministry of the Environment has taken over the management of the Gender Mainstreaming Fund launched by the Ministry for Women and Gender Equity.

24. Concerning environmental damage,<sup>63</sup> Act No. 19.300 of 1994<sup>64</sup> establishes the duty to repair any damage to the environment, while Act No. 21.595 of 2023<sup>65</sup> defines certain types of damage to the environment as offences.<sup>66</sup> Furthermore, the Office of the Superintendent of the Environment Act<sup>67</sup> considers acts causing environmental damage that can be remedied as serious offences and those resulting in damage that cannot be remedied as extremely serious offences. Recent noteworthy decisions include the indictment of a mining company for environmental damage<sup>68</sup> and the imposition on another company of a fine of 6.6 billion pesos.<sup>69</sup> The State Defence Council can bring lawsuits for the remedy of environmental damage.

## 5. Human rights and new technologies

25. New technologies are also a national priority. Noteworthy measures adopted by the Office of the Undersecretary for Telecommunications to close the digital divide include:<sup>70</sup> the establishment of the Telecommunications Development Fund to promote increased coverage of telecommunications services in low-income rural and urban areas; the Connectivity for Indigenous Communities initiative; changes to the 5G (700 MHz) radio spectrum allocation process to introduce an obligation to ensure that isolated localities are connected;<sup>71</sup> and competitions for ChileGob2.0 wireless Internet zones<sup>72</sup> which are aimed at closing the digital divide in places with few connection options.

26. Measures have also been taken to ensure that new technologies respect human rights, including the right to privacy and non-discrimination.<sup>73</sup> In 2022, the Transparency Council initiated a study on this topic<sup>74</sup> and the Supreme Court put safeguards in place to ensure that video surveillance cameras are placed in public places only, recordings are regularly destroyed (unless they capture the commission of an offence) and the public can obtain access to the recordings.<sup>75</sup> In addition, a bill on the establishment of an agency for the protection of personal information has been drafted (Bulletin No. 11.144-07).<sup>76</sup>

27. The importance of assessing the risks posed by artificial intelligence and new technologies was raised during the national consultation. In this regard, the Ministry of Science, Technology, Knowledge and Innovation has published the National Artificial Intelligence Policy (2021), which contains sections on groups needing special protection, as well as a circular on the use of artificial intelligence in the public service (2024).

## B. Civil and political rights

### 1. Right to life, liberty and security of person

#### *Use of force and torture or cruel, inhuman or degrading treatment or punishment*

28. Regulating the use of force is particularly topical in Chile. Since 18 October 2019, the country has experienced a social crisis characterized by mass protests to demand improvements with regard to cost of living, pensions, health care and education, among other areas. Complaints of excessive use of force have been lodged in this context.

29. Steps to address these situations and ensure that they do not recur include Act No. 21.427 of 2022<sup>77</sup> on modernizing institutional management and strengthening probity and transparency in the public security forces,<sup>78</sup> which provides that the Carabineros and the

investigative police are authorized to use force only when absolutely necessary and only to the extent needed to perform their duties. The Act also amended Act No. 18.961<sup>79</sup> to establish that the Carabineros must respect, protect and guarantee human rights, without arbitrary discrimination,<sup>80</sup> and safeguard the integrity of persons in their custody.

30. The progress made in the review and amendment of protocols on the use of force was recognized during the national consultation. For example, General Order No. 2.780 of 2020<sup>81</sup> amended the protocol on the use of riot guns, and General Order No. 2.870 of 2021<sup>82</sup> addresses recommendations made by international human rights bodies, for instance to eliminate the category of “unlawful protests”, distinguish between peaceful and non-peaceful protesters and make dialogue a first resort. The protocols were discussed in round tables composed of the National Institute of Human Rights, the Office of the Ombudsman for Children, the Office of the Undersecretary for Human Rights and the Carabineros which are pursuing their efforts to amend and update other protocols. Similarly, the investigative police has updated its instructions on the use of force (General Order No. 2.816 of 2023).<sup>83</sup> Cognizant of the importance for rules on the use of force to have force of law, the Government is working on draft legislation in this domain (Bulletin No. 15.805-07).<sup>84</sup>

31. Regarding investigations and accountability,<sup>85</sup> Act No. 21.427 of 2022<sup>86</sup> regulates the administrative liability of public servants, without prejudice to possible civil or criminal liability, and provides that the public can file complaints in cases of abuse or other arbitrary acts. Other noteworthy initiatives include: Act No. 21.638 of 2023<sup>87</sup> establishing the duty to record police activities in audiovisual format; the activities of the human rights offences unit of the investigative police; and the updating of the instructions and guidance on investigations contained in Directive No. 618/2021 of 28 July 2021<sup>88</sup> with a view to adapting criminal prosecution to the national circumstances. Furthermore, the human rights unit of the Public Prosecution Service, whose establishment was welcomed during the national consultation, has systematized the information on cases arising from the social crisis, of which there are 10,142 (1,914 under way, 8,217 concluded and 11 in various administrative stages). Detailed information on the concluded cases can be found in annex 2. This is in addition to the 1,508 administrative proceedings that the Carabineros have undertaken internally.

32. Concerning reparations, in 2023, the Comprehensive Reparation Board<sup>89</sup> made recommendations for the awarding of reparations to victims of human rights violations during the social crisis, and the Ministry of Health adopted the Plan on Support and Care of Victims of Ocular Trauma.<sup>90</sup>

33. Concerning education and training,<sup>91</sup> the Carabineros have trained law enforcement officers in police intervention techniques and the use of weapons, ensuring respect, protection and promotion of human rights. They have also introduced courses for dialogue officers with the aim of establishing communication with protest organizers. In addition, training units have introduced modules on deprivation of liberty, the ban on requiring detainees to strip naked and human rights and policing. The Carabineros have 441 human rights instructors who have led over 11,200 training sessions since 2022. The human rights unit of the Public Prosecution Service provides training to prosecutors, assistant attorneys and police units in investigation standards in cases of violence committed by public officials. The Judicial Academy<sup>92</sup> has run classes on the use of force in policing as part of the judicial in-service training programme.<sup>93</sup> Some of these initiatives were highlighted during the national consultation.

34. With regard to especially vulnerable groups,<sup>94</sup> General Carabineros Order No. 2.827 of 2021<sup>95</sup> on police operating standards regarding children and adolescents is of particular note. For detailed information on Carabineros training programmes dealing with especially vulnerable groups, see the relevant sections below.

35. It is also worth noting the agreement signed in 2022 with the Inter-American Commission on Human Rights concerning the establishment of a joint mechanism for follow-up to recommendations relating to the social crisis,<sup>96</sup> which illustrates the State’s proactiveness in addressing its shortcomings in the area of human rights.

36. One noteworthy advance in the elimination and prevention of torture and cruel, inhuman or degrading treatment,<sup>97</sup> in particular against persons deprived of their liberty,<sup>98</sup> is the establishment of the Torture Prevention Committee (see para. 12). Furthermore, the



offence of torture and cruel, inhuman or degrading treatment is defined in Act No. 20.968 of 2016.<sup>99</sup> In implementation of the Act, the Public Prosecution Service issued General Instruction No. 37 of 2019<sup>100</sup> on procedures for the investigation of torture and other inhuman treatment, which was updated in 2021 and emphasizes the institution's particular duties in relation to certain victims, including children and adolescents. In addition, the investigative police adopted General Order No. 2647 of 2020<sup>101</sup> on procedures for the investigation of torture and other inhuman treatment.

37. In addition, to reduce risk factors, the National Carabineros Training Plan includes topics related to protection against torture and inhumane treatment as well as measures to improve working conditions for officers and promote self-care. The National Prison Service has also been offering courses on human rights and the prohibition of torture in its curriculum since 2018; many of these activities are conducted in coordination with the Torture Prevention Committee. Also of note are: the Service's circular No. 1818/18 (2018), which reiterates that force should be used a last resort, only in response to an imperative need and in a fair and rational manner and that it is never legitimate to use abusive force or commit unnecessary violence against persons in custody; General Order No. 2.604 of 2019 of the investigative police, which affirms the commitment to eradicate all conduct contrary to human rights; and the set of specialized human rights modules for the Armed Forces, developed in 2019.

38. Lastly, the specialized defence unit for prisons, the pilot project on care in police stations, and the registration, communication and comprehensive assistance system for victims of prison violence, all of which come under the Public Criminal Defender Service and were mentioned during the national consultation, are designed to protect and safeguard the rights of persons deprived of their liberty and prevent ill-treatment.

#### *Civil-military dictatorship*

39. Chile acknowledges its failings with regard to the events that took place during the civil-military dictatorship. To address this, the National Plan on the Search for Missing Persons,<sup>102</sup> which seeks to shed light on the circumstances of the disappearance and/or death of the victims of enforced disappearance and to guarantee that their families and society have access to information and are involved in the process, was recently published. The Plan was developed through a participatory process, noted during the national consultation, involving 775 participants and 67 meetings.

40. The human rights programme under the Office of the Undersecretary for Human Rights is involved in 541 human rights court cases<sup>103</sup> and is providing the families of victims with social assistance and support during the court proceedings. At the same time, the Supreme Court, through the Office for the Coordination of Human Rights Cases, has progressed on ensuring the efficient conduct of proceedings. Steps taken in this regard include the creation of the case processing, registration and statistics system aimed at modernizing processing, the adoption of a digitalization plan and the 2022 amendment of the decision on the hearing of appeals against judgments regarding petitions for *amparo*, which has expedited the adjudication of cases of this type.<sup>104</sup>

41. Concerning reparations,<sup>105</sup> Chile continues to enforce the following laws: Act No. 19.123 of 1992<sup>106</sup> and Act No. 19.980 of 2004<sup>107</sup> on reparations for the families of victims of enforced disappearance and/or execution, Act No. 19.992 of 2004<sup>108</sup> on benefits for victims of political imprisonment and torture and Act No. 19.234 of 1993<sup>109</sup> on people dismissed for political reasons. In addition to these administrative measures, reparations have been awarded by the courts in civil cases brought by victims and their families as well as in proceedings before the inter-American human rights system,<sup>110</sup> for instance in the *Órdenes Guerra v. Chile* case and in the settlement reached with the Rivera Matus family.<sup>111</sup>

42. Furthermore, under the Reparation and Health-care Programme,<sup>112</sup> free health-care services are provided in the public system to the relatives (parents, siblings, spouse and children) of disappeared prisoners and of victims of political executions.

43. While Chile acknowledges the inadequacies in terms of memorial sites that were raised during the national consultation, efforts have been made to move forward through the

creation of the Memorial Sites Programme under the Ministry of Cultures, Arts and Heritage<sup>113</sup> and the designation of 21 memorial sites as historical monuments in 2023.<sup>114</sup>

#### *Trafficking in persons*

44. Trafficking<sup>115</sup> in persons is an offence under Act No. 20.507 of 2011,<sup>116</sup> which was amended by Act No. 21.325 of 2021<sup>117</sup> to increase the penalty and introduce temporary residency for trafficking victims. Notwithstanding the concerns raised during the national consultation about the legislation's efficacy, 93 per cent of applications for residency made by trafficking victims have been approved.

45. The law also gives the Ministry of the Interior and Public Security the power to bring criminal suits in migrant smuggling and human trafficking cases and introduces the criminal liability of legal persons for trafficking, a development welcomed during the national consultation. The Public Prosecution Service adopted Directive No. 841/2020,<sup>118</sup> which provides instructions on the investigation of these offences.

46. Act No. 21.577 of 2023<sup>119</sup> on strengthening the prosecution of organized crime provides the Public Prosecution Service and the police with additional tools to investigate smuggling and trafficking cases, including the authorization to resort to undercover officers, informants, controlled deliveries and remote access to equipment, among other means.

47. Regarding anti-trafficking efforts,<sup>120</sup> which were pointed out as an ongoing challenge during the national consultation, it should be noted that public policy is coordinated by the Intersectoral Panel on Trafficking in Persons.<sup>121</sup> Flowing from the policy, the National Plan of Action against Trafficking in Persons 2023–2026 contains actions in the areas of prevention, victim assistance, control and prevention. It also aims to increase the visibility of trafficking for the purposes of sexual exploitation, a matter raised during the national consultation. The Panel also adopted an intersectoral protocol on care for human trafficking victims<sup>122</sup> to provide victims with legal representation and improve the detection and timely referral of cases. The National Policy on Organized Crime 2022–2027 views trafficking as an unlawful trade in which criminal organizations engage for economic gain and contains measures to prevent, neutralize and prosecute cases of trafficking.

48. The investigative police set up a special trafficking unit in 2012, and investigative procedures for such cases are contained in General Order No. 2.693 of 2021.<sup>123</sup> In terms of rehabilitation for victims,<sup>124</sup> the shelters run by the National Service for Women and Gender Equality are of particular note.

49. Following ratification of the ILO Protocol of 2014 to the Forced Labour Convention, 1930, an advisory committee to the Ministry of Labour and Social Security was set up to develop an action plan on forced labour. Furthermore, Chile is a member of the Global Alliance to Eradicate Forced Labour, Modern Slavery, Human Trafficking and Child Labour (Alliance 8.7) and is implementing a road map for the period 2022–2025. For information on other measures, see paragraph 81.

50. Lastly, during its pro tempore presidency of the Quito Process, Chile raised the issue of trafficking with a view to promoting a coordinated regional response.

#### *Other offences*

51. As for combating impunity, in addition to the group-specific information below, the Public Prosecution Service has taken a number of actions to address offences against historically excluded groups, such as: the adoption of a gender equality policy in 2019; the establishment of a specialized unit on sexual offences; the development in 2019 of a manual on the investigation of cases of gender-based physical and psychological violence; the development in 2023 of a manual on the investigation of gender-based violent deaths of women;<sup>125</sup> the adoption of Directive No. 526/2021<sup>126</sup> on the Gender Identity Act (No. 21.120); the adoption of Directive No. 1032/2021<sup>127</sup> on procedures in cases of gender-based and domestic violence, with a focus on children and adolescents, persons with disabilities and older persons; the adoption of Directive No. 277/2022<sup>128</sup> on sexual violence; and the development in 2021 of a guide on preliminary actions in femicide cases. Moreover,

Act No. 21.483 of 2022<sup>129</sup> strengthened criminal protection for children, adolescents, older persons and persons with disabilities who are the victims of an offence.

52. Regarding the concerns raised during the national consultation as to how the State guards against violence and drug trafficking, Act No. 21.575 of 2023 aims to better prosecute drug trafficking and organized crime, and the National Service for Prevention and Rehabilitation of Drug and Alcohol Consumption (SENDA) has developed a local management model as well as the SENDA Prevent programme aimed at reducing the demand for drugs.

## **2. Fundamental freedoms and participation in public life**

53. Protecting freedom of expression, association and peaceful assembly, as well as journalists,<sup>130</sup> which was raised as a shortcoming during the national consultation, is a government priority, as demonstrated by its support for the bill on the protection of journalists and persons working in communications (Bulletin No. 14.964-24),<sup>131</sup> which is in line with UNESCO standards. Chile will host World Press Freedom Day in 2024.

54. With regard to the protection of human rights defenders,<sup>132</sup> a concern raised during the national consultation, it should be noted that a subcommittee was established in 2022 to prepare a proposal for a protocol on protection, which is now being drafted and should enter into force in 2024. A participatory process was held in 2023 with civil society organizations to gather their views on the topic.

## **3. Human rights and counter-terrorism**

55. Chile is facing challenges with regard to violence in the Araucanía and Biobío regions<sup>133</sup> and is cognizant of the importance of reviewing its legislation, including on antiterrorism matters.<sup>134</sup>

56. The Buen Vivir Plan for peaceful coexistence and the Peace and Understanding Commission (see paras. 102–112) are part of the human rights approach taken to the situation in the area. Furthermore, building on the efforts of previous Governments, a reform of counter-terrorism legislation is under way, using the laws of other countries as a reference, with a focus on improving the effectiveness of the prosecution of terrorist criminal networks by introducing special investigation techniques, amending the definitions of offences so that they can be applied objectively and guaranteeing that the human rights of all those involved, including victims and defendants, are protected.

# **C. Economic, social and cultural rights**

## **1. Right to an adequate standard of living**

57. Poverty reduction<sup>135</sup> is a priority issue and, in this regard, the 2022 “Chile Supports” plan<sup>136</sup> envisages 24 measures to address the rise in the cost of living, create jobs, provide relief in lagging sectors<sup>137</sup> and support small and medium enterprises. Furthermore, Act No. 21.578 of 2023<sup>138</sup> adjusted the minimum monthly wage and the amount of the family allowance.

58. Concerning water,<sup>139</sup> Act No. 21.435 of 2022<sup>140</sup> recognizes access to water and sanitation as an essential, inalienable human right and establishes human consumption, subsistence and sanitation as priority uses, thus addressing some of the shortcomings identified during the national consultation.

59. Current coverage of drinking water, sewerage and sanitation at the urban level is nearly 100 per cent, with the intention of matching this in rural areas.<sup>141</sup> Act No. 20.998 of 2020<sup>142</sup> establishes the legal and institutional framework for the provision of rural sanitation services, and the Rural Drinking Water Programme of the Ministry of Public Works has led to expanded drinking water coverage in rural localities, reaching 100 per cent in concentrated populations and 51 per cent in semi-concentrated populations.

60. The national consultation pointed out gaps in housing and urban affairs. In this regard, the Emergency Housing Plan of the Ministry of Housing and Town Planning, commended

during the national consultation, aims to build 260,000 housing units, the National Council for Spatial Development was established in 2023 and the National Urban Park Policy was adopted in 2021.

## 2. Right to health

61. HIV prevention<sup>143</sup> and sex education campaigns<sup>144</sup> have been rolled out. The Ministry for Women and Gender Equity developed the Women, Sexuality and Maternity Programme, which was welcomed during the national consultation, to provide information and tools on the prevention of sexually transmitted infections, HIV and unplanned pregnancies from a gender perspective and to promote the exercise of sexual and reproductive rights. The Ministry of Health launched the Friendly Health Spaces Programme for children and adolescents, which has a focus on sexual and reproductive health and is run in specialized centres by qualified staff, as well as the Sexual and Reproductive Health Policy. The National Service for Persons with Disabilities developed a manual on the sexuality and inclusion of persons with disabilities.<sup>145</sup>

62. Regarding interculturalism in access to health care,<sup>146</sup> the Special Programme on Health and Indigenous Peoples seeks to reduce the prevalence of chronic and communicable diseases among this population. Furthermore, an intercultural perspective has been introduced in access to health care, and a national system has been set up to monitor inequalities among Indigenous Peoples and persons of African descent.

63. As for the provision of medical services at low prices,<sup>147</sup> the “Zero Co-pay” programme, whereby all persons insured with the National Health Fund can receive free care from the public health-care system, entered into force in 2022.

## 3. Right to education

64. Measures have been taken to safeguard the right to inclusive education regardless of socioeconomic status.<sup>148</sup> The 2015 Inclusive Education Act (No. 20.845)<sup>149</sup> established the School Admission System to ensure equal opportunities and non-discrimination and eliminate the main barriers to access to State-funded establishments. To complement the free public system, there is now a duty to progressively introduce free education at subsidized institutions and institutions that receive support from the State.

65. The implementation of the School Admission System has been gradual, taking into account the specificities and needs of each region and school district. It currently covers 71 per cent of the country’s schools and provides for parents and guardians to be involved in choosing the school best suited to their children’s preferences.

66. In terms of promoting public education,<sup>150</sup> Act No. 20.529 of 2011<sup>151</sup> establishing the National Education Quality Assurance Scheme and Act No. 21.040 of 2017<sup>152</sup> establishing the public education system are of particular interest. The latter requires the Government to develop a national public education strategy for the period 2020–2028.<sup>153</sup>

67. Act No. 20.845 of 2015<sup>154</sup> also ensures access to education without discrimination,<sup>155</sup> along with Act No. 21.545 of 2023<sup>156</sup> on the inclusion of persons with autism, which was highlighted during the national consultation; Act No. 21.164<sup>157</sup> on the prohibition of medication for behavioural problems as a prerequisite for school attendance; Act No. 21.303 of 2021<sup>158</sup> establishing rules on equal opportunities and social inclusion for persons with disabilities; Act No. 21.544 of 2023<sup>159</sup> authorizing higher education establishments to admit persons in the National Disability Registry without requiring them to sit an entrance examination; Decree No. 83 of 2015 establishing requirements and guidance for students with special educational needs; the Inclusion Support Plan developed by the Ministry of Education with an intercultural focus, which is helping to prevent discrimination and strengthen inclusive education communities;<sup>160</sup> the Intercultural Bilingual Education Programme for students from native peoples; the Migrant Support Programme of the Ministry of Education; the Student with Disabilities Support Programme of the National Service for Persons with Disabilities; technical guidance for establishments for deaf students developed by the Ministry of Education in 2022; the strategy of the Ministry of Education for the inclusion of lesbian, gay, bisexual, transgender, queer, intersex and asexual students;<sup>161</sup> the programme of the National Service for Persons with Disabilities to support schools in

including students with disabilities; and the joint workplan of the Ministry of Education and the Ministry for Women and Gender Equity on gender equity in education, among others.<sup>162</sup> A number of these initiatives relate to students with disabilities.<sup>163</sup>

68. Regarding the education of children and adolescents belonging to Indigenous Peoples,<sup>164</sup> a class entitled “Language and culture of Indigenous Peoples” has been introduced in 1,450 schools, with the goal of expanding it to a total of 2,550 schools. In addition, the National Indigenous Development Agency runs programmes aimed at the teaching and integration of Indigenous languages in the education system, including through the Intercultural Education Programme, and the Ministry of Education has moved forward on the recognition of traditional teachers.

69. Concerning education in rural areas,<sup>165</sup> the National Plan for the Strengthening of Rural Education is being implemented,<sup>166</sup> and the Ministry of Education has rolled out support programmes for rural schools, including the CREA Rural platform for the community of multilevel rural schools.<sup>167</sup>

70. As for the education of adolescents deprived of their liberty,<sup>168</sup> all centres of deprivation of liberty run by the National Service for Minors provide formal instruction. Furthermore, through a socio-educational support programme, the National Service promotes the inclusion of youth serving custodial and non-custodial sentences, thereby helping them complete compulsory education.

71. Lastly, progress has been made in priority areas underscored during the national consultation, such as human rights and environment education, including risk prevention, thanks to, for instance, Act No. 20.911 of 2016<sup>169</sup> establishing the Civic Education Plan, the 2019 Sustainable Development through Education Policy and the 2023 guidelines of the Ministry of Education on the introduction of a human rights in education policy.<sup>170</sup> Measures such as the 2023 Education Recovery Plan have also been taken to address school dropout, another issue raised during the national consultation.

## **D. Rights of specific persons or groups**

### **1. Women**

72. No changes have been made to the legal definition of discrimination against women;<sup>171</sup> however, measures have been taken to combat this discrimination,<sup>172</sup> including in relation to second marriages (Act No. 21.264 of 2020),<sup>173</sup> the order of family names (Act No. 21.334 of 2021),<sup>174</sup> the protection of breastfeeding (Act No. 21.155 of 2019)<sup>175</sup> and the Fourth National Plan on Equality Between Women and Men 2018–2030.<sup>176</sup> Also of note are the events on non-sexist education held by the Ministry of Education in 2022,<sup>177</sup> the establishment of the Supreme Court Technical Secretariat for Gender Equality in 2017 and the adoption of the Supreme Court Gender Equality Policy in 2018, both of which were noted during the national consultation.

73. The Government has prioritized the completion of the marital property regime reform<sup>178</sup> (Bulletin No. 7.567-07).<sup>179</sup>

74. To prevent and combat violence<sup>180</sup> and to address the shortcomings mentioned in this regard during the national consultation, the following instruments have been adopted: the National Action Plan to Combat Violence against Women and Gender-based Violence 2021–2030; Act No. 21.153 of 2019<sup>181</sup> establishing the offence of sexual harassment in public spaces, which was mentioned during the national consultation; Act No. 21.212 of 2020,<sup>182</sup> which expanded the definition of femicide to include couples who do not live together, as well as femicide for gender-based motives; Act No. 21.378 of 2021<sup>183</sup> on the enforcement of restraining orders in cases of violence against women; Act No. 21.369 of 2021<sup>184</sup> regulating sexual harassment and gender-based violence and discrimination in higher education, which was also mentioned during the national consultation; and Act No. 21.565 of 2023<sup>185</sup> establishing a protection and comprehensive reparation system for victims of femicide and their families. It is also worth mentioning the development of draft legislation on employment protections for women victims of domestic violence (Bulletin No. 14.974-13),<sup>186</sup> on women’s right to freedom from violence, including in digital contexts (Bulletin No. 11.077-07)<sup>187</sup> and

on violence between non-cohabiting partners (Bulletin No. 8.851-18),<sup>188</sup> as well as the bill to broaden the concept of domestic violence and punish acts of online violence (Bulletin No. 13.928-07).<sup>189</sup> Furthermore, the Public Prosecution Service adopted Directive No. 792/2021<sup>190</sup> on instructions for the investigation of gender-based violence.

75. The National Plan on Equality Between Women and Men contains goals in the area of sexual and reproductive health and rights.<sup>191</sup> In addition, the National Service for Women and Gender Equality runs a programme on women and sexual and reproductive rights. Concerning abortion,<sup>192</sup> in 2023, the Ministry for Women and Gender Equity and the Ministry of Education launched a manual on monitoring the three situations where abortion is authorized under Act No. 21.030,<sup>193</sup> which sets oversight rules for public and private entities and was welcomed during the national consultation.

76. Regarding sexual violence:<sup>194</sup> Act No. 21.522 of 2022<sup>195</sup> defines offences against the sexual inviolability of children and adolescents, with a focus on exploitation, the sex trade and child pornography; Act No. 21.523 of 2022<sup>196</sup> strengthens procedural safeguards to protect the rights of victims of sexual offences and prevent their revictimization; 59,470 women were provided with psychosocial and legal assistance in 2022 under the Care, Protection and Reparation Programme of the National Service for Women and Gender Equality; comprehensive assistance for victims of serious sexual assault was added to the Explicit Health-Care Guarantees Scheme in 2022, a development that was highly praised during the national consultation; and a bill has been drafted to punish gynaecological and obstetrical violence (Bulletin No. 12.148-11) and thus address shortcomings mentioned during the national consultation.<sup>197</sup>

77. Progress has also been achieved in the inclusion of women in employment.<sup>198</sup> In 2022, the Ministry for Women and Gender Equity, together with the Ministry for the Economy, Promotion and Tourism and the Ministry of Labour and Social Security, launched the Employment Equality Plan. Chile has also promoted the inclusion of women in the digital economy through initiatives such as the “Digital Women”, “Women Entrepreneurs Connected” and “Employ Women” programmes. Furthermore, the concept of equal pay<sup>199</sup> is enshrined in two bills (Bulletins No. 9.322-13<sup>200</sup> and No. 10.576-13<sup>201</sup>), while the Government is aiming to increase the presence of women on boards of directors of private companies through a third bill (Bulletin No. 15.516-34)<sup>202</sup> to supplement Act No. 21.356 of 2019<sup>203</sup> which applies to public companies. Lastly, Chile has ratified the ILO Violence and Harassment Convention, 2019 (No. 190), which contains rules on adopting a gender perspective in labour matters, and is pressing forward with the National Care System (see para. 85).

78. Concerning the participation of women in politics:<sup>204</sup> Act No. 21.574 of 2023<sup>205</sup> establishes parity in the Constitutional Council; the Fourth National Plan on Equality Between Women and Men 2018–2030 seeks to increase the social and political participation of women; the Women’s Political and Social Participation Programme of the National Service for Women and Gender Equality promotes the political autonomy of women; and a bill establishing gender quotas in elections for regional governor and for councillor has been drafted (Bulletin No. 11.994-34).<sup>206</sup> Local meetings (*trawün*) with Indigenous women<sup>207</sup> have been held under the Buen Vivir Plan (see para. 102) to involve them in the formulation and design of public policy. Furthermore, the Küme Mogen Pu Zomo programme (women and peaceful coexistence) has been rolled out, with the investment of 180 million pesos in projects led by Indigenous women, and the Ministry for Women and Gender Equity has joined the advisory committee of the UN-Women Originarias Programme to promote the participation of Indigenous women.

## 2. Children

79. Regarding the protection of children’s rights,<sup>208</sup> Act No. 21.430 of 2022<sup>209</sup> on safeguards and comprehensive protection was widely discussed during the national consultation. In addition, Chile has adopted the National Children’s Policy 2015–2025 and the National Action Plan for Children 2018–2025. Both are being aligned with the new standards under Act No. 21.430. Furthermore, Act No. 21.515 of 2022<sup>210</sup> requires individuals to have reached the age of majority in order to marry, and measures designed to ensure the

payment of maintenance have been introduced in Acts No. 21.389 of 2021<sup>211</sup> and No. 21.484 of 2022.<sup>212</sup>

80. With regard to children and adolescents who are wards of the State,<sup>213</sup> efforts undertaken pursuant to the National Compact for Children continue, with a number of initiatives being noted during the national consultation, such as: the conversion of directly administered specialized remedial centres into family residences; Act No. 21.302 of 2021<sup>214</sup> establishing the National Service for the Protection of Children and Adolescents to provide protection to children and adolescents who are at serious risk or have suffered violations of their rights; Act No. 21.527 of 2023<sup>215</sup> establishing the National Service for Youth Reintegration, which will enter into force gradually and will replace the National Service for Minors; Act No. 21.140 of 2019,<sup>216</sup> which increases the subsidies to the residences and imposes stricter transparency and efficiency requirements; the appointment by the Public Prosecution Service of prosecutors with regional jurisdiction to investigate the death of and alleged sexual offences against children and adolescents in State residences; and the establishment in 2023 of the Supreme Court working group on visits to residences.

81. Concerning child labour,<sup>217</sup> Act No. 21.271<sup>218</sup> on the protection of children and adolescents at work was adopted in 2020. In 2022, the Ministry of Social Development and Family began the design and development of the Nationwide Survey on the Activities of Children and Adolescents to measure the extent of child labour and its causes. In addition, Chile has a national strategy for the eradication of child labour and the protection of adolescent workers entitled “Growing up Happy”, a National Advisory Committee on the Prevention and Elimination of Child Labour and a Child Labour Observatory under the Ministry of Labour and Social Security. Specific training in the identification, prevention and eradication of cases of child labour has been conducted by the Labour Directorate, and a monitoring programme, as well as a guide on detecting child labour cases, have been launched.

82. Tools to prevent and combat violence against children and adolescents,<sup>219</sup> including corporal punishment,<sup>220</sup> include: Act No. 21.013 of 2017,<sup>221</sup> which introduces the offence of corporal mistreatment and increases protection for persons in special situations, including children and adolescents; Act No. 21.430 of 2022<sup>222</sup> on the protection of children and adolescents from all forms of violence; the “Chile Grows with You” programme, which includes initiatives to raise awareness of the harmful effects of corporal punishment and the benefits of positive childrearing methods; the Supportive Environments Policy of the National Kindergartens Board;<sup>223</sup> the 2021 update to the Board’s protocols for situations of alleged ill-treatment amounting to an offence;<sup>224</sup> the “My Lawyer” programme of the Legal Assistance Agency for the provision of specialized legal assistance to children and adolescents; and the Harmonious School Relations and Socio-Emotional Learning Plan of the Ministry of Education.<sup>225</sup> A comprehensive bill on violence against children will be submitted to parliament.

83. Regarding sexual violence and exploitation:<sup>226</sup> Act No. 21.522 of 2022<sup>227</sup> introduced a new paragraph in the Criminal Code relating to commercial sexual exploitation of children and child pornography that takes into account a suggestion flowing from the Framework for Action against Child Exploitation; Act No. 21.430<sup>228</sup> provides for protection against commercial economic and sexual exploitation; Act No. 21.160 of 2019<sup>229</sup> establishes that sexual offences committed against minors are not subject to statutes of limitation; and Act No. 21.266 of 2020<sup>230</sup> establishes protection measures for child victims of sexual offences. Regarding the Framework for Action against Child Exploitation,<sup>231</sup> to which adequate resources have been allocated, activities have been carried out in terms of prevention, early detection and primary care, protection and restoration of rights, and punishment of exploiters.

84. The importance of boosting the participation of children and adolescents was raised during the national consultation. In this regard, Act No. 21.302 of 2021<sup>232</sup> establishes the obligation to set up procedures to regularly gather their views, the National Children’s Policy considers children and adolescents as active participants in the design, implementation and assessment of public policy, the Supreme Court adopted a policy for the realization of children’s rights in 2020<sup>233</sup> and Children’s Advisory Councils have been established.

85. Finally, on family protection,<sup>234</sup> taking into account the impact of demographic changes and the various family models, progress is being made on a Comprehensive National Care System, with the creation in 2023 of a presidential advisory council to formulate policy in this domain. Act No. 21.510<sup>235</sup> on the extension of postnatal leave to guarantee third-party care activities, Act No. 21.561 of 2023<sup>236</sup> on the reduction of working hours and Act No. 21.645 of 2023<sup>237</sup> on telework and work-life balance were also mentioned during the national consultation.

### 3. Persons deprived of their liberty

86. Chile recognizes its shortcomings in terms of overcrowding and detention conditions of persons deprived of their liberty,<sup>238</sup> which were raised during the national consultation. Accordingly, the National Prison Service has rolled out the Prison Infrastructure Investment Plan 2019–2027 with the following two goals: set baselines and close gaps with regard to overcrowding; and continue designing and implementing the Life of Dignity Plan aimed at achieving satisfactory detention conditions for persons deprived of their liberty and working conditions for prison staff. It is also worth noting the establishment of the Torture Prevention Committee (see para. 12); Act No. 21.636 of 2023 establishing rules on the construction and repair of prisons; and Act No. 21.228 of 2020 on pardons in the context of the coronavirus disease (COVID-19) pandemic, thus helping to relieve overcrowding in prisons.

87. Incorporating a gender perspective,<sup>239</sup> a topic raised during the national consultation, is a priority. In 2023, the National Prison Service mainstreamed gender across its strategic principles and progressed on setting up spaces specially designed for pregnant and breastfeeding women. The 2023 Workplan on Prison Conditions for Women Deprived of Their Liberty and the 2022 Social Reintegration Model have a gender focus.

88. Regarding non-custodial measures,<sup>240</sup> Act No. 21.124 of 2019<sup>241</sup> establishes situations in which women prisoners who are pregnant or have children under the age of 3 years can obtain conditional release after serving half their custodial sentence, and a bill on suspended sentences for women who are pregnant or have children under the age of 3 years has been drafted (Bulletin No. 11.073-07).<sup>242</sup>

89. The importance of safeguarding the right to vote of persons deprived of their liberty was raised during the national consultation. In this connection, 1,209 persons deprived of their liberty were permitted to vote at 14 locations in the 2022 referendum, 1,089 persons at 16 locations in the 2023 Constitutional Council election and 1,307 persons at 17 locations in the 2023 referendum.

90. Lastly, the Public Prosecution Service conducts visits to centres of deprivation of liberty, and the Supreme Court is working on an access to justice protocol for persons deprived of their liberty.

### 4. Lesbian, gay, bisexual, transgender, queer, intersex and asexual persons

91. Measures have been taken to protect the well-being of lesbian, gay, bisexual, transgender, queer, intersex and asexual (LGBTIQ+) persons and address discrimination.<sup>243</sup> These include Act No. 21.400 of 2021<sup>244</sup> on same-sex marriage and Act No. 21.367 of 2021<sup>245</sup> repealing homosexual behaviour as cause for divorce on grounds of marital misconduct. Furthermore, the Government Round Table on LGBTIQ+ Rights, established in 2022, has identified and prioritized this group's demands with regard to the recognition and exercise of its rights, the Public Prosecution Service set up the Observatory of Violence against Lesbian, Gay, Bisexual, Transgender, Queer, Intersex and Asexual Persons in 2019 and the Supreme Court conducted a study on this group's access to justice in 2021.<sup>246</sup>

92. The importance of having sufficient data on this population was raised during the national consultation. To this end, in 2022, the National Statistics Institute published a standard for the evaluation of sex, gender and sexual orientation in household studies and censuses with a view to generating statistics to guide decision-making.

93. Other noteworthy measures include: the 2021 recommendations of the Ministry of Health regarding the roll-out of the support programme for trans and gender non-conforming children and adolescents;<sup>247</sup> circular No. 768/2017<sup>248</sup> of the Office of the Superintendent of



Education concerning the rights of trans children, adolescents and students; the 2023 guidelines of the Ministry of Education on students with diverse gender identities and sexual orientation;<sup>249</sup> and resolution No. 5716/2020 of the National Prison Service authorizing trans persons to be incarcerated in a prison corresponding to their gender identity if they so choose.<sup>250</sup> The importance of respecting the identity of trans persons deprived of their liberty was raised during the national consultation and therefore this resolution is considered particularly significant.

94. Lastly, circular No. 15 of 2023 of the Ministry of Health<sup>251</sup> prohibits surgery from being performed on intersex children<sup>252</sup> for solely aesthetic or social reasons.

## 5. Persons with disabilities

95. In addition to Act No. 20.422 of 2010<sup>253</sup> on equal opportunities and social inclusion of persons with disabilities, other measures have been taken to safeguard the rights of persons with disabilities and promote their inclusion and participation.<sup>254</sup> These include: the National Plan on Universal Accessibility 2022–2032 of the Ministry of Social Development and Family, which addresses some of the gaps identified during the national consultation; Act No. 21.168 of 2019<sup>255</sup> on priority health care for persons over the age of 60 and persons with disabilities, which was highlighted during the national consultation; Act No. 21.275 of 2020<sup>256</sup> on measures for the employment inclusion of persons with disabilities; Act No. 21.303 of 2021<sup>257</sup> on equal opportunities and social inclusion for persons with disabilities and the promotion of sign language; Act No. 21.331 of 2021<sup>258</sup> on the recognition and protection of the rights of persons in mental health care; Act No. 21.380 of 2021<sup>259</sup> on the entitlement of carers to priority health care; Act No. 21.403 of 2022<sup>260</sup> on the recognition of deaf-blindness and the promotion of the full social inclusion of deafblind persons; Act No. 21.015 of 2017<sup>261</sup> on incentives for the inclusion of persons with disabilities in the labour market; Act No. 21.545 of 2023<sup>262</sup> on inclusion, comprehensive care and protection of persons on the autism spectrum; the Employment Inclusion Support Programme of the National Service for Persons with Disabilities, which addresses a gap identified during the national consultation; and the National Service and Legal Assistance Agency joint access to justice programme for the provision of legal assistance to persons who are victims of discrimination or rights violations on account of their disability. Regarding participation,<sup>263</sup> pursuant to Act No. 20.422 of 2010,<sup>264</sup> which establishes the Consultative Council on Disability,<sup>265</sup> the National Service is required to conduct consultations and promote the participation of persons with disabilities.

96. Concerning institutionalized children and adolescents with disabilities,<sup>266</sup> Act No. 21.430 of 2022<sup>267</sup> establishes, *inter alia*, their right to live with their family, to be heard, to participate, to be protected against violence and their right to liberty of person and freedom of movement. Furthermore, Act No. 21.331 of 2021<sup>268</sup> on the recognition and protection of the rights of persons in mental health care seeks to address some of the shortcomings pointed out during the national consultation. For example, it bans the establishment of new psychiatric asylums and segregated mental health care facilities and provides that involuntary psychiatric hospitalization can only take place exceptionally, in case of certain and imminent risk to the life or integrity of the person or third parties.

97. For information on education services for persons with disabilities,<sup>269</sup> see paragraph 67.

## 6. Older persons

98. Measures have been taken for the inclusion of older persons,<sup>270</sup> which was also raised during the national consultation. These include: the launch of the Proper Treatment of Older Persons Programme by the National Service for Older Persons in 2012; the appointment in 2019 of the Older Person's Ombudsman, who provides specialized legal advice to older persons and communities in cases of abuse, ill-treatment, violence or rights abuses; and the bill on active and healthy ageing with dignity (Bulletin No. 13.822-07),<sup>271</sup> which addresses a number of shortcomings identified during the national consultation.

99. In addition, the Active Ageing Programme provides tools to manage ageing, with a focus on digital inclusion, and the "Older Leaders Training School" programme holds events

for older persons and provides important information on how to exercise their rights and be active in society. The 2022 Digital Literacy Plan addresses one of the gaps mentioned during the national consultation.

100. For information on the measures taken to appropriately handle cases of offences against older persons,<sup>272</sup> see paragraph 51.

101. Lastly, on the pending designation of an expert to sit on the Committee of Experts of the Inter-American Convention on Protecting the Human Rights of Older Persons – an issue raised during the national consultation – Chile proceeded with the appointment in 2023.

## 7. Minorities and Indigenous Peoples

102. Chile acknowledges its failings with regard to the recognition, representation and participation of Indigenous Peoples,<sup>273</sup> respect for their rights and the fight against discrimination,<sup>274</sup> which was mentioned during the national consultation. In recent years, it has taken steps to move forward in these areas and to guarantee the autonomy and self-determination of Indigenous Peoples in keeping with the ILO Indigenous and Tribal Peoples Convention, 1989 (No. 169) and the United Nations Declaration on the Rights of Indigenous Peoples. One of the most salient measures is the adoption of the Buen Vivir Plan in 2022, which sets an agenda for recognition and dialogue<sup>275</sup> with Indigenous Peoples focused on two areas: recognition of Indigenous Peoples and the initiation of local dialogues, along with an investment schedule for improving their standard of living. More than 300 meetings have taken place with local authorities and communities. In addition, the Ministry of Cultures, Arts and Heritage has been working to protect cultural heritage, including through the Cultural Revival of Indigenous Peoples and Persons of African Descent Programme, which seeks to address some of the shortcomings identified during the national consultation in terms of health care, ancestral practices, memory and cultural heritage.

103. There is legislation in place to eliminate all forms of discrimination, including Act No. 20.609 of 2012,<sup>276</sup> whereby a victim's Indigenous identity is an aggravating circumstance of the offence of discrimination. In 2023, the Ministry of Social Development and Family collected data for the establishment of a programme to mainstream the rights of Indigenous Peoples, and a participatory process is under way to develop a ten-year plan for Indigenous languages.

104. The importance of respecting the practices of Indigenous persons deprived of their liberty was underscored during the national consultation. In this regard, the National Prison Service adopted the following texts: circular No. 213 of 2014 on instructions to facilitate the celebration of ceremonies relevant to their worldview; Exempt Resolution No. 3925 instructing prisons to allow entry to doctors belonging to native peoples and others who perform this healing function; and Exempt Resolution No. 6640 instructing prisons to allow the entry of species and clothing that respect local customs and the specificities of the inmate population, including Indigenous Peoples.

105. Regarding political participation, the first constitutional process (2021–2022) had 17 seats reserved for native peoples. Seats were also reserved for Indigenous Peoples in the second constitutional process (2023) on the basis of the number of votes from the special Indigenous voter list, resulting in the election of one Indigenous representative.

106. A number of consultations with Indigenous Peoples<sup>277</sup> have taken place since the entry into force of Supreme Decree No. 66 of 2014.<sup>278</sup> For instance, Act No. 16.441 was amended in 2022<sup>279</sup> as a result of a consultation with institutions of the Rapa Nui People. An assessment of the consultation process was undertaken in 2023 with the aim of enhancing it and thus addressing one of the shortcomings mentioned during the national consultation.

107. Chile is aware that its debt towards Indigenous Peoples includes unresolved land claims.<sup>280</sup> In this connection, Act No. 19.253 of 1993 establishes mechanisms for the purchase of land; 279,414.23 hectares of land (29,095 families) have been purchased through an investment of \$663,388,561,625. The Presidential Commission for Peace and Understanding,<sup>281</sup> which was widely discussed during the national consultation, was set up in 2023 to advise the President on reaching a long-term solution, identify the gaps in land

claim matters, promote dialogue with the various stakeholders and recommend reparation mechanisms.

108. Regarding deaths in incidents involving members of Indigenous communities,<sup>282</sup> the form under the multisectoral protocol for deaths in the control, custody or care of the State was updated in 2023 to include the field “belonging to an Indigenous People”, thus enabling such cases to be quickly referred to the Public Prosecution Service. The investigative police has set up special units for the investigation of alleged murders of Indigenous individuals. Regarding the use of force against members of Indigenous Peoples,<sup>283</sup> the Carabineros have taken steps, including the introduction of the protection of native peoples in its training curricula. The force has also set up Specialized Indigenous Community Squads to implement the community integration model. For information on other measures taken to tackle excessive use of force, see paragraphs 28 to 34.

109. Concerning efforts to reduce poverty and improve the standard of living of Indigenous Peoples,<sup>284</sup> investment projects have been launched under the Buen Vivir Plan to build infrastructure for the provision of services in Indigenous communities, including schools, gyms and health-care facilities, as well as improve and maintain paths, roadworks and drinking water networks, among others. Other significant initiatives include: a programme of the National Indigenous Development Agency to promote the Indigenous economy; a programme to internationalize Indigenous businesses; the Küme Mogen Pu Zomo programme (see para. 78); the Indigenous Social Management Programme designed to improve the living conditions of Indigenous families; the Indigenous Micro-Business Programme; and a training project to empower and increase the participation of Aymara women in the local and regional economies of the northern Andean areas of Chile. These projects have also fostered the employment of Indigenous persons.<sup>285</sup>

110. As for housing,<sup>286</sup> the Buen Vivir Plan also aims to tackle the housing shortage. Moreover, the Ministry of Housing and Town Planning, the Ministry of Social Development and Family and the National Indigenous Development Agency signed a cooperation agreement in 2020 to reduce gaps in housing and habitability for Indigenous Peoples, taking into account cultural relevance.

111. Regarding tourism on Easter Island,<sup>287</sup> the 2030 National Tourism Strategy aims to strengthen Indigenous tourism in general by supporting the development of Indigenous-led tourism services and preserving authenticity while also complying with industry standards.

112. Lastly, Act No. 21.151 of 2019<sup>288</sup> legally recognizes the Chilean tribal people of African descent<sup>289</sup> and their identity and enshrines their right to be consulted. The development of implementing regulations, which will enter into force shortly, included consultations. Regarding the next census, an intercultural participation process was undertaken in 2021 which led to the formulation of a question containing specific categories for persons of African descent. To move forward on a non-discrimination policy, the Office of the Undersecretary for Human Rights is developing educational materials and training modules for public servants to be published in 2024.

## 8. Migrants

113. Chile is cognizant of the importance of meeting its international obligations to protect the rights of migrants<sup>290</sup> and combat discrimination.<sup>291</sup> In this regard, the 2021 Migration and Foreign Nationals Act (No. 21.325)<sup>292</sup> contains innovations in terms of promotion, respect and guarantee of human rights and equal access to social benefits. It also establishes a new migration authority – the National Migration Service – to ensure the protection and promotion of these rights and safeguards.

114. As required under the Act, the National Policy on Migration and Foreign Nationals<sup>293</sup> was introduced in 2023 following a participatory process. The Policy safeguards equality in the exercise of rights and promotes appropriate protection against discrimination, with a focus on groups needing special protection, in particular children, adolescents and women victims of domestic violence. The Policy also promotes orderly, safe and regular migration<sup>294</sup> through strengthened border controls and measures against migrant smuggling and trafficking in persons and contributes to the well-being of the population, taking into account

the capacity of the different areas to receive migrant populations, in order to ensure the safety of individuals and social cohesion.

115. The Global Compact for Safe, Orderly and Regular Migration was mentioned during the national consultation. Chile has taken part in activities related to the Global Compact, including the International Migration Review Forum, since 2022.

116. One of the priorities of the National Migration Service is to streamline the processing of residency applications. In its first year, decisions were taken on 250,000 applications for temporary residency and 93,000 applications for permanent residency, which represents 2.7 times more applications for temporary residency and 5 times more applications for permanent residency than in the previous year. Similarly, the average number of days to process an application for permanent residency was reduced from 345 in 2021 to 173 in 2022, and from 156 to 73 for temporary residency. This is substantial progress in the promotion of regular migration and was highlighted during the national consultation. In addition, the Child Migrant Programme, which was also commended during the national consultation, promotes regular migration of children and adolescents and the Protocol for the Protection of Unaccompanied Minors<sup>295</sup> was adopted in 2021.

117. Finally, to combat discrimination and foster inclusion – issues that were also raised during the national consultation – the National Migration Service has rolled out the following initiatives: the “Migrant Seal” programme directed at municipalities, the “Migrant Commitment” programme aimed at institutions, businesses and trade unions and the Migrant Inclusion Fund awards grants for projects designed to foster interaction between migrant communities and the Chilean population. The lack of public servants who speak the languages of the migrant population was raised during the national consultation. To remedy this, the investigative police established the Language Academy in 2021.

### **III. Implementation of the rejected recommendations from the third cycle of the universal periodic review**

118. As explained above (see para. 5), Chile did not accept any recommendations from the third cycle regarding the ratification of treaties but did proceed with the ratification of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children in 2004,<sup>296</sup> the ILO Domestic Workers Convention, 2011 (No. 189) in 2015,<sup>297</sup> the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women in 2020<sup>298</sup> and the Protocol of 2014 to the Forced Labour Convention, 1930 in 2021.<sup>299</sup>

119. Although Chile has not ratified the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity,<sup>300</sup> the Supreme Court has established in its jurisprudence that such crimes are not subject to statutory limitations. This is also established in article 40 of Act No. 20.357.<sup>301</sup> Chile has not ratified the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights<sup>302</sup> but has ratified the Protocol of San Salvador.

120. Although the Decree-Law on Amnesty remains in force,<sup>303</sup> the Supreme Court still does not enforce it. Furthermore, with regard to unresolved disappearances,<sup>304</sup> Chile has maintained a permanent dialogue with the Working Group on Enforced or Involuntary Disappearances, which met in Chile in February 2023, and has regularly submitted information to it regarding specific cases. In addition, the Working Group has provided technical assistance in relation to the National Plan on the Search for Missing Persons. For information on reparations for victims,<sup>305</sup> see paragraph 41.

121. The death penalty provided for in the Code of Military Justice<sup>306</sup> has not been applied since the return to democratic rule. For information on the regulation and investigation of use of force by the police,<sup>307</sup> see paragraphs 28 to 33 and 108.

122. For information on steps to authorize access to abortion,<sup>308</sup> see paragraph 75. Same-sex marriage has been legalized.<sup>309</sup>

123. Other measures taken with regard to discrimination, racism and other forms of intolerance,<sup>310</sup> protection of Indigenous Peoples,<sup>311</sup> anti-terrorism legislation,<sup>312</sup> migrants,<sup>313</sup> freedom of expression, assembly and association,<sup>314</sup> and children and adolescents<sup>315</sup> are described above.

## IV. Annexes

124. The report of the national consultation is contained in annex 1, while annex 2 contains detailed information on the resolved cases linked to the 2019 social crisis.

### Notes

- 1 <https://www.ohchr.org/sites/default/files/documents/hrbodies/upr/midtermreports/statesmidtermreports/2022-09-27/MISION-DE-CHILE-ANEXO2.pdf>.
- 2 [A/HRC/41/6](#).
- 3 § 125.18 (El Salvador).
- 4 <https://www.ohchr.org/es/press-releases/2023/05/experto-de-las-naciones-unidas-advierde-que-chile-enfrenta-una-tormenta-de>.
- 5 <https://www.ohchr.org/es/press-releases/2023/10/un-expert-praises-chiles-human-rights-architecture-warns-shadow-torture>.
- 6 [E/C.12/CHL/5](#).
- 7 [CCPR/C/CHL/7](#).
- 8 [CEDAW/C/CHL/8](#).
- 9 [CAT/C/CHL/7](#).
- 10 [CRC/C/CHL/6-7](#).
- 11 [CRPD/C/CHL/2-4](#).
- 12 [CERD/C/CHL/22-23](#).
- 13 [CED/C/CHL/FCO/1](#).
- 14 [CMW/C/CHL/FCO/2](#).
- 15 § 125.19 (Reino Unido).
- 16 § 125.20 (Cabo Verde), § 125.25 (Cabo Verde), § 125.26 (Cabo Verde).
- 17 § 125.182 (Panamá).
- 18 <https://politicaexteriorfeminista.minrel.gob.cl/>.
- 19 § 125.21 (Bahrein).
- 20 [https://www.planderechoshumanos.gob.cl/doc2/B/primer/B2\\_2\\_Evaluacion\\_del\\_Primer\\_PNDH/final/Informe\\_Final\\_Evaluaci%C3%B3n\\_Final\\_PNDH1.pdf](https://www.planderechoshumanos.gob.cl/doc2/B/primer/B2_2_Evaluacion_del_Primer_PNDH/final/Informe_Final_Evaluaci%C3%B3n_Final_PNDH1.pdf).
- 21 § 125.22 (República Dominicana); § 125.23 (Armenia); § 125.24 (Argelia).
- 22 <https://www.planderechoshumanos.gob.cl/>.
- 23 § 125.45 (Costa Rica); § 125.50 (España); § 125.51 (Tailandia).
- 24 [https://www.planderechoshumanos.gob.cl/doc2/C/C2\\_Primer\\_PAN/Seguimiento/Reporte\\_Final\\_PAN1.pdf](https://www.planderechoshumanos.gob.cl/doc2/C/C2_Primer_PAN/Seguimiento/Reporte_Final_PAN1.pdf).
- 25 [https://www.planderechoshumanos.gob.cl/doc/GEN/2%C2%BAPAN\\_2022-2025-2.pdf](https://www.planderechoshumanos.gob.cl/doc/GEN/2%C2%BAPAN_2022-2025-2.pdf).
- 26 § 125.46 (Ecuador); § 125.51 (Tailandia).
- 27 § 125.27 (Federación Rusa); § 125.28 (Ghana); § 125.29 (México); § 125.30 (Australia); § 125.32 (Suiza); § 125.33 (Turquía); § 125.34 (Turquía); § 125.35 (Ucrania).
- 28 <https://www.bcn.cl/leychile/navegar?idNorma=1130871>.
- 29 <https://www.bcn.cl/leychile/navegar?idNorma=1008867>.
- 30 § 125.31 (Senegal).
- 31 § 125.214 (Ucrania).
- 32 <https://www.bcn.cl/leychile/navegar?idNorma=1114173>.
- 33 § 125.151 (Marruecos).
- 34 <https://formacionddhh.minjusticia.gob.cl/>.
- 35 <https://academiajudicial.cl/programas/perfeccionamiento/oferta-y-programas/>.
- 36 § 125.38 (China); § 125.42 (Nepal).
- 37 <https://www.bcn.cl/leychile/navegar?idNorma=1042092&idVersion=Diferido>.
- 38 <https://www.camara.cl/legislacion/ProyectosDeLey/tramitacion.aspx?prmID=13286&prmBOLETIN=12748-17>.
- 39 § 125.38 (China); § 125.42 (Nepal).
- 40 § 125.36 (República de Moldova).
- 41 § 125.38 (China).
- 42 § 125.43 (Vietnam).

- 43 <https://www.bcn.cl/leychile/navegar?idNorma=1177286>.
- 44 <https://mma.gob.cl/cambio-climatico/plan-nacional-de-adaptacion-al-cambio-climatico-y-plan-sec-toriales/>.
- 45 § 125.43 (Vietnam).
- 46 <https://www.bcn.cl/leychile/navegar?idNorma=1157003>.
- 47 § 125.44 (Francia).
- 48 <https://mma.gob.cl/escazu-en-chile/#pipe>.
- 49 § 125.45 (Costa Rica).
- 50 <https://mma.gob.cl/pras/>.
- 51 § 125.45 (Costa Rica).
- 52 § 125.47 (Grecia).
- 53 § 125.48 (Omán).
- 54 <https://www.bcn.cl/leychile/navegar?idNorma=1141461>.
- 55 <https://www.bcn.cl/leychile/navegar?idNorma=1141461>.
- 56 <https://www.bcn.cl/leychile/navegar?idNorma=1090894>.
- 57 <https://energia.gob.cl/energia2050>.
- 58 <https://ppda.mma.gob.cl/>.
- 59 <https://sinia.mma.gob.cl/>.
- 60 <https://retc.mma.gob.cl/>.
- 61 <https://mma.gob.cl/transicion-socioecologica-justa/>.
- 62 § 125.169 (Fiji).
- 63 § 125.49 (República de Corea).
- 64 <https://www.bcn.cl/leychile/navegar?idNorma=30667>.
- 65 <https://www.bcn.cl/leychile/navegar?idNorma=1195119>.
- 66 <https://www.bcn.cl/leychile/navegar?idNorma=1195119>.
- 67 <https://www.bcn.cl/leychile/navegar?idNorma=1010459>.
- 68 <https://portal.sma.gob.cl/index.php/2022/12/07/sma-formula-cargos-a-empresa-minera-centinela-por-dano-ambiental/>.
- 69 <https://portal.sma.gob.cl/index.php/2022/03/10/sma-sanciona-a-minera-escondida-por-6-600-millones-tras-dano-ambiental>.
- 70 § 125.92 (México).
- 71 <https://www.subtel.gob.cl/concursobanda700/>.
- 72 <https://www.wifigob.cl/>.
- 73 § 125.108 (Perú); § 125.109 (Brasil); § 125.110 (Suiza).
- 74 “La protección de datos personales en contextos de avanzado desarrollo tecnológico, con énfasis en videovigilancia y tecnología de reconocimiento facial empleada por el sector público”, disponible en: <https://www.consejotransparencia.cl/estudios/wp-content/uploads-2022-01-la-proteccion-de-datos-personales-en-contextos-de-avanzado-desarrollo-tecnologico-con-enfasis-en-videovigilancia-y-tecnologia-de-reconocimiento-faci/>.
- 75 Véase Corte Suprema, Roles N° 18.458-2016 y N° 18.481-2016 (1 de junio de 2016).
- 76 <https://www.camara.cl/legislacion/ProyectosDeLey/tramitacion.aspx?prmID=11661&prmBoletin=11144-07>.
- 77 <https://www.bcn.cl/leychile/navegar?idNorma=1172697>.
- 78 <https://www.bcn.cl/leychile/navegar?idNorma=1172697>.
- 79 <https://www.bcn.cl/leychile/navegar?idNorma=30329>.
- 80 § 125.59 (República de Corea).
- 81 <https://www.bcn.cl/leychile/navegar?idNorma=1147569>.
- 82 <https://www.bcn.cl/leychile/navegar?idNorma=1165383>.
- 83 <https://ordenesgenerales.investigaciones.cl/Archivo/Descarga/?file=8C2580F7C22FF9D25C061A3A8FD241851DFADF2B>.
- 84 <https://www.camara.cl/legislacion/ProyectosDeLey/tramitacion.aspx?prmID=16343&prmBOLETIN=15805-07>.
- 85 § 125.54 (Canadá); § 125.59 (República de Corea); § 125.60 (Estonia); § 125.64 (Rumania); § 125.71 (Estados Unidos de América); § 125.72 (Azerbaián); § 125.73 (Botswana); § 125.76 (Pakistán); § 125.77 (Finlandia); § 125.78 (Grecia).
- 86 <https://www.bcn.cl/leychile/navegar?idNorma=1172697>.
- 87 <https://www.bcn.cl/leychile/navegar?idNorma=1199499>.
- 88 <https://drive.google.com/file/d/1tA-RNqxxcb4yxJMJeNywprgT8krMdGeP/view>.
- 89 <https://programaviddhh.minjusticia.gob.cl/mesa-de-reparacion-integral-concluye-su-funcionamiento-con-la-entrega-de-informe-de-recomendaciones-a-presidencia/>.
- 90 <https://www.gob.cl/pacto/>.
- 91 § 125.54 (Canadá); § 125.55 (Azerbaián); § 125.56 (Chipre); § 125.57 (Pakistán); § 125.58 (Filipinas); § 125.59 (República de Corea); § 125.60 (Estonia); § 125.78 (Grecia).

- 92 § 125.58 (Filipinas).
- 93 <https://academiajudicial.cl/programas/perfeccionamiento/oferta-y-programas/>.
- 94 § 125.54 (Canadá); § 125.60 (Estonia).
- 95 [https://www.carabineros.cl/transparencia/og/2022/OG%202827\\_26012022\\_BO4994.pdf](https://www.carabineros.cl/transparencia/og/2022/OG%202827_26012022_BO4994.pdf).
- 96 <https://www.oas.org/es/CIDH/jsForm/?File=/es/cidh/ssri/chile/mesech/default.asp>.
- 97 § 125.63 (Armenia).
- 98 § 125.64 (Rumania).
- 99 <https://www.bcn.cl/leychile/navegar?idNorma=1096847&idParte=9747818&idVersion=2016-11-22>.
- 100 <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=35093>.
- 101 <https://ordenesgenerales.investigaciones.cl/Archivo/Descarga/?file=4DB3C00473AD6DA0B473AABB28315A6341DB5616>.
- 102 <https://www.derechoshumanos.gob.cl/plan-nacional-de-busqueda/>.
- 103 § 125.83 (Francia); § 125.84 (Argentina).
- 104 <https://www.bcn.cl/leychile/navegar?idNorma=1182811&idParte=10372092&idVersion=2022-10-14>.
- 105 § 125.85 (Rumania).
- 106 <https://www.bcn.cl/leychile/navegar?idNorma=30490>.
- 107 <https://www.bcn.cl/leychile/navegar?idNorma=232231>.
- 108 <https://www.bcn.cl/leychile/navegar?idNorma=233930>.
- 109 <https://www.bcn.cl/leychile/navegar?idNorma=30601>.
- 110 [https://www.corteidh.or.cr/docs/casos/articulos/seriec\\_372\\_esp.pdf](https://www.corteidh.or.cr/docs/casos/articulos/seriec_372_esp.pdf).
- 111 <https://ddhh.minjusticia.gob.cl/cidh-destaco-el-cumplimiento-de-acuerdo-de-solucion-amistosa-por-caso-rivera-matus/>.
- 112 <https://saludresponde.minsal.cl/programa-de-reparacion-y-atencion-en-salud-prais/>.
- 113 <https://www.patrimoniocultural.gob.cl/fondos/programa-sitios-de-memoria-psm>.
- 114 Representando esta cifra un tercio del total de sitios declarados monumento histórico desde 1990.
- 115 <https://www.bcn.cl/leychile/navegar?idNorma=1024319>.
- 116 § 125.93 (Jordania); § 125.94 (Panamá); § 125.95 (Liechtenstein); § 125.96 (Belarús); § 125.101 (Qatar); § 125.102 (Tailandia).
- 117 <https://www.bcn.cl/leychile/navegar?idNorma=1158549>.
- 118 <http://www.fiscaliadechile.cl/Fiscalia/instructivos/index.do?d1=30>.
- 119 <https://www.bcn.cl/leychile/navegar?idNorma=1193423>.
- 120 § 125.97 (Guyana); § 125.99 (Nigeria); § 125.102 (Tailandia).
- 121 <http://tratadepersonas.subinterior.gov.cl/mesa-intersectorial/>.
- 122 <http://tratadepersonas.subinterior.gov.cl/media/2015/07/MITP-Protocolo-Intersectorial-de-Atenci%C3%B3n-de-V%C3%ADctimas-de-Trata-de-Personas.pdf>.
- 123 <https://ordenesgenerales.investigaciones.cl/Archivo/Descarga/?file=EBD4C93236DC4B384EB3572C9C3DCE3AFFC21FA5>.
- 124 § 125.100 (Filipinas); § 125.101 (Qatar); § 125.102 (Tailandia).
- 125 [http://www.fiscaliadechile.cl/Fiscalia/fiscalias\\_nacional/noticias\\_det.do?id=227724](http://www.fiscaliadechile.cl/Fiscalia/fiscalias_nacional/noticias_det.do?id=227724).
- 126 <http://www.fiscaliadechile.cl/Fiscalia/instructivos/index.do>.
- 127 <http://www.fiscaliadechile.cl/Fiscalia/instructivos/index.do?d1=0>.
- 128 <http://www.fiscaliadechile.cl/Fiscalia/instructivos/index.do>.
- 129 <https://www.bcn.cl/leychile/navegar?idNorma=1180363>.
- 130 § 125.88 (Islandia).
- 131 <https://www.camara.cl/legislacion/ProyectosDeLey/tramitacion.aspx?prmID=15468&prmBOLETIN=14964-24>.
- 132 § 125.88 (Islandia).
- 133 § 125.242 (Australia).
- 134 § 125.233 (Italia).
- 135 § 125.114 (China); § 125.115 (Indonesia); § 125.116 (Iraq); § 125.118 (Marruecos); § 125.119 (Qatar).
- 136 <https://www.gob.cl/chileapoya/>.
- 137 Con foco en quienes abandonaron el mercado laboral para ejercer labores de cuidado, principalmente mujeres.
- 138 <https://www.bcn.cl/leychile/navegar?idNorma=1192720&tipoVersion=0>.
- 139 § 125.120 (Bahamas); § 125.121 (Alemania).
- 140 <https://www.bcn.cl/leychile/navegar?idNorma=1174443>.
- 141 <https://www.mop.gob.cl/aguasrurales/>.
- 142 <https://www.bcn.cl/leychile/navegar?idNorma=1100197>.
- 143 § 125.122 (Bahamas).
- 144 § 125.125 (Francia); § 125.153 (España).
- 145 <https://www.senadis.gob.cl/descarga/i/5609/documento>.
- 146 § 125.220 (Cuba); § 125.224 (Egipto); § 125.331 (Guyana).
- 147 § 125.124 (Arabia Saudita).

- 148 § 125.135 (Bahamas); § 125.136 (Argelia); § 125.137 (Maldivas); § 125.138 (Mauricio); § 125.140 (Georgia); § 125.148 (Túnez).
- 149 <https://www.bcn.cl/leychile/navegar?idNorma=1078172>.
- 150 § 125.139 (India); § 125.141 (Estado de Palestina).
- 151 <https://www.bcn.cl/leychile/navegar?idNorma=1028635>.
- 152 <https://www.bcn.cl/leychile/navegar?idNorma=1111237>.
- 153 § 125.144 (Arabia Saudita); § 125.145 (Uzbekistán).
- 154 § 125.142 (Iraq); § 125.143 (Ghana); § 125.152 (Eslovaquia).
- 155 <https://www.bcn.cl/leychile/navegar?idNorma=1078172>.
- 156 <https://www.bcn.cl/leychile/navegar?idNorma=1190123>.
- 157 <https://www.bcn.cl/leychile/navegar?idNorma=1133140>.
- 158 <https://www.bcn.cl/leychile/navegar?idNorma=1154963>.
- 159 <https://www.bcn.cl/leychile/navegar?idNorma=1188864>.
- 160 <https://escolar.mineduc.cl/inclusion-convivencia-e-interculturalidad/inclusion/>.
- 161 <https://www.mineduc.cl/inclusion-de-las-personas-lgbtiqua-en-el-sistema-educativo/>.
- 162 [www.minsal.cl/wp-content/uploads/2018/02/Presentación\\_Subsecretario\\_Politica\\_Salud\\_Sexual\\_y\\_Reproductiva.pdf](http://www.minsal.cl/wp-content/uploads/2018/02/Presentación_Subsecretario_Politica_Salud_Sexual_y_Reproductiva.pdf).
- 163 § 125.146 (Argentina).
- 164 § 125.149 (Mauricio); § 125.220 (Cuba); § 125.231 (Guyana); § 125.145 (Uzbekistán).
- 165 § 125.147 (Trinidad y Tobago); § 125.149 (Mauricio); § 125.150 (Qatar).
- 166 Plan que incluye como ejes de trabajo: recuperación de infraestructura; transporte escolar; fortalecimiento de la educación técnico profesional; propuestas interculturales; programa de fortalecimiento pedagógico; y política nacional de educación rural. Disponible en <https://rural.mineduc.cl/>.
- 167 <https://www.crearural.cl/>.
- 168 § 125.154 (Austria).
- 169 <https://www.bcn.cl/leychile/navegar?idNorma=1088963>.
- 170 <https://emergenciaydesastres.mineduc.cl/wp-content/uploads/2021/04/POLITICA-DE-SEGURIDAD-ESCOLAR-Y-PARVULARIA.pdf#:~:text=La%20Pol%C3%ADtica%20de%20Seguridad%20Escolar%20y%20Parvu-%20laria,en%20su%20entorno%20cer-%20cano%20y%20tambi%C3%A9n%20global>.
- 171 § 125.155 (Botswana); § 125.156 (Bulgaria); § 125.157 (Croacia); § 125.158 (Islandia).
- 172 § 125.159 (Túnez); § 125.160 (Rwanda); § 125.161 (Bélgica); § 125.162 (Uzbekistán); § 125.167 (República Dominicana); § 125.170 (Finlandia); § 125.173 (Guyana); § 125.178 (Lituania); § 125.180 (Montenegro); § 125.183 (Portugal).
- 173 <https://www.bcn.cl/leychile/navegar?idNorma=1149335&idParte=10157710&idVersion=2020-09-11>.
- 174 <https://www.bcn.cl/leychile/navegar?idNorma=1159523>.
- 175 <https://www.bcn.cl/leychile/navegar?idNorma=1131064>.
- 176 <https://biblioteca.digital.gob.cl/handle/123456789/3645>.
- 177 <http://educacionnosexista.mineduc.cl>.
- 178 § 125.107 (Uruguay).
- 179 <https://www.camara.cl/legislacion/ProyectosDeLey/tramitacion.aspx?prmID=7957&prmBOLETIN=7567-07>.
- 180 § 125.79 (Bahrein); § 125.162 (Uzbekistán); § 125.163 (Irlanda); § 125.164 (Bangladesh); § 125.166 (Canadá); § 125.168 (Estonia); § 125.173 (Guyana); § 125.174 (Honduras); § 125.175 (Islandia); § 125.176 (Indonesia); § 125.177 (Liechtenstein); § 125.178 (Lituania); § 125.179 (México); § 125.184 (Singapur); § 125.185 (España); § 125.186 (Túnez); § 125.213 (Trinidad y Tobago).
- 181 <https://www.bcn.cl/leychile/navegar?idNorma=1131140>.
- 182 <https://www.bcn.cl/leychile/navegar?idNorma=1143040>.
- 183 <https://www.bcn.cl/leychile/navegar?idNorma=1165983>.
- 184 <https://www.bcn.cl/leychile/navegar?idNorma=1165023>.
- 185 <https://www.bcn.cl/leychile/navegar?idNorma=1191935&tipoVersion=0>.
- 186 [https://www.senado.cl/appsenado/templates/tramitacion/index.php?boletin\\_ini=14974-13](https://www.senado.cl/appsenado/templates/tramitacion/index.php?boletin_ini=14974-13).
- 187 <https://www.camara.cl/legislacion/ProyectosDeLey/tramitacion.aspx?prmID=11592&prmBoletin=11077-07>.
- 188 <https://www.camara.cl/legislacion/ProyectosDeLey/urgencias.aspx?prmID=9253&prmBOLETIN=8851->
- 189 <https://www.camara.cl/legislacion/ProyectosDeLey/tramitacion.aspx?prmID=14490&prmB>
- 190 <http://www.fiscaliadechile.cl/Fiscalia/instructivos/index.do?d1=50#>.
- 191 § 125.168 (Estonia).
- 192 § 125.128 (Francia).
- 193 <https://diprece.minsal.cl/wp-content/uploads/2023/01/Pauta-IVE-Publicado.pdf>.
- 194 § 125.79 (Bahrein); § 125.165 (Bahrein).



- 195 <https://www.bcn.cl/leychile/navegar?idNorma=1187183>.
- 196 <https://www.bcn.cl/leychile/navegar?idNorma=1187224>.
- 197 [https://www.senado.cl/appsenado/templates/tramitacion/index.php?boletin\\_ini=12148-11](https://www.senado.cl/appsenado/templates/tramitacion/index.php?boletin_ini=12148-11).
- 198 § 125.111 (Guyana).
- 199 § 125.112 (India); § 125.113 (Myanmar).
- 200 <https://www.camara.cl/legislacion/ProyectosDeLey/tramitacion.aspx?prmID=9734&prmBOLETIN=9322-13>.
- 201 <https://www.camara.cl/legislacion/ProyectosDeLey/tramitacion.aspx?prmID=10998&prmBOLETIN=10576-13>.
- 202 <https://www.camara.cl/legislacion/proyectosdeley/tramitacion.aspx?prmID=16048&prmBOLETIN=15516-34>.
- 203 <https://www.bcn.cl/leychile/navegar?i=1162243>.
- 204 § 125.171 (Albania); § 125.172 (Nepal).
- 205 <https://www.bcn.cl/leychile/navegar?idNorma=1191805>.
- 206 <https://www.camara.cl/legislacion/ProyectosDeLey/tramitacion.aspx?prmID=12512&prmBOLETIN=11994-34>.
- 207 § 125.181 (Myanmar).
- 208 § 125.187 (Uzbekistán); § 125.188 (Perú); § 125.189 (Vietnam); § 125.194 (Indonesia); § 125.204 (Noruega); § 125.206 (Paraguay); § 125.209 (Singapur); § 125.213 (Trinidad y Tobago).
- 209 <https://www.bcn.cl/leychile/navegar?idNorma=1173643>.
- 210 <https://www.bcn.cl/leychile/navegar?idNorma=1187063>.
- 211 <https://www.bcn.cl/leychile/navegar?idNorma=1168463>.
- 212 <https://www.bcn.cl/leychile/navegar?idNorma=1181003&idParte=10363246&idVersion=2222-02-02>.
- 213 § 125.191 (Estados Unidos de América); § 125.192 (Bulgaria); § 125.193 (Alemania); § 125.197 (Estonia); § 125.198 (Francia); § 125.200 (Lituania).
- 214 <https://www.bcn.cl/leychile/navegar?idNorma=1154203>.
- 215 <https://www.bcn.cl/leychile/navegar?idNorma=1187684>.
- 216 <https://www.bcn.cl/leychile/navegar?idNorma=1128371>.
- 217 § 125.195 (Estados Unidos de América); § 125.210 (Eslovaquia).
- 218 <https://www.bcn.cl/leychile/navegar?idNorma=1150357>.
- 219 § 125.79 (Bahrein); § 125.152 (Eslovaquia); § 125.196 (Brasil); § 125.201 (Madagascar); § 125.212 (Suiza).
- 220 § 125.197 (Liechtenstein); § 125.202 (Uruguay); § 125.203 (Montenegro); § 125.207 (Moldova); § 125.211 (Eslovenia).
- 221 <https://www.bcn.cl/leychile/navegar?idNorma=1103697>.
- 222 <https://www.bcn.cl/leychile/navegar?idNorma=1173643>.
- 223 <https://www.junji.gob.cl/wp-content/uploads/2017/08/Politica-de-Ambientes-Bientratantes.pdf>.
- 224 [https://www.junji.gob.cl/wp-content/uploads/2018/07/Protocolo\\_maltrato\\_infantil\\_2018.pdf](https://www.junji.gob.cl/wp-content/uploads/2018/07/Protocolo_maltrato_infantil_2018.pdf).
- 225 <https://convivenciaparaciudadania.mineduc.cl/plan-nacional-convivencia-escolar-y-aprendizaje-socioemocional/>.
- 226 § 125.205 (Pakistán).
- 227 <https://www.bcn.cl/leychile/navegar?idNorma=1187183>.
- 228 <https://www.bcn.cl/leychile/navegar?idNorma=1173643>.
- 229 <https://www.bcn.cl/leychile/navegar?idNorma=1134001>.
- 230 <https://www.bcn.cl/leychile/navegar?idNorma=1144003>.
- 231 § 125.98 (Hungría).
- 232 <https://www.bcn.cl/leychile/navegar?idNorma=1154203>.
- 233 <https://cloud.pjud.cl/index.php/s/DvoLxvImuMLHiNv>.
- 234 § 125.106 (Egipto).
- 235 <https://www.bcn.cl/leychile/navegar?idNorma=1184723>.
- 236 <https://www.bcn.cl/leychile/navegar?idNorma=1191554>.
- 237 <https://www.bcn.cl/leychile/navegar?idNorma=1199604>.
- 238 § 125.65 (Azerbaiyán); § 125.66 (Bangladesh); § 125.67 (Belarús); § 125.69 (Federación Rusa); § 125.70 (Senegal).
- 239 § 125.68 (Panamá).
- 240 § 125.68 (Panamá).
- 241 <https://www.bcn.cl/leychile/navegar?idNorma=1127989>.
- 242 <https://www.camara.cl/legislacion/ProyectosDeLey/tramitacion.aspx?prmID=11587&prmBOLETIN=11073-07>.
- 243 § 125.39 (Irlanda); § 125.40 (Malta); § 125.41 (Malta).
- 244 <https://www.bcn.cl/leychile/navegar?idNorma=1169572>.
- 245 <https://www.bcn.cl/leychile/navegar?idNorma=1163736>.
- 246 <https://secretariadegenero.pjud.cl/index.php/estudio-igbti>.

- 247 <https://diprece.minsal.cl/wp-content/uploads/2021/05/RECOMENDACIONES-PARA-LA-IMPLEMENTACION-DEL-PROGRAMA-DE-ACOMPANAMIENTO-PARA-NINOS-NINAS-Y-ADOLESCENTES-TRANS-Y-GENERO-NO-CONFORME.pdf>.
- 248 <https://www.supereduc.cl/wp-content/uploads/2017/04/ORD-N%C2%BA0768-DERECOS-DE-NI%C3%91AS-NI%C3%91OS-Y-ESTUDIANTES-TRANS-EN-EL-%C3%81MBITO-DE-LA-EDUCACI%C3%93N-A-SOSTENEDORES.pdf>.
- 249 <https://inclusionyparticipacion.mineduc.cl/wp-content/uploads/sites/113/2023/05/DOCUMENTO-PARTICIPACION-2-v2.pdf>.
- 250 <https://www.movilh.cl/wp-content/uploads/2021/01/gendarmeria-protocolo-trans-movilh.pdf>.
- 251 <https://diprece.minsal.cl/wp-content/uploads/2023/11/Circular-15-Instruye-a-equipos-de-salud-a-adaptar-todas-las-medidas-necesarias-para-asegurar-el-interes-superior-de-ninos-ninas-y-adolescentes-con-variaciones-de-las-caracteristicas-sexuales.pdf>.
- 252 § 125.41 (Malta); § 125.208 (Australia).
- 253 § 125.252 (Georgia); § 125.253 (Serbia); § 125.254 (Iraq); § 125.255 (Jordania); § 125.256 (Malasia); § 125.257 (Maldivas).
- 254 <https://www.bcn.cl/leychile/navegar?idLey=20422>.
- 255 <https://www.bcn.cl/leychile/navegar?idNorma=1134300>.
- 256 <https://www.bcn.cl/leychile/navegar?idNorma=1150763&idParte=0>.
- 257 <https://www.bcn.cl/leychile/navegar?idNorma=1154963>.
- 258 <https://www.bcn.cl/leychile/navegar?idNorma=1159383>.
- 259 <https://www.bcn.cl/leychile/navegar?i=1166847yt%3D0>.
- 260 <https://www.bcn.cl/leychile/navegar?idNorma=1170743>.
- 261 <https://www.bcn.cl/leychile/navegar?idNorma=1103997>.
- 262 <https://www.bcn.cl/leychile/navegar?idNorma=1190123>.
- 263 § 125.256 (Malasia).
- 264 <https://www.bcn.cl/leychile/navegar?idLey=20422>.
- 265 <https://www.senadis.gob.cl/pag/194/1427/descripcion>.
- 266 § 125.258 (Chipre).
- 267 <https://www.bcn.cl/leychile/navegar?idNorma=1173643>.
- 268 <https://www.bcn.cl/leychile/navegar?idNorma=1159383>.
- 269 § 125.146 (Argentina).
- 270 § 125.90 (Malasia).
- 271 <https://www.camara.cl/legislacion/ProyectosDeLey/tramitacion.aspx?prmID=14381&prmBOLETIN=13822-07>.
- 272 § 125.79 (Bahrein).
- 273 § 125.216 (Canadá); § 125.221 (Chequia); § 125.229 (Alemania); § 125.238 (Togo); § 125.239 (Filipinas); § 125.240 (Portugal); § 125.243 (Noruega); § 125.246 (Pakistán).
- 274 § 125.217 (Perú); § 125.220 (Cuba); § 125.223 (República Dominicana); § 125.226 (Estonia); § 125.227 (Francia); § 125.228 (Albania); § 125.231 (Guyana); § 125.235 (Estado de Palestina); § 125.245 (Omán).
- 275 § 125.222 (Dinamarca).
- 276 <https://www.bcn.cl/leychile/navegar?idNorma=1042092&idVersion=Diferido>.
- 277 § 125.216 (Canadá); § 125.225 (El Salvador); § 125.233 (Italia); § 125.243 (Noruega).
- 278 <https://www.bcn.cl/leychile/navegar?idNorma=1059961>.
- 279 <https://www.bcn.cl/leychile/navegar?idNorma=1176643&idParte=10337464>.
- 280 § 125.220 (Cuba); § 125.222 (Dinamarca); § 125.226 (Estonia); § 125.230 (Grecia); § 125.238 (Togo).
- 281 <https://www.minsepres.gob.cl/archivo/noticias/gobierno-lanza-comision-presidencial-para-la-paz-y-el-entendimiento>.
- 282 § 125.71 (Estados Unidos de América); § 125.80 (Austria).
- 283 § 125.218 (Bélgica).
- 284 § 125.219 (Bolivia); § 125.220 (Cuba); § 125.226 (Estonia); § 125.232 (India); § 125.234 (Jordania).
- 285 § 125.220 (Cuba); § 125.224 (Egipto).
- 286 § 125.224 (Egipto).
- 287 § 125.117 (Myanmar).
- 288 <https://www.bcn.cl/leychile/navegar?idNorma=1130641&tipoVersion=0>.
- 289 § 125.247 (Barbados); § 125.248 (Barbados); § 125.249 (Djibouti); § 125.250 (Haití); § 125.251 (Rwanda).
- 290 § 125.261 (Egipto); § 125.262 (Haití); § 125.265 (México); § 125.266 (Nigeria).
- 291 § 125.263 (Honduras).
- 292 <https://www.bcn.cl/leychile/navegar?idNorma=1158549>.
- 293 <https://serviciomigraciones.cl/gobierno-de-chile-presenta-pnme/>.
- 294 § 125.265 (México).
- 295 <https://cloud.pjud.cl/index.php/s/0xgevDrB5bVg99U>.

- <sup>296</sup> § 125.17 (Reino Unido).  
<sup>297</sup> § 125.1 (Benin).  
<sup>298</sup> § 125.7 (España, Croacia, Benin, Albania, Ucrania, Irlanda, Hungría, República de Moldova); § 125.8 (Djibouti); § 125.9 (Ecuador); § 125.10 (Mauricio); § 125.11 (Italia); § 125.12 (Lituania); § 125.13 (Países Bajos); § 125.14 (Paraguay); § 125.15 (Austria); § 125.16 (Togo).  
<sup>299</sup> § 125.17 (Reino Unido).  
<sup>300</sup> § 125.2 (Armenia); § 125.3 (Ecuador).  
<sup>301</sup> <https://www.bcn.cl/leychile/navegar?idNorma=1004297>.  
<sup>302</sup> § 125.4 (España & Benin), § 125.5 (Portugal), § 125.6 (Djibouti).  
<sup>303</sup> § 125.52 (Italia).  
<sup>304</sup> § 125.81 (Belarús).  
<sup>305</sup> § 125.82 (Costa Rica).  
<sup>306</sup> § 125.53 (Italia).  
<sup>307</sup> § 125.61 (Federación Rusa); § 125.62 (Reino Unido); § 125.74 (Cuba); § 125.75 (Chequia).  
<sup>308</sup> § 125.126 (Bélgica); § 125.127 (Dinamarca); § 125.129 (Alemania); § 125.130 (Islandia); § 125.131 (Noruega); § 125.132 (Eslovenia); § 125.133 (Suecia); § 125.134 (Suecia).  
<sup>309</sup> § 125.103 (Países Bajos); § 125.104 (Portugal); § 125.105 (Suecia).  
<sup>310</sup> § 125.37 (Bolivia); § 125.260 (Bolivia).  
<sup>311</sup> § 125.91 (Bolivia); § 125.123 (República Bolivariana de Venezuela); § 125.215 (República Bolivariana de Venezuela).  
<sup>312</sup> § 125.89 (Chequia); § 125.236 (Suecia); § 125.237 (Suiza); § 125.241 (Australia); § 125.244 (Noruega).  
<sup>313</sup> § 125.259 (Bangladesh); § 125.260 (Bolivia); § 125.264 (Jordania).  
<sup>314</sup> § 125.86 (República Bolivariana de Venezuela); § 125.87 (Cuba); § 125.88 (Islandia).  
<sup>315</sup> § 125.190 (República Bolivariana de Venezuela).
-